
18.0 A Human Resources

These University policies are subject to Georgia Board of Regents' Human Resources policies (available at [www.usg.edu/policymanual/section 8](http://www.usg.edu/policymanual/section8)) and the Human Resources Administrative Practice Manual (available at www.usg.edu/hr/manual). They are designed to serve as guidelines of conduct for Clayton State University employees and are subject to change. The University's Employee Handbook supplements these policies. Updates, changes and/or revisions to the Employee Handbook are noted in the online version at <http://www.clayton.edu/human-resources/employeehandbook>. All references noted within should be reviewed against the most up-to-date version which will be located on the Department of Human Resources' or the Board of Regents' website. In case of any divergence in these policies or the Employee Handbook from, or conflict with, the Bylaws or Policies of the Board of Regents, the official Bylaws and Policies of the Board of Regents shall prevail.

The following defined terms are used within certain of the Human Resources policies:

Professional and Administrative Employees: Employees who are exempt from the federal Wage-Hour provisions of the Fair Labor Standards Act because of their professional and administrative responsibilities. These are generally salaried positions and are not eligible for overtime pay.

Staff Employees: Employees who are not exempt from the federal Wage-Hour provisions of the Fair Labor Standards Act. Staff employees are eligible for additional compensation for time worked over 40-hours in a week.

Regular Employment: Regular employees are personnel employed on a continuing basis, including non-contract, fiscal, and academic contract employees. Regular employees must be employed at least one-half time (20-hours per week) for a continuous period of more than 6 calendar months. Regular employees are eligible for employee benefits.

Provisional Employment: All regular classified employees, with the exception of Public Safety officers pending training, are required to serve the first 6 months of employment on a provisional basis. During that time, performance is evaluated for satisfactory progress. If performance is less than satisfactory, employment may be terminated at any

point during the provisional period. Probationary employees are ineligible to apply for posted job vacancies at Clayton State University until after the satisfactory completion of the provisional employment period. Temporary employees hired into regular positions are considered new employees and shall serve a 6 month probationary period beginning with the first work day of regular employment.

Public safety employees are subject to the same provisional employment requirement as other classified employees, except that the six (6) month provisional period will not begin until any person employed as a public safety officer has completed his/her mandated training for certification as a police officer. This special provision only applies to those public safety employees for who specified training is mandated by state law and such training occurs after their employment.

Temporary Employment: Temporary employment is defined as personnel employed for a limited amount of time or for a specific period of time. Temporary employees may be appointed for no more than 6 months at a time. Written approval from the Department of Human Resources is necessary to extend employment beyond the six (6) month period. Temporary employees are not eligible for benefits, holiday pay, or sick and annual leave accruals, but are required to participate in the Georgia Defined Contribution Plan (DEFCON) and the Medicare portion (1.45%) of FICA. At their option, temporary employees may participate in the 403(b) plan.

18.1 Equal Employment Opportunity Policy

18.1.1 Purpose

Clayton State University is an equal employment, equal access, an equal educational opportunity and affirmative action institution.

18.1.2 Scope

This policy applies to all members of the CSU community.

18.1.3 Policy

It is the policy of the University to recruit, hire, train, promote and educate persons without regard to race, color, national or ethnical origin, age, disability, gender, religion, sexual orientation, gender identity or veteran status as required by applicable state and federal laws (including Title VI, Title VII, Title IX, Sections 503, and 504, AREA, ADA, E.O. 11246, and Rev. Proc. 75-50). Clayton State University is an Affirmative Action/Equal Opportunity Institution. For questions or more detailed information regarding this policy please contact the Clayton State University Office of Human

Resources at (678) 466-4230. Individuals requiring disability related accommodations for participation in any event or to obtain print materials in an alternative format, please contact the Disability Resource Center at: (678) 466-5445.

18.2 Provisional Employment Policy

18.2.1 Purpose

This policy defines the provisional employment period and affords CSU the opportunity to extend the provisional period should circumstances warrant upon approval of the President or his/her designee. The policy also provides that employees discharged during the provisional period do not have the right to appeal.

18.2.2 Scope

This policy applies to all CSU employees.

18.2.3 Policy

An employee who has been discharged during the provisional period does not have any right to appeal or procedural protections.

When an employee who has not completed his/her first 180 days of employment and that employee has been approved for a period of leave that will extend beyond a thirty (30) day period, the Director of Human Resources in his/her sole discretion may approve an extension of the provisional period for an amount of time that is equivalent to the approved leave only, but not to exceed three (3) months. The employing department shall submit to the Director of Human Resources a written request to extend the provisional period, specifying the reasons that it believes an extension is warranted. An approval to extend the provisional period shall be in writing and filed in the employee's personnel file.

18.3. Health Insurance Portability and Accountability Act (HIPPA) Privacy Policy Notice

18.3.1 Purpose

The mission and scope of operations of the University necessitates that the University collect, maintain, and, where necessary, disseminate health information regarding students, employees, volunteers, and others. For example, the University collects medical information through its medical and dental clinics, through the administration of its medical and life insurance programs, and through environmental health and safety programs. The University protects the confidentiality of individually identifiable health information that is in its possession. Such health information, which is protected from unauthorized disclosure by University policies and by state and federal law, is referred to as “protected health information,” or “PHI.”

PHI is any individually identifiable health information regarding an employee’s, student’s, or patient’s medical/dental history; mental or physical condition; or medical treatment. Examples of PHI include patient name, address, telephone and/or fax number, electronic mail address, social security number or other patient identification number, date of birth, date of treatment, medical treatment records, medical enrollment records, or medical claims records.

18.3.2 Scope

The University shall follow the practices that are described in this Notice of Privacy Practices (“Notice”). The University reserves the right to change the terms of this Notice and of its privacy policies, and to make the new terms applicable to all PHI that it maintains. Before the University makes an important change to its privacy policies, it shall promptly revise this Notice and post a new Notice in conspicuous locations.

18.3.3 Policy Regarding Permitted Uses and Disclosures of PHI

The following categories describe the different ways in which the University may use or disclose your PHI. We include some examples that should help you better understand each category.

The University may receive, use, or disclose your PHI to administer your health and dental benefits plan. Please be informed that the University, under certain conditions and circumstances, may use or disclose your PHI ***without obtaining your prior written authorization***. An example of this would be when the University is required to do so by law. Other examples are presented below.

For Treatment: The University may use and disclose PHI as it relates to the provision, coordination, or management of medical treatment that you receive. The disclosure of PHI may be shared among the respective healthcare providers who are involved with your treatment and medical care. For example, if your primary care physician needs to use/disclose your PHI to a specialist with whom he/she consults regarding your condition, this would be permitted.

For Payment: The University may use and disclose PHI to bill and collect payment for healthcare services and items that you receive. The University may transmit PHI to verify that you are eligible for healthcare and/or dental benefits. The University may be required to disclose PHI to its business associates, such as its claims processing vendor, to assist in the processing of your health and dental claims. The University may disclose PHI to other healthcare providers and health plans for the payment of services that are rendered to you or to your covered family members by such providers or health plans.

For Healthcare Operations. The University may use and disclose PHI as part of its business operations. As an example, the University may require a healthcare vendor partner (referred to as a “business associate”) to survey and assess constituent satisfaction with healthcare plan design/coverage. Constituent survey results assist the University in evaluating quality of care issues and in identifying areas for needed healthcare plan improvements. Business associates are required to agree to protect the confidentiality of your individually identifiable health information.

The University may disclose PHI to ensure compliance with applicable laws. The University may disclose PHI to healthcare/dental providers and health/dental plans to assist them with their required credentialing and peer review activities. The University may disclose PHI to assist in the detection of healthcare fraud and abuse. Please be reminded that the lists of examples that are provided are not intended to be either exhaustive or exclusive.

As Required by Law and Law Enforcement: The University must disclose PHI when required to do so by applicable law. The University must disclose PHI when ordered to do so in a judicial or administrative proceeding. The University must disclose PHI to assist law enforcement personnel with the identification/location of a suspect, fugitive, material witness, or missing person. The University must disclose PHI to comply with a law enforcement search warrant, a coroner’s request for information during his/her investigation, or for other law enforcement purposes.

For Public Health Activities and Public Health Risks: The University may disclose PHI to government agencies that are responsible for public health activities and to government

agencies that are responsible for minimizing exposure to public health risks. The University may disclose PHI to government agencies that maintain vital records, such as births and deaths. Additional examples in which the University may disclose PHI, as it relates to public health activities, include assisting in the prevention and control of disease; reporting incidents of child abuse or neglect; reporting incidents of abuse, neglect, or domestic violence; reporting reactions to medications or product defects; notifying an individual who may have been exposed to a communicable disease; or, notifying an individual who may be at risk of contracting or spreading a disease or condition.

For Health Oversight Activities: The University may disclose PHI to a government agency that is authorized by law to conduct health oversight activities. Examples in which the University may disclose PHI, as it relates to health oversight activities, include assisting with audits, investigations, inspections, licensure or disciplinary actions, and other proceedings, actions or activities that are necessary to monitor healthcare systems, government programs, and compliance with civil rights laws.

Coroners, Medical Examiners, and Funeral Directors: The University may disclose PHI to coroners, medical examiners, and funeral directors for the purpose of identifying a decedent; for determining a cause of death; or, otherwise as necessary, to enable these parties to carry out their duties consistent with applicable law.

Organ, Eye, and Tissue Donation: The University may release PHI to organ procurement organizations to facilitate organ, eye, and tissue donation and transplantation.

Research: Under certain circumstances, the University may use and disclose PHI for medical research purposes.

To Avoid a Serious Threat to Health or Safety: The University may use and disclose PHI to law enforcement personnel or other appropriate persons. The University may use and disclose PHI to prevent or lessen a serious threat to the health or safety of a person or the public.

Specialized Government Functions: The University may use and disclose PHI for military personnel and veterans, under certain conditions, and if required by the appropriate authorities. The University may use and disclose PHI to authorized federal officials for intelligence, counterintelligence, and other national security activities. The University may use and disclose PHI for the provision of protective services for the President of the United States, other authorized persons, or foreign heads of state, and may use and disclose PHI to conduct special investigations.

Workers' Compensation: The University may disclose PHI for workers' compensation and

similar programs. These programs provide benefits for work-related injuries or illnesses.

Appointment Reminders/Health Related Benefits and Services: The University and/or its business associates may use and disclose your PHI to various other business associates that may contact you to remind you of a healthcare or dental appointment. The University may use and disclose your PHI to business associates that will inform you of treatment program options, or, of other health related benefits/services such as disease state management programs.

Disclosures for HIPAA Compliance Investigations: The University must disclose your PHI to the Secretary of the United States Department of Health and Human Services (the "Secretary") when so requested. The Secretary may make such a request of the University to investigate its compliance with privacy regulations of the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

18.3.4 Uses and Disclosures of Your Personal Health Insurance to Which You Have an Opportunity to Object

You have the opportunity to object to certain categories of uses and disclosures of PHI that the University may make:

Disclosures to Individuals Involved in Your Health Care or Payment for Your Health Care: Unless you object, the University may disclose your PHI to a family member, another relative, a friend, or another person whom you have identified as being involved with your healthcare, or, responsible for the payment of your healthcare. The University may also notify these individuals concerning your location or condition.

If you object to the use of your PHI in the instance identified above, please notify the University Privacy Officer.

18.3.5 Other Uses and Disclosures of Your Personal Health Insurance For Which Authorization is Required

Certain uses and disclosures of your PHI shall be made only with your written authorization. Please be advised that there are some limitations with regard to your right to object to a decision to use or disclose your PHI.

18.3.6 Regulatory Requirements

The University is required, by law to maintain the privacy of your PHI, to provide individuals with notice of the University's legal duties and PHI privacy practices, and to abide by the terms described in this Notice. The University reserves the right to change the terms of this Notice and of its privacy policies, and to make the new terms applicable to all PHI that it maintains. Before the University makes an important change to its privacy policies, it will revise this Notice and post a new Notice in conspicuous locations. You have the following rights regarding your PHI:

You may request that the University restrict the use and disclosure of your PHI. The University is not required to agree to any restrictions that you request, but if the University does so, it shall be bound by the restrictions to which it agrees, except in emergency situations.

You have the right to request that communications of PHI to you from the University be made by a particular means or at particular locations. For instance, you might request that communications be made at your work address, or by electronic mail, rather than by regular mail. Your request must be made in writing, sent to the University Privacy Officer. The University shall accommodate your reasonable requests without requiring you to provide a reason.

Generally, you have the right to inspect and copy your PHI that the University maintains, provided that you make your request in writing to the University Privacy Officer. Within thirty (30) days of receiving your request (unless extended by an additional thirty (30) days), the University shall inform you of the extent to which your request has or has not been granted. In some cases, the University may provide you with a summary of the PHI that you request, if you agree in advance to a summary of such information and to any associated fees. If you request copies of your PHI, or agree to a summary of your PHI, the University may impose a reasonable fee to cover copying, postage, and related costs.

If the University denies access to your PHI, it shall explain the basis for the denial. The University shall explain your opportunity to have your request and the denial reviewed by a licensed healthcare professional not involved in the initial denial. If the University does not maintain the PHI that you request but knows where your requested PHI is located, it shall advise you how to redirect your request.

If you believe that your PHI maintained by the University contains an error or needs to be updated, you have the right to request that the University correct or supplement your PHI. Your request must be made in writing to the University Privacy Officer. Your written request must explain why you desire an amendment to your PHI.

Within sixty (60) days of receiving your request (unless extended by an additional thirty (30) days), the University shall inform you of the extent to which your request has, or, has not been granted. The University generally can deny your request, if your request for PHI: (i) is not created by the University, (ii) is not part of the records the University maintains, (iii) is not subject to being inspected by you, or (iv) is accurate and complete.

If your request is denied, the University shall provide you a written denial that explains the reason for the denial and your rights to: (i) file a statement disagreeing with the denial, (ii) if you do not file a statement of disagreement, to submit a request that any future disclosures of the relevant PHI be made with a copy of your request and the University's denial attached, and (iii) complain about the denial.

You generally have the right to request and receive a list of the disclosures of your PHI that the University has made at any time during the six (6) years prior to the date of your request (provided that such a list would not include disclosures made prior to April 14, 2003).

The list will not include disclosure for which you have provided a written authorization, and will not include certain uses and disclosures to which this Notice already applies, such as those: (i) for treatment, payment, and health care operations, (ii) made to you, (iii) for the University's patient directory or to persons involved in your healthcare, (iv) for national security or intelligence purposes, or (v) to correctional institutions or law enforcement officials.

You should submit any such request to the privacy officer on your campus or in your facility. Within sixty (60) days of receiving your request (unless extended by an additional thirty (30) days), the University shall respond to you regarding the status of your request. The University shall provide the list to you at no charge. If you, however, make more than one request in a year, you shall be charged a fee for each additional request. You have the right to receive a paper copy of this notice upon request, even if you have agreed to receive this notice electronically. This notice may be found at the University website address. To obtain a paper copy of this notice, please contact the Privacy Officer.

You may complain to the University if you believe your privacy rights with respect to your PHI have been violated, by contacting the University Privacy Officer. The complaint must be in writing. The University shall in no manner penalize you or retaliate against you for filing a complaint regarding the University's privacy practices. You also have the right to file a complaint with the Secretary of the Department of Health and Human Services. You may contact the Secretary by calling 1-866-627-7748 (outside of metropolitan Atlanta) or (404) 562-7886 (in metropolitan Atlanta).

If you have any questions about this notice, please contact the Office of Human Resources and Services. For additional information, please contact the University Privacy Officer.

18.4 Sexual Harassment Policy

18.4.1 Purpose

This purpose of this policy is to affirm and support an environment free of sexual harassment at CSU.

18.4.2 Scope

This policy applies to all CSU employees.

18.4.3 Policy

Clayton State University is committed to a working and learning environment in which all individuals are treated with respect and dignity. No member of this environment, including faculty, staff, and students, should be subjected to sexual harassment. Each person has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including sexual harassment. Clayton State University shall not condone the sexual exploitation of individuals in connection with any work, academic, extracurricular, or athletic programs whether these programs take place in university facilities (including off-campus sites), at a class or training program sponsored by the university at another location, or elsewhere and expects that all relationships within the university community be free of sexual harassment. Sexual harassment is a violation of law, and thus is a basis for disciplinary action up to and including termination of employment, or for students, dismissal. In addition to students, faculty and staff, this policy also applies to all non-employee professionals, consultants, independent contractors and their employees and employees of contract services.

Retaliation against any member of the CSU community who has reported sexual harassment or filed a sexual harassment complaint or has cooperated in the resolution or investigation of a sexual harassment complaint is also prohibited. Any member of the CSU community engaged in retaliatory conduct is subject to disciplinary action, up to and including termination of employment, or for students, dismissal.

18.4.4 Definitions

Definition and Statutory Reference - Harassment on the basis of sex is discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, and Title IX of the Educational Amendments of 1972, 20 U.S.C. §1681. Sexual harassment most often exploits a relationship between individuals of unequal power and authority (i.e. between an employee and supervisor or between a student and a faculty member) but may also occur between students or employees of equal rank. Sexual harassment is not limited by gender of either party, or by superior/subordinate relationships. At a university, sexual harassment also constitutes unprofessional conduct which compromises the university's commitment to the pursuit of learning.

Unwelcome sexual advances, requests for sexual favors, verbal and written comments, or physical conduct of a sexual nature may constitute sexual harassment when such conduct occurs in one or more of the following conditions:

- It is made, either explicitly or implicitly, a term or condition of instruction, employment, or participation in a university activity; or
- It is used to be a basis for evaluation in making academic or personnel decisions affecting an individual; or
- It creates an intimidating, hostile, or offensive university environment.

In relation to the foregoing statements, sexually harassing behavior may include, but is not limited to, the following:

- Unwelcome sexual flirtations, advances, or propositions; verbal remarks of a sexual nature (whether directed to an individual or a group), including sexually explicit or offensive jokes; graphic or degrading verbal or written comments of a sexual nature about an individual or the individual's appearance; or
- Any suggestive or unwelcome physical contact; conduct of a sexual nature that interferes with a student's academic or extracurricular activities or with an employee's job performance; or
- Sexual assault; or

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- It may include a one time or single event if the incident is sufficiently severe.

Third parties may be defined but not limited to the following:

- Contract employees (i.e. consultants)
- Vendors
- Visiting speakers
- Members of a visiting athletic team.

18.4.5 Responsibility

The ultimate responsibility for the effective implementation of this policy is with the President of the University. The Senior Academic Officer, the Director of Human Resources/Title IX Coordinator and the Vice President for Student Affairs (or the persons in equivalent positions) shall see that the Sexual Harassment Policy is communicated on a routine basis through the faculty, staff and student handbooks. Every student, faculty member and staff member is expected to become aware of and support this policy.

Failure of supervisors to respond to allegations or delaying an investigation of sexual harassment in a timely manner is a violation of policy and a violation of the law. Each dean, director, department/section chair, department manager, or other person with supervisory responsibility is required to report any complaint or allegation of sexual harassment to the appropriate university official.

The University is prepared to take preventive and corrective action in cases of sexual harassment; individuals who engage in such misconduct are subject to appropriate disciplinary action.

18.4.6 Confidentiality

All efforts shall be made to respect the right to confidentiality of all parties involved in a sexual harassment charge. Confidentiality, however, cannot be guaranteed under certain laws.

If a student complainant requests that his or her name or other identifiable information not be revealed, the University shall evaluate that request in the context

of its obligation to provide a safe and nondiscriminatory educational environment for all students.

18.4.7 Malicious Allegations/Complaints

Making false or malicious allegations of sexual harassment is prohibited. Persons who make such allegations are subject to sanctions imposed by the University or charges filed. Repeated filing or frivolous allegations or complaints shall be considered a malicious action. Of course, the failure to substantiate a sexual harassment charge does not automatically constitute an instance of malicious allegation.

18.4.8 Bringing a Complaint

Any member of the University community who believes he or she has observed or been the victim of sexual harassment as defined above should promptly report the matter to the Director of Human Resources/Title IX Coordinator for incidents involving faculty and staff and to the Vice President for Student Affairs (678-466-5444) for incidents involving students or student claims.

The initial discussion between someone reporting or alleging sexual harassment and the appropriate University official shall be handled with sensitivity and discretion. The appropriate University official shall inquire into all reports of alleged sexual harassment brought to his or her attention.

During the initial meeting with the appropriate University official, a written summary of the complaint shall be made and should be signed by the person reporting or alleging an incident.

The appropriate University official shall inform the alleged offender of the allegation and shall provide him or her with a written summary of the complaint and shall proceed as set forth in the following section.

If a student complainant requests confidentiality or for the University not to pursue the complaint the University shall take appropriate measures to investigate and respond to the complaint consistent with the student's request.

18.4.9 Resolution of a Complaint

When an allegation is made or a complaint is submitted, the appropriate University official shall discuss the matter with the parties promptly, shall notify

the appropriate Dean or Vice President of the charge, and may initiate steps he or she deems appropriate to affect an informal resolution of the complaint acceptable to the parties within 15 calendar days of a report's submission. If an informal resolution is reached, it shall be documented in writing, approved by the Director of Human Resources/Title IX Officer or the Vice President for Student Affairs, as appropriate, and agreed to and signed by the parties.

It is important to note that mediation or other forms of informal resolution shall not be used to resolve sexual assault complaints.

If (i) an informal resolution satisfactory to the parties is not reached within 15 calendar days after an incident is reported or (2) if, in the sole discretion of the appropriate University official, an informal resolution is neither possible nor appropriate the University official shall proceed with a full investigation. A report of the results of the investigation along with a recommendation for resolution of the allegation or complaint and/or disciplinary action shall be made to the appropriate Vice President within 60 days of the date the investigation was initiated. When the investigation is concluded and resolution approved by the appropriate vice president, the Director of Human Resources/Title IX Officer and/or the Vice President for Student Affairs shall notify the parties of the results of the investigation and initiate prompt remedial or corrective action where warranted.

In the event the actions were of such an egregious nature that the individual would constitute a threat to the safety and well-being of members of the CSU campus, immediate action may be taken. The accused individual shall be given written notice of the intention to impose the suspension or removal from campus and shall be afforded due process. This policy does not preclude anyone from pursuing a complaint, at any stage of the process, with any external agency.

18.4.10 Right to Appeal

Either party shall have the right to appeal the decision to the President or his/her designee. In exercising the right of appeal to the President as provided by this procedure, a written appeal must be made within ten (10) working days after written notification of the decision which is being appealed. The President or his/her designee may receive additional information if he/she believes such information would aid in the decision. A decision shall be made within a reasonable time and the appropriate University official shall notify the parties of the decision. During the time of appeal and review, any disciplinary action recommended as a result of the original complaint may be implemented and enforced.

18.5 Ethics Policy

18.5.1 Purpose

The USG is committed to the highest ethical and professional standards of conduct in pursuit of its mission to create a more educated Georgia. Accomplishing this mission demands integrity, good judgment and dedication to public service from all members of the USG community.

While the USG affirms each person's accountability for individual actions, it also recognizes that the shared mission and the shared enterprise of its institutions require a shared set of core values and ethical conduct to which each member of the USG community must be held accountable. Furthermore, the USG acknowledges that an organizational culture grounded in trust is essential to supporting these core values and ethical conduct.

The following Statement of Core Values and Code of Conduct are intended to build, maintain and protect that trust, recognizing that each member of the USG community is responsible for doing his/her part by upholding the highest standards of competence and character.

18.5.2 Scope

The USG Ethics Policy applies to all members of the USG community. The USG community includes:

1. All members of the Board of Regents;
2. All individuals employed by, or acting on behalf of, the USG or one of the USG institutions including CSU, including volunteers, vendors, and contractors; and,
3. Members of the governing boards and employees of all cooperative organizations affiliated with the USG or one of its institutions.

Members of the Board of Regents and all individuals employed by the USG or one of its institutions in any capacity shall participate in USG Ethics Policy training, and shall certify compliance with the USG Ethics Policy on a periodic basis as provided in the USG Business Procedures Manual. Cooperative organizations, vendors, and contractors shall certify compliance with the USG

Ethics Policy by written agreement as provided in the USG Business Procedures Manual.

The USG Ethics Policy governs only official conduct performed by or on behalf of the USG. Violations of the USG Ethics Policy may result in disciplinary action including dismissal or termination.

18.5.3 Policy

Every member of the USG community is required to adhere to the USG Statement of Core Values – Integrity, Excellence, Accountability, and Respect – that form and guide the daily work of the organization.

1. Integrity – We will be honest, fair, impartial and unbiased in our dealings both with and on behalf of the USG.
2. Excellence – We will perform our duties to foster a culture of excellence and high quality in everything we do.
3. Accountability – We firmly believe that education in the form of scholarship, research, teaching, service and developing others is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the human, intellectual, physical and fiscal resources given to our care.
4. Respect – We recognize the inherent dignity and rights of every person, and we will do our utmost to fulfill our resulting responsibility to treat each person with fairness, compassion and decency.

18.5.3.1 Purpose of the Codes of Conduct

The USG recognizes that each member of the USG community attempts to live by his or her own values, beliefs and ethical decision-making processes. The purpose of the Code of Conduct is to guide members of the USG community in applying the underlying USG Statement of Core Values to the decisions and choices that are made in the course of everyday endeavors. Each USG institution must ensure that its institutional ethics policies are consistent with this USG Ethics policy.

18.5.3.2 USG Code of Conduct

We will:

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- I. Uphold the highest standards of intellectual honesty and integrity in the conduct of teaching, research, service and grants administration.
 - II. Act as good stewards of the resources and information entrusted to our care.
 - III. Perform assigned duties and professional responsibilities in such a manner so as to further the USG mission.
 - IV. Treat fellow employees, students and the public with dignity and respect.
 - V. Refrain from discriminating against, harassing or threatening others.
 - VI. Comply with all applicable laws, rules, regulations and professional standards.
 - VII. Respect the intellectual property rights of others.
 - VIII. Avoid improper political activities as defined in law and Board of Regents Policy.
 - IX. Protect human health and safety and the environment in all USG operations and activities.
 - X. Report wrongdoing to the proper authorities; refrain from retaliating against those who do report violations; and cooperate fully with authorized investigations.
 - XI. Disclose and avoid improper conflicts of interest.
 - XII. Refrain from accepting any gift or thing of value in those instances prohibited by law or Board of Regents policy.
 - XIII. Not use our position or authority improperly to advance the interests of a friend or relative.

18.5.3.3 CSU Code of Conduct

University employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person. Employees have the right to conduct their work without disorderly or undue interference from other employees. CSU prohibits employees from violating this right of their co-workers.

CSU encourages a congenial work environment of respect and professionalism. Therefore, CSU prohibits employees from intentionally harming or threatening to harm other employees, clients, vendors, visitors or property belonging to any of these parties. This prohibition includes but is not limited to intentional acts such as:

- Physically harming others
- Verbally abusing others
- Using intimidation tactics and making threats
- Sabotaging another's work
- Stalking others
- Making false statements about others with malice that cause harm
- Publicly disclosing another's private information

Employees are responsible for maintaining their work area in a neat and professional manner. Employees should report to their supervisor any potential violation of the stated policy.

Employees are responsible for assuring the security of CSU confidential or proprietary material in their possession and similarly maintaining the security of the CSU provided equipment. Employees concerned for the security of their work area or equipment must inform their supervisor of such concerns.

CSU may take disciplinary action against employees whose conduct violates this or other CSU policies and procedures.

18.5.3.4 Interpretation and Sources

The Statement of Core Values and Codes of Conduct do not address every conceivable situation or ethical dilemma that may be faced by members of the USG community. Members of the USG community are expected to exercise good judgment absent specific guidance from this policy or other applicable laws, rules and regulations.

Specific questions pertaining to the Statement of Core Values or Code of Conduct should be directed to a supervisor or other competent authority at the University System Office or at the institution's office of Legal Affairs, Internal Audit, Compliance, Human Resources, Academic Affairs, or other appropriate office.

There are also multiple sources of authority that address specific questions or situations. Examples include:

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1. Board of Regents Policy Manual
 2. Board of Regents Business Procedures Manual
 3. Board of Regents Human Resources Administrative Practice Manual
 4. Institutional policies, handbooks and procedures
 5. State Laws and Regulations
 6. Federal Laws and Regulations

Further specific explanatory notes and references may be found on the USG's website at <http://www.usg.edu/audit/compliance/ethics/> or its successor reference, and at CSU's website at www.clayton.edu/ethicsandintegrity. In addition, CSU has established an ethics hotline available for all to use. Information regarding this resource may be found at www.clayton.edu.human-resources/ethicshotline.

18.6 Intellectual Property Policy

18.6.1 Purpose

The purpose of this policy is to establish guidelines for intellectual property created by CSU employees.

18.6.2 Scope

This policy applies to all CSU employees.

18.6.3 Policy

Clayton State University encourages the development and marketing of Intellectual Property by faculty and staff. Intellectual Property shall be deemed to refer to patentable materials, copyrighted materials, trademarks, software, and trade secrets, whether or not formal protection is sought. When the development of these properties is aided wholly or in part through the use of University facilities and resources, the following procedure shall be followed:

1. The faculty or staff member (or his or her immediate supervisor) should notify the Provost about the development of any Intellectual Property type materials.

2. The Provost shall convene a committee that conforms to the guidelines established in Section 6.3, Intellectual Properties of the Board of Regents Policy Manual. This committee shall be activated to consider the determination of rights and equities in the Intellectual Property on an individual basis, provided, however, that in the absence of such guidelines, CSU shall make such determinations in conformance with the applicable policies and procedures promulgated by the BOR as set forth in 3 below.

3. The Board of Regents (BOR) has detailed policies, procedures, and guidelines for copyright and fair use at:
http://www.usg.edu/policymanual/section6/policy/6.3_intellectual_properties/ .

(For information on the creation of copyrightable material, see the Copyright section of the BOR Policy Manual: <http://www.usg.edu/copyright>). CSU follows these policies, procedures and guidelines in its handling of Intellectual Property. See also CSU's Copyright and Trademark policies.

18.7 Access Privileges Policy

18.7.1 Purpose

The purpose of this policy is to define the responsible managers and other Clayton State University officials having authority to (i) grant appropriate access privileges to employees, contractors, and others working under their direction or sponsorship and (ii) modify or revoke those privileges when individuals transfer to another job within CSU, terminates from CSU or otherwise no longer need such privileges.

18.7.2 Scope

For the purpose of this policy, “manager” is defined as the individual to whom an employee, contractor, or consultant directly reports, and “CSU official” is defined as the individual (e.g. vice president, dean, department head, executive director, director, manager) who is sponsoring the work of non-CSU affiliates, such as visiting faculty.

18.7.3 Policy

Set forth below are the procedures managers shall follow with regard to granting, terminating or modifying access privileges for certain personnel classifications.

18.7.3.1 *New Employee Hires*

When an employee is hired into a department, it is the responsibility of the employee's manager to authorize only appropriate access privileges for the employee. Examples of such privileges are purchasing cards (P-Cards), parking permits, telephone numbers, computer accounts, building keys, room keys, and the LakerCard.

18.7.3.2 *Employee Terminations*

When an employee terminates service with the University, it is the employee's manager's responsibility to ensure that all access privileges are revoked and all keys, badges, and other physical items (such as notebook computers, cell phones, pagers and parking decals) are collected from the employee in accordance with the relevant policies, in particular CSU's Computer, Network and Information Security Policy (<http://www.csu.edu/oits/securitypolicy#General>) and the BOR's Information Technology Handbook (http://www.usg.edu/information_technology_handbook/).

18.7.3.3 *Employee Transfer*

When an employee transfers from one job to another, it is the responsibility of both the employee's previous and new managers to modify the employee's access privileges as is deemed appropriate for the employee's new job situation.

18.7.3.4 *Contractors and Consultants*

It is the responsibility of the manager to whom a hired contractor or consultant reports to authorize only appropriate access privileges for that individual. Further, it is that manager's responsibility to ensure that all access privileges are revoked and all keys, badges, and other physical items such as notebook computers, cell phones, pagers and parking decals are collected from the contractor or consultant when that individual's engagement with the manager ends.

18.7.3.5 *Other Non-University Affiliates*

Visiting faculty, research collaborators, government officials and other non-CSU affiliates may be granted access privileges to certain CSU resources in accordance with the relevant policies. It is the responsibility of the CSU official who sponsors a non-CSU affiliate to authorize only appropriate access privileges for that individual. Further, it is that official's responsibility to ensure that all access privileges are revoked and all keys, badges, and other physical items such as notebook computers, cell phones, pagers and parking decals are collected from the non-CSU individual when that individual's affiliation with CSU ends.

18.7.3.6 *Business Correspondence, E-mails and Other Documents*

Persons leaving the employ of the University shall not delete from their University provided telephones, computers, or other electronic devices materials they have received or created in the course of their employ.

18.7.3.7 *Timing of Access Change*

Access revocations should generally be effective and physical items should be collected on the day these are no longer required by the individual and no later than the day after that individual is no longer assigned to a position requiring the privileges. This also includes situations where the employee is suspended for disciplinary reasons. Managers and other CSU officials, as described in previous sections of this policy, are responsible for notifying privilege-granting departments or external privilege-granting providers of needed changes sufficiently in advance of the effective dates to allow those organizations to process these changes in a timely manner.

18.7.3.8 *Common Access Privileges*

Common access privileges are listed in the table below, along with specific departments to whom requests for addition, modification, or revocation of access privileges should be made.

18.8 Attendance Policy

18.8.1 Purpose

Because absenteeism and tardiness place a burden on other employees and on the University, CSU expects that employees will maintain regular attendance sufficient to perform duties and responsibilities productively and efficiently, with minimum disruption to work schedules. This policy outlines the University's expectations of its employees with regard to attendance and punctuality.

18.8.2 Scope

This policy applies to all CSU employees.

18.8.3 Policy

Clayton State University encourages good attendance habits and punctuality on the part of its employees in order to carry out the academic and business support activities of the University. All staff employees are expected to report for work and shall be prepared for duty at the beginning of their assigned work period.

Punctuality and regular attendance are important factors in an employee's consideration for job retention and advancement. An employee's abuse or improper use of leave entitlements, including falsification of reasons for leave requests, shall be grounds for disciplinary action, up to and including dismissal from employment.

A staff employee who must be absent or tardy shall observe University or work group notification standards and complete a leave request form at the earliest possible opportunity. If an employee claims sick leave for a continuous period in excess of five (5) days, a physician's statement shall be required. Supervisors may require a physician's statement for absences of a shorter duration if deemed necessary and approved by the Office of Human Resources & Services.

The University may consider an employee who fails to report to work or fails to follow departmental guidelines for notification of absences for more than three (3) consecutive work days to have abandoned the job. Job abandonment is a form of resignation, and the University may release the employee without application of the policy and procedures on discipline and dismissal.

Personal leave is unexpended vacation and sick leave as well as compensatory time balances that are available to an employee at a given time. All University employees must have personal leave time available to be compensated for any days missed. Employees who do not have personal leave time available shall be considered to be in a "Leave without Pay" (LWOP) status. If the employing department does NOT elect to place the employee on LWOP and he/she is not experiencing a Family Medical Leave Act (FMLA) qualifying event, his/her employment with the University shall be terminated.

18.9 Background Check Policy

18.9.1 Purpose

This policy is to ensure that individuals who join the CSU workforce are well qualified, have a strong potential to be productive and successful, comply with their positions of trust, and have honestly presented their background and

qualifications as outlined in the application materials.

18.9.2 Scope

This policy applies to all persons seeking employment at CSU and current CSU employees.

18.9.3 Policy

All finalists (including internal hires) hired for full-time positions at the University for any administrative, service, professional, classified, faculty or academic position must submit to a background investigation. Offers of employment shall be conditional pending the result of the background investigation. The background investigation shall include the following:

- A state and federal criminal history check covering a minimum of seven (7) years;
- A social security number check; and
- For all professional, faculty and academic positions, an academic credentials check.

Nothing in this policy shall prohibit the University or the USG from performing reference checks and/or background investigations on part-time, student or temporary employees.

18.9.4 Duty to Report Changes

Any current employee of the University who is charged with a crime (other than a minor traffic offense) shall report being charged with a crime to his or her supervisor within 72 hours of the employee becoming aware of such charge. Failure to report being charged with a crime may result in appropriate disciplinary action, including termination of employment.

18.10 Drug Screening Policy

18.10.1 Purpose

This policy is designed to provide a supportive process for intervention and rehabilitation while also protecting the working and learning environment. It

authorizes pre-placement drug screening of applicants selected to fill positions the University has designated as safety-sensitive, and drug or alcohol testing of University personnel performing in such positions when there is reason to be concerned for drug or alcohol use.

18.10.2 Scope

This policy applies only to persons currently employed by CSU in, or those seeking employment at CSU for, positions designated as high risk or safety-sensitive positions (“Covered Positions”). The Office of Human Resources & Services in coordination with deans and departmental managers shall administratively review position functions and responsibilities and identify as Covered Positions those involving a substantial risk of injury in the performance of job duties, such as in connection with police and security duties, maintenance of hazardous facilities such as boilers, HVAC, or elevators, and operation of CSU vehicles or equipment that must be used with caution (e.g., lawnmowers, chain saws, welding torches).

Notice to Prospective Applicants

All University job postings and announcements, recruitment or other public or private solicitations for employment into Covered Positions shall reference pre-placement drug screening as a condition of employment. Hiring supervisors, department chairs, deans and other department managers are responsible for providing this notice in coordination with the Office of Human Resources. As provided below, offers of employment to fill Covered Positions are conditional upon review of test results.

Notice to Existing Employees

The Office of Human Resources shall give current employees at least 30 days’ advance written notice of their position being newly classified as a Covered Position, making such employees subject to the "reasonable suspicion" or random drug/alcohol testing authorized by this policy.

18.10.3 Policy

Applicants recommended to be offered University employment in, and existing, recommended employees seeking to transfer into, Covered Positions shall be screened for controlled substances as a condition of employment or transfer. Controlled substances include drugs regulated by the federal Controlled Substances Act (21 USC section 812) or Georgia statute.

18.10.3.1 *Testing Process*

All controlled substance screenings shall be conducted off-campus by third party vendors using trained medical technicians who shall also be available to discuss the nature of the test and the test results with the individual. Testing may be undertaken from a urine sample or breath analysis, unless a blood test or hair analysis is medically recommended. Test results are usually obtained in 24-72 hours absent extenuating circumstances.

The Medical Review Officer (“MRO”) is the person responsible for ensuring the validity of the drug screening process, as well as verifying and reporting results to the current or prospective supervisor/employer, where applicable.

An alcohol concentration of .04% or greater shall constitute a positive test. A confirming retest may be undertaken if recommended by the MRO.

For transfers and new hires, supervisors and hiring managers shall arrange for controlled substance screening through the Office of Human Resources. The cost of the initial testing shall be borne by the affected University department. Any requested confirm by other than the University’s designated laboratory must be conducted by a certified laboratory approved by the MRO and paid for by the employee or applicant requesting it. No contract or right is intended or created with respect to testing procedures, which are subject to change by appropriate administrative authority.

18.10.3.2 *Privacy and Confidentiality*

Personal privacy shall be respected to the extent practicable in the administration of testing without direct observation of an individual providing a urine sample. Test results are maintained in confidential medical information files revealed only to the tested individual and responsible managers with "need to know" or disclosed as may be required by law. University employees, including personnel involved in testing and counseling shall be subject to discipline for any unauthorized disclosure of personally identifiable information.

18.10.3.3 *Conditional Offers of Employment*

An individual selected or recommended to fill Covered Positions may not commence employment in advance of the MRO’s final evaluation of their test results for controlled substances, unless (i) so approved by the appropriate Vice-President (or designee) responsible for position performance, and (ii) the person acknowledges in writing that employment may be immediately terminated if test

results positively identify the presence of controlled substances. The individual shall be provided an opportunity to discuss a positive test with the MRO or supervisor. A confirming retest may be undertaken if recommended by the MRO. A positive test indicating the presence of controlled substances shall result in withdrawal of an offer of employment or termination of employment conditionally authorized by the appropriate Vice-President (or designee) unless the MRO determines, after discussion with the individual, that the positive test is a result of medication prescribed by a licensed health professional. The individual shall be responsible for documenting the prescription authorization which shall be confidentially retained in a medical information file and disclosed on a need-to-know basis to appropriate departmental managers to determine, in consultation with the Office of Human Resources, whether the individual's condition poses a safety threat that cannot be reasonably accommodated. Applicants denied employment shall be disqualified from further consideration for Covered Positions for a twelve-month period.

18.10.4 Reasonable Suspicion Drug/Alcohol Screening

When there is reason to believe that a CSU employee may be impaired by or under the influence of a controlled substance such as drugs or alcohol, the supervisor or appropriate manager should immediately discuss the performance concern with the individual and determine whether the employee should be temporarily relieved of duties. The supervisor or manager is encouraged to consult with the Office of Human Resources regarding disposition. The responsible supervisor or manager shall contact the Office of Human Resources before any suspected employee is directed to testing.

18.10.4.2 Mandatory Testing

Individuals performing in Covered Positions are subject to mandatory testing for controlled substances or alcohol when there are reasonable grounds to suspect that the employee may be impaired by or under the influence of drugs or alcohol. Mandatory testing must be based on the employee's supervisor's or other responsible manager's reasonable belief considering facts and circumstances known at the time, including an employee's explanation and observable behavioral patterns. Reasonable grounds include, but are not limited to, the following employee behaviors, in conjunction with other relevant information including the employee's explanation:

Altered or slurred speech or repeated incoherent statements without reasonable explanation;

Unexplained, abrupt or radical changes in behavior such as violent outbursts without reasonable explanation;

Inability to walk steadily or in a straight line, or perform normal manual functions essential to the position without reasonable explanation;

Smell of alcoholic beverage on the job; or

Accidents or near-accidents on the job that appear related to unexplained sensory or motor skill malfunctions.

Before directing mandatory testing, the supervisor or other responsible manager shall have provided the employee an opportunity to discuss the behavior pattern or other performance concern and, where practicable, have also consulted with the Office of Human Resources personnel skilled in identifying substance abuse. To further ensure reasonable justification for testing, an employee performing in a Covered Position shall not be required to report to testing without approval of the dean, department chair or other manager responsible for the position.

Mandatory testing may be scheduled immediately by arrangement with the Office of Human Resources after normal business hours with the Office of Public Safety. A supervisor shall escort the individual to the scheduled test site or arrange for an escort with the Office of Public Safety. The employee shall be reassigned or relieved of duties with pay pending the MRO's evaluation of the test result.

18.10.4.3 *Failure to Submit to Testing*

Employees who fail or refuse to report to and reasonably cooperate with testing, without good cause, shall be subject to disciplinary action, up to and including termination of employment. An employee's objection to testing, as a matter of principle or privacy when testing is justified by reasonable suspicion, shall not constitute good cause for refusing to cooperate.

18.10.4.4 *Consequences of Employee's Positive Test Results*

The employee's supervisor or manager, in consultation with the Office of Human Resources, shall determine on the basis of test results, observable behaviors and any other relevant information (including the employee's explanation) whether the employee reported to work or performed impaired by or under the influence of a controlled substance, and appropriate disciplinary action. Appropriate discipline may include (without limitation) reassignment, suspension with or without pay pending professional counseling, treatment and evaluation, or discharge. In

considering appropriate discipline, any prior incidents and whether the employee is willing to seek appropriate professional help are relevant considerations, as well as the interests of the workplace. Disciplinary action may be deferred or suspended if the employee agrees to and does participate in appropriate professional treatment and/or counseling. Disciplinary action may be appealed by the employee and further reviewed by the University subject to existing applicable grievance procedures with loss of any pay restored if disciplinary suspension or discharge is found to be arbitrary, that is, lacking in reasonable grounds. If an employee documents to the satisfaction of the MRO that a positive test is a result of medication, management shall assess whether the employee's condition can be reasonably accommodated under the circumstances or if the employee's condition creates a direct threat to the operations of the workplace.

18.10.4.4 *Return to Duty*

Following an employee's suspension from employment for controlled substance impairment or return to duty after completing professional treatment for substance abuse, the supervisor or other responsible manager shall coordinate with the Office of Human Resources to determine conditions of continued employment, such as periodic testing, participation in professional counseling and treatment programs, reassignment of duties for a specified period and/or continued performance of specified functions under more immediate supervision. For a person returning to Covered Positions, it is the employee's responsibility, given the safety-sensitive responsibilities of the position, to comply with reasonable conditions designed to allow the employee to return to duty while also managing possible safety risks. Prior to return to duty, the employee shall reach agreement in writing with the appropriate supervisor stipulating the conditions of continued employment.

An employee who refuses or fails to comply with the agreement, without good cause, shall be subject to discipline in accordance with existing disciplinary policies and procedures. An employee who is identified by a substance abuse professional as needing assistance with controlled substances and/or alcohol and who has returned to a Covered Position may be subject to periodic unannounced follow-up test(s) for up to twelve (12) months following return to duty as recommended by the substance abuse professional. Such tests shall be arranged by the supervisor or other appropriate manager through the Office of Human Resources.

18.11 Flexible Work Schedule

18.11.1 Purpose

The purpose of this policy is to offer University employees optional, creative approaches for completing work while promoting balance between work life and personal life commitments.

18.11.2 Scope

This policy applies to all CSU employees.

18.11.3 Policy

A flexible work schedule offers CSU employees creative approaches for completing work while promoting balance between work life and personal life commitments. The flexible work schedule is an optional work arrangement that the University, in its sole discretion, may discontinue at any time. University and departmental demands shall remain a priority in the establishment of any employee's flexible work arrangement. It is important to note that not every University department will be able to accommodate a flexible work schedule.

Managers shall create the employee's schedule, after consultation with the employee, and the employee shall maintain that schedule. The employee and/or the department may end the flexible work arrangement by providing a minimum of 14 calendar days' advance written notice to the other. Flexible work arrangements shall be reviewed on a quarterly basis.

Flexible work schedules shall not cause a non-exempt employee to work overtime or cause any employee to work on existing holidays or conflict with leave allocation practices. Occasionally, adjustments in schedule may be required on a short term basis.

18.12 Grievance Policy

18.12.1 Purpose

The purpose of this policy is to afford members of the University community an avenue to resolve misunderstandings and differences of opinion that may arise among personnel and which affect working relationships.

18.12.2 Scope

This policy applies to all CSU employees.

18.12.3 Policy

The University encourages its employees to exhibit courtesy, appreciation, understanding, consideration, loyalty and use common sense when interacting with fellow members of the University community and while representing Clayton State University to others.

18.12.3.1 Informal Resolution

Misunderstandings and differences of opinion may arise affecting working relationships. When such matters arise, the situation should be discussed, when possible, with one's supervisor or person up the chain of command. The University has an Office of Conflict Resolution and information on alternative dispute resolutions may be obtained by visiting their office or website <http://www.clayton.edu/conflict-resolution>. Alternatively, a CSU employee may bring to, or discuss problems, questions and grievances with, anyone in a CSU supervisory position for advising and informal resolution. Throughout the advising process, information shall be held in confidence until the initiating individual agrees that a third party or parties may be informed to facilitate a solution.

Anyone who believes him/herself to have been harmed by any action that violates the policies of Clayton State University or the Board of Regents of the University System of Georgia should, either initially or after having unsuccessfully sought an informal resolution, bring a formal complaint by direct report to the Director of Human Resources or by appeal to an administrative officer including any of the University's chief administrative officers (the Vice-President for Academic Affairs, Vice President for Operations, Vice President for Campus Life, Assistant Vice President for Continuing Education, Vice President for the Office of Information Technology and Services, or the Vice President for External Relations).

No person shall be reprimanded or discriminated against in any way for initiating an inquiry or complaint in good faith.

Once an inquiry or complaint is brought forward, every effort shall be made to resolve the problem within a reasonable period of time.

18.12.3.2 Formal Complaint Procedures

GRIEVANCE PROCEDURES FOR FACULTY AND CLASSIFIED EMPLOYEES

I. Name

The Grievance Committee at Clayton State University shall be known as the Board of Review.

II. Purpose

The Board of Review is established to provide a means to hear the complaints of the University's classified employees who have not received satisfaction in the resolution of a grievance. Prior to filing a complaint with the Board of Review, as provided in Section VI below, an aggrieved employee shall have attempted through normal channels, that is, by appeal to administrative officers through and including minimally one level of authority higher than the grievant's immediate supervisor, to resolve the grievance satisfactorily.

III. Jurisdiction

The Board of Review shall have jurisdiction to consider claims that a person has been harmed by any action that violates the policies of either Clayton State University or the Board of Regents of the University System of Georgia, or for requested disciplinary review. The grievance procedure shall not be available to a person for disputes involving:

- promotion and tenure decisions;
- performance evaluations;
- hiring decisions;
- classification appeals;
- challenges to grades or assessments;
- challenges to salary decisions;
- challenges to transfers or reassignments;
- termination or layoff because of lack of work or elimination of position;
- investigations or decisions reached under the University's Sexual Harassment policy, and;
- normal supervisory counseling.

A Board of Review shall not hear any grievance for which the President has already made a final decision, unless directed to do so by the Board of

Regents.

IV. Board of Review

The President shall within ten (10) working days after written request appoint, or have appointed, an impartial Board of Review to hear appeals from employees, excluding those employed in a provisional status, when grievances cannot be resolved through normal administrative channels. This evidentiary hearing shall be informal in nature and shall not be conducted under strict rules of evidence or procedures applicable to proceedings in the Superior Courts of Georgia. Normally, attorneys are not authorized to participate in the hearing; however, the grievant may select an advisor other than an attorney, to assist and advise the grievant at the hearing. Attorneys may be authorized by the Committee Chairman to participate in the hearing if it appears that the hearing shall in any way involve, or relate to, an indictment of, or the existence of any criminal charge against the grievant.

The recommendation of the Board of Review shall be forwarded to the President for final decision. If the matter is not resolved to the satisfaction of the grievant, he or she may file an application for review, in writing, to the Board of Regents within 20 calendar days following the written decision of the President. This appeal shall state the decision complained of and the redress desired, and shall be filed and processed in accordance with the provisions of Article VII of the Bylaws of the Board of Regents.

The grievant may be represented by an advisor or attorney during the appeal process to the Board of Regents.

V. Notice to Parties and Review Board of Hearing

After the Board of Review has been selected, written notice of the place, time and date set for the hearing shall be given in writing to the parties and to the members of the Board of Review by the Chairman no less than three (3) nor more than ten (10) working days in advance of the date set for the hearing.

The date set shall be reasonable in consideration of the institutional schedule and the needs of all parties and Review Board members. It shall not be more than twenty (20) working days later than the date of the selection of the Board of Review.

VI. Duties of the Chair

The Chair of each Board of Review shall not vote but shall be responsible for the conduct of the hearing and implementation of the grievance procedures. The duties of the Chair include:

1. Assuring that all parties are familiar with the grievance procedures.
2. Receiving the grievance from the President and determining that:
 - a. It is one which is properly heard by a Board of Review, (if not, the grievant shall be so notified in writing).
 - b. The Request for Hearing includes all required information and has been timely filed as provided in Section VII(A), below (if not, the grievant shall be so notified in writing).
3. Distributing the complaint (grievance) to the members of the Board of Review; setting a date for the hearing after conferring with the Board members.
4. Convening the hearing after written notice (at least three (3) but no more than ten (10) working days in advance of the hearing) to the members of the Board of Review and the parties; conducting and presiding over the hearing; ruling on motions of the parties and assisting the Board of Review during its deliberations.
5. Assuring that a tape recording or transcript of the hearing is made and retained for use in the event an appeal is filed.
6. Forwarding a copy of the written Findings of the Board of Review to the President within ten (10) working days after the hearing; and forwarding a copy of the Board's Confidential Recommendation(s), (if any) to the President as set forth in Section IX, below.

VII. Procedures for Requesting a Hearing

- A. The grievant, within fifteen (15) working days after the occurrence of the alleged act causing the grievance, shall file a written request for a hearing with the Chair of the Board of Review stating the following:
 1. The facts of the complaint, including the date, time and place the act occurred and other pertinent facts, verified (sworn to) by the grievant.
 2. The names of possible witnesses.
 3. A description of the evidence which tends to support the complaint.

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- B. The Chair, within eight (8) days from the University's receipt of the Request for Hearing, shall determine whether the grievance is one which is properly heard by a Board of Review. If so, the Chair shall instruct the parties as to the procedures to be followed in conducting the hearing. If not, the Chair shall notify the parties and the President of his determination and give the reason(s). The President may, nevertheless, direct that the grievance be heard by a duly constituted Board of Review. The Chair shall within ten (10) working days following receipt of a Request for Hearing perform the duties outlined in Section VI above.

VIII. Hearing Procedure

- A. The hearing before the Board of Review shall be conducted in private; however, the parties may each select one (1) person to attend as an observer.
- B. Attorneys are not authorized to participate in grievance hearings; however, the grievant may select an advisor, other than an attorney, to assist them at the hearing.
- C. A tape recording or transcript of the proceedings shall be kept and made available to the parties concerned at reasonable cost.
- D. The parties shall be afforded a reasonable opportunity to obtain and present witnesses and documentary or other evidence except personnel and other confidential records of university employees.
- E. The parties shall have the right to cross-examine witnesses against them. Should a witness be unable to appear because of illness or other cause acceptable to the Chair, the sworn statement (affidavit) of the witness may be introduced into the record.
- F. An oath or affirmation shall be administered to all witnesses by a notary public.
- G. The Board of Review shall not be bound by strict rules of legal evidence.
- H. It may receive any evidence deemed by the Chair to be of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available. All questions as to the admissibility of evidence or other legal matters shall be decided by the Chair.
- I. The Board of Review shall make no decision on the merits but shall state its Findings which shall be based on the evidence introduced at the hearing. The Chair shall report the Findings to the President who shall decide the case in the manner set forth in Section X, below.

J. Public statements and publicity about the complaint shall be avoided and the confidentiality of the hearing shall be preserved.

IX. Findings and Recommendations by the Board

The Findings of the majority and Confidential Recommendation(s) (if any) to the President from the Board of Review shall be written by a member selected by the Board at the conclusion of the hearing. Findings shall be sent to the President, immediately upon conclusion of the hearing, but not later than ten (10) working days following the hearing, unless a transcript of the hearing is required, in which event Findings shall be sent no later than ten (10) working days following receipt of the transcript. The Board of Review may, in addition to its Findings, make Confidential Recommendation(s) (if any) to the President. Findings and/or Confidential Recommendation(s) (if any) made by the Board of Review to the President shall be advisory only, and shall in no way bind or commit the President to any suggested course of action.

X. Action by the President

In making a decision, the President shall not be bound by the Findings or Confidential Recommendation(s) (if any) of the Board of Review. The President should – within ten (10) working days after receipt of such written notification of the Findings or Confidential Recommendation(s) (if any) of the Board of Review – advise the classified employee, the employee’s direct supervisor, and other parties concerned in writing of the decision, or the President may refer the matter back to the Chair of the Board of Review for further response and recommendation(s) before rendering his/her final decision. An employee should also be advised by the President in writing of their right to apply to the Board of Regents for review of the President’s final decision in accordance with the provisions of Article IX of the Bylaws of the Board of Regents.

XI. Prohibition of Retaliatory Action

A grievant shall not be harassed, intimidated, or otherwise penalized for utilization of the grievance procedures.

18.12.3.3 Appeals to the Board of Regents

Any person in the University System for whom no other appeal is provided in the Bylaws of the Board of Regents, and who is aggrieved by a final decision of the president of the university, may apply to the Board of Regents, without prejudice to his/her position, for a review of the decision. (BOR Policy Manual 201.08)

18.13 Policy pertaining to the Death of a CSU Employee

18.13.1 Purpose

This policy sets forth the protocols to be followed when a CSU employee passes away.

18.13.2 Scope

This policy applies to all CSU employees.

18.13.3 Policy

CSU employees shall follow the steps set forth below in the event of the death of a current CSU employee.

18.13.3.1 Notifications

In the event of the death of a current Clayton State University employee, the following individuals or groups shall be informed immediately in the order listed:

- The Executive Director of Human Resources or designee;
- The employee's immediate supervisor;
- The employee's Division Head, Dean and/or Vice President;
- If the employee is a Faculty member, the Provost;
- The Director of University Relations; and,
- The Director of Public Safety.

The Office of University Relations shall handle all requests from media for information and make the announcement to University faculty and staff when the family has given their approval. The Office of University Relations shall work with the employee's manager to ensure that the employee's department has informed any coworkers of the employee's death before any public announcement is released.

If anyone from Public Safety requests emergency contact or next of kin information, anyone having access to that information shall provide it to the Public Safety Office. The provider shall then contact Human Resources immediately with the fact that emergency contact information was requested, by whom was it requested and the identity of the employee for whom the information was requested.

Human Resources shall:

- Verify that all required groups have been notified;
- Verify the date of death; obtain details from the next of kin and legal representative of the deceased;
- Contact Risk Management if the death of the employee is related to their duties or occurred at work through accident or injury;
- Notify the Laker Angels contacts (if family agrees);
- Notify the Procurement Office on the employee's death;
- Request a copy of the Death Certificate or Death Notice in the newspaper for verification;
- Request a Personnel Action Form from the Department;
- Provide Payroll with employee's current salary, deductions and contact information for all Beneficiaries and/or Estate;
- Ensure that the employee's salary payments are deleted in ADP and terminate all deductions;
- Work with Payroll to comply with all State and Federal laws concerning payments after death;
- Contact Life and Retirement providers; and,
- Request a copy of the deceased employee's will or a copy of the Petition for a Year's Support granted by the appropriate probate court in cases where the deceased has no will and has not designated a beneficiary with Human Resources.

Departmental Responsibilities

The management team of the deceased employee shall ensure that the department

(including co-workers of the deceased) is notified prior to public release of the information.

If the deceased is a faculty member, the Dean /Department Head and immediate supervisor should make arrangements for class coverage and notification of the students as to class meetings, assignments, etc.

Time away from work for the purpose of attending memorial services for deceased faculty and staff members shall be granted at the discretion of management, based on operational needs. Use of funeral-leave shall be reserved for immediate family members as defined by Board of Regents and Clayton State University policy.

The deceased employee's supervisor shall prepare a personnel action form and forward to Human Resources.

18.13.3.2 Eligible Benefits

Human Resources shall work with the respective health, dental, retirement and life insurance plans to process claims and work with surviving family members and/or executor to continue coverage, if desired.

Human Resources shall send forms to beneficiaries and shall work with them to finalize these transactions.

18.13.3.2 Final Payment

The deceased employee's department shall provide a completed personnel action form to Human Resources in order for the final payment to be processed.

Human Resources and Payroll shall coordinate the payment of the final paycheck. Human Resources shall notify Payroll via email of the loss of the employee and provide Payroll with the details of the final payment, which shall be made to the deceased employee's estate, designated beneficiary, spouse, or children's guardian based on the employee's will or the applicable probate court's direction. Under Georgia law, a maximum of \$2,500 can be paid to the estate of the employee or legal representative without any documentation. Any amount above that requires proof of beneficiary in compliance with USG policy and applicable laws.

18.13.3.3 Information System Procedures

Upon notification by the employing department, Human Resources shall then enter that information into the HRIS system.

Human Resources shall authorize the HUB to “lock” the employee’s account and to update the University directory and address book listings.

Information Technology shall coordinate with the deceased’s departmental management to provide the department access to the deceased employee’s data and email files.

18.13.3.4 Returning CSU Property

The deceased employee’s immediate supervisor shall contact the next of kin after an appropriate interval to obtain all University owned property including but not limited to the following:

Laker Card-This shall be returned to Human Resources or the department

Keys-They shall be returned to the department or Human Resources

P-Card-This shall be returned to the Procurement Office by the employee’s supervisor

Laptop- This shall be returned to the department

18.13.3.4 Claiming Employee Property

The deceased employee’s department shall allow the estate or next of kin of the deceased to come on campus and collect the personal property from the University office. Enough time should be given to the next of kin to cope with the loss before they are asked to come and claim the personal property of the deceased.

18.14 Notary Publics

18.14.1 Purpose

This policy sets forth the parameters on who may utilize the services of a CSU

employee who is also a notary public and the charges, if any, for those services.

18.14.2 Scope

All University employees.

18.14.3 Policy

Clayton State University has several employees who are commissioned to serve as Notary Publics. In this capacity, they are authorized in the State of Georgia to perform the following services:

1. Witness or attest signatures or executions of deeds and other written instruments.
2. Witness affidavits upon oaths and affirmations.
3. Certify documents that require notarization.
4. Perform such other acts as Notary Publics are authorized to perform under the laws of the State of Georgia.

Each notarial act must include the stamped seal of the office for the authentication of the act. The seal must contain the name of the Notary Public and the words “Notary Public, Clayton County (or any other county in the State of Georgia), Georgia.”

If the service is being requested for University business related purposes, no fee is to be charged. However, if the service is requested for personal reasons (limited to Clayton State University students and employees only), the Notary Public may charge a fee of up to \$2.00 per notarial service, and shall inform the requesting person of the fee prior to providing the service. All fees collected shall be deposited into an identified account for the department where the Notary Public is employed.

18.15 Performance Evaluation Policy

18.15.1 Purpose

This policy sets general guidelines for evaluating the performance of regular CSU

professional, administrative, and staff employees.

18.15.2 Scope

This policy applies to all CSU employees and the Department of Human Resources. The Department of Human Resources is responsible for the administration of the University's performance evaluation system and shall communicate to the University community any changes to policy, procedure or forms related to performance evaluation. Human Resources shall conduct supervisory training sessions to University employees regarding this policy and its implementation as necessary.

18.15.3 Policy

18.15.3.1 Definitions

Immediate supervisor: The individual who directly supervises the employee's day-to-day work activities and who is responsible for assigning and evaluating the employee's work.

Performance evaluation: A formal evaluation by the immediate supervisor, using the University's official Staff Performance Evaluation form, of the employee's performance during a period of time.

Performance probation: A probationary period for employees whose performance evaluations indicate failure to meet expectations.

Probationary employee: A probationary employee is a regular professional, administrative, or staff employee with less than six months of continuous employment or re-employment following a break in service for any reason other than a recall to work after an approved reduction in force.

Regular professional, administrative or staff employee: Benefits-eligible personnel employed for a continuous period that is expected to exceed one academic semester or six calendar months, excluding students employed in positions for which student status is required as a condition of employment and those employees holding teaching and/or research positions classified as faculty.

Reviewing official: The individual responsible for reviewing the validity and integrity of the immediate supervisor's evaluation of the employee's work performance. The reviewing official is usually the next higher level official above the employee's supervisor.

18.15.3.2 Purpose and Objectives of Performance Evaluations

Performance evaluations provide a means of informing employees of the quality of their work and identifying areas of performance that may need improvement. Performance evaluations are to be used as a positive, constructive tool to measure an employee's performance.

Performance evaluations help supervisors make the most effective use of their personnel resources and provide valuable feedback to employees concerning their job performance and the expectations of their supervisors. Additionally, performance evaluations are a valuable management tool to assist in making personnel decisions related to promotions, reclassifications, merit increases, training needs, career development, and so forth.

Merit salary increases shall not be approved unless a current performance evaluation indicating satisfactory or better performance has been conducted and is on file in Human Resources. Supervisors who fail to submit performance evaluations for their subordinates in a timely manner shall not be eligible for a merit salary increase.

18.15.3.3 The Performance Evaluation Process

Following the employee's provisional period of employment at CSU, all classified employees will be evaluated annually during March of each year. The evaluation process includes:

- Provision of clearly defined performance standards based upon the employee's current job description to ensure that employees know what is expected of them;
- Face-to-face discussions that provide employees feedback about their job performance;
- The opportunity for supervisors to express appreciation to employees for

outstanding contributions and performance; conversely, the opportunity to discuss with employees performance areas where improvement is possible or needed and to outline plans for improving performance

- The opportunity for the supervisor and employees to discuss departmental goals, individual goals, and the personal/professional development of the employee.

18.15.3.4 Conducting the Performance Evaluation

College/department administrators are responsible for ensuring that all regular professional, administrative and staff employees in their college or department are evaluated timely and in accordance with this policy. Toward that end, administrators are responsible for distributing all necessary materials and forms to supervisors and for communicating to them the importance of the performance evaluation process. In addition to ensuring that annual performance evaluations are conducted according to the schedule provided by Human Resources, college/department administrators are responsible for ensuring that initial performance evaluations and those others on individualized time schedules are performed according to the time frames required.

College/department administrators are also responsible for forwarding completed performance evaluations to Human Resources.

Human Resources shall monitor the process to ensure that all required evaluations are completed. Human Resources representatives shall contact college/department administrators when it is noted that performance evaluations have not been forwarded for inclusion in the official personnel files. If the completed evaluations are then not provided by an established date, the appropriate Dean or Vice President shall be notified.

The performance evaluation shall be completed for every eligible CSU employee as described below:

- All performance evaluations for benefits-eligible professional, administrative, or staff employees must be done on an official Staff Performance Evaluation Form or Administrator Performance Evaluation Form unless an alternate form has been reviewed and approved in advance by Human Resources. These forms are available for downloading on the Human Resources web site at

<http://adminservices.clayton.edu/ohr/forms.htm>;

- Each supervisor shall hold a face-to-face meeting with the employee to discuss the performance evaluation;
- The form shall be processed and distributed as defined in this policy; and,
- If the employee disagrees with his/her performance evaluation, the employee shall have the option of filing a written rebuttal within five (5) working days and discussing the evaluation with the reviewing official.

The immediate supervisor shall be responsible for conducting performance evaluations for all immediate subordinates in a timely manner. This responsibility includes not only completing the evaluation form and conducting the actual performance evaluation with the employee, but also ensuring that job descriptions are up-to-date, accurate, and available to the employee. If an employee's job duties and responsibilities change, the department manager shall notify Human Resources so that the job description may be revised. Whenever a job description is revised, a copy shall be given to the employee.

In those cases where the employee has more than one supervisor, the supervisor who reviews most of the employee's work shall complete the evaluation. However, the departmental manager or chair may require separate evaluations from each supervisor or may require that all supervisors provide input to develop a single evaluation. If a single evaluation is conducted, the immediate supervisor shall seek written input from all other supervisors to coordinate a comprehensive review of the employee's work. Human Resources encourages the submission of one performance evaluation per employee.

It is recommended that the immediate supervisor forward the performance evaluation to the reviewing official for his/her review and signature and discuss the evaluation with the reviewing official prior to it being discussed with the employee. The reviewing official has the discretion as to whether he/she elects to review the performance evaluation before or after it is discussed with the employee. The signature of the reviewing official is required before the performance evaluation is forwarded to Human Resources. The reviewing official may also add written comments to the evaluation form. In the event that the immediate supervisor and the reviewing official do not agree about the content of the evaluation the reviewing official's supervisor may be asked to act as a senior

reviewer.

The immediate supervisor shall conduct an interview with the employee to discuss his/her performance evaluation. The evaluation interview shall be scheduled in advance and with only the supervisor and the employee in attendance. After the performance evaluation interview has been conducted, the employee shall sign the evaluation form acknowledging that he or she:

- had the opportunity to comment and discuss the evaluation;
- has the option of filing a written rebuttal to the evaluation within five (5) working days of receiving it; and
- has the opportunity to discuss the evaluation with the reviewing official.

The employee shall be provided a copy of the evaluation. The signature of acknowledgment indicates only that the employee has read the evaluation; it does not necessarily indicate agreement with the evaluation itself. If the employee refuses to sign the evaluation, the supervisor conducting the evaluation shall so indicate by noting, "Employee refused to sign" and by initialing the refusal date.

Completed evaluations shall be forwarded to Human Resources for filing in the employee's official personnel file. The originating supervisor should maintain a copy for his or her records.

18.15.3.4 Schedule for Performance Evaluations

An effective performance evaluation process requires on-going communication between employee and supervisor to ensure that the employee has a clear understanding of the supervisor's expectations and continuous feedback about his or her job performance. There is a need, however, to periodically conduct formal performance evaluations as described below:

- Initial performance evaluation: Regular professional, administrative, and staff employees may receive a performance evaluation one month prior to completion of their probationary period. This evaluation not only will allow the supervisor the opportunity to discuss the employee's performance in the new job, it will also allow supervisor and subordinate to jointly establish future action plans and discuss employee development.
- Transfer or promotion to new positions: Regular professional, administrative or staff employees who are transferred or promoted to a new

position may receive a performance evaluation during the sixth month in the new position. Two-way communication between supervisor and subordinate should take place regarding the employee's new job duties and responsibilities, performance level and future action plans.

- Annual performance evaluations: All regular staff employees shall receive performance evaluations during the second quarter of each calendar year. However, if an employee has received a performance evaluation during the preceding six months, that evaluation may serve as the annual performance evaluation. Thereafter, the employee's evaluation shall occur during the scheduled annual evaluation period.
- Performance probation evaluation: Regular professional, administrative or staff employees who are placed on probation as a result of a low performance evaluation must receive a new performance evaluation at the end of the performance probationary period, as described below in Section 615.3.5.
- Unscheduled performance evaluations: Unscheduled performance evaluations may be conducted at any time, if deemed necessary by college or department management and with prior review of the situation and circumstances by Human Resources.

18.15.3.5 Performance Probation and Improvement Plan

Regular professional, administrative or staff employees who receive an overall rating of “Does Not Meet Expectations” shall be placed on a performance improvement plan for a period of 90 calendar days, with prior review by the Department of Human Resources. With approval from Human Resources, this performance improvement period may be extended for not more than 90 calendar days. This performance improvement period is not a guarantee of continued employment with the University.

Employees placed on a performance improvement plan shall be given written notice of the performance probationary period, citing the specific dates covered, along with a copy of the completed performance evaluation form and a written performance improvement plan. The purpose of a performance improvement plan is to ensure that the employee is fully aware of performance deficiencies that exist and to provide the employee with reasonable direction with which to improve such deficiencies. The performance improvement plan shall minimally include a

detailed listing of performance expectations and a defined time frame in which these improvements shall occur. A copy of the written performance improvement plan documenting the employee's probationary status shall be provided to the Department of Human Resources for inclusion in the employee's official personnel file.

During the performance improvement plan period, the employee's supervisor shall conduct periodic meetings with the employee to review and, if necessary, revise the performance improvement plan. It is recommended that these meetings take place at least once every 30 days. A new performance evaluation form shall be completed by the employee's supervisor at the end of the performance improvement probationary period and discussed with the employee. If the employee's performance has improved to a satisfactory level, the employee shall be notified in writing that the performance improvement probationary period has been successfully completed. The written notice may be made by notation on the performance evaluation that was completed at the end of the probationary period or by separate memorandum.

If the employee's performance continues to be rated as "Does Not Meet Expectations", or if the specific insufficiency that caused the performance improvement plan probation has not improved, the employee may be terminated from the University. Decisions to dismiss an employee shall be reviewed by Human Resources prior to the supervisor taking any action. If an employee is terminated as a result of failure to satisfactorily complete a performance improvement plan probationary period, the employee may appeal the termination in accordance with institutional policy.

18.15.3.6 *Performance Feedback, Reviews and Related Documentation*

Supervisors shall provide feedback to probationary employees or evaluate their performance frequently during the probationary period. An interim Probationary Review Form may be completed at any time during the probationary period to document the employee's progress or to provide feedback to the employee. The supervisor shall mark any forms used for this purpose as interim evaluations.

Documentation of an employee's progress during the probationary period, such as memoranda or interim evaluations, shall be kept in a confidential supervisor's file separate from an employee's official personnel file. Employees shall be provided copies of interim evaluations and shall also be permitted access to any other documentation of their work performance.

The supervisor shall meet with the probationary employee at three (3) months to advise the employee of his or her progress toward meeting established performance plans. The supervisor shall review with the employee:

- The initial performance plan that was established at the beginning of employment (See Performance Planning and Evaluation); and
- A Probationary Progress Review form, which the supervisor has completed based on the employee's performance to date.

Any decline in an employee's job performance or any unsatisfactory performance by an employee following a satisfactory three month performance review may be a basis for CSU to terminate an employee's employment. CSU may terminate a probationary employee for any reason during the probationary period.

The supervisor shall meet with the probationary employee approximately three (3) weeks prior to the completion of his or her probationary period and provide a second progress review. The Probationary Progress Review form is to be used for this formal progress review.

18.16 Provisional Probationary Period

18.16.1 Purpose

The provisional probationary period is an introductory, provisional period of employment that allows the employee and CSU to determine if the employee is suited for the position.

18.16.2 Scope

A person who begins either original employment, or re-employment, in a classified position shall serve a six (6) month probationary period effective from the date of employment. This includes employees who may transfer into the University from other State agencies.

18.16.3 Policy

All classified employees shall serve a six (6)-month provisional probationary period, which shall be extended when a probationary employee is on any leave with or without pay, including military leave without pay, for more than 14-consecutive calendar days. Extensions include the first 14 days of absence, as well as those days in excess of 14, up to the employee's return to work date. The supervisor shall establish performance expectations for each new employee within the first week of employment.

During this provisional probationary period supervisors shall apply the Standards of Conduct. Provisional probationary employees are expected to maintain the highest standards of conduct and job performance. During the provisional probationary period, employees may be terminated at the pleasure of the appointing authority, without access to the Clayton State University Grievance Procedure or that of the University System of Georgia, or allowed to resign. Employee records related to termination shall reflect "Unsatisfactory performance during the provisional probationary period" or "End of Assignment." The supervisor or Human Resources shall notify the employee of termination in writing.

18.16.4 Records Retention

The Provisional Probationary Progress Review forms completed at three (3) months and at the end of the probationary period shall be kept in the employee's personnel file, located in the Office of Human Resources.

18.16.5 Completion of Probation

The supervisor shall notify the employee in writing when the six-month provisional probationary period has been completed satisfactorily. If a provisional probationary employee works beyond a 6-month period without having been notified of satisfactory completion, the employee shall be regarded as having successfully completed the provisional probationary requirement.

18.16.6 Counseling Guidelines for Provisional Probationary Employees

There may be situations where a supervisor finds a provisional probationary employee's behavior or performance can be improved to a satisfactory level with

counseling prior to the end of the provisional probationary period. The following guidelines are suggested for use by a supervisor who chooses to counsel with a provisional probationary employee experiencing either behavioral or performance problems.

Supervisors shall evaluate provisional probationary employees during the provisional probationary period. Those who do not meet minimum expectations during the provisional probationary period are normally considered for separation from CSU employment. Supervisors, however, are strongly encouraged to address performance difficulties with provisional probationary employees through counseling to let the provisional probationary employee know that there are established performance expectations, what the employee needs to do to achieve them and the consequences if he/she does not. Performance counseling works best and is most effective when it is approached from a positive “rehabilitative” standpoint versus a disciplinary one. It should be conducted at the point where (in the judgment of the supervisor) an observed pattern of substandard performance has occurred and is likely to continue if not addressed. The objective of performance counseling is to redirect the employee’s behavior.

The following list, while not all inclusive, provides some basic suggestions for the supervisor conducting performance counseling:

- The counseling session should be conducted by the individual responsible for evaluating the employee’s performance.
- The employee should be advised of the session in advance. It should take place in a private setting. The employee should be shown documentation of the problem if applicable and given a reasonable opportunity to respond.
- Supervisors should not attempt to make judgment as to why the behavior/performance problems have occurred.
- Supervisors should review job expectations with the employee to ensure they are understood.
- An action plan between supervisor and employee may also be formulated, which plan can be used to address specific weak areas and how the employee can address those weaknesses.
- Finally, a follow-up counseling session to again review the employee’s performance/behavior should be scheduled. There are no standard rules as to when this should occur, but normally two to four weeks after the initial session is sufficient.

Supervisors who have concerns regarding the performance of provisional probationary employees are encouraged to contact the Office of Human Resources.

18.16.7 Performance Increases during the Probationary Period

Salary increases for probationary employees if given, shall be based on their most recent Probationary Progress Review ratings. Increases, if awarded, become effective on October 1st.

18.17 Progressive Discipline Policy

18.17.1 Purpose

A system of progressive discipline may be used for encouraging an employee to correct unacceptable behavior and to adhere to the Standards of Conduct. CSU reserves the right to determine those steps necessary considering all aspects of each individual case.

18.17.2 Scope

This policy is administered by the Office of Human Resources and applies to all CSU employees.

18.17.3 Policy

CSU shall use the following corrective and disciplinary actions as appropriate with its employees:

- Verbal Warning
- Written Warning
- Disciplinary Suspension
- Investigative Suspension
- Termination

Degrees of disciplinary actions may be progressive and shall be used to insure the employee has the opportunity to correct their performance. There is no set standard of how many verbal warnings shall be given to an employee prior to a Written Warning or how many Written Warnings must precede termination. Factors to be considered in each employee situation are:

- The variety and number of problems involved.
- The seriousness of the offense.
- The time interval and employee response to prior disciplinary action(s).
- Previous work history of the employee.

For serious offenses such as (fighting, theft, threats of violence, the sale or possession of drugs or abuse of alcohol on CSU Property, etc.) termination may be the first and only disciplinary step taken. Any step or steps of the disciplinary process may be skipped at the discretion of the Office of Human Resources and Department Management after investigation and analysis of the total situation, past practice and circumstances.

18.17.4 Definitions

18.17.4.1 Verbal Warning

The Verbal Warning is a conversation between a supervisor and an employee held in private about a disciplinary or performance problem. It is the first step of the progressive discipline process. The purpose of the Verbal Warning is to correct a performance or disciplinary problem by bringing it to the employee's attention in a serious yet friendly manner.

18.17.4.2 Written Warning

The purpose of the Written Warning is to correct a performance problem by discussing it with the employee and providing a written record of that conversation. The Written Warning shall be used only after a Verbal Warning has been given and no change in performance has resulted.

A Written Warning shall document the fact that the employee has been officially advised of the precise nature of his or her misconduct and warned that any future violations shall result in further disciplinary actions, including disciplinary suspension or termination.

18.17.4.3 Disciplinary Suspension

The employee shall be relieved of his or her job assignment because of serious or repeated instances of misconduct and shall forfeit pay as a result of the suspension. Also, these are situations where there is no specific instance of conduct that is so outrageous that justifies termination; but, there is a pattern of conduct where the employee has continually engaged in one minor infraction of the rules after another and has received a documented verbal and/or written warning for rule(s) infraction(s).

A Disciplinary Suspension is normally a period of one (1) to five (5) days. Exempt employees whose performance or conduct merits a suspension shall be suspended for a minimum of 5 days. An employee shall forfeit his or her pay during the Disciplinary Suspension period.

18.17.4.4 Investigative Suspension

CSU shall utilize Investigative Suspension as a disciplinary measure when a supervisor reasonably believes that an employee has performed acts of serious misconduct including, but not limited to, fighting, insubordination or theft. While CSU conducts an investigation into the allegations of misconduct, the employee shall be relieved of his or her job. Subject to the discretion of the Human Resources Department, the employee may be permitted to take the associated time off as leave with pay.

18.17.4.5 Termination

Georgia is an employment-at-will state. Cause is not necessary to terminate employment. CSU may discharge an employee as a result of a serious offense or as the final step in the accumulation of infractions for which one or more Warning Notices have been issued to the employee.

18.18. Records Management

18.18.1 Purpose

It is the University's objective to maintain complete and accurate records regarding each employee and position, to comply with legal requirements regarding retention and release of personnel records, and to preserve confidentiality of personnel records. Accordingly, this policy sets forth requirements for retention and disposition of personnel records, release of personnel information, and reporting of employee and position changes

18.18.2 Scope

This policy applies to employees of Clayton State University, including all of its schools and divisions. This applies to academic and nonacademic employees, regardless of whether employment is full-time, part-time, temporary, provisional, adjunct, seasonal, or occasional. The policy applies to employees working under the auspices of the University, regardless of physical work location. Employees covered under this include both student and non-student employees, regardless of the source of funding for the position; employment fully or partially funded by external grants, internal funds separate from the regular University budget, community-based or commercially sponsored activities, internships and cooperative employment, federal assistance or other government initiatives, and whether or not the employment generates revenues for the University or any other entities. Furthermore, this policy applies to all employment regardless of any exclusion from other provisions of University administrative or employment policies.

18.18.3 Collection of Information

Only information that is necessary for the effective and efficient operation of the University shall be collected regarding employees.

18.18.3.1 Social Security Numbers

Employees' social security numbers (SSN) shall be collected under the authority of 26 U.S.C., Section 6011, and Treasury regulation Codes, Section 31.6011(b)-2(b). This information shall be used to:

- comply with federal, state, and local reporting requirements;
- administer and evaluate benefits programs;
- effect personnel transactions related to employment status changes;
- comply with the provisions of Georgia Open Records Act and US Freedom of Information Act; and
- establish and maintain the employee records necessary to accomplish University business.

18.18.3.2 Criminal Background and Other Personal History

Under the regulations published by the Board of Regents of the University System of Georgia, all employees shall complete and submit the Security Questionnaire and Loyalty Oath prior to starting work. In accordance with laws and regulations governing employment by the State of Georgia, applicants and employees with convictions involving crimes of moral turpitude, or crimes involving controlled substances, are prohibited from employment with the University.

In order to ensure compliance with this requirement, and as part the effort to provide a safe environment for employees and students, the University verifies the accuracy of the information provided by applicants and employees (See *Policies & Procedures on Criminal Investigation and Testing* for more information on background checks).

The information provided on the Security Questionnaire by the applicant, and information gained from a criminal history check, shall be kept confidential by the Office of Human Resources. In the event that a selected applicant is excluded from employment because of information revealed through the criminal background check or through disclosure by the applicant, the Office of Human Resources shall inform the hiring manager of that candidate's ineligibility. An applicant who is denied employment based solely on the results of such a check shall be notified in writing of the source of the information, as required by law. No details concerning the offense shall be released to any person who is not otherwise authorized to have access to confidential personnel information, and no person outside of the Office of Human Resources is allowed access to the criminal background report.

In some cases, the recruitment and selection process may require additional investigation of an applicant's personal history. Such investigation may include credit check, verification of immigrant status or security clearance, verification of academic credentials and certifications, skills testing, physical examination, or other tools or techniques to verify eligibility and suitability for specific positions. Any such investigation shall be applied with equanimity to all selected candidates and shall bear directly on the qualifications for the position under consideration. No such investigation shall be conducted without prior notice and consent of the applicant, and the results of any such investigation shall be maintained in complete confidence.

18.18.3.3 Changes in Personnel Data

All new information to be recorded concerning employees, and all changes in information or status to be recorded, shall be submitted to the Office of Human Resources by means of the Personnel Action Form (PAF). Information from PAF is entered into the PeopleSoft Human Resources Management System (HRMS). Some such information may be integrated into HRMS through electronic update; in most cases, it is manually entered by employees of the Office of Human Resources.

All information reported on the PAF should be entered prior to the effective date of action if the PAF is submitted on or before the posted deadline, provided that the information submitted is both complete and accurate. Although errors and omissions shall be resolved as quickly as possible, errors or omissions may result in delay of processing until the following payroll cycle. When the PAF is submitted after the deadline, data from the PAF shall be entered during the following payroll cycle.

In the event that final documentation is received after posted deadline for the current payroll cycle, the information will be backdated in HRMS to reflect the effective date. **EXCEPTION:** Information on retirement, separation, leave and/or returns from leave should be entered within one week after the close of the payroll cycle that includes: *a)* the effective date, or *b)* the separated employee's final vacation payout, whichever is later.

Once the information recorded on the PAF has been entered into HRMS, and conveyed to other parties as might be necessary (e.g., notification given to benefits specialist when employees become eligible or ineligible for benefits as the result of a status change), the PAF becomes part of the affected employee's personnel file.

18.18.4 Contents of Records

18.18.4.1 Personnel Files

The Office of Human Resources shall maintain a confidential master personnel file for each full or part-time employee (Master File). This Master File shall contain, at minimum:

- Completed CCSU Application for Employment form(s) with original signature(s). Application for Student Employment or Faculty Application may substitute for this. If more than one type of application is completed, all originals should be retained in the personnel file.
- Originals of the Personnel Action Form (PAF) signed by applicable administrative authorities. Additionally, supporting documentation (memoranda of justification, letters of appointment or resignation, documentation of disciplinary action, or other supporting documents generated or required by administrative officers).
- Copies of state and federal withholding forms.
- Signed and notarized USG Security Questionnaire and Loyalty Oath.
- Position description and performance standards.

Signed and notarized USG security questionnaires and loyalty oaths, position descriptions and performance standards shall not be maintained in the Master Files of employees engaged as Student Assistants or in Work Sturdy assignments.

For all full-time, regular employees who are eligible for benefits, the Master File shall also contain:

- Any letters offering/accepting employment.

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- A completed Right to Know (RTK) memorandum
 - Acknowledgement of Training, or its precursor, covering discussion of Workers' Compensation, Family Medical Leave Act (FMLA), policies on sexual harassment and equal employment opportunity, Americans with Disabilities Act (ADA), with appropriate signatures.

The following records shall also be included in the Master File whenever such records exist:

- Original Probationary Progress Review forms.
- Original performance evaluation forms.
- Original Progressive Discipline forms, including amendments or comments, following review by the Office of Human Resources, and any amendments or notations made by the Office of Human Resources.
- Authorizations for exceptional salary actions, special compensation for duties filled in extraordinary or acting employment circumstances, or additional pay for services provided outside of regular employment.
- All forms and documents used to initiate actions or changes in personnel or payroll status or data stored in all electronic systems used in the course of human resources and payroll management, except as excluded by Records Maintained Separate from Master File.
- Originals or photocopies of all requests to review contents of the Master File, whether or not such requests were granted, and of all requests from external entities for verification or release of specific information.

Other records may be included in the Master File. Optional records include:

- Copies of training certificates and/or other training or scholastic records including records related to educational assistance.
- Copies of training certificates and/or other training records.
- Exit interviews and Clearance of Campus documentation.
- Separation Notice and record of Unemployment Compensation.
- Documents related to employment and performance, except those listed in Records Maintained Separate from Master File.

18.18.4.2 Supervisors' Files

Supervisors may maintain files on employees, provided that the records procedures are applied with equanimity to all employees under the supervisor's control. This means that no supervisor shall maintain records related to one or more employee(s) unless similar records are maintained for all employees within the unit under the supervisor's authority.

These files shall serve as *working* files, and shall be used to identify training needs and performance issues relevant to an employee's performance. Once the information is summarized and captured on the performance appraisal and the documents in the working file are no longer needed, it is recommended that these records be destroyed. The manager of each department or office shall be responsible for the content of records held, and shall take great care in assuring the proper maintenance and disposition of such files. No person other than the supervisor maintaining the file, the dean or executive director with authority over the work unit, and the Office of Human Resources shall be allowed access to the information contained in the supervisors' files.

- Only work-related information shall be included in the files. Information that may be maintained includes:
 - Documentation regarding employees' work performance.
 - Documentation of counseling sessions on performance or behavior or department and University policies and procedures.
 - Letters or memoranda from other sources regarding employees' job performance such as letters of commendation or complaint.
 - Attendance records.
 - Copies of position descriptions and performance

18.18.4.3 Records Maintained Separate from Master File

Other records that shall be maintained by the Office of Human Resources, but shall not be included in the employee's Master File, include:

- Original of the Employment Eligibility Verification (I-9) form.
- Information regarding Workers' Compensation claims.
- Grievance records and discrimination complaint case files.
- Records of arrests, convictions, investigations, or security clearance information, with the exception of the Security Questionnaire and Loyalty Oath form and/or Application for Employment stored in the Master File.
- Recruitment and selection records, search committee notes, Applicant Activity Records, Voluntary Disclosure Forms, and other documents generated during recruitment and selection as described in Recruitment, Selection, and Applicant Records.

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- Information regarding Workers' Compensation claims.
 - Any medical and/or mental health records (whether or not such information is used to support employment-related requests or decisions), information concerning health-related benefits (including, but not limited to, health, dental and life insurance), requests for accommodation under the Americans with Disabilities Act or other statute, and civil or criminal filings brought by the employee.

18.18.4.4 Contents of Job Files

Job files contain all of the materials related to the recruitment and selection process for a job vacancy. Prior to the closing date of a job posting, job files shall contain:

- Application materials for all applicants, including envelopes if mailed
- Job announcement (copy of flyer posted on campus job board)

After the closing date, the job file shall also contain:

- Screener (table with applicant names as rows, criteria as columns)
- Applicant Activity Records for applications that did not pass screening.

Copies of application materials that passed initial screening are sent with Applicant Activity Records to the hiring manager with a selection process checklist. After selection is complete, and the hiring packet is returned, the job file contains:

- Completed Selection Process Checklist
- Completed Applicant Activity Records for all applicants
- Final screener with all applicants listed
- Interview notes, search committee minutes, reference responses

Thirty days after the successful applicant begins work, the file is archived. This includes removal of application materials (filed with all applications for the calendar year), destruction of photocopies for which the original exists in file, and verification that the file contains all requisite documents. The archived job file contains:

- Completed Job Requisition Form
- Completed Selection Process Checklist
- Completed Applicant Activity Records for all applicants
- Screener listing all applicants
- Interview notes and search committee meeting minutes
- Reference responses for all applicants whose references were checked

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- All other internal documents generated as part of the selection process

Job files shall be maintained for a period of three years from the closing date. After three years have elapsed, all contents of the job file shall be destroyed in a manner that prevents unauthorized or accidental disclosure.

18.18.5 Disposition of Inactive Records

Records of employees terminated from University employment shall be retained by the Office of Human Resources for 75 years. Records of personnel re-employed by the University shall be reactivated and updated to reflect current position. All records maintained for all periods of University employment are retained in a single employment record for the employee.

Supervisors' records shall be considered working files and information in them shall be maintained only as long as it is useful to the supervisors. Typically, this means that the records are retained during the period between performance appraisals, or until a disciplinary matter is resolved. Such files shall be destroyed in a manner that prevents accidental disclosure of personal information.

All personnel records shall be disposed of in a manner that prevents accidental disclosure of personal information. Examples of such information include:

- home addresses and/or telephone numbers;
- social security numbers;
- marital status;
- medical reports;
- performance evaluations;
- disciplinary actions, grievance or complaint information;
- payroll deductions; and
- health benefit or insurance information.

When doubts about whether a record is considered to contain personal information arise, the Office of Human Resources shall be consulted.

18.18.6 Disposition of Closed Job Files

As mentioned previously, job files shall be compacted thirty days after the successful applicant begins work. This process shall include removal of all application materials (which are then filed alphabetically with all applications for the calendar year), destruction of unaltered photocopies for which the original exists in the file, and verification that all

Applicant Activity Records are complete and that the file contains all requisite documents. Once this is done, the archived job file shall contain:

- Completed Job Requisition Form
- Completed Selection Process Checklist
- Completed Applicant Activity Records for all applicants
- Screener listing all applicants
- Interview notes and search committee meeting documents or minutes
- Reference responses for all applicants whose references were checked
- All other internal documents generated as part of the selection process

Job files shall be maintained for a period of three years from the closing date. After three years have elapsed, all contents of the job file shall be destroyed.

18.18.7 Destruction of Applicant Files

Application files that are removed from closed job files, and applications that are received through any other means and are no longer under consideration, shall be filed alphabetically with all applications received during the calendar year. These files shall be retained for three years. At the end of that period, all application materials shall be destroyed.

18.18.8 Maintenance of Records

Employees' personnel records shall be maintained in a secure location. Personnel records are confidential in nature and, therefore, access to the information in them shall be limited. All records concerning current or former employees shall be stored in a location inaccessible to anyone not authorized to view the contents of personnel files, unless in use and attended by an authorized person. Authorized persons include:

- Employees of the Office of Human Resources, as required in the activity of the Office.
- The President, the Vice President for Academic Affairs and Provost, or their duly designated representatives under their direct authority and control.
- Academic Deans, Vice Presidents, Executive Directors, or other administrative officers of the University with due cause for examining employee records as determined by the designated custodian of records. Such access shall be limited to the portions of the record that bear directly on professional and academic qualifications, job performance, and employment status (Sections A and B described below).
- External agencies and entities who are entitled to review the contents of the file, according to permission granted by the employee described in the file or according to duly authorized requests of law enforcement, judicial, and regulatory agencies; such access is limited to the specific provisions of the written permission or legal notice.

(Further explanation of proper disposition of external requests for personnel records is provided below under the title, Disclosure of Records).

- The employee who is the subject of the file. (Further explanation of proper disposition of requests for personnel records by current and former employees is provided below under the title, Disclosure of Records).

The personnel files shall contain only documents that reflect information required for conducting University business. Affected employees shall receive copies of any document reflecting disciplinary action at the time it is placed in the file, and may subsequently attach rebuttals to corrective or disciplinary notices information in their respective personnel file.

18.18.9 Disclosure of Records

18.18.9.1 Employee Access

The U.S. Freedom of Information Act and the Georgia Open Records Act, in conjunction with other federal and state laws and regulations, mandate that government agencies formulate a policy with regard to records retention and disclosure; this policy include must describe how the agency maintains the confidentiality of nonpublic documents and assures the release of information to which citizens shall have access. Included in this right of access is the right of employees to view their own personnel files, and the right of employees to have information released to external entities on their behalf.

In keeping with these requirements, the University pledges to provide employees with open access to their personnel records. Requests for such access shall be made to the Director of Human Resources or to the designated custodian of records in the Office of Human Resources. In most cases, such requests shall be granted without delay. In the event that the requested records are not in the immediate control of the custodian of records (as might occur if the file has been removed for review in the course of an investigation), a delay may be inevitable. In every case, release shall be made at the earliest possible time. Under no circumstances shall the delay extend for more than ten working days. Employees may review the documents contained in their file alone or in the company of any person(s) they designate to accompany them. In order to assure the security and integrity of all University records, review of personnel files shall be conducted in the records area of the Office of Human Resources. Only an OHRS employee may remove records from this area, and only as necessary to conduct University business. However, employees may request photocopies of any or all of the documents in their personnel files for their own use, at their own expense. All such requests shall be filled immediately.

18.18.9.2 Release of Information at Employees' Request

Employees may also request that specific information be released to third parties in support of an application for employment, government benefits, mortgage or other loan, or any other action that requires employment verification and/or other employment information. Certain information may be released to third parties by telephone, but this release is limited to verification of information provided by the caller. The specific information that may be verified to third parties includes affirmation of current or past employment, dates of hire and separation, position title and working title, and salary information. These details may only be verified if information is provided by the third party caller, and may never be offered in whole or in part by any employee of the University.

In some cases, additional release of information to an external entity may be needed to fill the request of an employee. When requested by a current or former employee, the OHRS shall release details of employment, performance and pay history.

Such a request must be in writing, and may be received by fax or mail or hand-delivered. The request may be a signed form or statement prepared and submitted by the external entity, and may be a photocopy or other facsimile of the original, provided that complete identifying information for the external agency is included with the request. That is, a mortgage lender or potential employer may submit a copy of a completed form with the signature of the employee as long as the document includes names of requesting individual and organization, physical address, and telephone numbers for contact. In these cases, release of information is limited to dates of employment, positions held, and accrual of pay.

In cases where more extensive information is needed, procedures for records security and confidentiality demand more extensive documentation of requests. Official requests for production of documents, referencing pending or anticipated litigation, may be accepted by mail or in person provided that they incorporate names of requesting individual and organization, physical address, and telephone numbers for contact and identify the parties to the action. Requests concerning legal action cannot be accepted by fax or telephone. Furthermore, release of information is limited to the subjects or document types referenced in the official request for production of documents, and such requests shall only be honored if received by the office of an attorney or judicial office.

18.18.9.3 Nondisclosure of Job File Contents

The contents of job files, including application materials, Applicant Activity Records (AAR), reference responses, criminal background check results, interview notes, search committee meeting minutes, and reasons for rejection of any candidate, are private, internal and confidential records of the University. Documents in these files are not public records and therefore are not subject to the requirements of the Freedom of Information Act or Georgia

Open Records Act. Unsuccessful applicants may request, in a writing certified by notary, a copy of their AAR. The Office of Human Resources shall provide a photocopy of the AAR documenting the application that is the subject of the request within 30 days of receipt of the written, notarized request. No other information shall be released from the job file for any reason. Employees of OHRS shall not discuss, either in person or by telephone, with any person, the reason for rejection of a candidate without the express permission of the Director of Human Resources.

18.18.10 Retention and Destruction Schedules

In accordance with guidelines published by the Board of Regents of the University System of Georgia, records of each type shall have prescribed retention periods and destruction schedules. These are outlined briefly herein; additional details, and guidelines regarding other document classes, may be found at www.usg.edu/usgweb/busserv/introduction/index.phtml.

Where various documents stored in a single file have different retention periods, the entire file shall be retained for the longest period applicable to any of the documents. For example, the entire contents of the Master File shall be maintained for seven years following the separation of the employee.

For the main categories of documents maintained by the Office of Human Resources, the retention periods shall be as follows:

Faculty and Classified Personnel Records	7 years following separation
Student Personnel Records	5 years following separation
Family and Medical Leave Files	3 years after separation
Employment Eligibility Verification (I-9)	greater of 3 years after hire, or 1 year after separation
Affirmative Action & Equal Opportunity narrative	Permanent
Affirmative Action and Equal Opportunity detail	3 years
Human Resources Recruitment Review	3 years
Employment Policies and Procedures	Permanent
Benefits Policies and Procedures	7 years after expiration
Position Descriptions	5 years
Classified Rejected Applications	3 years after position closed
Classified Unsolicited Applications	3 months
Recruiting Pool, Search Records	3 years
Continuation of Insurance (COBRA)	3 years
Unemployment Compensation Claim records	2 years
Quarterly Transaction Registers, PICS reports	4 years
Cumulative Leave Reports, Payroll Register	50 years

Pay Authorization (Time Sheets), Pay Adjustments	5 years
Wage and Tax Reports	5 years
Paycheck Delivery Records	3 years
Payroll Check Registers	6 years

18.19 Sick Leave Pool Policy

18.19.1 Purpose

Clayton State University has developed a sick leave pool to alleviate hardships caused to an employee and the employee's family if a catastrophic illness or injury forces an employee to exhaust all earned leave time and to lose compensation.

18.19.2 Scope

This policy is administered by the Office of Human Resources and applies to all CSU employees.

18.19.3 Policy

DEFINED TERMS

Catastrophic illness or injury: A severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation. The uncomplicated delivery of a child at the conclusion of a pregnancy is not considered to be a catastrophic illness or injury.

A prolonged illness or injury: An illness or injury lasting in excess of 30 consecutive calendar days in duration. Days the employee is actively at work shall not be counted as illness or injury time.

Licensed practitioner: A practitioner or physician as licensed by their respective state or country.

Immediate family: Consistent with FMLA Guidelines, immediate family includes a child, a parent, or a spouse.

A child includes: A biological, adopted, or foster child; a stepchild; a legal ward; or a person for whom the employee has (or had during the person's youth) daily responsibility to care and financially support and who is either under 19 years of age or is incapable of self-care because of a physical or mental disability.

A parent includes: A biological (or *in loco parentis*) "parent" but not a parent "in law".

Personal leave balances consist of earned or accrued leave.

A spouse includes: Husband or wife as defined or recognized under state law for purposes of marriage.

Eligible CSU employees are active, non-probationary benefits-eligible employees who have exhausted all accrued sick leave, compensatory leave, vacation and any other paid leave times to which they are entitled due to a catastrophic illness or injury.

Contributions to the sick leave pool are voluntary and may be made at designated times. Eligible CSU employees may contribute any amount of sick leave hours up to 50% of their sick leave accrual during the year that the donation is made. Contributions to the sick leave pool are irrevocable. Employees who make contributions may not stipulate who is to receive sick leave pool benefits.

Sick leave pool withdrawal requests are voluntary. Eligible CSU employees may request sick leave pool time by submitting written requests to the University's sick leave pool administrator. The request shall provide documentation of the reason for the request and the employee's expected return to work date. The University reserves the right to require additional licensed practitioner's statements from providers of its choice in order to make a determination of the request.

Hours paid from the sick leave pool shall be calculated at the employee's regular full-time equivalency. An employee cannot receive sick leave pool pay in an amount greater than the employee's regular base rate. The department(s) that normally bears the employee's earned sick leave expense shall also bear the expense of leave awarded from the sick leave pool. Any unused balance of sick pool leave granted to an employee returns to the pool.

Employees on sick pool leave continue to accrue regular earned sick leave and vacation. Regular earned sick and vacation leave must be exhausted before qualifying for additional sick leave pool time.

Withdrawal requests shall be processed on a first-come, first-served basis, regardless of method of delivery, according to date and time of receipt by the Office of Human Resources.

An Eligible CSU employee may not request, nor be granted, less than 40 hours from the sick leave pool unless the request is related to the death of an immediate family member. If less than 40 hours are available in the sick leave pool, the employee's request shall be held and shall be processed when 40 hours or more become available in the pool. If 40 hours or more are available in the sick leave pool, but fewer hours are available than the employee requests, the employee is granted the number of hours in the sick leave pool, up to the limits included in this policy. Though the employee may receive fewer hours than the requested number, the request is not held, nor is additional time granted retroactively should hours become available at a later time. The employee may make a new request for withdrawal of sick leave pool time which request would be processed according to regular withdrawal guidelines.

An Eligible CSU employee may request up to 24 hours of sick leave pool time due to the death of his/her immediate family member if the employee's personal leave balances have been exhausted. Employees shall be granted sick leave pool time in an amount not to exceed 30 consecutive working days or one-third of the balance of hours in the leave pool, whichever is less.

An Eligible CSU employee may receive a maximum of 480 hours from the sick leave pool during their combined CSU employment period.

The estate of a deceased CSU employee is not entitled to payment for unused leave acquired by that employee from the sick leave pool or previously donated to the pool.

The following lists the attributes of employees who are deemed ineligible to participate in the sick leave pool:

- a) Those persons employed (i) less than one-half the standard workload, or (ii) irregularly, seasonally or temporarily for a definite period of less than four and one-half months during an academic year;
- b) Student employees for whom student status is a required condition of their employment;
- c) Retirees from CSU;
- d) Employees on leave without pay are not eligible unless their leave without pay status is a result of depleting accrued paid leave because of the qualifying illness or injury. If an employee has returned from leave without pay, the employee is ineligible until he or she completes a minimum of 30 active workdays; and,

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- e) Employees currently experiencing a work-related catastrophic illness or injury that is covered by Workers' Compensation insurance are not eligible to withdraw time from the leave pool.

18.20 Tax Deferred Annuities Policy

18.20.1 Purpose

The purpose of this policy is to set forth the guidelines under which CSU sponsors a tax deferred annuity program for eligible employees.

18.20.2 Scope

This policy applies to all regular, benefit eligible CSU employees.

18.20.3 Policy

18.20.3.1 Employees

Tax sheltered annuities (TSA) permit employees to defer payment of federal income taxes on a portion of their income to later periods. Such taxes are not due until the funds are withdrawn. CSU's TSA program is a qualified plan under Section 403(b) of the Internal Revenue Code. Investments are made through life insurance companies and mutual fund companies licensed to do business in the State of Georgia and approved by Clayton State University (Carriers).

All regular, benefits-eligible CSU employees may elect to purchase a TSA at any time. The TSA shall become effective on the first day of the month following such election. Voluntary contributions from the employee shall only be made through payroll deduction. There shall be no matching contribution by the State of Georgia or Clayton State University for the TSA. An employee shall execute a Salary Reduction Agreement form authorizing the Office of Human Resources to reduce future earnings and purchase a TSA with the chosen Carrier on behalf of the employee. Any Salary Reduction Agreement submitted which is incorrect or incomplete will be returned to the employee. It is the responsibility of the employee to resubmit a corrected Salary Reduction Agreement within the payroll eligibility period. The final Salary Reduction Agreement submitted shall determine the effective date of the employee's participation. All TSA funds shall be forwarded by Clayton State University to Carriers within

10 business days after the close of each month.

The maximum amount of salary which shall qualify each tax year for tax deferment shall be determined annually by the employee and his or her agent. This determination is necessary in order to avoid violating the IRS regulations regarding exceeding the maximum allowed tax deferment. It shall be the responsibility of the employee to submit a new salary reduction form to the Office of Human Resources when this calculation shows that the contribution amount should be changed.

It is the employee's responsibility to select his or her investment vehicles and the federal income tax status of contributions. Clayton State University assumes no liability or responsibility either for federal income tax aspects of the TSA program or for the terms and provisions of any annuity contracts issued thereunder.

Employees may stop the TSA payroll deduction at any time by submitting a request to the Office of Human Resources, which shall go into effect on the first day of the month following receipt of the request. Employees may make withdrawals from a TSA account upon termination from employment with CSU or reaching age 59 1/2.

18.20.3.2 Carriers

A list of approved CSU Carriers shall be made available to employees through the Office of Human Resources.

Representatives of approved Carriers shall not initiate contact with employees. Employees interested in a TSA shall directly contact one of the listed representatives of the Carrier of their choice to obtain information and to secure forms to apply for the program of their choice. Representatives of Carriers are permitted at Clayton State University as guests and are expected to comply with all applicable rules and regulations, including current CSU parking regulations.

The Carrier shall not conduct or sponsor campus mailings or telephone campaigns to campus offices. The Carrier shall not provide gifts or monetary rewards in exchange for information about newly hired employees.

Carrier forms shall be the responsibility of the Carrier and the employee. Carrier representatives shall be familiar with the benefits provided under TRS and with applicable Georgia laws, Board of Regent rules and regulations, and Internal Revenue Service Code.

Clayton State University reserves the right to limit or revoke the solicitation privileges of any representative or Carrier in its sole discretion.

18.21 Telecommuting Policy

18.21.1 Purpose

This policy defines telecommuting and outlines the conditions under which the University shall permit its employees to telecommute.

18.21.2 Scope

Telecommuting, the practice of working from home or at a site near the home instead of physically traveling to a central workplace, is a work alternative that the University may offer to some employees based upon (1) an employee's performance assessment, (2) the specific job requirements and measurable outcomes, and (3) the overall needs of the customers of the position and the University.

18.21.3 Policy

Telecommuting is not a formal, universal employee benefit but rather, an alternative method of meeting the needs of the University. Since telecommuting is a privilege, the University has the right to refuse to offer telecommuting to any employee and to terminate a telecommuting arrangement at any time. Unless authorized by his/her supervisor, an employee shall not be allowed to telecommute before the employee has successfully completed six (6) months of employment and has demonstrated superior performance and customer service, as well as outstanding quality in his/her completed work assignments.

University employees shall not be required to telecommute, and may refuse to telecommute if the option is made available to them. Employees granted the privilege to telecommute shall have the right to cease telecommuting and return to their former in-office work assignment through a mutual agreement with their immediate supervisor and division vice president.

18.22 Employee Work Schedules

18.22.1 Purpose

The purpose of this policy is to establish the University's administrative office hours and employees work schedules.

18.22.2 Scope

This policy applies to all CSU employees.

18.22.3 Policy

General administrative office hours for Clayton State University are Monday through Friday, 8:00 a.m. - 5:00 p.m. An employee's regular workday shall consist of 8 hours of work with an unpaid lunch break of at least 30 minutes. An employee's normal hours of work may vary by departmental unit and type of appointment. The University shall grant employees flexible work arrangements, at the discretion of vice-presidents or their designees, to enable employees to serve customers, meet University needs and departmental goals, and balance personal and professional responsibilities. Permission to work a flex work schedule or telework is a privilege and not a right. An employee may request a flexible work arrangement that differs from standard operating hours. Supervisors shall approve flexible hours and telecommuting on a case-by-case basis.

18.23 Workers' Compensation and Return to Work Policy

18.23.1 Purpose

The University System of Georgia provides benefits for employees in the event of work-related injuries, illnesses, exposures or accidents as the means to return employees to meaningful, productive employment following the injury or illness. When an injury, accident, exposure or illness is sustained as a result of, out of, or in the course of employment, all employees of the University System of Georgia shall be covered under provisions of the Workers' Compensation Act.

This policy outlines the requirements associated with reporting injuries or illnesses that arise in or out of the course of employment and the coverage that shall be made available ensures consistency among institutions of the University System as necessary for meeting applicable reporting requirements. This shall provide employees and supervisors information concerning

employee benefits and instructions for treatment of work related illnesses, injuries, accidents or exposures, and completion of the required forms.

This policy also provides a program designed to encourage employees to return to work following a work-related injury or illness. If an employee is able to work but is unable to return to his or her regular duties, this policy is designed to provide methods by which consideration may be given to allow the employee to return to work in a modified or alternative assignment, when possible. This policy applies to classified and University staff employees, wage employees, and where appropriate, it applies to faculty employees who have sustained occupational injuries and non-occupational (personal) illnesses and injuries.

18.23.2 Scope

This policy applies to all CSU employees and is administered by the Office of Human Resources.

18.23.3 Policy

18.23.3.1 Definitions

These definitions apply to these terms as they are used in this policy:

Board of Regents: The governing body of the University System of Georgia

Disability: An illness, injury or other medical condition, including pregnancy, that prevents an employee from performing the duties of his/her job. A disability can be total or partial.

DOAS: State of Georgia Department of Administrative Services

Authorized Treating Physician: An approved doctor, clinic or facility that may be used in case of a workers' compensation claim that requires treatment.

Emergency: An injury that requires immediate medical attention.

“manager” is defined as the individual to whom an employee, contractor, or consultant directly reports and “CSU official” is defined as the individual (e.g. vice president, dean, department head, executive director, director, manager) who is sponsoring the work of non-CSU affiliates, such as visiting faculty.

Modified/Transitional Assignment: A temporary job modification that is provided when an employee returns from a work-related injury or illness to medically-restricted

or modified duties. Duties assigned can be those identified in the employee's current job description with restrictions or another assignment at the discretion of management.

Workers' Compensation: Program of compensation insurance that pays benefits to an employee who experiences a job-related injury.

Work-Related Injury/Illness: An injury or illness that occurs on the job to an eligible employee for which benefits are awarded and payable by Workers' Compensation.

18.23.3.2 Overview

In accordance with the regulations issued by the Georgia Department of Administrative Services, the University System of Georgia (USG) provides Workers' Compensation coverage for all of its employees on all campuses statewide. All USG employees are also covered when conducting business off-site on behalf of the University System of Georgia. All USG employees as well as USG leased employees shall report promptly to their immediate supervisor any work-related injury. If an employee requires treatment or has any lost work days for a work related accident, injury, exposure or illness, the employee's supervisor shall report the injury to the Georgia Department of Administrative Services (DOAS) at 1-877-656-7475. In turn, the employee shall contact Amerisys at 1-800-900-1582 for assistance in selecting an Authorized Treating Physician. The provider of service shall send any bills for treatment directly to the DOAS in Atlanta.

USG and CSU encourage injured employees to return to work as soon as it is reasonably possible in accordance with DOAS guidelines. Individual campus benefits departments should work with each employee and their department to develop opportunities to return to work in transitional capacities. A Return-To-Work Program includes an assessment/identification of duties that can be performed during a period of transition to allow an injured employee to work even though he/she may not be able to resume his/her full duties.

If the employee is not physically capable of returning to full duty initially, the Return-To-Work Program provides opportunities for offering the employee a temporary assignment in which the employee's regular position is modified: 1) to accommodate the employee's physical capabilities, or 2) to perform a transitional assignment with alternate duties. Assignment of any employee to a transitional position or modified regular position in accordance with the Return-To-Work Program, including determination of the pay rate for the transitional position, requires review and approval from the Office of Human Resources. In the case of a faculty member, the Office of Human Resources shall work with the Vice-President for Academic Affairs to determine appropriate transitional work and compensation.

Participation in the Return-To-Work Program shall not be construed as acceptance, acknowledgment, or recognition by the university, its management, or its employees that an employee has a disability as defined by the Americans with Disabilities Act of 1990. If an employee sustains an injury or illness resulting in a disability under the Americans with Disabilities Act, it is the employee's responsibility to inform his or her supervisor or a person in a responsible management position when a disability under the Americans with Disabilities Act exists and that a reasonable accommodation is necessary to perform the essential functions of his or her job.

18.23.3.3 Process/Procedures

18.23.3.3.1 Transitional Duty for Occupational Injuries and Illnesses

As soon as the employee is released to return-to-work activities, the employee shall be asked to meet with the supervisor to determine if the employee can return to his or her regular duties. If the employee cannot immediately return to his or her regular duties, the employee may be given a special assignment as follows:

1. Assignment to the employee's regular position with temporarily modified duties designed for an employee who is temporarily unable to function at full capacity in the regular position due to work-related illness or injury, but who is expected to return to regular duties within ninety (90) days. Such duty modification requires the certification of the employee's treating physician. Once the physician certifies that an employee can return to work with temporarily modified duties, the supervisor must return the employee to work and provide the modified duties based on the employee's physician-certified medical restrictions.
2. Return to work to a transitional position with different duties designed for employees who are temporarily unable to function at full capacity in the regular position due to work-related illness or injury, but who are expected to return to regular duties within ninety (90) days. The employee must possess the knowledge, skills, and abilities required to function in the transitional position. Such temporary reassignment is to be used only when temporarily placing the employee in the transitional position would provide mutual benefits to the university and the employee, and when no current employee would be displaced by such reassignment. Such temporary reassignment requires the certification of the employee's treating physician. Once the physician certifies that an employee can return to work with different duties, the supervisor must return the employee to work in the transitional position and adhere to the employee's physician-certified medical restrictions.

18.23.3.3.2 Employee Responsibilities

If medical services are needed, the employee must contact Amerisys to receive assistance in selecting an Authorized Treating Physician. If released by a physician to modified or

transitional duty, the employee must accept the modified duties or transitional assignment offered. Failure to follow the agreed-upon course of action may jeopardize the employee's benefits.

An employee in a special, transitional assignment is responsible for providing a periodic report from his/her health care provider (for example, every 30 days) during the period of the temporary assignment.

18.23.3.3.3 Supervisor Responsibility

The supervisor is responsible for promptly reporting any accident, injury, exposure or illness that does not require medical treatment to Public Safety.

If immediate medical attention is needed for the injured employee, the supervisor shall report by contacting the Georgia Department of Administrative Services (DOAS) at 1-877-656-7475. If emergency medical treatment is necessary, the injured employee must be directed or taken to the nearest hospital Emergency Room. If the doctor recommends that the employee not return to work immediately following a required treatment, the supervisor must notify the Human Resources Benefits Section on campus or off campus within 24 hours of injury, including the expected return date, if known. The Human Resources Benefits Section must also be advised of the option selected by the employee whether the employee chooses to use sick leave, annual leave or leave without pay while out due to the covered injury.

As soon as possible after notification of a work related automobile accident or serious bodily injury, the supervisor should notify University Public Safety. An examination of the facts surrounding the accident shall be made in an effort to prevent recurrence of the incident. Supervisors are expected to work with Human Resources to identify options for an employee's return-to-work, including identification of duties that can be performed.

18.23.3.3.4 Department Responsibilities

When requested to provide modified or transitional duties, managers are expected to actively assess the workplace for appropriate tasks and duties to encourage the employee's return to work.

As a part of this determination, transitional duties must meet the University staffing needs and must accommodate the employee's medical restrictions while taking into consideration the welfare and safety of the employee, co-workers, students, and customers.

An employee who returns to work in a special assignment may be assigned to another work site within the university, depending upon the availability of vacant positions or the

limitations and abilities of the employee. An employee shall not be placed into a position if such assignment would displace another current employee.

Transitional assignments require advance approval of the human resources department. If a transitional assignment warrants a pay change for the affected employee, the human resources department is responsible for determining the correct pay rate for the transitional assignment. In the case of a faculty member, the Office of Human Resources shall work with the Chief Academic Affairs Officer to determine appropriate transitional work and compensation.

18.23.3.3.5 Duration of Transitional Duty Assignments

The duration of the transitional duty assignment shall be determined on a case-by-case basis by the employee's department in consultation with the University's Return-to-Work (RTW) Coordinator or designee, but shall not normally exceed ninety (90) days. If it is determined that the employee has long-term restrictions that result in the inability to perform the essential functions of the regular position, the provisions of the Americans with Disabilities Act (ADA) and other applicable laws shall be evaluated to determine suitability for employment.

18.23.3.3.6 ADA Compliance

The University System of Georgia and CSU comply with the Americans with Disabilities Act of 1990 which prohibits discrimination against qualified individuals with disabilities. Nothing in this policy shall be used as the basis for illegal discrimination against any individual or group.

18.23.3.3.7 FMLA Compliance

The University System of Georgia and CSU comply with the Family and Medical Leave Act of 1993, and as amended. Should a work related injury or illness be covered by the FMLA, the institution shall apply the provisions of the appropriate policy.

18.23.3.3.8 Workers' Compensation/Return-To-Work Compliance

It is a violation of the Return To Work Policy, procedures, and state and federal law to discharge or in any other manner discriminate against an employee because he or she:

- Files a Workers' Compensation claim in good faith;
- Hires a lawyer to represent his or her interests in a Workers' Compensation claim; and/or

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- Institutes or causes to be instituted in good faith a proceeding with the Georgia State Board of Workers' Compensation.

18.23.3.3.9 Workplace Safety

The University shall make every reasonable effort to investigate the cause of the occupational injury or illness to determine what actions can be taken to prevent a reoccurrence of the injury or illness. An employee shall not be placed into a transitional or regular position if such an assignment would place the employee or others in danger.

18.23.3.3.10 Medical Expenses

Charges for first aid treatment, hospital bills, prescription drugs, doctor's charges, etc., are covered provided the proper procedures are followed as outlined above for reporting the accident and treatment of the employee.

18.23.3.3.11 Payment for Lost Time

The Workers' Compensation Law provides benefits of 66 2/3% of an employee's average weekly earnings up to a maximum of \$525.00 per week. No compensation is allowed for the first seven calendar (7) days of incapacity (including the day of the injury) unless the employee is incapacitated for twenty-one (21) consecutive work days following the injury, in which event compensation is allowed for the first seven (7) days of incapacity, if an employee has not used accrued leave.

18.23.3.3.12 Employee Options

An employee has the following options on the use of Sick Leave or Annual Leave for absence due to a Workers Compensation claim:

- Use accrued sick or annual leave for the first seven (7) calendar days in order to be paid full salary, and then elect to receive Workers' Compensation during the remaining period of injury-related absence, or
- Exhaust all accrued sick leave and annual leave (in that order) and then receive Workers' Compensation, or
- Retain all accrued sick leave and annual leave, and after the seven (7) day waiting period (without pay), receive Workers' Compensation during the remainder of the injury-related absence.

Note: If an employee has no accrued sick or annual leave, any absence during the first seven (7) days must be Leave Without Pay (LWOP).

18.23.3.3.13 Bona Fide Offer of Modified or Transitional Employment

Assignment to any of the type of positions described in this policy shall be documented in a ‘bona fide offer of modified or transitional employment’ letter to the employee. The ‘bona fide offer of modified or transitional employment’ letter shall include the following information:

- The type of position offered and the specific duties;
- A statement that the university is aware of and shall abide by the physical limitations under which the treating physician has authorized the employee to return to work;
- The maximum physical job requirements;
- The wage of the job;
- The expected assignment duration;
- A statement that the university cannot guarantee that a position shall be available should the employee fail to accept the assignment; and
- The name of the person whom the employee can contact for answers to questions about the assignment, job modifications, or other relevant leave provisions

The employee may accept or reject the bona fide offer of employment. The employee should be informed that rejection of the bona fide offer of employment may jeopardize continued temporary income benefits (if applicable). If the employee accepts the bona fide offer of employment, then the employee shall perform the duties of the position for the term of the assignment or until the employee is able to return to full duty, whichever is sooner. If the employee rejects the bona fide offer of employment, then the employee remains off-work until the end of any approved leave period or until the employee is certified by the health care provider to return to full duty.

If the employee is unable to return to full duty by the end of the assignment period and/or by the end of the employee’s approved leave period, then the employee’s continued employment with the University shall be considered based upon the business necessity of filling the employee’s position. Nothing in this policy shall be construed as requiring an institution to retain an employee who is not able to return to work following a workplace injury, and such

decisions regarding continued employment shall be the sole discretion of management with appropriate consideration and attention given to relevant laws.

18.24 Copyright Policy

18.24.1 Purpose

The purpose of this policy is to demonstrate the University's commitment to the protection of original scholarship and other creative works.

18.24.2 Scope

This policy applies to the University community.

18.24.3 Policy

As a system devoted to providing the highest quality undergraduate and graduate education to students, pursuing leading-edge basic and applied research, scholarly inquiry, and creative endeavors, and bringing intellectual resources to the citizenry, the University System of Georgia and Clayton State University are committed to respecting the rights of copyright holders and complying with copyright law. Both recognize that the exclusive rights of copyright holders are balanced by limitations on those rights under federal copyright law, including the right to make a fair use of copyrighted materials and the right to perform or display works in the course of face-to-face teaching activities.

The University System of Georgia and CSU facilitate compliance with copyright law and, where appropriate, the exercise in good faith of full fair use rights by faculty and staff in teaching, research, and service activities. Specifically, the University System of Georgia and CSU:

- inform and educate students, faculty, and staff about copyright law, including the limited exclusive rights of copyright holders as set forth in 17 U.S.C. § 106, the application of the four fair use factors in 17 U.S.C. § 107, and other copyright exceptions;
- develop and make available tools and resources for faculty and staff to assist in determining copyright status and ownership and determining whether use of a work in a specific situation would be a fair use and, therefore, not an infringement under copyright law;

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- facilitate use of materials currently licensed by the University System of Georgia and provide information on licensing of third-party materials by the University System; and
 - identify individuals at the University System and CSU who can counsel faculty and staff regarding application of copyright law.

18.25 Trademark Policy

18.25.1 Purpose

This policy describes how trademarks and trademark applications are handled at CSU.

18.25.2 Scope

This policy applies to the University community. The President and the Vice President of Business & Operations administer this policy.

18.25.3 Policy

What is a trademark?

A trademark (or mark) is any logo, symbol, nickname, letter(s), work(s), word(s), slogan, or derivative that can be associated with an organization, company, manufacturer, or institution and can be distinguished from those of other entities or competitors. For purposes of this policy, the term “trademark” shall include all trademarks, service marks, trade names, seals, symbols, designs, slogans, and logotypes developed by or associated with the USG or any of its institutions, or not yet registered under federal and state trademark statutes.

In addition to the marks listed above, any indicia adopted hereafter and used or approved for use by Clayton State University shall be subject to the CSU’s trademark policies and procedures. Additionally, the trademark licensing shall also cover any derivations of CSU marks which would cause consumers to erroneously believe that the product originated from, or was sponsored/authorized by, the University.

Who Needs a License?

Licenses must be obtained for the use of any CSU trademark, image, or photograph used for any product offered or sold to the general public or to campus departments and organizations. In addition, companies or organizations wanting to associate with the University through any use of its trademarks must obtain the appropriate approval and licenses.

University and Athletic marks cannot be used by political campaigns, or candidates, nor may CSU marks be used for any political initiatives of any sort.

The registered trademark symbol ® must always accompany a registered mark. The trademark symbol TM must always accompany the marks that are in the process of being registered

The Board of Regents of the University System of Georgia guidelines for use of marks and logos must also be adhered to. These guidelines are as follows:

1. Marks and logos cannot be used on any services, goods or items in a manner which may cause embarrassment or ridicule to CSU.
2. Marks and logos shall not be used in conjunction with:
 1. Alcoholic beverages;
 2. Drugs;
 3. Religious content;
 4. Sexually oriented goods;
 5. Goods which make unfavorable reference to the race, gender, sexual orientation, national origin, or disability of a person;
 6. Toilet seats and the like; and
 7. Any item which does not meet minimum standards of quality and good taste as determined by CSU.

All trademarks of USG institutions constitute property of the Board of Regents of the University System of Georgia and all applications for registration under Federal and State laws pertaining to trademark registration shall be made in the name of the Board of Regents of the University System of Georgia.

18.26 Gratuities Policy

18.26.1 Purpose

The purpose of this policy is ensure University employees comply with Georgia law regarding the prohibition of receiving or giving gifts, where the purpose of the gift is to influence an employee in the performance of his/her official functions.

18.26.2 Scope

This policy applies to all University employees.

18.26.3 Policy

An employee of the Board of Regents shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the thing will influence his/her performance or failure to perform any official action. The acceptance of a benefit, reward or consideration where the purpose of the gift is to influence an employee in the performance of his/her official functions is a felony under O.C.G.A. § 16-10-2.

A USG employee, or any other person on his/her behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from any vendor or lobbyist as those terms are defined in Georgia statutes (O.C.G.A. § 21-5-70(6) and 45-1-6(a)(5)b). If a gift has been accepted, it must be either returned to the donor or transferred to a charitable organization.

A gift may be accepted by the employee on behalf of CSU subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

For purposes of this policy a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value.

A gift shall not include:

Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances but in no event exceeds \$100 per person.

Food, beverages, and registration at group events to which substantial numbers of CSU employees are invited.

Food, beverage, or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions or activities.

Actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or

professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee.

Promotional items generally distributed to the general public.

Textbooks, software, and instructional materials to be reviewed by teaching faculty.

An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement.

Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade, or profession.

Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution.

Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with USG policies, CSU policies, and Georgia law.

Gifts to or from USG foundations or other separately incorporated, charitable entities.

18.26.3.1 *Appearance of Conflicts of Interest*

An employee shall make every reasonable effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person will conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, is compromised by personal interest. An appearance of conflict can exist even in the absence of a legal conflict of interest.

Employees are referred to State Conflict of Interest Statutes O.C.G.A. §45-10-20 through §45-10-70, Section 8.2.15.1 through 8.2.15.3 of the Board of Regents' Policy Manual, and other CSU policies governing professional and outside activities.

18.26.3.2 *Other Rules of Conduct*

Every employee shall make a due and diligent effort to determine whether he/she has a conflict of interest or appearance of conflict before taking any action.

Every employee shall continually monitor, evaluate, and manage his/her personal financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.

18.26.3.3 Violations

A violation of this policy may subject an employee to disciplinary action, including termination of employment.

18.27 Publicity Policy

18.27.1 Purpose

The purpose of this policy is to provide guidance to employees on how to respond to press or other news media inquiries.

18.27.2 Scope

This policy applies to all CSU employees.

18.27.3 Policy

All inquiries about CSU from the press or other news media outlets shall be directed to the Media Office.

18.28 Fair Labor Standard Acts Policy

18.28.1 Purpose

The purpose of this policy is to ensure CSU complies with the federal Fair Labor Standards Act (the “Act”) with regard to exempt and non-exempt employees.

18.28.2 Scope

This policy applies to all CSU employees.

18.28.3 Policy

All non-exempt staff employees are covered by the provisions of this Act which, in part, establishes a minimum hourly wage and requires the payment of overtime for work in excess of 40-hours per week at a rate not less than one and one-half times the employee's regular hourly rate of pay. Overtime shall not be paid until the employee has worked 40-hours in one week, not including holiday, vacation, or sick leave. For the purposes of calculating a 40-hour workweek, the week begins at 12:01 a.m. Sunday and ends at midnight the following Saturday.

Should any employee be required to work beyond the normal 8 hour day, the direct supervisor may make provisions for comparable time off to compensate for the overtime within that 40-hour workweek. If that is not possible, then such overtime shall be recorded on the time records and paid as overtime in accordance with FLSA provisions.

A minimum workweek of 40-hours shall be observed by all full-time staff employees. The requirements of the various operations of the University are highly diverse and different/flexible work schedules may be adopted to meet these needs. The schedules for a given department shall be established by that department head, subject to the approval of the administrative officer. Most offices shall be open from 8:00 a.m. to 5:00 p.m. Monday through Friday and as required by some departments in the evening and on weekends. The employee's work schedule may differ in some departments, but only by mutual agreement between the employee and supervisor. Any flexible scheduling or teleworking shall be done in accordance with University policy. For additional information visit the website <http://adminservices.clayton.edu/ohr/benefits/flex.htm>.

Timesheets shall be completed for all biweekly employees and are due in the Payroll Office no later than 9:00 a.m. on the Friday before the end of the pay period. Any vacation or sick leave should also be recorded on the timesheet. The employee and supervisor shall both sign the timesheet indicating approval of the hours reported. If timesheets are not received in the Payroll Office on time the payroll check may be delayed until the following payday.

Payroll records are subject to audit and will reflect actual time worked and leave taken. Any intentional falsification of time records may be grounds for termination of employment.

If an employee's work situation permits, his/her supervisor may authorize the employee to take one 15 minute break each full workday. The employee may leave the work area during the break. Where it is necessary to have someone on duty at all times, care should always be taken to see that the employee's work area is covered. An employee is not permitted to forego "breaks" to accumulate extra time off in the future.

An employee's lunch period will be determined by the needs of the individual department or office. The employee's supervisor will inform him/her of the lunch schedule. Unused lunchtime shall not be routinely accumulated to shorten the workday. Lunch periods shall be at least 30 minutes depending on the individual department, while ensuring the 40-hour workweek commitment is met.

During peak workloads, or emergencies, it may be necessary for a supervisor to require an employee to work overtime. The standard workweek is 40-hours for employees who are non-exempt under the Fair Labor Standards Act. In these situations the supervisor will provide the employee with as much notice as reasonably possible.

When work is authorized to exceed 40-hours worked in any one week for non-exempt personnel, overtime is compensated. Non-exempt personnel may not work more than 40-hours a week unless prior approval has been given by their supervisor. Non-exempt employees who come under the Fair Labor Standards Act shall be compensated at one and one-half times their standard pay rate or time for all work beyond 40-hours.

There shall be no accrual or payment for overtime worked by classified personnel who are determined to meet all the tests for exemption under the Fair Labor Standards Act. Exempt personnel are expected to plan their time and work as is necessary to perform their assignments in a satisfactory manner and to ensure departmental effectiveness.

18.29 Promotion and Transfers Policy

18.29.1 Purpose

The policy ensures that all vacant positions at CSU are posted on the CSU job board and sets for the eligibility criteria required for those employees who are interested in applying for such positions.

18.29.2 Scope

This policy applies to all University employees.

18.29.3 Policy

CSU employees who have a history of satisfactory performance and who have successfully completed their probationary period shall be eligible to apply for promotion or transfer to other positions. There are a number of factors which influence promotions and advancement. Qualification to perform the advanced work is the most important factor, as well as an individual's performance in his/her current position.

A lateral transfer is the shift of an employee from one position to another of the same classification or to one with comparable skills and in the same general pay range.

Transfers shall be based on mutual agreement between departments or between institutions.

Every classified vacancy that occurs on campus shall be posted on the job announcement board outside the entrance of the Department of Human Resources Office and on the Human Resources webpage. Any employee interested in a vacancy shall complete an online application form by following the instructions on the Department of Human Resources webpage <https://clayton.peopleadmin.com/>.

18.30 Drug Free Workplace Policy

18.30.1 Purpose

The purpose of this policy is to maintain an environment that complies with Board of Regents policy, applicable state and federal laws (applicable federal and state laws include, but are not limited to, the Drug Free Workplace Act of 1988 and Georgia Drug Free Postsecondary Education Act of 1990).

18.30.2 Scope

This policy applies to the University community.

18.30.3 Policy

It is the policy of the Clayton State University that illicit drug use, including their manufacture, sale, distribution, dispensation, possession, or use is prohibited in the workplace, on the campus, or as part of any University activities.

University policy prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus and at University-sponsored events held off campus and is intended to protect and support the employees and students of Clayton State University. Any employee admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and/or alcohol on the campus or at University-sponsored events held off campus shall be subject to disciplinary action (up to and including suspension, suspension without pay, and/or termination), may be referred for prosecution, and may be required to satisfactorily participate in a drug and alcohol assistance or rehabilitation program as agreed upon between the employee and the Department of Human Resources.

18.31 Smoke Free Workplace Policy

18.31.1 Purpose

This policy's purpose is to protect the health and well-being of faculty, academic professionals, staff, and students at Clayton State University.

18.31.2 Scope

This policy applies to the University community.

18.31.3 Policy

The University prohibits all smoking inside campus buildings. Specific areas outside campus buildings are designated for those individuals who wish to smoke.

University Regulations on Smoking:

1. Smoking in campus buildings is prohibited.
2. Smoking is prohibited within 30 feet of all building entrances/exits/open windows.

3. Immediate supervisors shall have the responsibility for ensuring that all employees are aware of University policy related to smoking and, in the event of violations by an associate, taking appropriate disciplinary action.

Clayton State University seeks to assist smokers in complying with institutional policy related to smoking. To that end and to encourage cessation, the University provides employees with information about assistance programs available from the health insurance plans provided as part of the employee benefits program. Contacts for local agencies offering stop smoking programs are available in the Department of Human Resources.

18.32 Employee Terminations

18.32.1 Purpose

The purpose of this policy is to establish guidelines of conduct in the event an employee resigns, retires, is terminated or demoted.

18.32.2 Scope

This policy applies to all CSU employees. When applying this policy, CSU employees shall consider the University's Access Privileges Policy, Policy 607.

18.32.3 Policy

18.23.3.1 Resignation

Employees who resign for any reason shall give the supervisor a minimum notice of 2 weeks. All resignations shall be submitted in writing. A longer notification period may be agreed upon in certain positions.

CSU encourages employees who resignations are due to their retiring to give at least a 30 days' notice in order to ensure all of the associated documentation is prepared, submitted and processed in a timely manner.

18.23.3.2 Termination for Cause

Georgia is an employment at will state. Employees may be terminated for misconduct, including violation of University policy, or any other conduct detrimental to the University or its reputation, operations or activities. Termination for cause may also include termination due to the employee's unwillingness or inability to adequately perform his/her job responsibilities or for insubordination.

18.23.3.3 Dismissal, Demotion and Suspension

Dismissal, demotion, or suspension of classified employees may be affected by the employee's supervisor when the supervisor determines that the employee's job performance or personal conduct is unsatisfactory.

The employee shall be informed in writing of the reasons for the demotion or suspension and granted a reasonable opportunity (not less than 5 working days) to respond to the next highest authority prior to the effective date of the action; provided however, that under emergency circumstances when immediate action is necessary, the employee may be forthwith dismissed, demoted or suspended with or without pay, by the immediate supervisor, pending a review by the next highest authority.

Any such employee also shall be entitled to the procedural protections of a hearing before a Board of Review convened pursuant to the appeals procedure upon request made within 15 working days following the adverse personnel decision of the employee's supervisor, provided that the Board of Review hearing may take place either before or after the effective date of the personnel decision in question.

An employee who has been dismissed or suspended without pay and is later reinstated shall be entitled to recover back pay unless the President or the President's designee determines otherwise.

Classified employees who are terminated, demoted or otherwise adversely affected by reorganization, program modification or financial exigency, as approved or determined by the President or the President's designee, shall not be governed by the procedures described in the dismissal, demotion or suspension procedure or the appeals procedure. Such employees shall, however, have the right of appeal to the Board of Regents as provided in Article IX of the Bylaws of the Board of Regents.

18.32.3.4 Exit Interview

All regular employees who are terminating their employment shall participate in an exit interview conducted by the Department of Human Resources. At that time, employees shall receive all pertinent information regarding their separation, complete all necessary paperwork, and return any identification cards, keys, or other institutional property to the University. This interview shall also give employees an opportunity to express their thoughts about their employment experience at Clayton State University.

18.33 Identification Cards

18.33.1 Purpose

The policy enables a secure educational environment at CSU.

18.33.2 Scope

This policy applies to all full-time and part-time permanent faculty, academic professionals and staff.

18.33.3 Policy

The LakerCard is the official Student, Faculty, Academic Professional and Staff ID for Clayton State University. It is also a Library card and an optional pre-paid financial transaction card. An employee shall use the LakerCard the entire time he/she is employed at Clayton State University.

The LakerCard shall automatically be issued to full-time and part-time permanent faculty, academic professionals and staff. Temporary staff may receive a LakerCard if authorized by their manager and the LakerCard Center. If employees lose the ID card, they must replace it at their own expense. For full details visit the website at <http://www.clayton.edu/auxiliaries/lakercard> .

18.34 Changes in Employee's Status

18.34.1 Purpose

It is vital that a current emergency contact be maintained in the personnel file in the event of an accident or injury to the employee during working hours.

18.34.2 Scope

This policy applies to all CSU employees.

18.34.3 Policy

It shall be the employee's responsibility to notify the Department of Human Resources of changes in name, address, telephone number, tax exemptions, etc. and to keep information current in the personnel record at all times.

18.35 Employee Arrests and Convictions

18.35.1 Purpose

The policy enables a secure educational environment at CSU.

18.35.2 Scope

This policy applies to all CSU employees.

18.35.3 Policy

Any current employee who is charged with a crime (other than a minor traffic offense) shall report being charged with such crime to the Department of Human Resources within 72-hours of the employee becoming aware of such charge. Failure to report being charged with such a crime may result in appropriate disciplinary action, including termination of employment. The Department of Human Resources shall review the nature of the crime and make a determination on what, if any action should be taken regarding the employee's employment status until resolution of the charge.

Any current employee who is convicted of a crime (other than a minor traffic offense) shall report such conviction to the Department of Human Resources within 24-hours of the conviction. Failure to report such conviction may result in appropriate disciplinary action, including termination of employment. Human Resources shall review the nature of the charge and make a determination on what, if any, action should be taken regarding the employee's employment status. Human Resources shall review the crime utilizing the same standards as it applies in reviewing crimes committed by a candidate for employment but may consider other factors, including the employee's length of employment and performance reviews.

18.36 Inclement Weather Policy

18.36.1 Purpose

This policy informs CSU employees about attendance expectations when there is inclement weather.

18.36.2 Scope

This policy applies to all CSU employees.

18.36.3 Policy

Unless notified by your supervisor, each classified employee shall report to work regardless of class cancellations. In the event the University is closed, announcements will be made via radio (which includes AM Station WSB 750), the internet on website <http://www.clayton.edu/> and television. Information on campus closing may also be obtained by telephoning the University's information number at (678) 466-4000. Employees shall contact their supervisor about any inclement weather concerns that might impact their ability to get to work safely.

18.37 Use of University Property

18.37.1 Purpose

This policy establishes CSU's expectation to the handling of CSU property used by employees in connection with the performance of their jobs.

18.37.2 Scope

This policy applies to all University employees.

18.37.3 Policy

Employees of Clayton State University shall not purchase goods or services for personal use through University channels. Nor shall any employee permit any University property to be removed from the campus for private use.

The use of all State of Georgia telephone services, including University issued cellular communication devices should be limited to official University business only. No personal long distance calls shall be made. Personal calls (incoming and outgoing) on employee owned cellular telephones and the use of all personal communication electronic devices shall be kept to a minimum during working hours. Clayton State University employees are expected to represent the University in a professional and courteous manner when communicating. This includes prompt response to incoming calls and messages.

University equipment including computer hardware and software are valuable assets. They shall be used for official University business only. Every effort is made to secure the privacy of each authorized user although messages or files stored or transmitted on the computer or system network should not be considered to be private or secure. Under the Georgia Open Records Act, it is possible that information which is stored on a computer system, including electronic mail, would be available for inspection. Further, the University reserves the right to have access to any information stored or transmitted on a University owned computer or network.

Under no circumstance shall software be copied or installed on a Clayton State University computer if such copying or installation would violate any copyright or licensing agreement. All system users are expected to follow the guidelines expressed. Any employee in violation may be subject to disciplinary action, up to and including termination, as well as possible legal action.

The University mailroom handles incoming and outgoing correspondence of the institution and should not be used for personal mail delivery, in lieu of a home address. Any personal mail sent through the University facilities shall have appropriate postage attached. Personal packages are not to be routinely routed through Central Receiving either for delivery or mailing. For information regarding mail (bulk/certified/courier/insured), delivery and other mailroom procedures visit the website <http://www.clayton.edu/facilities/plantops/mailroom>.

18.38 Solicitation Policy

18.38.1 Purpose

The purpose of the University Solicitation Policy is to ensure compliance with Board of Regents policy regarding campus business activities (solicitation, sales, and advertising) and to exercise the required business controls and supervision over such activities on the campuses of Clayton State University. Clayton State University has made a commitment to control and prohibit where appropriate advertising, sales, and solicitation which is not specifically authorized by the University and/or the Board of Regents.

18.38.2 Scope

This policy shall apply to all campus personnel, faculty, staff, recognized student organizations (RSOs), all affiliated organizations, including but not limited to Alumni and the Clayton State Foundation, vendors, and non-profit or charitable organizations, and individuals. The policy applies to all campus facilities, including all buildings, land and open spaces and air above that space, streets, walkways, and parking facilities.

18.38.3 Policy

Definitions

(a) Solicitation is defined as the act of requesting money or funds for any reason, seeking agreement to pay, taking subscriptions, selling merchandise or services, or offering materials or privileges to others via promotion or advertisement.

(b) Commercial Solicitation is defined as any solicitation, most likely from or involving an outside vendor, for the purpose of securing revenue or profit for the benefit of an individual or commercial entity.

(c) Non-commercial Solicitation is defined as any solicitation for the purpose of securing a monetary gain for the benefit of a recognized student organization (RSO), other campus organization, department, employee, or a non-profit/charitable organization, and includes sales and requests for any types of donations by anyone.

Per Board of Regents policy, the chief business officer of the institution has the responsibility to control, manage, and supervise all business activity on his/her respective campuses. Board policy states: "Institutions of the University System shall not permit the operation of privately operated business enterprises on their campuses, except as otherwise provided by contract. All business enterprises operated on a campus or institution of the University System shall be operated as auxiliary enterprises and shall be under the direct management, control and supervision of the chief business officer of the institution."

In accordance with this policy, the Vice President for Business and Operations at Clayton State University shall be responsible for authorizing, in compliance with Regents policy, any business activity on campus. The Vice President for Business and Operations or his/her delegee will have ultimate responsibility for approval of any advertising, sales, and/or solicitation activity, and shall make provisions to enforce the policies adopted by the University through available means.

Commercial Solicitation

Commercial Solicitation

The Board of Regents of the University System of Georgia has established policies, which are for the benefit of the member institutions. Auxiliary Services, under the auspices of the Office of the Vice President for Business and Operations, shall be the only body empowered to conduct business activity on the campuses of Clayton State University.

Business activity shall include any undertaking of an individual or group which encompasses the production, sale, distribution, by sale or gifts, of products or services. The sale and distribution of products and services includes any method of marketing by way of direct selling or indirect selling, including the use of posters, flyers, handouts, or other promotional literature. Such activities shall be subject to the provisions of this policy.

Solicitation campaigns in residence halls, classrooms, or administrative buildings by private individuals, faculty, staff, students, or non-resident students are prohibited. Door-to-door sales in all University facilities, including residence halls, are also prohibited.

Auxiliary Services shall be the only body empowered to conduct or approve sales activity on the campuses of Clayton State University. Sales or solicitation in direct competition with the auxiliary operations of the university are prohibited.

Further information on CSU's non-university information table policy can be found at:
<http://www.clayton.edu/portals/45/docs/Vendor-Information-Table-Request.pdf>.

Sale of Course Materials and Other Merchandise – Right of First Refusal

Books, including course materials, study aids, trade books, books for special events, and general interest books; course equipment; school and art supplies; Clayton State logo items; and other competing items may not be brought into a University facility for sale by any individual, campus office, or group without the first right of refusal given to the Loch Shop, the University's official retailer. Adherence to this policy will also assist in monitoring compliance with sales tax and unrelated business income tax requirements. More detailed information can be found at <http://www.clayton.edu/auxiliaries/thelochshop>.

Non-commercial Solicitation

Distribution of non-commercial written material such as pamphlets, handbills, circulars, newspapers, magazines and other materials which are protected by the First Amendment may be distributed or sold on a person-to-person basis in assigned areas on campus by registering with the Department of Campus Life. Further information on CSU's non-university information table policy can be found at:

<http://www.clayton.edu/portals/45/docs/Vendor-Information-Table-Request.pdf>.

"Drop (bulk) delivery" or unattended distribution is not permitted. Distribution shall be made from an assigned location and sales people are not allowed to walk around campus distributing written materials.

Non-commercial solicitation by RSOs or non-profit/charitable organizations may take place in approved campus areas with prior approval from Campus Life. In order to receive approval, non-commercial solicitation activities must be occasional, non-continuous, and specific in purpose.

The student organization fundraising policy can be found at:
https://www.clayton.edu/Portals/535/docs/SFAB/Fundraising_Policy.pdf.

CSU's external fundraising policy and procedures can be found at:
<http://www.clayton.edu/university-advancement>.

Any solicitation by academic and administrative units must obtain approval from the Vice President for Business and Operations or his/her delegee. This includes crowdfunding which must also be reviewed by the Vice President for University Advancement per the [CSU Crowdfunding Guidelines](#).

Any other type of individual solicitation, including crowdfunding, must be reviewed by the Vice President for Business and Operations and the Vice President for University Advancement.

Clayton State University participates in the annual CSU Faculty/Staff Foundation Fund Drive, as well as, the State of Georgia Charitable Contributions Program. Participation by employees is on a voluntary basis.

Solicitation by Clayton State Employees

Solicitation by CSU employees is prohibited during work hours. Prohibited activities include actual sales, order taking, as well as the distribution of catalogs and literature. Advertising of a private enterprise on campus is permitted only in approved campus publications, newspapers, magazines, or by direct U.S. Mail or telephone. Posters, circulars, windshield “flyers”, etc. are prohibited unless specifically approved by Campus Life. This policy can be found in the employee handbook:

<http://www.clayton.edu/human-resources/employeehandbook>

For the complete policy and procedures to request approval of a solicitation event, please visit:

<http://www.clayton.edu/vpbusinessoperations>.

18.39 Vehicle Regulations

18.39.1 Purpose

The purpose of this policy is to enable the University to regulate employee vehicles on campus.

18.39.2 Scope

This policy applies to all CSU employees.

18.39.3 Policy

Employees who park a vehicle on campus shall obtain a parking permit from the Department of Public Safety. Employees are entitled to one (1) free parking permit but additional permits are available for purchase. All permits issued, unless otherwise indicated, shall be valid for the academic year, Fall Semester through Summer Semester. An employee shall display the parking permit by placing the parking permit in the rear window of the vehicle on the lower left driver's side windshield where it is clearly visible from the exterior of the vehicle. Each individual who operates a motor vehicle on the campus of Clayton State University shall know, understand and comply with all parking regulations. For complete details see website <http://www.clayton.edu/public-safety/parkingservices/parkingrules> .

18.40 State Employment other than CSU

18.40.1 Purpose

During the 1983 session of the General Assembly, a comprehensive conflicts of interest law was enacted which pertains to all employees of Clayton State University. This policy ensures that CSU is compliant with it.

18.40.2 Scope

This policy applies to all CSU employees.

18.40.3 Policy

As required by this law, if a CSU employee or his/her immediate family member is or will be doing business with other state agencies (over and above his/her regular CSU job) the employee may need to seek approval and the employee/family member must file a disclosure report before January 31 of each year. Generally, state employees are limited in working for other state agencies even on a part-time basis. Detailed information and the State Business Transaction Disclosure Reports can be located on website http://www.usg.edu/legal/documents/bus_transact.pdf and in State laws O.C.G.A. § 45-10-22, 23 and 45.

18.41 Garnishments

18.41.1 Purpose

This policy ensures that CSU maintains compliance with garnishment laws.

18.41.2 Scope

This policy applies to all CSU employees.

18.41.3 Policy

Clayton State University considers the acceptance and settlement of just and honest debts to be a mark of personal responsibility. Failure to meet personal financial obligations may cause discredit to the University. The University is required by law to accept and process garnishments served by court officials. Continuing instances of default in payment of debts resulting in repeated garnishment of wages shall be sufficient grounds for an employee's termination.

18.42 Withholding of Pay

18.42.1 Purpose

This policy enables CSU to collect from its employees financial obligations owed to the University.

18.42.2 Scope

This policy applies to all CSU employees.

18.42.3 Policy

Clayton State University may withhold paychecks or deduct from paychecks amounts owed by employees of the University for any fine, fee, penalty or other financial obligation(s) to the institution of employment.

18.43 Outside Activities

18.43.1 Purpose

This policy provides guidance to employees with regard to activities outside of their CSU employment.

18.43.2 Scope

This policy applies to all University employees.

18.43.3 Policy

18.43.3.1 Occupational

- A. An employee of the University System shall not engage in any occupation, pursuit or endeavor which will interfere with the regular and punctual discharge of official duties.
- B. Professional employees are encouraged to participate in professional activity that does not interfere with the regular and punctual discharge of official duties, provided the activity meets one of the following criteria: (1) is a means of personal professional development; (2) serves the community, state or nation; or (3) is consistent with the objectives of the institution.
- C. For all activities, except single-occasion activities, the employee shall report in writing through official channels the proposed arrangements and secure the approval of the President or designate, prior to engaging in the activities. Such activities include consulting, teaching, speaking and participating in business or service enterprises.

18.43.3.2 Political

As responsible and interested citizens in a democratic society employees of the University System are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society. Nevertheless, it is inappropriate for System personnel to manage or enter political campaigns while on duty to perform services for the System or to hold elective political office at the state or federal level, while employed by the University System. Therefore, the following policies governing political activities have been adopted.

- A. Employees may not manage or take an active part in a political campaign which interferes with the performance of duties or services for which he/she receives compensation from the System.
- B. Employees may not hold elective political office at the state or federal level.
- C. A candidate for or holder of an elective political office at the state or federal level may not be employed or hold a faculty, staff or other position at an institution of the System, with or without compensation.
- D. Employees seeking elective political office at the state or federal level must first request a leave of absence without pay, beginning prior to qualification as a candidate in a primary or general election and ending after the general or final election. If elected to state or federal office such person must resign prior to assuming office.

E. Employees may seek and hold elective office at other than the state or federal level, or appointive office, when such candidacy for or holding of the office does not conflict or interfere with the employee's duties and responsibilities to the institution or the University System.

18.44 Cooperation in Internal Investigations

18.44.1 Purpose

This policy advises employees on how to act in connection with an internal investigation.

18.44.2 Scope

This policy applies to all CSU employees.

18.44.3 Policy

An employee of Clayton State University shall cooperate to the fullest extent possible in any internal investigation when directed to do so by the immediate superior or such other persons who have been given investigative authority by the President of the University. Such cooperation may involve the use of polygraph tests. Failure to cooperate fully shall be grounds for adverse personnel action, including possible termination of employment.

18.45 Travel Policy

18.45.1 Purpose

This policy provides guidance for employees who travel on official CSU business.

18.45.2 Scope

This applies to all CSU employees.

18.45.3 Policy

Travel by employees on official University business is covered by the University's regulations relating to reimbursement for reasonable and necessary expenses. Employees required to make official University trips shall complete a Clayton State University Request to Travel

Form and have the form approved by the appropriate personnel before reimbursement of travel will be allowed.

For instructions on creating a Travel Expense Report visit website <http://www.clayton.edu/accounting-services/expenses/travel/howdoi/createatravelexpensereport>. For additional information regarding travel visit website <http://www.clayton.edu/accounting-services/expenses/travel>.

18.46 Relatives in Employment

18.46.1 Purpose

This policy is designed to prevent nepotism at the University.

18.46.2 Scope

This policy applies to all CSU employees.

18.46.3 Policy

The basic criteria for the appointment and promotion of staff personnel shall be appropriate qualifications and performance as set forth in the policies of the University and the Board of Regents. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage provided the individual meets and fulfills the appropriate University appointment and promotion standards.

No individual shall be employed in a department or unit under the supervision of a relative who has or may have a direct effect on the individual's progress, performance, or welfare. For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing.

18.47 Children in the Workplace

18.47.1 Purpose

This policy is designed to eliminate disruptions to the daily operations of the University and for the safety of children.

18.47.2 Scope

This policy applies to all CSU employees.

18.47.3 Policy

Due, in part, to the liability factor involved, extended and regular visits by employee's children in the workplace shall not be allowed.

18.48 Student and Staff Interactions

18.48.1 Purpose

It is the intent of Clayton State University to provide a safe and secure environment for the teaching, learning, operation and management of the institution for its students, employees and visitors by establishing preventative measures and requiring accountability for disruptive actions. Maintaining civility and mutual respect are intrinsic to such an environment.

18.48.2 Scope

This policy applies to the University community.

18.48.3 Policy

All members of the University community should interact in a professional and respectful manner, avoiding behavior which might reasonably be perceived as harassing or intimidating. Employees should observe federal and state laws and the statutes and rules of the University System.

All members of the University community shall conduct themselves in a courteous manner and maintain ethical conduct. CSU staff involved in teaching and working with students that exhibit disruptive, violent or threatening behavior should report such behavior to the appropriate University official and if necessary take such further action as outlined in the Policy on Student and Staff Interactions.

Clear communication of behavior expectations for students and employees; early consultation and communication with students, key administrators, mental health professionals and/or University Police and Student Affairs; and written documentation of disruptive behavior are key elements in effective prevention and early intervention of disruptive and violent behavior. For further information visit website http://www.clayton.edu/human-resources/employeehandbook_ and click on Clayton State Student and Staff Interaction Policy.

18.49 Disruptive Behavior and Workplace Violence

18.49.1 Purpose

The purpose of this policy is to ensure and maintain a safe educational environment at the University.

18.49.2 Scope

This policy applies to the University community.

18.49.3 Policy

Individuals exhibiting disruptive behavior may be immediately and involuntarily dismissed from the University, removed from an office, a specific lecture or an entire course, and summarily physically removed from campus property. Failure to follow such directions communicated by a University official, and/or public safety officer may subject the individual to additional disciplinary action or criminal prosecution. In cases of IMMEDIATE THREAT

to yourself or others, immediately call the CSU Department of Public Safety at (678) 466-4050.

Students, faculty, and employees who believe threats or acts of violence have been made against them or others shall report the details of the incident(s) to the CSU Department of Public Safety at (678) 466-4050, their supervisor and/or Department of Human Resources or other authorized University officer as soon as possible. If a student or employee threatens harm to self or others, this information should not be kept confidential. It should be shared with Counseling Services and/or University Police. Additional information can be located on website <http://www.clayton.edu/human-resources/employeehandbook> .

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing. No existing University policy or procedure shall be interpreted in a manner that prevents such emergency decision-making from occurring.

18.50 Environmental and Occupational Safety Policy

18.50.1 Purpose

Clayton State University is committed to achieving excellence in providing a safe working and learning environment, and supporting environmentally sound practices in the conduct of institutional activities.

18.50.2 Scope

All members of the CSU community.

18.50.3 Policy

CSU shall, at a minimum, comply with applicable environmental and occupational safety laws and regulations, and shall designate the Vice President of Business and Operations to oversee compliance. In the absence of specific laws or regulations, CSU will follow industry standards and good management practices. CSU shall maintain policies and procedures to govern activities to meet the goal of comprehensively integrating occupational safety and environmental considerations, and will periodically review and update such policies and procedures. The Vice President of Business and Operations, in consultation with the institution's Environmental Compliance Advisory Committee, is responsible for developing standards, guidelines, and processes to promote, support, and access the implementation of environmental and occupational safety management

programs and initiatives. CSU has created the Environmental Management System in order to implement this policy.

18.51 Salary Increase Administration Policy

18.51.1 Purpose

This policy ensures consistency in compensation practices among institutions of the USG while affording the appropriate level of flexibility needed at the institutional level.

18.51.2 Scope

This policy applies to all CSU employees.

18.51.3 Policy

Salary and wage adjustments will generally be awarded to employees upon promotion to a higher level position, upon reclassification to a higher level position, when an equity or administrative adjustment is deemed necessary, and on annual basis provided performance warrants the adjustment. The annual increase will be in the form of a merit increase and developed in conjunction with the budget development process. Equity adjustments may also be developed in conjunction with the budget development process. All adjustments are contingent upon available funding.

Each year, the USG Office of Fiscal Affairs will issue a salary administration statement that provides guidelines for awarding salary increases for that fiscal year. Merit increases are normally authorized at the beginning of a fiscal year and are subject to salary limitations and guidelines established each fiscal year. Annual salary increases are merit-based, reflecting each employee's performance as evaluated by his/her supervisor. Merit increases will generally be distributed on a percentage basis around the average percentage increase as provided for by state appropriations. Merit salary increases that exceed the range established by the salary administration statement must be documented on an individual basis.

Additionally, and subject to Board policy, CSU may make salary increases for promotions and reclassifications or to address issues of salary inequities, subject to the availability of funds.

When an employee is promoted or reclassified to a position in a higher classification, the employee will normally be awarded a promotional/reclassification increase. Determinations of

the actual increase should consider relevant factors such as internal pay relationships and the individual's qualifications and experience for the position. Promotional and reclassification increases are subject to availability of funding.

In order to correct an administrative oversight, and subject to funding availability, the Director of Human Resources or his/her designee may approve a corrective adjustment to an employee's rate of pay.

Pay rates depend upon many factors, such as knowledge, training, special skills and the responsibilities of the job. Constant effort is made to maintain a fair wage or salary range for each job and a fair relationship between the job levels. Wage and salary adjustments are made on the basis of performance and the availability of funds.

18.52 Leave

18.52.1 Purpose.

The purpose of this policy is to promulgate the standards regarding how CSU employees may earn and use paid time off

18.52.2 Scope

This policy applies to all CSU employees.

18.52.3 Policy

18.52.3.1 *Vacation/Annual Leave*

A regular employee (as defined in the BOR's Human Resources Administrative Practice Manual) who works one-half time or more shall earn paid vacation/annual leave. A full-time regular employee shall be entitled to vacation/annual leave earned at the rate of:

One and one-fourth working days per month (10 hours) for each of the first five years of continuous employment;

One and one-half working days per month (12 hours) for each of the next five years of continuous employment; and,

One and three-fourths working days per month (14 hours) for each year after the completion of ten years of continuous employment.

The accrual rate of vacation/annual leave for an hourly employee will be based upon his/her standard work commitment. The use of approved vacation/annual leave shall be recorded on institutional leave records.

A regular employee who works one-half time or more but less than full-time shall accrue vacation/annual leave prorated on the basis of full-time employment. An employee who is employed less than one-half time shall not be eligible to accrue vacation/annual leave.

A temporary employee, as defined in the BOR Human Resources Administrative Practice Manual, is not eligible to accrue vacation/annual leave.

A full-time faculty member employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. All working days during the fiscal year shall be counted. Absences during academic calendar breaks shall be recorded as vacation. All vacation days shall be recorded on institutional leave records.

A full-time administrative officer employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. The use of approved vacation/annual leave shall be recorded on institutional leave records.

The accrual rate of vacation/annual leave for a faculty member or for an administrative officer will be based upon his/her contractual work commitment.

A faculty member who changes from a fiscal year contract to an academic year contract shall be paid his/her unused, accrued vacation/annual leave subject to the 45-day (360-hour) maximum payment restriction upon termination of the fiscal year contract.

A faculty member employed on an academic year (9- to 10-month) basis does not earn vacation/annual leave. An academic year contracted faculty member who teaches during Maymester and/or summer semester will not be eligible to accrue vacation/annual leave for such service.

Vacation/annual leave shall be accrued based on the initial employment date of an employee.

A new hire must be employed on or before the fifteenth of a month to qualify for accrual of vacation/annual leave for that month.

Vacation/annual leave shall be taken at times mutually acceptable to the employee and his/her supervisor; provided, however, that a University System institution may, on not more than five days, require the use of vacation/annual leave during periods in which all or substantially all of the institution's facilities are closed because classes are not offered.

On December 31 of each calendar year, each employee's leave record shall be adjusted to reflect no more than 45 days (360 hours) of accrued vacation/annual leave.

All unused, accrued vacation/annual leave, not to exceed 45 days (360 hours), shall be paid to an employee upon his/her termination from employment. An employee who terminates on or after the fifteenth of a month shall accrue vacation/annual leave for that month.

Upon a move between USG institutions with no break in service, an employee must transfer all accrued vacation/annual leave up to 20 days (160 hours). For employees with accrued vacation/annual leave of greater than 20 days (160 hours), an employee may elect one of the following options:

Transfer of the total accrued vacation balance, not to exceed 45 days (360 hours); or,

Payment by the institution from which the employee is moving of accrued vacation leave in excess of 20 days (160 hours). The total accrued vacation leave for which the employee may be paid shall not exceed 25 days (200 hours).

18.52.3.2 Sick Leave with Pay

For all regular full-time USG employees as defined in Section 8.1 of the Policy Manual, sick leave shall be accumulated at the rate of one working day per calendar month of service. Regular part-time employees working one-half time or more will accumulate sick leave in an equivalent ratio to their percentage of time employed. Sick leave for employees shall be cumulative.

Sick leave may be granted at the discretion of the institution and upon approval by the supervisor for an employee's absence for any of the following reasons:

- Illness or injury of the employee
- Medical and dental treatment or consultation
- Quarantine due to a contagious illness in the employee's household
- Illness, injury, or death in the employee's immediate family requiring the employee's presence

If sick leave is claimed for a continuous period in excess of one week, a physician's statement is required to permit further claim of sick leave rights by the employee-patient.

A terminating employee shall not accumulate sick leave or be entitled to receive sick pay after the last working day of his/her or her employment.

Upon the movement of an employee among USG institutions, accumulated sick leave will be transferred if there is no actual break in service.

Any employee unable to return to work after exhausting all accumulated sick leave and accrued vacation leave may be granted sick leave without pay for a period not to exceed one (1) year. Furthermore, such approved sick leave shall allow the employee the right to elect to continue his or her group insurance benefits, and the institution will continue its share of the cost for such period. All other benefits are prohibited which otherwise would accrue to the employee.

18.52.3.3 Educational and Professional Leave

Leaves of absence of one year or less with or without pay may be granted by CSU's President and reported to the Chancellor. Extensions of such leaves, or the initial granting of leaves of more than one year, require the approval of the Chancellor or his/her designee.

In considering a request for leave with pay, the President should bear in mind that it is the policy of the Board that such leave shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The President should examine

carefully the program or project on which the employee proposes to work, and he/she should also consider the likelihood of the employee's being able to accomplish the purposes for which leave is requested. It is expected that scholarly and professional leaves shall be granted without pay where the leave is supported by an external grant or stipend.

In considering a request for a leave, the President should take into consideration the effect that the granting of the leave will have on the institution or on the department of which the employee is a member. If the employee's work cannot be handled by other employees and if funds are not available for the employment of a substitute, the president will be justified in refusing to recommend that the leave be granted or in deferring action upon the request for a leave.

The President ordinarily should not approve a request for a leave with pay if the applicant for leave has been employed at an institution for the period of fewer than three (3) years. The USG chief academic officer will promulgate guidelines regarding educational and professional leave.

Any employee who has been granted a leave of absence with pay shall be required, before beginning the leave, to sign an agreement indicating that:

For a leave with pay of less than one year, the employee will return to the institution at the termination of the leave for a period of at least one (1) year;

For a one-year leave with pay, the employee will return to the institution at the termination of the leave for a period of at least two (2) years; and that,

If the employee does not return to the institution for the full amount of time specified in the agreement, the employee will reimburse the institution for the amount of compensation received while on leave, as well as any other expenses paid by the USG during the leave, including all benefit costs.

A faculty or staff member who returns from an authorized leave which enhances professional study and development shall be entitled to a salary which will include, as a minimum, the mandated across-the-board salary raises which occurred during the period of leave.

No leaves of absence will be granted to USG retirees and who are drawing retirement benefits from the Teachers' Retirement System of Georgia or from the USG. Approved leave shall allow employees the right to elect to continue group insurance benefits with institutional participation.

18.52.3.4 Military Leave with Pay

For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including, but not limited to, service schools conducted by the armed forces of the United States. Such duty shall be deemed "ordered military duty" regardless of whether the orders are issued with the consent of the employee. An employee who receives orders for active military duty shall be entitled to absent himself or herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not

to exceed a total of eighteen (18) workdays in any one federal fiscal year (October 1 - September 30) as authorized by Georgia Law O.C.G.A. § 38-2-279[e]. At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active military duty.

Notwithstanding the foregoing leave limitation of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding 30 days in any one federal fiscal year.

After an employee has exhausted his/her paid military leave, CSU, in its sole discretion, may pay the employee for his/her accumulated annual leave.

18.52.3.5 Family and Medical Leave

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, to be eligible for FMLA leave, the employee must have worked for the USG:

For at least twelve (12) months total; and,

For at least 1,250 hours during the 12-month period immediately preceding the commencement of such leave.

The FMLA entitles an employee to up to twelve (12) work weeks of leave for one of the following conditions:

Birth and care of a newborn child of the employee;

Legal placement of a child with the employee for adoption or foster care;

Care of an immediate family member (defined as the employee's spouse, child, or parent) with a serious health condition; or,

A serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.

Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to twenty-six (26) work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation.

18.52.3.6 Miscellaneous Leave

Fair Labor Standards Act (FLSA)

When an exempt employee is absent from work for less than one (1) scheduled workday and

his/her accumulated leave is insufficient to cover the partial day of absence, the employer will:

- Deduct the cost for such leave in hourly increments from an exempt employee's salary; or,
- Place the exempt employee on leave without pay, if so requested by the exempt employee.

Such action by the employer will not disqualify the exempt status of the employee's position.

Court Duty

Court duty leave with pay shall be granted to regular employees for the purpose of serving on a jury or as a witness. Such leave shall be granted upon presentation of official orders from the appropriate court.

Voting

USG employees are encouraged to exercise their constitutional right to vote in all federal, state, and local elections. If election polls are not open at least two (2) hours before or two (2) hours after an employee's normally scheduled work shift, sufficient leave time must be granted to permit the employee to vote. In this instance, an institution should grant the employee a two-hour block of time in which to vote, if needed.

Military Physical Examination

Any regular employee required by federal law to take a military physical examination shall be paid for any time lost to take such an examination.

Personal Leave

At the discretion of the President, personal leave of absence without pay for periods not to exceed one (1) year may be approved. Such approved personal leave shall allow the employee the right to elect to continue group insurance benefits.

Leave for Organ and Marrow Donation

Any employee who serves as an organ donor for the purpose of transplantation shall receive a leave of absence, with pay, of thirty (30) days. Each employee who serves as a bone marrow donor for the purpose of transplantation shall receive a leave of absence, with pay of seven (7) days.

Leave taken under this provision shall not be charged against or deducted from an employee's accrued annual or sick leave. Such leave shall be included as service in computing any

retirement or pension benefits. This provision shall apply only to an employee who actually donates an organ or marrow and who presents to the appropriate supervisor a statement from a licensed medical practitioner or hospital administrator that the employee is making an organ or marrow donation.

Other Leave

In the event of inclement weather or any emergency that requires leaves of absence of employees, the President may declare leave with or without pay.

18.52.3.7 *Acceptance of Leave from a State of Georgia Agency by the USG*

The USG shall accept up to a maximum of ninety-six (96) hours of sick leave from a benefited employee who moves from a State of Georgia agency to the USG. For a USG unit to accept sick leave, the employee must have no more than a 30-calendar-day break in service. Written verification of the employee's sick leave balance must be provided to the USG by the terminating State of Georgia agency.

Annual leave will not be accepted for a benefited employee who moves from a State of Georgia agency to the USG.

18.53 **Recruitment and Selection [Reserved]**

18.54 **Professional Development and Training. [Reserved]**