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## FOREWORD

Welcome to Fairmont State. Fairmont is a diverse community made up of students, faculty, and staff from many diverse cultures. The success of Fairmont State in achieving its mission can only be assured if we all work together. Your role as a Fairmont State staff member is very important to the success of this mission. If you have any questions or comments about the contents of this handbook, you should discuss them with your supervisor or the Human Resources Administrator.

This handbook is a guide to questions that you may have during your employment at Fairmont State. Policy changes will be made as adapted and approved by the College.

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*This Employee Handbook is not an implied or expressed employment contract. The provisions of this handbook are guidelines rather than policies, and Fairmont State reserves the right to depart from such guidelines where circumstances warrant. Existing policy and law will prevail over any inadvertent errors in the following text. Guidelines outlined in this handbook may be changed at any time at Fairmont State's discretion. The duration of employment for any employee is unspecified, and is at the discretion of Fairmont State within appropriate parameters established by applicable rules, policies, and laws. This edition of the handbook supersedes and replaces all previous handbooks, including, but not limited to the Board of Regents Classified Employee Handbook of 1987.*

## **AN INTRODUCTION TO FAIRMONT STATE COLLEGE and FAIRMONT STATE COMMUNITY AND TECHNICAL COLLEGE**

Fairmont State College and Fairmont State Community and Technical College are state supported institutions within the West Virginia System of Higher Education. From its beginnings over a century ago, the College has evolved into a comprehensive center of higher learning, serving a number of related, yet distinct roles:

- Fairmont State College offers bachelors degrees in a wide range of fields, encompassing the liberal arts, business administration, teacher education, nursing, the social and natural sciences, and other career-oriented areas. Fairmont State College also offers graduate courses.
- Fairmont State Community and Technical College offers a diverse selection of programs leading to associate degrees and certificates.
- Fairmont State provides credit courses for individuals with no degree aspirations, but who seek to broaden and update their knowledge in either familiar or new fields of intellectual endeavor.
- For the North Central West Virginia region, Fairmont State is a center for non-credit continuing education, public service, and convenient citizen access to extensive programs in art, music, athletics, and other areas of public interest.

Fairmont State has a responsibility to extend its resources beyond the campus, bringing higher education closer to those who seek it. Fairmont State has facilities in Clarksburg and Bridgeport, West Virginia, and offers courses throughout North Central West Virginia.

## **ACADEMIC ACCREDITATION**

Fairmont State is accredited by the North Central Association of Colleges and Schools. Individual programs may also be accredited through program-specific organizations.

## EMPLOYMENT

### **Equal Employment Opportunity and Affirmative Action Policy**

Fairmont State College and Fairmont State Community and Technical College are Equal Opportunity/Affirmative Action (EOAA) institutions. The Colleges do not illegally discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual orientation, color, or national origin in the administration of any of their educational programs, activities, or with respect to admission or employment. The Colleges neither affiliate knowingly with nor grant recognition to any individual, group, or organization having policies that discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual orientation, color, or national origin, consistent with applicable laws and regulations. The Colleges seek to employ highly qualified personnel on an equal opportunity basis at all campus locations and facilities. Further, faculty, staff, students, and applicants are protected from retaliation for filing complaints or assisting in an investigation.

The immediate supervisor is directly responsible for EOAA matters in the unit. A copy of the Colleges' Affirmative Action Plan is available for review upon request. The Assistant to the President is responsible for coordinating and overseeing all equal opportunity and affirmative action and related matters.

### **Immigration Reform and Control Act of 1986 – Equal Pay Act of 1963**

The Immigration Reform and Control Act of 1986 requires all employees, as a condition of employment, to provide original documents, which establish their identity and employment eligibility. Also, each employee must complete his or her portion of the Immigration and Naturalization Services Employment Eligibility Verification Form (Form I-9).

Regular employees must provide these documents within three days of the first day of employment. Fairmont State retains copies of the original documents along with the completed Form I-9 for a period of three years after the date of hire or one year after the date the employment is terminated, whichever is later.

Fairmont State is governed by the Equal Pay Act of 1963, as amended, in making all job classification and compensation decisions.

## **Orientation**

During the first days of employment, the orientation process will begin. A Human Resources Representative will provide you with information about policies and procedures and a Benefits Specialist will provide you with information about your benefits with Fairmont State.

Also, your supervisor will provide you with an introduction to programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations. The supervisor is the first person to contact concerning any questions, problems, or complaints pertaining to your duties and responsibilities or workplace conditions.

## **Probationary Period for Classified Employees**

Each full-time classified employee hired by the governing boards shall serve an initial six-month probationary period. At the end of three months and the end of the six-month probationary period, the employee shall receive a written evaluation of her/his performance. The employee's supervisor shall meet with the employee and explain the contents of said evaluation and whether the employee is being offered regular employment. As with all positions, continued employment is based on adequate funding and adherence to system and institution rules and regulations.

If an employee does not meet the standards of performance previously discussed with the supervisor, the probationary period, at the discretion of the President or designee may be extended to a maximum of twelve months. The supervisor must request this extension from the Office of Human Resources. To request an extension of the probationary period, a supervisor must identify specific deficiencies and include a planned corrective program, outlining goals and objectives within a specific timeframe for achieving the desired performance. Extension of the initial probationary period automatically extends the timeline for the probationary performance appraisal.

An employee may be separated from his/her employment with Fairmont State during the initial or extended probationary period if he/she fails to meet established position expectations. During this time period, termination of a newly hired employee may occur following one letter of warning for minor misconduct or performance issues.

## **Job Accommodation During Employment**

An employee in his/her present position who is otherwise qualified and has or acquires a permanent medical impairment or impairments causing functional restrictions or limitations which can be reasonably accommodated, will be provided such measures by Fairmont State, if reasonable accommodation will permit the employee to meet the essential requirements of his/her particular job. For additional information, contact the Office of Human Resources, Ext. 4383.

## **Medical Examination During Employment**

Under certain conditions such as health and safety concerns, requirements of federal or state law, or for independent medical leave verification, Fairmont State may require the employee to undergo one or more medical examinations. Such examinations will be performed at the expense of the institution.

The result of medical examinations and any associated reports will be shared with the employee and will serve as a basis for making administrative decisions related to job retention, reassignment efforts, reasonable accommodations, job separation, and other personnel matters related to the affected employee(s). Any supervisor who wishes to require such an examination can do so only after consultation with the Office of Human Resources regarding the particular situation.

## Employment Definitions

**Full-Time Regular Employee** – an employee in a classified position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than 0.53 FTE. Such an employee is covered under the classification program and is eligible for all applicable benefits of a full-time regular classified employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE. Length of service as a full-time regular employee with the State of West Virginia shall be credited toward initial placement on the salary schedule.

**Part-Time Regular Employee (PTR)** – an employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program.

**Temporary Employee** – an employee hired into a position expected to last fewer than nine months of a twelve-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

**Casual Employee** – A casual employee position is a position created to meet specific operational needs at an institution for no more than 225 hours in a twelve-month period. Individuals in a casual employee position are not eligible for benefits and are not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

**Student Employee** – an employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits and is not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

**Non-Classified Employee** – An employee, designated by the President, who is responsible for policy formation at the department of institutional level or reports directly to the President of the institution, or is in a position considered critical to the institution by the President. Non-classified employees are not subject to the classification program but are eligible for benefits. Non-classified shall not exceed ten percent of the total number of employees at the institution who are eligible for membership in any state retirement system and shall serve at the “will and pleasure of the President.” An additional ten percent of the total number of employees of that institution may be placed in this category if they are in a position considered critical to the institution by the President. If the employee also has faculty status, the non-classified part of their position will still be considered “will and pleasure.”

## Overtime

Classified employees are either in exempt or non-exempt positions as determined by the Federal Fair Labor Standards Act criteria.

**Non-Exempt Employees** – are entitled to overtime compensation at the rate of one and one-half times the actual hourly rate for all hours worked in excess of 40 during the work week. Hours worked between 37.50 and 40 are compensated at the straight time hourly rate. The immediate supervisor must approve and complete request for overtime form. Requests for overtime must be submitted to the Office of Human Resources for non-exempt employees before the overtime is worked.

**Exempt Employees** – do not receive overtime compensation. These employees meet the Fair Labor Standards Act criteria for executive, professional, or administrative positions.

Questions regarding overtime must be directed to the Office of Human Resources (Ext. 4383). Questions regarding how to calculate pay or hourly rate should be directed to the Payroll Office (Ext. 4818).

## Equalization of Overtime

Overtime rosters will be posted by supervisors for any overtime assignments which are anticipated more than one workday in advance. Employees shall be placed on the roster based on seniority. Overtime will be offered to the most qualified senior employee. The next occasion for overtime will be offered to the next qualified senior employee. This process will continue until the list is exhausted. If the employee whose turn it is to be offered overtime refuses the overtime work, it will be offered to the next person on the list. If all employees decline, then overtime is assigned to the most junior employee whose name appears on the roster and who is capable of doing the work.

**Required Overtime** – Employees may be required to work overtime under certain circumstances; however, the work must be of reasonable duration. Also, employee health, safety, and endurance must be considered, and the direction to work must be issued under reasonable circumstances.

## **Compensatory and Holiday Premium Time Off**

Compensatory time off shall be allowed only to the extent authorized by federal and state law, and with approval of the immediate supervisor and Vice-President over that work area.

When a full-time or part-time classified non-exempt employee is required to work on any designated board or institution holiday, that employee at his/her option shall receive regular pay for that holiday plus substitute time off or additional pay at the rate of one and one-half (1½) times the number of hours actually worked. The time off must be used within a six-month period following the holiday. See Higher Education Policy Commission Series 8, Section 5.2. Copies can be obtained in Human Resources Office.

When an exempt employee is required to work on any designated board or institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis.

## **Work Week**

The work week is defined as a regularly recurring period of one hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. Work begins at 12:01am on Sunday and ends at 12:00 midnight the following Saturday. Fairmont State's standard number of work hours for a full-time classified employee is 37.50 hours during the work week.

Employees are expected to be punctual and functioning in their positions consistent with their scheduled work hours. Based on operating need, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advance notice of any significant schedule change. However, employees have the responsibility of reporting as assigned by their supervisors, even if there has not been advance notice of a significant schedule change given to the employee. It is the policy of Fairmont State not to make temporary, non-emergency changes in an employee's work schedule.

## **Alternate Work Schedule**

An employee may request and work an alternate work schedule. This includes flex time, four-day work week, and job sharing, provided that he/she works the required number of hours in the respective work week with the approval of the immediate supervisor. The supervisor, with the approval of the Vice President for that area may approve or deny a request for flexible work hours. Based on operational need, the supervisor has the authority to require, only in emergency, flex time. Flex time may be granted on a fixed schedule or short-term basis.

## **Breaks**

Classified employees may be granted two 10-minute breaks. Additional unauthorized time away from the work site must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the workstation, offering employees the opportunity to attend to personal activities (i.e., to smoke, to make personal calls). Based upon operational need, an employee may be required to work through a break; in such cases, the employee is not entitled to additional compensation. Breaks are compensable work-release time and may not be used or accrued to make up work time, leave work early, extend lunch, etc.

## **Transfer/Promotion Opportunities**

All transfer/promotion applications should be submitted to the Office of Human Resources. The employee must apply for a specific vacancy as advertised. It is the employee's obligation to provide information and complete an application for review in each decision.

Questions concerning the transfer/promotion process should be directed to the Office of Human Resources (Ext. 4383).

## **Reporting On-the-Job Injuries**

On-the-job injuries should be reported to one's supervisor as soon as possible after they occur. The employee must submit a written accident report to the designated supervisor no later than twenty-four (24) hours after the injury occurs. All accidents must be reported, regardless of whether they result in a Workers' Compensation Claim.

Each employee's supervisor or designated party is responsible for having the appropriate state form completed and submitted immediately to the Director of Campus and Occupational Safety.

Special rules apply to leave caused by Workers' Compensation Claims (refer to page 25; Workers' Compensation). For further information employees should contact the Office of Human Resources (Ext. 4383).

## **Access to Personnel Files**

A confidential file containing pertinent employment information is maintained for each classified employee in the Office of Human Resources. The employee is entitled to inspect or copy his/her personnel file in the presence of a Human Resources staff member. The employee shall not be entitled to inspect or copy any letter of reference or other similar record that he/she has previously waived the right to inspect when the information was solicited by or supplied to Fairmont State based on such waiver. The employee shall not be entitled to inspect or copy any other record exempt by WV Code 29B-1-4 unless there is clear and convincing evidence of a legitimate reason sufficient to overcome exception. If the employee wishes to examine his/her personnel file, they should notify the Office of Human Resources (Ext. 4383) by phone or by filing a written appointment request at least twenty-four (24) hours in advance of the desired appointment time. Personnel files may be examined only during normal Fairmont State business hours.

The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, and job title.

## **Hiring of Relatives**

Employees are prohibited from participating in institutional decisions involving a direct benefit to members of their family or cohabitating sexual partner. Such decisions include, but are not limited to, hiring, retention, promotion, salary, and leave of absence.

For purposes of this policy, family member is defined as follows:

- father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, step children, or others considered to be members of the household and living under the same roof.

## WORKPLACE STANDARDS

### Employee Rights and Responsibilities

Employees are required to provide a full day's work each day on the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, conflict of interest, Fairmont State regulations, rules, and policies and procedures. Employees are entitled to be treated with respect and dignity (by supervisors and other employees) and are entitled by statute and policy to file a grievance for work-related disputes free from retaliation. Contact the Office of Human Resources for questions and information (Ext. 4383).

### Management Rights and Responsibilities

Managers and supervisors should treat employees with respect and dignity. As managers or supervisors at Fairmont State, they are responsible for compliance with College policies and procedures and to communicate and apply operational based directives. Managers and supervisors are also responsible for carrying out administrative directions and decisions.

Management/supervisory rights include such things as:

- Determining the work force direction and objectives;
- Determining the number and type of positions required, changed, or consolidated;
- Establishing standards of performance and conduct;
- Determining the people to be hired;
- Conducting employee evaluations;
- Determining disciplinary action;
- Scheduling of the work force, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked; and
- Determining when reductions in workforce are required, including hour reductions, and layoffs; determining when recalls are required.

## **Solicitation**

Solicitation and selling of products and articles on College property, owned or leased, is prohibited except by organizations and groups directly affiliated with and recognized by Fairmont State, and authorized by written approval of the institution's Vice President for Student Services.

The name of Fairmont State College or Fairmont State Community and Technical College may not be used to secure funds for any purpose or through any means without the written permission of the College President or designee.

Employees may not participate in the solicitation of funds by sales or donation, stated or implied, using the name of the institution or their title without the written permission of the College President or designee.

## **College Property**

Fairmont State programs, personnel, time, titles, and property, including equipment, systems, vehicles, information supplies, and office space, are to be used in conducting authorized business of the College. Use of such for personal benefit or gain may be grounds for disciplinary action.

Private information protected under policy or law, such as certain financial, personnel, patient, donor, or student information, histories, and mailing lists, is to remain confidential. Such information may be disclosed, viewed, or copied only with proper authorization and must be disposed of in a manner which retains this confidentiality. Willful disclosure, viewing, or copying of private information without authorization may result in disciplinary action and/or legal prosecution.

Employees are responsible for securing the College building, office, room, equipment, and other keys assigned to them for work-related reasons.

Costs incurred by the institution as the result of unauthorized or misuse of College property, such as, but not limited to, personal telephone calls and Internet use, will be recovered from the responsible employee.

Personal calls must be avoided at all times except for emergencies. An employee may not use institutional phones for personal long-distance calls, unless he/she is charging them to his/her home telephone number or credit card at the time of making the call.

## **Dress and Grooming Codes**

All employees are expected to be suitably attired and groomed during working hours or when representing the interests of Fairmont State. The supervisor will determine the appropriate dress and grooming codes for each department or work area, according to operational need. Dress and grooming codes are to be nondiscriminatory.

## **GENERAL HARASSMENT POLICY**

The responsibility for understanding and respecting diversity is campus-wide, not the sole responsibility of any one office or person. Emphasis is given to supporting an environment which values students, faculty and staff of diverse backgrounds and encourages the fulfillment of educational objectives and potentials free from harassment.

### **Complaint Procedures**

Confidential consultation mechanisms are provided to enable accusers to assess their options and decide upon alternative action mechanisms prior to following through on an accusation. Both informal resolution mechanisms as well as formal judicial procedures are available to enforce the harassment policy. These informal and formal mechanisms protect the rights of and afford due process to all parties involved, including the accuser and the accused.

### **Appeals**

Following the outcome, any accused party who is the subject of an adverse determination may file a written appeal, stating the grounds for such an appeal. The appeal must be filed in accordance with the applicable procedures outlined in the appropriate document for students, faculty, or staff. Once the appeal process is completed, any applicable sanctions will be applied and the accuser will be formally notified of the outcome.

For more information on the Fairmont State General Harassment Policy or to file a complaint call: 304-367-4247 (Director of Affirmative Action, Room 222 Hardway Hall, Fairmont State, Fairmont, WV 26554.)

## **Drug-Free Workplace Policy and Procedures**

All employees of Fairmont State, including faculty, classified and non-classified staff, administrators, and student employees, must comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et.seq.).

### **Prohibitions** –

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace.
2. Reporting for work under the influence of a controlled substance or alcohol is prohibited.

**Notice to Employees** – As a condition of College employment, every employee shall abide by the terms of this policy and notify their supervisor and the Office of Human Resources of any conviction of drug or alcohol related charges resulting from any activity occurring in the workplace or otherwise on College premises no later than five (5) days after such conviction.

**Sanctions** – Any employee found in violation of this provision shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program.

## **Firearms Policy**

Any persons who, without express written permission of the College President, enters or remains on any part of property owned, leased, or otherwise used by Fairmont State College and Fairmont State Community and Technical College, or any structure or conveyance thereon, carrying or possessing a firearm or other deadly weapon, who temporarily refuses to relinquish a firearm or other deadly weapon, or to leave such premises while in possession of such firearm or deadly weapon shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars or confined in the county jail not more than six months or both unless such person is a law enforcement officer, other person exempt by law or he or she has the express written permission of the President of the College. (WV Code 61-7-14).

## **Smoking Policy**

Smoking of tobacco, except in designated areas, is prohibited in all buildings and facilities of Fairmont State, and within 20 feet of any entrance. This policy applies to all locations including each branch campus and each off-campus location under the control of Fairmont State. Smoking is also prohibited in any motor vehicle owned, leased, or otherwise operated by Fairmont State. Contact the Office of Human Resources (Ext. 4383) for a detailed copy of this policy.

## **Hazardous Materials**

A Material Safety Data Sheet is to be maintained in the workplace for any chemical material present. Employees are encouraged to review those safety sheets. Employees who are concerned about materials which they believe may be hazardous, but which have not been identified as such, should consult with the supervisor before handling the material. If the concern is not satisfied, the employee may contact the Director of Campus and Occupational Safety.

## PAYROLL

### **Paychecks**

Employees are paid twice a month. Fairmont State is required by law to make deductions from paychecks for federal and state income taxes, social security, and retirement. If a month has thirty (30) calendar days, payday will be on the 15<sup>th</sup> and the 30<sup>th</sup> of the month. If a month has thirty-one days (31) days, payday will be on the 16<sup>th</sup> and the 31<sup>st</sup>. If a payday falls on a weekend or holiday, paychecks will normally be issued the preceding workday. The employee should immediately notify his/her supervisor if they believe there is a problem with their paycheck.

### **Direct Deposit**

Effective February 1, 2000, the College Administration adopted Policy No. 50 regarding the direct deposit of paychecks. The policy states, *"All new Fairmont State employees' paychecks will be processed via direct bank deposit. All new employees will have their paycheck directly deposited in their chosen bank account. This will occur usually a day before payday. The mandate will apply to all new employees, i.e., full-time, part-time, adjunct faculty, and student employees."*

### **Increment Pay**

Any employee who is full-time (at least 1,040 hours per year service; full-time equivalence of .50 or more) and a contributing member of any approved State retirement system of the State of West Virginia for a minimum of three (3) years is eligible, except employees whose compensation is fixed by statute or by statutory schedule, elected or appointed officials, and faculty members at public institutions of higher learning.

### **Non-Exempt Hourly Employees**

Each month will be divided into two pay periods; the first covers the work period from the first to the 15<sup>th</sup>, the second covers from the 16<sup>th</sup> through the end of the month. The time sheets are to be delivered to the Payroll Office (Room 305 Hardway Building) on the 16<sup>th</sup> and first day of each month. Due to mandatory cutoff dates established by the State Auditor's Office, it is imperative that you adhere to these due dates. Failure to do so will result in the time sheet being held for processing the following pay period.

### **Non-Exempt Salaried Employees**

At the beginning of each month, non-exempt salaried employees must submit a monthly work record to the Payroll Office for the previous month worked. This work record verifies hours worked and is co-signed by the supervisor.

**ARREARS PAY EFFECT ON NEW HIRE CONTRACTS**

All employees hired after July 1, 2002 will be paid in arrears or one pay cycle behind the actual work period. Arrears pay will continue throughout your employment with Fairmont State.

Employees hired for less than 12 months have the option to spread their pay over 24 pay periods; however, this decision must be made prior to receiving the first paycheck. This will avoid a lapse when renewing contracts for similar dates.

<b>Arrears Pay Effect on New Hire Contracts July 1, 2002</b>				
<b>Contract</b>	<b>Start Date</b>	<b>First Pay Date</b>	<b>Ending Date</b>	<b>Last Pay Date</b>
9-month	August 16	September 15	May 16	May 31
10-month	August 1	August 31	May 31	June 15
11-month	July 1	July 31	May 31	June 15
12-month	July 1	July 31	June 30	July 16

**West Virginia Legislature  
Arrears Pay  
H.B. 4012**

**Article 7. Compensation and Allowances.**

**§6-7-1. State officials, officers and employees to be paid twice per month; new employees paid in arrears; effective date.**

All full-time and part-time salaried and hourly officials, officers and employees of the state, state institutions of higher education and the higher education policy commission shall be paid twice per month, and under the same procedures and in the same manner as the state auditor currently pays agencies: *Provided*, That on and after the first day of July, two thousand two, all new officials, officers and employees of the state, a state institution of higher education and the higher education policy commission, statutory officials, contract educators with higher education and any exempt official who does not earn annual and sick leave, except elected officials, shall be paid one pay cycle in arrears. The term new employee does not include an employee who transfers from one state agency, a state institution of higher education or the higher education policy commission to another state agency, another state institution of higher education or the higher education policy commission without a break in service. Nothing contained in this section is intended to increase or diminish the salary or wages of any official, officer, or employee.

## BENEFITS

Fairmont State provides benefits-eligible employees an opportunity to participate in a comprehensive package of benefits, including health, life, disability, supplemental health, retirement, dental, vision, medical spending account, and long-term care insurance. Employees will learn more about each of these plans at the new employee benefits session. All plans, programs, benefits, services, and other provisions are subject to review and change. Contact the Benefits Office for benefits questions and information (Ext. 4113).

### Health Insurance Programs

West Virginia Public Employees Insurance Agency (PEIA) offers hospital, surgical, major medical, prescription, and other medical care coverage. The plan also includes \$10,000 term life insurance for the employee. New employees have sixty (60) days from the starting date of their benefits-eligible position to enroll for coverage with an effective date the first day of the following month. New enrollees may be subject to pre-existing condition limitations. Premiums for the health and life plans are pre-taxed (no federal or WV state tax or social security are deducted from the premiums) under Section 125 of the IRS Code. Guidelines allow existing employees to enroll during the open enrollment period in the spring of each year. If a family status change occurs, employees should contact the Benefits Office (Ext. 4113) – otherwise employees may make changes only in April of each year.

Premiums are based on an employee's base salary.

Annually, employees may choose to enroll in PEIA's preferred provider plan or a managed care plan.

All hospital admissions must be pre-certified. Prescription drugs are paid at various co-pays for each plan. See your Shopping Guide for details.

### Retirement Programs

Participation by benefits-eligible employees in a tax-sheltered retirement program is required by West Virginia State law. Employees must contribute six percent (6%) of their gross pay to a basic retirement plan. Fairmont State matches the employee's contribution with an equal amount. Employees may choose to place all or part of the retirement contributions in various accounts. Vesting is immediate and retirement may begin at any age upon termination of employment.

## **Supplemental Retirement Plan**

In addition to the basic retirement plan, employees have the option of tax sheltering additional money through a supplemental retirement account 403(b) or a deferred compensation plan 457(b). Contact Benefits Office for additional information (Ext. 4113)

## **Mountaineer Flexible Benefit Plan**

Four (4) plans are available on a pre-tax basis with enrollment occurring in late fall of each year.

- Medical Expense Spending Account – enables employees to pay eligible uninsured medical expenses such as deductibles and co-payments tax-free.
- Dependent Day Care Spending Account – enables employees to pay eligible dependent day care expenses tax-free.
- Dental Care – covers preventative dental care and more complex procedures.
- Vision Care – covers routine eye care including eye exams, lenses, and frames.

One (1) plan is available on a post tax benefit basis.

- Legal Plan – covers attorney expenses.

## **Life Insurance Program Under PEIA**

The basic health plan under PEIA includes \$10,000 term life insurance with an accidental death and dismemberment benefit at no cost to the employee. Employees not needing coverage under the health plan may still elect life insurance.

Additional optional life insurance may be purchased by the employee for a monthly premium based on age and the principal sum selection - \$5,000, \$10,000, \$20,000, \$30,000, \$40,000, and \$50,000, up to \$500,000. Dependent life insurance may also be purchased for the spouse and each individual child. Enrollments under both options are subject to a statement of health sixty (60) days after initial employment. Contact the Benefits Office for additional information (Ext. 4113).

## **Disability Insurance**

Disability insurance is a long-term disability plan providing a non-taxable monthly income to age 65 in the event of total disability. The income benefit is based upon the employee's base salary and begins after six (6) months of total disability. The monthly income benefit, which includes any income payable from employee sick leave, or salary continuation program, Social Security, Workers' Compensation, and any disability benefit payable under any insurance or retirement plan sponsored by Fairmont State, is equal to sixty percent (60%) of the monthly salary to a maximum of \$10,000.

The minimum monthly benefit under the plan is \$100. The premium is based on the age and base salary of the employee and is paid by the employee.

Employees enrolling for the disability income benefit are also included under the "Annuity Benefit" provision of the plan. The annuity benefit provides for the monthly payment of twelve percent (12%) of the employee's salary into a TIAA/CREF Annuity in addition to the disability income payments.

## **TIAA Long-Term Care Insurance**

The TIAA Long-Term Care Insurance is available to active and retired employees, their spouses, parents, and parents-in-law between the ages of 18 and 84. The plan incorporates an array of special features designed to help a person to remain financially secure through extended periods of skilled, intermediate, or custodial levels of care in a nursing home, through adult day health care centers, or at home.

## **Social Security**

All employees must contribute to Social Security. The employee's contributions are matched by Fairmont State.

## **Unemployment Compensation**

Wages at Fairmont State are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

## **Workers' Compensation**

Employees of Fairmont State are covered against job-related injuries by the West Virginia Workers' Compensation Fund to which the College pays premiums for all employees.

If an employee is injured on the job, he/she must report the injury to his/her supervisor within twenty-four (24) hours. All accidents must be reported (refer to page 12; Reporting On-the-Job Injuries). When the WC-123 form has been completed by the employee and physician, the Human Resources Office must complete the employer's section and forward the form to West Virginia Workers' Compensation Claim Division.

Worker's Compensation and Fairmont State's Return to Work Policy requires that each department report any occupational injury or illness by submitting an incident report to the Director of Campus and Occupational Safety within twenty-four (24) hours. This information is then entered into a log of occupational injuries and illnesses maintained by Fairmont State.

On-the-job injuries or occupational illnesses, which involve no more than three (3) days of disability, leave or absence from work will not be charged against the employee's accumulated sick leave. If on-the-job injuries or illnesses require a medical leave beyond the three (3) day period, the employee must complete an Election of Option Form provided by the Human Resources Office in which the employee must choose one of the following options:

1. Receive earned and accumulated sick leave benefits until exhausted and forfeit any benefits determined to be due under the West Virginia Workers' Compensation Laws or
2. Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave, and receive only Workers' Compensation benefits for which he/she is determined eligible.

## **Identification Cards**

An identification card is issued to each full- and part-time regular employee by Student Affairs. Within the College, an employee may be required to present their identification card when a reduced rate option on events is offered, or when accessing College owned facilities and services. Upon resignation or retirement from the College, the employee must return their identification card to their supervisor before their final paycheck can be released. For information, contact the Student Affairs Office (Ext. 4215).

## **Employee Assistance Program**

Fairmont State offers an Employee Assistance Program (EAP) that provides a wide range of counseling services in a confidential setting. This is a free benefit to full-time employees. For additional information contact the Benefits Office (Ext. 4113).

# LEAVE

## Annual Leave

All full-time employees in classified, non-classified, and 12-month faculty positions shall be eligible for annual leave with pay on the following basis:

Less than 5 years service (classified)	1.25 days accrual per month
5-10 years service (classified)	1.50 days accrual per month
10-15 years service (classified)	1.75 days accrual per month
15 or more years service (classified)	2.00 days accrual per month
Non-Classified and 12-month faculty	2.00 days accrual per month

*NOTE: Full-time regular employees working between 1,040 hours and 1,950 hours over at least nine (9) months of a twelve (12) month period shall accumulate annual leave on a prorated basis.*

Annual leave shall not be granted to casual, temporary, or part-time employees.

**Accumulation Limits** – Accumulated annual leave for continuing employees may not exceed twice the amount earned in any twelve (12) month period. An employee is entitled to compensation for accumulated leave at termination of service, but in no case may this exceed twice the amount earned in any twelve (12) month period.

**Calculation Based on Years of Service to the State of West Virginia** – Annual leave accrual rate shall be based on years of service to the recognized agencies of the State of West Virginia.

**Crediting Years of Service** – An annual appointment period of nine (9) months or more shall be credited for one year of service for annual accrual rate determination.

**Illness During Annual Leave** – Illness which occurs during scheduled annual leave is counted as annual leave.

**Scheduling and Use of Annual Leave** – Annual leave must be approved in advance by the supervisor. Annual leave shall be arranged to fit operating schedules; however, consideration shall be given to an employee's request. Seniority may not be considered by the supervisor when arranging vacation schedules. An employee may not take leave before it is earned.

**Transfer of Annual Leave** – Up to fifteen (15) days of accumulated annual leave may be transferred from other agencies of the West Virginia State Government to institutions of Higher Education. Certification of the employee's annual leave balance, which existed at the state agency, must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one (1) year from the last day of employment with the other state agency.

## **Procedures for Reporting Unscheduled Absences**

Notification of an unscheduled absence, prior to an employee's scheduled start time, is of the utmost importance. If, for any reason, an employee is unable to report to work as scheduled, the employee must notify their supervisor prior to their scheduled start time with the reason and expected duration of the absence. Failure to notify an immediate supervisor concerning an absence can result in discipline to the employee, including termination. It is the obligation of the employee to make certain that the immediate supervisor or designee is notified of an absence prior to the employee's scheduled start time.

### **Sick Leave**

All full-time employees in classified, non-classified, and 12-month faculty positions shall accumulate sick leave at the rate of 1.5 days per month.

**Accumulation Limits** – Sick leave may be accumulated without limit and may be used by the employee when ill or injured or when in need of medical attention or when death occurs in the immediate family.

For purposes of this policy, definition of immediate family member is as follows: Father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered members of the household and living under the same roof.

**Sick Leave for More Than Five (5) Consecutive Days** – Requires satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. An employee having an extended illness or serious injury shall, before returning to duty, obtain satisfactory medical clearance to help ensure adequate protection and shall indicate the employee's ability to perform her/his duties. Such medical clearance shall be presented in writing. Also refer to page 28; Medical Leave Verification/assessment is required.

**Reinstatement of Sick Leave Upon Re-Employment** – When an employee terminates employment for reasons other than retirement, all sick leave credited to that employee shall be considered ended as of the last working day with the institution, and no reimbursement shall be provided for unused sick leave. If an employee resigns in good standing and is later re-employed, he/she may have his/her accumulated sick leave reinstated if the date of termination is less than one (1) year from re-employment. If the employee returns to work after more than one (1) year from the date terminated, no more than 30 days of accumulated sick leave may be reinstated.

**Sick Leave Conversion Upon Retirement** – Upon meeting certain requirements, individuals retiring from Fairmont State may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan. Call the Benefits Office for additional information (Ext. 4113).

**Medical Leave Verification** – Medical leave verification/assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. The health care provider signing the medical assessment must be current and appropriately licensed. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any. Based upon the medical assessment, employability and/or accommodation determinations will be made by Fairmont State.

**Medical leave verification/assessment is required:**

- To validate a sick leave absence of more than five (5) consecutive days under the terms of the sick leave policy;
- To return to work following a sick leave absence of more than five (5) consecutive days, or a medical leave of absence;
- If requested of the employee by the supervisor following a sick leave absence, regardless of duration, as a condition of returning to work;
- To apply for and sustain catastrophic leave eligibility;
- To apply for and sustain a medical leave of absence; and/or
- To assure continued access to benefit coverage while on medical leave of absence.

It is the employee's responsibility to pursue and obtain the necessary medical assessment from the treating health care provider, and present the completed evaluation to the College in a timely manner.

**Provision of incomplete, unacceptable, or untimely medical information may result in:**

- Prohibition to charge time absent from work to accrued sick leave;
- Prohibition to return to work if one's capacity to perform essential duties is in question;
- Ineligibility for catastrophic leave;
- Disallowed or discontinued medical leave of absence;
- Discontinuation of benefit access; and/or
- Disciplinary action, up to and including termination of one's employment with Fairmont State.

For additional information, refer to the Higher Education Policy Commission Series No. 38 or contact the Office of Human Resources (Ext. 4383).

**Emergency Leave** – Emergency leave of up to five (5) days within any fiscal year, with pay, may be granted by the President of Fairmont State or designee in the event of extreme misfortune to the employee or his/her immediate family, provided that all accrued annual leave has been exhausted.

Typical events, which may qualify an employee for such leave, include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

**Funeral Leave** – When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. For the purpose of administering this leave policy, the immediate family is defined as parent, child, grandparent, grandchild, brother, sister, husband, wife, step-parent, step-child, brother-in-law, sister-in-law, or others considered to be members of the household and living under the same roof. “Reasonable” amount of time is determined at the discretion of the supervisor, and is based upon geographic distance, workload and similar factors.

**The Family and Medical Leave Act (“FMLA”)** – provides certain employees with up to twelve (12) workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employee continued to work instead of taking leave.

**Pregnancy-Related Illness or Disabilities** – Disabilities which may be caused by pregnancy shall be treated the same as any other off-the-job illness or disability would be treated for sick leave entitlement. Pregnancy-related illness shall include pregnancy, miscarriage, abortion, childbirth, and recovery. In determining if an employee is unable to work because of a pregnancy related illness, the same criteria shall be used as for any other disability.

### **Catastrophic Leave**

A classified, non-classified, or 12-month faculty employee experiencing a catastrophic illness or injury as defined by the West Virginia Code and Fairmont State policy may request approval to receive paid leave time donated by other employees. Within established limits, employees may voluntarily donate accumulated sick or annual leave directly to an approved recipient. For information, contact the Office of Human Resources (Ext. 4383). Upon approval of catastrophic leave, an employee’s status will be changed to hourly and arrears payment will be in effect upon returning to work.

## **Medical Leave of Absence without Pay**

An employee requesting a medical leave of absence without pay must provide the Office of Human Resources satisfactory medical evidence (such as a statement from the attending physician) that she/he is unable to work. The medical statement shall include a diagnosis, prognosis, and expected date that the employee can return to work. If the evidence is satisfactory, the medical leave of absence may be authorized without pay only for the period of disability specified by the attending physician. The employee is expected to report to work on the first workday following expiration of the disability period. Failure to do so, except for satisfactory reasons submitted in advance, is cause for termination of employment by the institution. An employee, prior to return to duty, needs to obtain satisfactory written medical clearance to help ensure adequate protection and the medical clearance also needs to indicate the employee's ability to perform his/her duties. A medical leave of absence without pay may be granted for no more than twelve (12) months. An employee must exhaust all sick leave, but may choose to maintain accumulated annual leave. Employee must pay employee portion of health insurance.

## **Military Leave**

An employee who is a member of the National Guard or any reserve component of the armed forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of thirty (30) working days ordered or authorized under provisions of state law in any one (1) calendar year. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increases, and experience with the institution. An employee shall be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave.

Benefits of this section shall accrue to individuals ordered or called to active duty by the President of the United States for thirty (30) working days after they report for active service.

## **Parental Leave**

A full-time employee who has worked at last twelve (12) consecutive weeks for the state may request up to twelve (12) weeks unpaid parental leave. The request may be due to birth or adoption by the employee or because of a planned medical treatment or care for the employee's spouse, son, daughter, parent, or dependent who has a serious health condition. The employee must provide her/his supervisor with written notice two (2) weeks prior to the expected birth or adoption; or for the medical treatment; or for the supervision of a dependent. Failure to submit a written request may be cause for denial. The employee must provide the employer with certification by the treating physician and/or documentation regarding dependence status. All annual leave must be exhausted before the parental leave begins. No more than a total of twelve (12) weeks of parental leave may be taken in any twelve (12) consecutive month period. The institution shall continue group health insurance coverage provided that the employee pays the employer the full premium cost of such group health plan.

## **Personal Leave of Absence without Pay**

An employee must provide request in writing to the Office of Human Resources. Upon written approval, the employee may be granted a continuous leave of absence without pay for a period of time not to exceed twelve (12) consecutive months provided all accrued annual leave has been exhausted. The president or the president's designee, at her/his discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay. The institution shall continue group health insurance coverage provided that the employee pays the employer the full premium costs of such group health plan.

## **Witness and Jury Leave**

Upon application in writing, an employee of the higher education institution or the Higher Education Policy Commission may be granted leave as indicated hereinafter in this section provided the employee is not a party to the action. Annual leave will not be charged under the provisions of this section.

When, in obedience to a subpoena or direction by proper authority, an employee appears as a witness for the Federal Government, the State of West Virginia, or a political subdivision thereof, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

When attendance in a court is in connection with an employee's usual official duties, time required in going and returning shall not be considered as absence from duty.

When an employee serves upon a jury or is subpoenaed in litigation, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

The employee shall report to work if he/she is excused by the court before the end of her/his regular work day. Provisions for employees who work a shift other than day shift shall be made according to institutional policy.

## **Declared Emergency**

At the discretion of the President of Fairmont State, or designee, in consultation with local or state public safety officials, College operations may be shut down in total or in part because of any circumstance which threatens the health or safety of employees and/or students, including inclement weather. The President will later declare when emergency conditions no longer exist.

Full-time regular classified employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up. Under Higher Education Policy Commission, Series 38, when extended power and utility interruptions occur administrators should make arrangements for employees usual work routine to be accomplished at alternate work locations, or make affected employee available to other administrators for work in other areas. If an administrator deems it advisable and the employee agrees, time off during the utility service interruption may be granted and charged against an employee's accumulated annual leave.

When operational needs require a full-time regular classified employee to work during a College declared emergency period in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for the actual hours worked during the College declared emergency period.

### **Absence Due to Inclement Weather**

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, or the employee must be removed from the payroll in question. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.

## HOLIDAYS

Guidelines for Fairmont State observed holidays are provided in the Higher Education Policy Commission Series No. 14. Holidays are intended to grant full-time regular employees the benefit of one (1) workday of paid time off. Persons employed at less than 1.00 FTE receive time off on a prorated basis.

There are twelve (12) paid holidays per fiscal year, plus any statewide primary and general election days, plus two (2) additional half-holidays when Christmas or New Year's Day fall on Tuesday through Friday.

Holidays shall include:

- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day
- New Year's Day
- Dr. Martin Luther King's Birthday

The remaining holidays may be designated at the discretion of each institution's President according to operational need. Half-holidays shall be counted as half-days in computing the total number of holidays.

Proclamations of a legal holiday by the President of the United States, Governor, or any other authority are recognized at Fairmont State only when they are communicated through the Higher Education Policy Commission.

If a recognized holiday occurs on a Saturday, Fairmont State will observe it officially on the preceding Friday. If a recognized holiday occurs on a Sunday, Fairmont State will observe it officially on the following Monday.

When operational needs require a full-time or part-time non-exempt classified employee to work on any of the observed College holidays, in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for actual hours worked on the holiday. The CTO must be used within six (6) months following the holiday.

If an observed holiday occurs on an employee's scheduled annual leave, the day will not be charged to annual leave.

Any specific adjustment regarding a day of observation will be announced by the President's Office or designated authority.

In accordance with the law, Fairmont State will consider granting reasonable time off to employees who may observe religious holidays not included on the list of College observed holidays, as long as this causes no undue operational problems and hardships within the department. Such time off requires prior supervisory approval and will be charged to accrued annual leave or compensatory time off.

## **EMPLOYEE EDUCATION**

### **EMPLOYEE CLASS ATTENDANCE**

There is no basic employee right to attend class during work time and the needs of the unit must take precedence. Employees wishing to take courses at the College are expected to do so outside of work hours. If an employee cannot obtain a desired course outside of work hours, the head of the unit may authorize absence from work to attend class.

#### **Employee Eligibility**

Only full-time classified employees (not on probationary status) choosing to attend classes for personal enrichment, or job related purposes, or pursuing undergraduate, graduate, or doctoral level studies may apply for educational release time. Academic course work may be taken at any accredited institution of higher education.

An employee must present evidence of satisfactory completion of the course work to her/his immediate supervisor at the end of each term before additional educational release time can be granted.

#### **Institutional Responsibility**

Fairmont State limits educational release time to one academic course per term, regardless of the number of credit hours. The employee and supervisor are to agree on the time to leave for and arrive from the scheduled class. Requests for more than one class in a semester may be made and must be approved by the appropriate senior-level administrator. The employee would be expected to work the number of hours necessary to make up the hours missed by taking more than one class. The hours to be worked will be at the discretion of the immediate supervisor and the employee. Annual leave can be used if all parties agree.

Fairmont State shall provide a reasonable opportunity for employees to utilize educational release time. Eligible employees may be allowed time off during scheduled work hours to attend class, provided the employee's absence will not interfere with his/her unit's operation and is approved by the employee's supervisor and the Human Resources Administrator. During emergency or overtime situations, the employee must work as assigned.

## **Procedure for Requesting Educational Release Time**

1. An eligible employee must provide his/her supervisor a written request for release time at least twenty-five (25) days prior to the semester in which the class is to be taken. An application for release time is available in the Human Resources Office.
2. The supervisor or head of the unit will approve or reject the request and provide the employee and Human Resources Office a written statement of the decision within five (5) working days of the receipt of the request. If the request is rejected, a written explanation shall be provided with the decision.
3. A written appeal can be filed by the employee within five (5) working days of receipt of the decision with the Supervisor and the Human Resources Administrator. The Human Resources Administrator shall provide all written documentation to the appropriate senior-level administrator who shall render a decision within ten (10) working days of receipt of the documentation. The decision from the appropriate senior-level administrator shall be in writing to the President. The President's decision will be in writing to the Employee, Supervisor, and the Human Resources Administrator, and shall be binding.

## **Fee Waiver**

The College reserves some partial undergraduate tuition and fee waivers for employees who wish to take courses at the College. These waivers are awarded by the Director of Financial Aid and Scholarships on a first-come basis. Ordinarily, the awards are for a maximum of three (3) hours per semester. Currently the College pays \$50 per credit hour, not to exceed \$150 (3 credit hours).

For graduate tuition and fee waiver applications, employees may contact the Associate Provost for Academic Affairs Office, Room 208 Hardway.

## **STAFF DEVELOPMENT**

Employees are encouraged to utilize various educational opportunities for career development and self-improvement. College employees may have the total or a portion of the cost of workshops, seminars, etc. paid by Staff Development money. Request should be directed in writing to the Office of Human Resources.

## ADDITIONAL PROGRAMS AND PRIVILEGES

### Intercollegiate Athletics

Your ID card will admit you and your immediate family to all home athletic contests. A special area, Section H, is reserved for faculty and staff for basketball games.

The College has four (4) racquetball courts, a pool, and a weight room available in the Feaster Center, and “free” play is available in the Colebank Gymnasium.

#### Hours for Pool, Racquetball Courts, Weight Room, & Colebank

*These times may change due to scheduled events at these facilities*

<b>POOL</b>	Monday-Thursday	8:00 to 9:30pm
	Saturday-Sunday	1:00 to 5:00pm
<b>RACQUETBALL COURTS</b>	Monday-Thursday	12:00 Noon to 9:30pm
	Friday	12 Noon to 4:00pm
	Saturday-Sunday	1:00 to 5:00pm
<b>WEIGHT ROOM</b>	Monday-Thursday	12:00 Noon to 9:30pm
	Friday	12 Noon to 4:00pm
	Saturday-Sunday	1:00 to 5:00pm
<b>COLEBANK</b>	Monday-Thursday	6:00 to 9:30pm
	Saturday-Sunday	1:00 to 5:00pm

Questions related to athletics should be directed to Ext. 4220.

### Intramural Program

The Intramural Program offers various activities for your participation. You may contact the Director of Intramurals at ext. 4291.

### Library Privileges

Employees may use library facilities, collections, and information services. Contact the Ruth Ann Musick Library (Ext. 4123).

### College Bookstore

The bookstore offers a complete line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items (367-1965).

### Parking

For current information on parking, please contact the Business Office (Ext. 4650). All employees are expected to have a valid parking permit on their vehicles each year.

## **EMPLOYEE ORGANIZATIONS**

### **Classified Employee Council**

The Classified Employee Council is an advisory council to the President of the College and a means for all classified employees to express their opinions about job conditions, fringe benefits, employee-employer relations, or other areas that affect their jobs.

The Classified Employee Council is composed of two elected members from each of the five (5) major occupational categories (administrative/managerial; professional/non-teaching; paraprofessional; secretarial/clerical; and service/maintenance) as well as the staff representative to the Fairmont State Board of Governors and the staff representative to the State Advisory Council of Classified Employees.

Members shall serve a term of two years which term shall begin on the first day of July of each odd-numbered year. Members of the council are eligible to succeed themselves.

## **CLASSIFICATION and COMPENSATION**

### **Position Classification**

The Office of Human Resources is responsible for the assignment of all Fairmont State classified positions to appropriate job titles and pay grades within the Higher Education Classification System. This system requires that the work performed by employees in classified positions be documented on an official position description form. The position description form must be updated by the appropriate supervisor, signed by the appropriate administrators and submitted to the Office of Human Resources when posting a vacant position or submitting a position for classification review. If significant changes occur in the essential duties or responsibilities of a classified position, it is the responsibility of the supervisor, through established College procedures, to submit a revised Position Information Questionnaire (PIQ) for the position to the Office of Human Resources for review.

Questions regarding position descriptions, position reviews, or job evaluation should be directed to the Office of Human Resources (Ext. 4383).

## DISCIPLINARY ACTION

The purpose of disciplinary action is to correct, not to punish, work-related behavior. Each employee must maintain standards of performance and conduct as outlined by the immediate supervisor and institutional policy and to comply with applicable policies and procedures and laws. When an employee does not maintain the appropriate standards of performance or conduct, disciplinary action, including, but not limited to, demotion, suspension, transfer, or dismissal may be taken.

When practical, the supervisor will give the employee notice of the unacceptable performance, an explanation of the supervisor's concerns, and an opportunity for the employee to provide an explanation for the behavior in question, before any form of disciplinary action occurs. Notice and an opportunity to explain will always precede major disciplinary actions.

Dependent upon the actual and potential consequences of the offense, employee misconduct may be considered minor misconduct or gross misconduct. Minor misconduct is that which is generally deemed by the supervisor as correctable by counseling and/or instruction through progressive discipline. Progressive discipline requires notice of concern and expectations to the employee through formal counseling and letter(s) of warning, with potential suspension, demotion, transfer, and termination. Gross misconduct is of substantial actual and/or potential consequence to operations or persons, typically involving flagrant or willful violation of policy, law, or standards of performance or conduct. Gross misconduct may result in any level of discipline up to and including immediate dismissal at the supervisor's discretion in conjunction with Human Resources and the appropriate Vice President.

**A list of reasons for dismissal includes, but is not limited to:**

1. Reporting to work under the influence of alcohol or narcotics or partaking of these substances while at work;
2. Malicious destruction or theft of property of the institution, the Board of Governors, or its visitors, patrons, or employees;
3. Wrongful injury to an employee of the Board of Governors or an employee's institution;
4. Refusal to comply with institutional rules;
5. Neglect of duty;
6. Dishonesty;
7. Sleeping on duty;
8. Failure to maintain established performance standards;
9. Habitual absence from work without permission or proper explanation;
10. Tardiness; and
11. Insubordination.

Additional information regarding disciplinary action may be obtained by contacting the Office of Human Resources (Ext. 4383).<sup>1</sup>

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<sup>1</sup> The employee is responsible to contact the Human Resources Office, or consult the laws, policies and rules mentioned herein where confusion or doubt exists as to the validity of any statements herein.

## **GRIEVANCE PROCEDURE**

### **West Virginia Code § 29-6A**

Classified employees may pursue resolution of work-related disputes through administrative appeal procedures, as applicable to the circumstances of the person and the event, act, or behavior challenged. Copies of the actual procedure(s) and consultation are available to employees and supervisors by confidential contact with the Office of Human Resources (Ext. 4383).

Under all procedures, the employee or the designated representative has the responsibility to clearly indicate that a grievance is being filed and to provide an explanation of the issue including the specific policy violation and the remedy sought for resolution of the issue.

## **PERFORMANCE APPRAISAL**

Consistent with West Virginia State Code, all employees will have their job performance evaluated during the probationary period and at least once annually thereafter. A performance appraisal will be between the employee and the employee's supervisor. The appraisal interview with the employee will be accomplished for the purpose of clarifying job understanding and expectations, improved performance, improved communications, performance counseling, goal setting and development.

The Office of Human Resources has performance appraisals for classified and non-classified employees, which are available for use by supervisors. For additional information, contact the Office of Human Resources (Ext. 4383).

## TERMINATIONS

### Voluntary Termination

An employee is expected to give his/her supervisor a minimum of two (2) weeks advance notice in writing. The employee must also provide a copy of this letter to the Office of Human Resources. Also, the employee must contact the Office of Human Resources (Ext. 4383) in order to complete the Authorization for Unused Annual and Sick Leave Form and the Benefits Office (Ext. 4113) regarding retirement and health insurance options.

In order for an employee to leave with a record in good standing with Fairmont State, he/she must:

1. Provide advance written notice of his/her resignation,
2. Return all College property such as keys, equipment, IDs, uniforms, documents, etc., and
3. Settle any monetary or other obligations with the College.

An employee is expected to work throughout the two (2) week notice, unless waived by the immediate supervisor.

### Dismissal for Cause

When it is determined by the supervisor that an employee is not meeting performance or conduct standards, or fails to comply with legal or policy requirements, termination for cause may occur consistent with the disciplinary procedures.

### Separation from College Employment for Medical Reasons

Whenever it is medically, psychologically, or psychiatrically determined that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made, the employee will be separated from the College for medical reasons. The employee should investigate what benefit entitlement is applicable.

The College will be guided by existing laws and policies protecting the employment and retention rights of employees who are considered otherwise qualified individuals with a disability within the meaning of such laws.

## **Reduction in Force**

In the event a full-time regular classified position is eliminated because of lack of funds or work, Fairmont State will comply with the requirements of WV Code 18B-7-1.

Consultation with the Fairmont State Office of Human Resources for proper layoff management is required before notification of layoff to any full-time regular classified employee.

## **Terminating Employee Health Insurance Privileges**

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to certain employees who lose coverage.

In the case of employee terminations, the law requires the employer to notify the plan administration within thirty (30) days after the employee's termination of employment.

Anyone who leaves Fairmont State without notice must be sent a Cobra notice by certified mail. Any employee on a nine (9) month contract, who terminates in May or June, regardless if benefits are escrowed, will be covered only to the end of the month in which regular wages are received.

## **Where to Obtain More Information**

Copies of policies, rules, and laws cited in this handbook are available in the Office of Human Resources.

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