



# Personnel Manual

**Pacific Lutheran University  
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# Personnel Manual

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## Introduction

Pacific Lutheran University strives to maintain a stable, competent work force which is well-informed in all employment matters and to provide employees with reasonable opportunities for growth, expression of ideas, work satisfaction and recognition for their contributions. The Personnel Policies and Procedures Manual will assist you in understanding the institution and your employment rights and responsibilities.

By accepting employment at PLU, you have become a member of a community that is dedicated to providing students a unique blend of academically rigorous liberal arts and professional programs that prepare them for a lifetime of success – both in their careers and in service to others. The contributions of all employees help the university realize its primary mission to educate students for lives of thoughtful inquiry, service, leadership, and care.

The policies and procedures contained in this manual are in no way intended to be nor should they be interpreted as a contract between Pacific Lutheran University and any of its employees. It is a living document, and will change as PLU changes. From time to time, PLU must modify its policies. Information is current as of the time of publication and may be subject to change or repeal at any time, with or without notice, at the discretion of PLU. Employment of staff and administrators is at the will of the university. Staff and administrative employees may be terminated at any time for any reason with or without notice.

Since faculty policies and procedures are described in the Faculty Handbook, the Personnel Policies and Procedures Manual will apply only to administration and staff except as otherwise indicated in any individual policy.

Should you wish further explanation of the policies in this manual, your supervisor or Human Resource Services can provide assistance.

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# Eligibility

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Faculty, administrative and staff employees who regularly work the equivalent of .5 FTE (half-time), or more, are generally eligible to participate in the university's benefit plans. Certain benefits for part-time, with benefits employees are prorated. Individuals hired in positions that are less than .5 FTE, or that are temporary, are not eligible to participate in the university's benefit plans. In certain cases, individuals hired to work long-term temporary assignments (typically six months or more, and 1,040 hours or more) may be eligible to participate in the university's benefit plans. Eligibility for benefits is determined by Human Resources.

Refer to the Benefits Summary, the Good Fit Benefit Book (PLU Benefits Booklet), and plan documents for further details about benefit plan eligibility, waiting periods, and coverage.

# Death Benefit

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In the event of the death of a with benefits employee (including faculty, staff or administrator), salary will be paid through the last day worked. An additional amount equal to one month's salary will also be paid if death occurs before the commencement of the university's long-term disability coverage. Final payment will also include any accrued vacation amount due per PLU's vacation policy. This benefit is provided in addition to the life insurance program maintained by the university.

# Domestic Partner Policy & Guidelines

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Effective June 1, 2001; Updated September 2006; Updated December 3, 2009 to comply with Washington State's Domestic Partner Law

## Introduction

Pacific Lutheran University will extend benefits to eligible same sex and opposite sex domestic partners of with benefits faculty, staff, and administrators on the same basis that benefits are extended to legal spouses. The following information documents the required qualifications and other important information.

## Eligibility

Both Domestic Partners are:

- Eighteen (18) years of age or older and
- Not related by blood closer than would bar marriage in the State of Washington, and
- Living together, and
- Not married to anyone or a State Registered DP of another, and
- Legally competent to register, and
- Compliant, whether registered or not, with the State of Washington's domestic partner law.

## Enrollment

Enrollment will be consistent with the enrollment periods for all employees and families; either –

- During the annual open enrollment period (usually held during the month of April each year for an effective date of June 1st), or
- Within 30 days of a change in family status – marriage, death, a change in employment status, etc. – as defined by the Internal Revenue Service and PLU's participating benefits providers.

## Imputed Income Information

The Internal Revenue Service has ruled that if an employee receives health benefits for a domestic partner or such partner's legally dependent child (ren), the employee must pay FICA and Federal Income Taxes on the value of the benefit (i.e. the premium costs contributed by the employer).

*Since the premium costs for all employees' families are currently paid by employees there are no imputed income expenses to consider for PLU's domestic partner premium costs currently.*

## Section 125 Plan for Pre-tax Premium Contributions and Section 129 Plan for Health Care Reimbursement

Out-of-pocket medical and dental premiums for domestic partners and their children will be deducted on an after-tax basis unless you attest that they qualify as your dependent according to the Internal Revenue Service.

In addition, in order to claim expenses for your domestic partner and/or his or her children under the Health Care Reimbursement Plan they must meet those same IRS guidelines.

Briefly, this means that the domestic partner and/or his or her children must either be a qualifying child or a qualifying relative:

- **Qualifying children** are eligible if they are not claimed as a dependent by anyone else and are:
  - The employee's son, daughter, stepchild, eligible foster child, sibling or stepsibling, or a descendant of any such individual. Or a legally adopted child or a child lawfully placed with the taxpayer for adoption.
  - Residing in the taxpayer's home for more than ½ of the taxable year.
  - Under the age of 19 at the end of the tax year (under the age of 24 if full time student). There's no limiting age for a child who is totally and permanently disabled.
  - The child must not have provided more than one-half of his or her own support for the taxable year *OR*
- **Qualifying relatives** are eligible if:
  - The employee's child, stepchild, eligible foster child, sibling, or stepsibling, parent, grandparent (or other direct ancestor), first cousin, aunt or uncle, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law or sister-in-law.
  - The qualifying relative must not have gross income levels which are defined by the IRS and indexed annually.
  - The individual receives more than one-half of his or her support from the taxpayer.

To determine whether you provide more than half your dependent's total support you must compare the amount of support you

provide with the amount of support your dependent supplies for himself or herself. Support includes food, shelter, clothing, medical and dental care, education and the like. If you believe you might provide more than half of your dependent's support, you should use the support worksheet in IRS publication #501, Exemptions, Standard Deduction and Filing Information before you complete your enrollment forms.

Because the determination of whether a person is a dependent for tax purposes depends on facts solely within your knowledge, PLU cannot make this determination for you.

### **Documentation**

All employees requesting coverage for domestic partners and their children must complete a PLU Affidavit of Domestic Partnership Document that attests to their eligibility. This document allows PLU's benefits providers to verify with written proof that the family members for whom coverage is being requested satisfy these eligibility criteria. At least some of PLU's benefits providers may require a copy of the Affidavit be sent to them with the enrollment form for coverage.

Further documentation supporting the Affidavit will generally not be requested. However, PLU reserves the right to require proof of the domestic partnership in the same way that proof of Marriage Certificates for married employees may be requested. Documents that could substantiate domestic partner eligibility might include -

- A Certificate of Domestic Partnership from the State of Washington
- A lease, deed or mortgage showing both partners as parties to the transaction
- Drivers licenses or passports for both partners showing the same address
- Joint checking account or credit cards with the same account number
- Joint wills or powers of attorney

PLU and/or its applicable benefit providers shall have the sole and exclusive authority to make a final and binding determination as to whether any applicant qualifies as a domestic partner under this policy.

### **COBRA Continuation Rights**

Although federal COBRA regulations do not recognize domestic partners as covered beneficiaries, PLU and its applicable benefits providers (the medical and dental insurers) have currently chosen to offer COBRA elections to domestic partners and their children under the same conditions as all covered families. PLU and its applicable benefits providers reserve the right to change this decision at any time in the future.

# Holidays

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The holiday schedule is announced annually by the Director of Human Resources. It is based upon the following policy. The total number of holidays will vary from one fiscal year to the next.

<b>Holiday</b>	<b>Occurs</b>	<b>No. of Days</b>
New Year's Day*	January 1 and usually one day after if it falls on a Thursday	1 or 2
Martin Luther King's Birthday	Third Monday in January	1
President's Day	Third Monday in February	1
Good Friday	Friday before Easter Sunday	1
Memorial Day	Last Monday in May	1
Independence Day*	July 4	1
Labor Day	First Monday in September	1
Thanksgiving Day	Fourth Thursday and Friday in November	2
Christmas Recess*	December 25 through December 31	5 or 6

\*When New Year's Day, Christmas Day or Independence Day falls on a Saturday, the university observes Friday as the holiday. When they fall on a Sunday, Monday will be the holiday.

Employees in a with benefits status who are leaving employment with the university must work at least one day after a holiday to receive holiday pay. For example: an employee who resigns during December will not be paid for the Christmas Recess holiday period unless he or she actively works at least one day in January.

# Leaves

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## Bereavement Leave

### **Updated January 2011**

For absences due to the death of a relative including a spouse, parent, grandparent, child, brother, sister (or brothers-, sisters-, parents-, and grandparents-in-law), bereavement leave may be used for the primary purpose of attending funeral services. Employees in a with benefits status who have successfully completed their introductory period may receive paid leave of up to three days. When long distance travel is involved, the supervisor may approve an extra one or two days paid leave if necessary. If more time is required, vacation, sick leave, or leave without pay may be taken. Approved bereavement leave is not deducted from vacation or sick leave, and may be used as needed. Dates of absence should be reported on the monthly time sheet, signed by the supervisor and forwarded to payroll by the monthly due dates. To ensure accurate and timely payroll processing, it is critical that this information be sent on time.

## Emergency Shared Leave Program

### **Effective April 1, 2000**

The university has benefit programs in place to provide financial assistance in the event that qualified staff and administrators experience either short-term or long-term illness or disability. Even with these benefits in place, there may be extreme medical situations in which an employee does not have enough sick leave accumulated to bridge the gap between paid leave and the initiation of long-term disability benefits. The purpose of Emergency Shared Leave is to provide limited financial assistance in prolonged, life-threatening and catastrophic medical situations, by allowing eligible employees to voluntarily share a portion of their accrued leave time to help fund the medical leave of an authorized recipient.

### **Eligibility to Receive Shared Leave**

Administrators and staff members may be eligible to receive donated leave if they meet all of the following requirements:

1. The employee has completed at least one full year of employment with the university, is in a with benefits position, and is regularly scheduled to work .5 FTE or more.
2. The employee requesting shared leave suffers from an extended and severe illness, injury, impairment or physical or mental condition which has caused or is likely to cause the employee to go on medical leave without pay status or to terminate his/her employment.
3. The absence and the use of shared leave are justified.
4. The employee has depleted, or will soon deplete, his/her own accumulated vacation and sick leave balances.
5. The employee has abided by university policies regarding sick leave use.
6. The leave request is approved by President's Council.

### **Eligibility to Donate Shared Leave**

Administrators and staff members may donate sick or vacation leave as follows:

1. The employee must have completed at least one full year of employment with the university, is in a with benefits position, and is regularly scheduled to work .5 FTE or more.
2. Employees with accrued vacation leave balances of more than 80 hours may request that from 8 hours up to 40 hours of vacation leave be transferred to another employee authorized to receive shared leave.
3. Employees with accrued sick leave balances of more than 520 hours may request that from 8 hours up to 40 hours of sick leave be transferred to another employee authorized to receive shared leave.
4. Employees may donate up to a maximum of 80 hours of combined vacation and sick leave in any one year.
5. The donation of leave is completely voluntary. No one shall be coerced or financially induced into donating leave time.
6. The number of leave hours transferred shall not exceed the amount authorized in writing by the donating employee.

### **Review Process**

The steps outlined below will be followed expediently in making application for, and in review and approval of, Emergency Shared Leave.

1. An employee who believes that he/she may be eligible for Emergency Shared Leave may request it. If that is not possible due to the employee's physical or mental condition, then his/her manager or a family member may make a request on his/her behalf.
2. Requests for Emergency Shared Leave should be submitted in writing to Human Resources. A request for Emergency Shared Leave may accompany the leave of absence request form, or may be submitted after an employee has already initiated a medical leave. The university reserves the right to require a physician's statement documenting the employee's health condition and prognosis for recovery and return to work.
3. After receiving a request, Human Resources will verify the employee's eligibility and status, including current accumulated vacation and sick leave balances. The Director of Human Resources will confer with the employee's budget head and Vice

- President. If all three of them are in agreement, then the application will be forwarded to the President's Council for review.
4. President's Council has the final authority to determine eligibility and whether or not to authorize applications for Emergency Shared Leave. Considerations will include budgetary impact and the needs of the university. President's Council has the sole discretion regarding whether or not to extend this benefit. The receipt of benefits under this program is not guaranteed.

### **Shared Leave Administration**

If an employee is approved by President's Council to receive Emergency Shared Leave, Human Resources will administer the benefit as follows:

1. An announcement will be distributed to notify employees of the opportunity to donate leave time.
2. Eligible employees who want to donate leave time must notify Human Resources in writing of the number of hours and type of leave they would like to share.
3. Donated leave time will be accepted on a first-come basis. Any time offered that exceeds the amount approved for and used by the leave recipient will not be deducted from the accumulated leave of the person offering the time.
4. Donating employees donate sick or vacation leave at their individual pay rates and the recipient is credited with sick leave at his/her individual pay rate. Therefore, the leave recipient will be paid at his/her current pay rate, not at the pay rate of the person donating the leave time. For this program, what matters is the number of leave hours donated to an authorized recipient - not the pay rates of those who donate leave time.
5. It is not possible to make back-payments to a shared leave recipient who may have already taken some leave without pay. Donated time will be available for use by the recipient in accordance with regular payroll procedures and monthly cut-off dates.
6. Leave balances and personnel records will be maintained and monitored as leave time is donated and used.
7. The employee's long-term prognosis, anticipated return-to-work date, length of service with the university, and other relevant factors will be taken into consideration in determining the amount of shared leave an employee may receive under this program. Normally a total maximum of 520 hours may be donated to a recipient, prorated for those working less than 1.0 FTE. This is approximately the amount of time needed to cover the 90-calendar-day waiting period required prior to long-term disability benefits.
8. Emergency Shared Leave will not be granted for a period extending beyond the earliest day on which benefits under either the university's long-term disability insurance program or the Social Security Act are expected to become payable to the employee, or if the employee is not covered thereunder, would become payable if coverage existed.

This program will be administered in coordination with the university's other policies and programs including Sick Leave, Family and Medical Leave, and long-term disability.

## **Family and Medical Leaves of Absence: Administrators and Staff**

**Revised January 2011, January 2015**

Administrative and staff employees in a with benefits employment status who have completed at least one year of employment with PLU may request a Family/Medical Leave of Absence (which may be paid or unpaid) for up to twelve weeks over any 12-month period. Eligible employees who are caring for a servicemember with a serious injury or illness are entitled to 26 weeks of paid or unpaid family or medical leave over any 12 month-period. The 12-month period begins with the first day of leave and ends 12 months from that date. Spouses working at PLU, will be required to share the benefit if the leave is taken for the birth, adoption or foster care placement of a child, or to care for the employee's parent with a serious health condition.

To be eligible for a Family/Medical Leave, the requesting employee must have completed at least twelve consecutive months of service prior to the time of the request. Minimum service for eligibility shall be at least 1250 hours over the prior twelve-month period. Leave shall be granted for the following qualifying circumstances:

- a. The employee's own serious medical condition that makes him/her unable to perform the essential functions of his/her job.
- b. For pregnancy-related disability, birth and/or care for a newborn child or for placement with the employee of a child for adoption or foster care.
- c. Care for a child, parent or spouse with a serious medical condition. The terms "child" and "parent" shall include natural, adoptive and step relationships. The term "child" also includes a legal ward, or a child of a person standing *in loco parentis* (in place of a parent).
- d. A qualifying military exigency arising out of the fact that the employee's spouse, child, or parent is on active duty or has been called to active duty status as a member of the regular Armed Forces, National Guard or Reserves.
- e. A serious injury or illness affecting the employee's spouse, child, parent, or next of kin, who is a covered servicemember or qualified veteran and for which the employee is needed to provide care.

For purposes of this policy, a "serious medical condition" shall include an illness, injury, impairment or physical or mental condition that involves:

- a. Inpatient care; or
- b. Inability to work or perform other regular daily activities due to the health condition, treatment therefore or recovery therefrom; or
- c. Continuing treatment by a health care provider, which includes:
  1. A period of incapacity of more than three consecutive days which involves ongoing treatment by a health care provider; or

2. A period of incapacity due to pregnancy or for prenatal care; or
3. A period of incapacity or treatment for a chronic health condition as defined by the Family Medical Leave Act.

Whenever possible, Family/Medical Leave should be requested at least 30 days prior to commencement of the leave period. The university recognizes that there are emergency circumstances that will make advance notice impossible. In those situations, the employee must provide notice as soon as practicable under the circumstances. Generally, this should be within one or two workdays of when the employee learns of the need for leave, except in extraordinary circumstances.

Requests for Family/Medical Leave of the employee or that of a parent, child, spouse, or next of kin must be submitted using the leave of absence request form and accompanied by appropriate certification specifying the serious medical condition if appropriate, the amount of leave needed, and the anticipated return to work date. Requests for Family/Medical Leave should be submitted to the immediate supervisor, forwarded to the appropriate director or vice president for signature, and then forwarded to Human Resources for final review and approval. The university reserves the right to request a second and third medical opinion at the university's expense.

Medical leaves may be instigated by the supervisor if job performance is affected by an employee's medical condition. The Associate Vice President of Human Resources must be consulted prior to formally instituting medical leave.

The extent to which an approved Family/Medical Leave is fully paid, partially paid, or unpaid will be determined by the amount of vacation and paid sick leave accumulated by the employee prior to initiating the leave. Employees taking approved leaves must use any and all accumulated paid sick and vacation leave, but may not exceed the total amount of sick and vacation time they have accumulated. Once the employee has exhausted accumulated sick and vacation time, the duration of an approved Family/Medical Leave will be without pay. Accrual for benefit calculations, such as vacation, sick leave, or holiday benefits, will be suspended during any unpaid portions of the leave and will resume upon return to active employment.

During an approved Family/Medical Leave the university will, in accordance with policies and plan documents, pay its regular share of applicable insurance benefits including medical, dental, life and long-term disability. The employee must continue to pay his/her regular contribution towards all such benefits. The university, at its discretion, may opt to pay the employee's contribution towards all such benefits during the period of Family/Medical Leave, and recover such payments after the employee's return to work. Business travel accident insurance will not be provided during an approved leave. If the Family/Medical Leave is provided with pay, then the appropriate and corresponding amount of retirement contributions will also continue during the period of the leave.

Employees who sustain a work-related injury may be eligible for a Family/Medical Leave for the period of disability in accordance with all applicable laws regarding disability and/or workers' compensation.

Prior to returning to active duty, an employee returning to work from a Family/Medical Leave that was due to his/her own serious medical condition must provide appropriate medical certification verifying medical release and fitness for duty. The university reserves the right to request a second and third medical opinion at the university's expense.

Upon return from Family/Medical Leave, the employee will be restored to his or her original position or to an equivalent position with equivalent pay and benefits. The use of Family/Medical Leave will not result in the loss of benefits which have accrued prior to the leave of absence.

If an employee fails to report to work promptly at the end of the approved leave period, PLU will assume that the employee has resigned. Any employee who fails to return to work from approved leave may be required to repay any health insurance premiums paid on her/his behalf during the period of the leave in accordance with applicable state and federal law.

Requests to return to work on an interim part-time basis will be considered by the university, whether for medical or for personal reasons. When an employee requests a reduced work schedule due to medical reasons, the university may request medical documentation in support of the request. Decisions regarding part-time work will be based on a number of factors, including the nature and duration of the request and the availability of work for which the employee is qualified. In some cases, an employee may be returned to work on an interim part-time basis in another position.

Employees who are medically unable to return to work following approved leave due to their own serious medical condition may be eligible to apply for long-term disability benefits. Information regarding such benefits is available from Human Resources.

Employees desiring additional leave upon the exhaustion of any approved Family/ Medical Leave may be placed on inactive status. Any additional leave will be at PLU's sole discretion.

In the event that this policy conflicts with and provides a lesser benefit than any statute, law or regulation, the university will follow the applicable statute, law or regulation. Leave requirements are often complex and employees in need of leave under this policy are encouraged to consult with Human Resources.

## **Family and Medical Leaves of Absence: Faculty**

***Revised January 2011, January 2015***

Any regular faculty member in a with benefits employment status who has completed at least one year of employment with PLU may request from the applicable academic administrator a Family/Medical Leave of Absence (which may be paid or unpaid) for up to one academic semester, or for up to twelve weeks, whichever is greater, over any 12-month period. Eligible employees who are caring for a service member with a serious injury or illness are entitled to 26 weeks of paid or unpaid family or medical leave over any 12 month-period. The 12-month period begins with the first day of leave and ends 12 months from that date. Faculty who accrue vacation and sick leave are considered to have administrative status and should refer to the FMLA policy for staff and administrators.

To be eligible for a Family/Medical Leave, the requesting faculty member must establish faculty service for at least twelve consecutive months prior to the time of the request. Minimum service for eligibility shall be at least 1,250 hours over the prior twelve-month period. Leave shall be granted for the following qualifying circumstances:

- a. The faculty member's own serious medical condition that makes the faculty member unable to perform the essential functions of the faculty member's job.
- b. For pregnancy-related disability, birth and/or care for a newborn child or for placement with the faculty member of a child for adoption or foster care.
- c. Care for a child, parent or spouse with a serious medical condition. The terms "child" and "parent" shall include natural, adoptive and step relationships. The term "child" also includes a legal ward, or a child of a person standing *in loco parentis* (in place of a parent).
- d. A qualifying military exigency arising out of the fact that the faculty member's spouse, child, or parent is on active duty or has been called to active duty status as a member of the regular Armed Forces, National Guard or Reserves.
- e. A serious injury or illness affecting the faculty member's spouse, child, parent, or next of kin, who is a covered servicemember or qualified veteran and for which the faculty member is needed to provide care.

For purposes of this policy, a "serious medical condition" shall include an illness, injury, impairment or physical or mental condition that involves:

- a. Inpatient care; or
- b. Inability to work or perform other regular daily activities due to the health condition, treatment therefore or recovery therefrom; or
- c. Continuing treatment by a health care provider, which includes:
  1. A period of incapacity of more than three consecutive days which involves ongoing treatment by a health care provider; or
  2. A period of incapacity due to pregnancy or for prenatal care; or
  3. A period of incapacity or treatment for a chronic health condition as defined by the Family Medical Leave Act.

Whenever possible, Family/Medical Leave should be requested at least 30 days prior to commencement of the leave period. The university recognizes that there are emergency circumstances that will make advance notice impossible. In those situations, the employee must provide notice as soon as practicable under the circumstances. Generally, this should be within one or two workdays of when the employee learns of the need for leave, except in extraordinary circumstances.

Requests for Family/Medical Leave of the faculty member or that of a parent, child, spouse, or next of kin must be accompanied by appropriate certification specifying the serious medical condition if appropriate, the amount of leave needed, and the anticipated return to work date. A faculty member who wishes to request a Family/Medical Leave shall submit a written request to his/her department chair specifying the length of leave needed and anticipated return to work date. This request will be reviewed by the chair in consultation with the appropriate dean, and then forwarded in a timely manner to the Provost's Office for evaluation of eligibility and a determination of the period of paid and/or unpaid leave to be provided to the requesting faculty member.

Paid Family/Medical Leaves may be granted for periods of less than a full semester, within the university's discretion, depending on the appropriateness of timing for the university and the needs of the faculty member's department. However, faculty members are entitled to unpaid leave of up to twelve weeks for qualifying reasons as set forth in the paragraphs above.

Medical leaves may be instigated by the faculty member's department chair, dean, or provost. The Associate Vice President of Human Resources must be consulted prior to formally instituting medical leave.

A faculty member receiving an approved Family/Medical Leave may receive some or all salary and fringe benefits for the period of leave. The proportion of pay received during the leave will be evaluated by the university in advance of the leave based on the individual's length of service, cost of replacing the individual, length of leave requested, and other similar factors. In general, after one year of employment in a with-benefits position, a faculty member is eligible for an equivalent of a 4-credit release with no pay reduction; after three years of employment, eligible for an equivalent of an 8-credit release with no pay reduction. Additional time may be approved, but will result in a pay reduction. Spouses working at PLU, will be required to share the benefit (i.e. time away and salary) if the leave is taken for the birth, adoption or foster care placement of a child, or to care for the employee's parent with a serious health condition. Course releases pro-rated for less than full-time.

During an approved Family/Medical Leave the university will, in accordance with policies and plan documents, pay its regular share of applicable insurance benefits including medical, dental, life and long-term disability. The individual on a leave must continue to pay his/her regular contribution towards all such benefits. Business travel accident insurance will not be provided during an approved leave. If the Family/Medical Leave is provided with pay, then the appropriate and corresponding amount of

retirement contributions will also continue during the period of the leave.

Faculty members who sustain a work-related injury may be eligible for a Family/Medical Leave for the period of disability in accordance with all applicable laws regarding disability and/or workers' compensation.

Prior to returning to active duty, a faculty member returning to work from a Family/Medical Leave that was due to his/her own serious medical condition must provide appropriate medical certification verifying medical release and fitness for duty. The university reserves the right to request a second and third medical opinion at the university's expense.

At the conclusion of an approved Family/Medical Leave, the faculty member shall be returned to the position he or she held before the leave, with no loss of seniority or other benefits. With mutual agreement between non-tenured faculty members and the university, tenure decisions may be delayed or the probationary period extended, depending on the length of the leave and other factors, including the policies and guidelines of the American Association of University Professors. Any delay of a tenure decision or extension of a probationary period for any untenured faculty member shall be addressed by written agreement between the parties at the time that the leave is taken.

Requests to return to work on an interim part-time basis will be considered by the university, whether for medical or for personal reasons. When a faculty member requests a reduced work schedule due to medical reasons, the university may request medical documentation in support of the request.

Faculty members who are medically unable to return to work following approved leave due to their own serious medical condition may be eligible to apply for long-term disability benefits. Information regarding such benefits is available from Human Resources.

Faculty members desiring additional leave upon the exhaustion of any approved Family/Medical Leave may request an unpaid Regular Leave of Absence in accordance with the Faculty Handbook.

In the event that this policy conflicts with and provides a lesser benefit than any statute, law or regulation, the university will follow the applicable statute, law or regulation. Leave requirements are often complex and employees in need of leave under this policy are encouraged to consult with Human Resources.

## **Personal Leaves of Absence**

Administrators and staff employed at PLU may request a leave of absence without pay for personal reasons. Leaves should be requested at least 30 days in advance through normal administrative channels. They are considered on a case-by-case basis and require approval of the appropriate university officer and Human Resources. Leaves of absence are not normally granted for more than a one-year period for administrators or for more than a six-month period for staff. In personal leave of absence situations, there is no guarantee that an individual's position will be held open for him/her. When a request for such a leave is received, the appropriate university officer and the Director of Human Resources will review the request considering factors such as: length of time off requested, level of performance, length of service, reason for absence, the nature of the person's job, feasibility of making arrangements for a temporary replacement, and other appropriate factors. In general, approved personal leaves are provided on a without pay and without benefits basis. Vacation and sick leave do not accrue during unpaid leave.

## **Professional Development**

### **Extended Professional Development Leave for Administrators Purpose**

Extended professional development leaves are an integral part of the university's commitment to life-long learning. A significant block of time away from usual professional responsibilities encourages and nurtures administrator improvement through professional development, education, research, service, or related pursuits. The effective utilization of such a leave is the professional accountability of every administrator who is approved for one. The opportunity for extended leave is a granted privilege and not a right or accrued benefit.

### **General Provisions**

1. Extended professional development leaves are intended to be used for extraordinary learning and developmental opportunities, not for routine and customary activities such as annual conferences or workshops.
2. Approval for an extended professional development leave includes the understanding that a comparable administrative position will be held for the individual upon return from the leave.
3. The administrator must be a regular employee of PLU, working at least .75 FTE or more, and will have been employed by the university for at least seven consecutive years at the time of leave. Administrators who are in a temporary status, who work .74 FTE or less, or who have not met the length of service requirement are not eligible to apply for extended leave.
4. At the time the leave is requested and initiated, termination of employment is not contemplated either by the administrator or by the university administration.
5. The applicant must have fully satisfactory performance and must receive the support of his/her department and division heads.
6. Professional development leaves will typically range from one to three months in length (not including approved vacation time). The specific duration of an approved leave will be based on the proposal and its funding as well as on the potential

- staffing impact on the applicant's department.
- Administrators may apply to use vacation time for which they are eligible to supplement their professional development leave.
  - Generally, no more than four administrators will receive leaves per fiscal year. Administrators approved for leaves in any given year will typically be from different departments and divisions to minimize staffing impact.
  - The person granted a leave under this plan is expected to return to active service at PLU for at least one year following completion of the leave.

### **Application and Implementation Process**

- Applicants should submit proposals to their department/budget heads and, assuming they receive endorsement, forward them to the appropriate vice president. Applications must be received in the vice president's office no later than December 31st of the calendar year preceding the fiscal year (June 1st through May 31st) during which the proposed leave would occur.
- The vice president will evaluate the request in conjunction with the applicant's budget/department head and then forward the application with a recommendation (for approval, disapproval, or deferment) to the President who will make the final decision in consultation with President's Council and Human Resources.
- Leave application proposals will include:
  - Planned professional development activities;
  - A detailed written outline of leave duration, with beginning and ending dates;
  - A proposed staffing plan regarding how one's duties and responsibilities will be covered during the absence;
  - Advantages related to the applicant's performance as an administrator; and
  - Advantages to the university, the PLU community, and/or the community at large.
- Decision-making factors used in the review and approval process should include but will not be limited to the following:
  - The merits of the applicant's professional development leave proposal.
  - The extent to which the applicant's planned learning experience will enhance his/her contribution to the university.
  - The degree to which an absence in a given year can be covered or may create a hardship on the applicant's department.
  - The applicant's length of service and level of performance.
  - The availability of funding and any potential impact on the university's budget.
- Notification of acceptance, rejection, or possible deferment of a request will be given within a reasonable length of time. When an extended professional development leave is approved, the applicant will be sent a memorandum stating the terms of the leave.
- The administrator is honor-bound not to accept any other employment, which might interfere with the proposed study plan during an extended professional development leave. Employment compatible with the leave purpose may be accepted if total compensation (PLU and extended source) does not exceed 110% of the administrator's annual university compensation.
- Each administrator granted a professional development leave shall sign an agreement to return to active work at PLU for at least one full year of service upon completion of the leave. If an administrator fails to fulfill this obligation, the administrator shall repay in full the salary and benefits received during the extended professional development leave. This amount will be due no later than three months following the date designated in the leave agreement for the administrator to return to work.
- Upon returning to work, the leave recipient will submit a written report to his/her vice president and the president describing activities, education received, and accomplishments during the leave period.
- Administrators who are not approved for an extended professional development leave may reapply yearly. Administrators who have had a leave under this plan may reapply after completion of an additional six full consecutive years of employment with PLU.

### **Pay and Benefits**

- Administrators granted extended professional development leaves will receive 90% of their regular base annual salary during the period of the leave. Vacation time approved to be taken in conjunction with an approved leave will be paid at the regular 100% of base salary pay rate.
- During the leave, the administrator will continue to participate in all standard benefits programs for which he/she is eligible.

Administrators on professional development leaves will continue to accumulate vacation and sick time and to receive regular holiday pay.

### **Sick Leave**

#### **SICK LEAVE For Employees (.50FTE and above) Revised December 2008; Revised October 2009; Revised September 2012**

Sick leave constitutes short-term disability coverage providing earnings protection for eligible employees before long-term disability coverage takes effect. Full-time administrative employees earn sick leave at the rate of 8 hours per month starting the first day of employment, while full-time staff employees begin accumulating sick leave after 90 days. Administrators and staff may take accrued sick leave following satisfactory completion of their introductory period. This benefit is pro-rated for benefits-eligible staff and administrators working between .5 FTE and .99 FTE. Up to 800 hours may be accumulated. The university does not compensate employees for unused sick leave at termination. Sick leave may be used only under the following circumstances:

- Personal Illness: for any illness, injury or other medical condition that requires an employee to be confined to a medical facility

or to remain at home. Doctor and dentist appointments may also be covered by sick leave. Upon return from sick leave the university may require a doctor's verification supporting the reason for leave and/or that the employee may safely resume work.

2. Family Illness: for any serious illness that requires an employee's absence in order to provide care for an immediate family member. Family members for purposes of this definition are spouse, parent, grandparent, child, brother, sister (or brothers-, sisters-, parents-, and grandparents-in-law).
3. Employees working in Seattle who are eligible for sick leave under this policy may also use sick leave for the purposes described in the university's "Sick Leave for Seattle Part-Time Employees" policy.

Dates of absence should be reported on the monthly time sheet. Longer-term absences (four working days or more) should be reported by the supervisor to Human Resources immediately.

If an employee leaves university employment and is rehired in a benefits eligible position within one year, the university will credit back the sick leave balance the employee had when they left employment. Administrators and staff may take sick leave following satisfactory completion of their introductory period.

Refer to the Family and Medical Leave policy for additional information.

### **SICK LEAVE FOR SEATTLE PART-TIME (<.50 FTE) EMPLOYEES September 2012**

The City of Seattle passed an ordinance (#123698), effective Sept 1, 2012, that requires a certain level of sick and safe leave. This policy applies to those part-time employees who are not eligible for the university's "Sick Leave For Employees" policy, who work in the City of Seattle, and who meet the eligibility requirements described below. Eligible employees are defined as those performing work in the City of Seattle. An employee who performs work in Seattle on an occasional basis is covered only if they perform more than 240 hours of work in the City of Seattle within a calendar year and who have completed their introductory period.

Paid sick/safe leave benefits are provided to all eligible Seattle employees for periods of a covered temporary absence as required by law. Covered temporary absences for sick leave may include (i) an employee's own illness, injury or health condition; or (ii) leave to care for an employee's family member with an illness, injury or medical appointment. Covered temporary absences for safe leave may include (i) an employee's need to care for a child whose school or daycare has been closed by order of a public health official; or (ii) leave for reasons related to domestic violence, sexual assault or stalking that affect the employee or the employee's family member.

Current employees will begin to accrue paid sick/safe leave on September 1, 2012. Employees hired on or after September 1, 2012 will begin to accrue paid sick/safe leave from the start-date of employment. Employees accrue sick/safe leave in one amount and can choose to use it either for sick leave or safe leave. Only the hours worked in Seattle will count toward accrual of paid sick/safe leave. Employees may take sick leave following satisfactory completion of their introductory period.

Employees are eligible for the following paid sick/safe leave benefits:

- Employees accrue 1 hour of sick/safe leave benefits for every 30 hours worked. You may use this benefit on the 180th calendar day after employment. Employees may use a maximum of 72 hours in a calendar year.
- Unused sick leave benefits are carried over to the following calendar year at a maximum amount of 72 hours. Unused sick/safe leave benefits are not paid to employees upon termination of employment.
- Sick leave benefits are calculated based on the employee's base pay rate at the time of absence and do not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

The "Sick Leave for Employees (.50 FTE and above)" policy will apply for hours worked outside the City of Seattle. An employee may not simultaneously accrue sick leave under both policies. Dates of absence should be reported on the monthly time sheet. Longer-term absences (four working days or more) must be reported by the supervisor to Human Resources immediately. For leave that is foreseeable, a request should be provided by the employee at least 10 days ahead of time (or as early as possible). For unforeseeable leave, the employee must provide notice as soon as is practicable. After three consecutive days of sick/safe leave, the employer may require documentation to support the leave, such as a statement signed by a health care provider stating that sick leave is necessary. If an employee leaves university employment and is rehired in a benefits eligible position within one year, the university will credit back the sick leave balance the employee had when they left employment. The employer does not discriminate against an employee for exercising in good faith her/his rights under this policy. These rights include using paid sick/safe leave, informing the employer or legal counsel about alleged violations, participating in an investigation or filing a complaint about alleged violations.

# Military Call to Duty

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## **Revised January 2011**

The Uniformed Services Employment and Reemployment Rights Act (USERRA) offers certain job protections for armed services personnel who are called-up or volunteer to serve. The university complies with USERRA in determining its policy on military service and call to duty. The following guidelines provide general information only. This policy is not intended to address all possible issues that may arise. If you are called to duty or have specific questions, please immediately contact Human Resources.

### **Covered Employees**

Employees who volunteer for or are involuntarily inducted into military service or called to active duty have employment rights protected by federal law (USERRA) and accompanying regulations.

### **Duration of Service**

The cumulative length of service that causes a person absences from a position may not exceed five years. Most types of service will be cumulatively counted in the computation of the five-year period.

### **Employee Requirements**

The law requires all employees to provide their employers with advance notice of military service. This notice may be written or oral. No notice is required if military necessity prevents the giving of notice; or the giving of notice is otherwise impossible or unreasonable. An employee's failure to give advance notice deprives the employee of the benefits of the law and this policy, unless the employee can demonstrate that providing notice was impossible, unreasonable or precluded by military considerations.

### **Benefits**

Military call to duty will be treated as leave of absence without pay.

As with other leaves without pay, vacation and sick time do not accrue while the employee is on military leave. Vacation time that had accrued before initiating military service may be used during this leave.

Medical/dental benefits - For absences of less than 30 days, benefits continue as if the employee had not been absent. For absences of 31 days or more, PLU group coverage stops unless the employee elects to pay the applicable insurance premium (102% of the then current rate) for up to 24 months under USERRA. When the employee returns to work at the university, health insurance will be reinstated with no waiting period, except for coverage of any illness or injury determined to have been incurred in or aggravated during military service. If the university cannot put the employee back to work immediately upon application, the health insurance will be restored immediately, unless return to work is not required for the reasons set forth under the law. While in military service, employees are also eligible for medical/dental benefits provided by the military, according to the terms of those benefit packages.

Retirement plan benefits - Contributions to the retirement plan will occur as required by federal law. In general, federal law provides that military service is not a break in service. When an employee returns from military service, the employer is required to make up the employer plan contributions that would have been made on behalf of the employee had the employee not been absent. The specific provisions and requirements may be addressed with Human Resources prior to or during any military leave.

Employees in a without benefits status upon taking military leave do not become eligible for those benefits they did not receive either during or following leave, unless they return to work in a with benefits status.

### **Return to work**

Regulations are as follows:

- If the employee is on duty 30 days or less, the employee must return to work the next regular workday.
- If the employee is on duty 31 to 180 days, the employee must reapply within 14 days.
- If the employee was on duty more than 180 days, he or she must reapply within 90 days.

Re-instatement upon return from military leave of absence:

- Except with respect to persons who have a disability that occurred in or was aggravated by military service (see below), the position into which an employee is reinstated is determined by priority based on the length of military service.

- Service of 1 to 90 days-the job the person would have held had he or she remained continuously employed.
- Service of 91 or more days-the same as for service of 1 to 90 days, or a position of like seniority, status and pay, so long as he or she is qualified to fill such position.

PLU is not required to re-employ a person returning from a military leave if:

- The employee was discharged from the military and the discharge was not honorable;
- Circumstances at the university have changed so much that reemployment is impossible or unreasonable;
- If the employee is no longer qualified for his or her prior position despite reasonable efforts to re-qualify that person and if reemployment would pose an undue hardship to the university; or
- The original employment was only temporary or of short duration with no reasonable expectation that it would continue indefinitely.

# Recognition of Employees

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## Anniversary Recognition

### **Revised October 2009**

In appreciation for their long-term service, faculty, staff and administrators of the university who are regularly employed in a with benefits status (.5 FTE or more) will receive special recognition during major anniversary years: 5, 10, 15, 20, 25, 30, 35 and more.

Anniversary awards (pins, certificates, gift cards as outlined below) are typically presented at the university's annual Christmas and holiday luncheon. At that time, recognition and gifts are given to acknowledge and celebrate those with major anniversaries falling in the current fiscal year (i.e. June 1 through May 31 of that particular year).

### **Letter of Appreciation**

In the month during which their major anniversary occurs, honorees will receive a personal note signed by the President. For example, someone hired September 20, 2004 would receive his/her note five years later during September 2009.

### **PLU Pin**

PLU pins are distributed at the Christmas luncheon in the colors corresponding with years of service as noted below:

#### **Anniversary Pin Color**

5	Gold
10	Light Blue
15	Light Green
20	Black
25	Maroon
30	Dark Blue
35	Dark Green

### **Certificate of Appreciation**

At the annual Christmas luncheon each honoree will receive a certificate of appreciation signed by the President for their dedication and length of service.

### **Gift Card**

Based on the anniversary being celebrated, honorees will receive a gift card in the dollar amount noted in the table below. The gift card may be used to purchase a gift item(s) at the University Bookstore.

#### **Anniversary Dollar Value**

5	\$50
10	\$75
15	\$100
20	\$125
25	\$150
30	\$175
35	\$200

## **Distinguished Staff/Administrator Awards Program**

**Updated January 2011, April 2015**

### **Purpose**

The Distinguished Staff/Administrator Awards Program is designed to recognize outstanding contributions made by employees through their accomplishments, leadership, and service to the university and its community members. The awards are generally presented to up to five Pacific Lutheran University staff or administrative employees each year. Award recipients receive a \$500 honorarium and special recognition at the university's annual Christmas luncheon.

### **Eligibility**

All part-time and full-time staff and administrators with a minimum of one year of continuous and satisfactory service at Pacific Lutheran University in a regular, with benefits position below the level of President's Council and salary grade A24 are eligible for nomination.

### **Award Criteria**

Award recipients will be selected for the following kinds of contributions:

- Contributing to outstanding and sustained improvements in customer service to faculty, staff, students, alumni and other constituents.
- Significantly improving or enhancing the quality of work and/or campus life in ways that make a substantial difference for colleagues and constituents.
- Promoting interdepartmental teamwork, enhancing communication, and inspiring commitment and productivity.
- Developing creative solutions to problems that result in significantly more effective, efficient university operations and which may also result in cost savings to the university.

### **Nomination Process**

Each fall, Human Resources will distribute the announcement on campus. Nomination forms are available in Human Resources and on that office's web site under "Documents & Forms." Nominations may be made by faculty, staff, students, co-workers, former colleagues, or others who have benefited from the employee's service. Supporting documentation or letters may be attached to the nomination form, which should cite specific examples of the kinds of contributions the nominee has made. Completed nomination forms must be returned to Human Resources by the due date established each year. Employees may be nominated more than once, but may only be selected to receive an award once in a three-year period.

### **Selection Process**

All nominations will be kept confidential during the selection process. Human Resources will screen nominations to ensure that the basic requirements have been met regarding length of service and satisfactory performance. Following that initial review, Human Resources will work with a committee including representatives of the Administrative Staff Council and others to thoughtfully evaluate the nominations in light of the program purposes. The committee will then forward the names of up to four (generally) proposed award recipients to President's Council for final consideration and endorsement. President's Council makes the final selection.

## **Rose Window Society**

The Rose Window Society is comprised of those faculty, staff, and administrators still actively working who have achieved their 20-year anniversaries, and all early, phased, and regular retirees who have served PLU for 20 years or more. The annual Rose Window celebration, typically held each May, is an opportunity to honor current university retirees and new Rose Window inductees.

### **Invitees to the Celebration**

- Active employees with 20+ years of service and their spouses/significant others.
- Honorees (those who have retired since the last Rose Window dinner and those with established and imminent upcoming retirement dates) and their spouses/significant others.
- Program presenters and coordinators.
- All members of the Rose Window Society.

### **Recognition**

The year's retirees are honored at the Rose Window Celebration.

# Relocation

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In certain cases when a new faculty member, administrator, or staff is hired, and will be moving from a distant geographic area, relocation assistance may be provided upon approval of the appropriate budget head and Human Resources. The university recognizes that an impending move is an important undertaking and that household goods are valued possessions. Because the university is a privately supported school, every effort is made to reduce expenditures through sound business practices and good judgment.

The Moving Policy is available through Human Resources and will accompany applicable letters at the time a job offer is made.

# Retirement from University Employment

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**Revised January 2011; Revised June 2016**

Employees are able to schedule their retirement from university employment based on their unique needs and lifestyles. Accordingly, the university encourages quality advance planning on each employee's part in preparation for retirement from university employment. Normal retirement is defined as the last day of the month in which age 65 is attained. Some employees will retire before they reach 65 and others after age 65. An employee may retire at, before, or after the normal retirement age.

An employee who plans to retire from university employment should advise the supervisor of that decision as far in advance as possible. In any case, the normal notice of resignation (ten working days for staff and twenty working days for administrative employees) is the minimum notice period expected.

The following information is provided to assist those who are contemplating retirement from the university. Please note that this is a summary for general information only. Additional information is available in Human Resources. In the event of any question, official plan documents, university policy/procedure, and legal requirements/considerations will prevail.

These documents do not describe the university's 403(b) Retirement Plan. Conditions and rules applicable to participation (eligibility), vesting, participant and university contributions, Plan investments and payout of benefits are described in and controlled by the Plan, Plan investment documents and letters of appointment and by applicable law. Please refer to those documents for details. Note that retirees are not eligible to make additional contributions to the 403(b) Plan or to receive any contribution from the university to their Plan account.

## **Regular Retirees**

Most employees who retire from PLU are considered "regular retirees". Generally the following length of service and age requirements must be met in order to qualify for regular retirement from PLU:

- Must be in a "with benefits" status (.5 FTE or more) at time of retirement, and
- Must be at least age 55 at time of retirement, and
- Must have at least 10 years of service based on the hire date, or be a tenured faculty member at the time of retirement.

At their own expense, retirees and their eligible dependent(s) may continue medical and dental coverage on the university's group plans through COBRA according to federal regulations. Information regarding COBRA will be provided at the time of retirement. Basic life insurance benefits may be converted, at the retiree's expense, to an individual policy.

All financial contributions made by PLU to insurance benefits discontinue at the end of the month in which the person terminates active employment and begins regular retirement. At that same time, participation in virtually all benefits discontinues: 403(b) Retirement Plan, Long Term Disability, Accidental Death & Dismemberment, Vacation Pay, Sick Leave, etc.

Regular retirees retain the right to reduced tuition under the PLU tuition remission policy. In addition they may retain their parking permits, receive an identification card that allows continued use of the library, athletic facilities and participation in campus events on a discounted or free basis.

Regular retirees are not eligible for the ELCA tuition exchange program or the Tuition Exchange, Inc. program.

## **Phased Retirees**

Phased retirement is a special benefit made available by PLU to certain qualified faculty and administrators hired before December 31, 1996. Staff are not eligible for phased retirement.

Phased retirees receive supplemental retirement compensation from the university for a certain period of time. As part of the phased retirement application and approval process, specific payment arrangements will be made. These supplemental wages are considered earned income by the IRS and therefore will likely impact the phased retiree's Social Security benefits.

While they receive this compensation, phased retirees are eligible to participate in certain PLU benefits. These benefits are made available at whatever costs are applicable during any given year and include medical, dental and some life insurance. The retiree may enroll him/herself and eligible dependent(s) in any or all of these plans.

All financial contributions made by PLU to other insurance benefits discontinue at the end of the month in which the person terminates active employment and begins phased retirement. At that same time, participation in virtually all benefits discontinues: 403(b) Retirement Plan, Long Term Disability, Accidental Death & Dismemberment, Vacation Pay, Sick Leave, etc.

Phased retirees retain the right to reduced tuition under the PLU tuition remission policy, but are not eligible for the ELCA tuition

exchange program or the Tuition Exchange, Inc. program. Phased retirees may retain their parking permits, receive an identification card that allows continued use of the library, athletic facilities and participation in campus events on a discounted or free basis. Upon an administrator's completion of phased retirement, access to PLU email will end.

Specific eligibility requirements and provisions of the phased retirement plan are addressed in the (Revised) Policies and Procedures for Reductions in Load and Phased Retirement, Revised June 2004. Please refer to that document for full details.

# Transit Benefit

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## Transit Pass Benefit

***Revised January 2009; Revised June 2010***

Pacific Lutheran University supports sustainability initiatives – and efforts to get its employees onto mass transit by subsidizing the cost of an annual transit pass via a PLU ORCA card for all PLU employees with benefits. Employees pay a small portion of the cost of the annual pass each year with the majority of the cost paid for by the university.

ORCA card users can ride the bus or train on any regularly scheduled service with Pierce Transit, Metro Transit, Sound Transit, Community Transit, Everett Transit, Kitsap Transit, Seattle Streetcar, King County Water Taxi, and Kitsap Transit Foot Ferry.

There is no trip limit; however, the card is for the employee’s transportation use only. Travel on the card can be work or non-work related.

ORCA cards can be purchased at Campus Concierge. The cards are valid June through May and can be renewed at Campus Concierge each year. A valid PLU ID card is required at the time of purchase or renewal.

# Travel Medication Reimbursement Policy

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## Travel Medication Reimbursement

In support of the university's commitments to global education and healthy lifestyles, Human Resources will reimburse eligible employees for work-related travel medications.

To be eligible for reimbursement you must:

- Be a benefit-eligible PLU employee
- Complete a Travel Medication Reimbursement Form and obtain verification from your supervisor (signature)
- Provide adequate documentation so the services and reimbursement amount may be easily determined

Medication may be prescribed by the Group Health travel nurse, your personal physician, or another qualified medical provider. This policy also covers costs associated with follow-up travel medications.

Work-related travel medications may include those needed in a variety of situations including: attending an international professional conference, leading a J-term, summer-session or semester-abroad class, representing PLU on official business, or the pursuit of scholarly work. **PLU will not cover non-work related travel medications or medical consultation fees. If there is any doubt about whether or not your planned travel is work-related, please consult with your supervisor in advance**

# Tuition Benefit

**Revised June 2007; Revised June 2010; Revised January 2011; Revised December 2012; Revised March 2015**

The university has a strong commitment to life-long learning which it supports through the following tuition assistance programs and by offering a number of additional on- and off-campus professional development programs. Each tuition benefit has its own eligibility requirements, so it is important to familiarize yourself with the criteria. If you have questions, please call Human Resources at ext. 7185. Forms and other information related to this policy are available on the Human Resources home page at [www.plu.edu/human-resources/](http://www.plu.edu/human-resources/).

## Tuition Exchange Benefits and Eligibility

PLU participates in two programs which offer tuition exchange benefits for qualified dependents of eligible university employees. Both programs have specific application deadlines, eligibility requirements, and both programs are competitive and not guaranteed. If you are interested in learning more, please contact Human Resources at ext. 7185.

1. The Tuition Exchange, Inc., an association of over 600 institutions across the United States providing varying levels of tuition discounts. This benefit is available to full-time employees who have completed three years of service, and is based upon additional university criterion. Only a limited number of dependents typically receive the benefit each year. *Website:* [www.tuitionexchange.org](http://www.tuitionexchange.org)
2. The Evangelical Lutheran Church in America (ELCA) Tuition Plan Program includes a group of 24 colleges and universities. Some of these institutions provide tuition remission to qualified PLU dependents. This benefit is available to both full-time and part-time employees who have completed two years of service.

## Tuition Remission Benefits and Eligibility (Revised June 2015)

*Note: Employees hired before June 1, 2015 will be grandfathered in at 2014-15 tuition remission benefit levels. Contact Human Resources to determine your benefit level.*

The waiting period for tuition remission benefits for PLU courses is the beginning of the school term following completion of one year of service. Tenured and tenure-track faculty are eligible for maximum tuition remission benefits for both themselves and eligible dependents as of their appointment date in a tenured or tenure-track position. PLU terms are Fall, J-term, Spring and Summer. Although there are multiple sessions during summer, it is considered one term. Dependent eligibility is defined as:

1. Legal spouse, qualified domestic partner, and/or
2. Child who is under age of 25, unmarried, and claimed as a dependent child on the employee's or employee's partner's previous year's income tax return and who is the employee's natural or adoptive child or the natural or adoptive child of the employee's partner living permanently in the employee's home. A divorced employee's dependent children, for the purposes of this benefit are treated as dependents of both parents. Court-appointed legal wards and foster children are not eligible for tuition benefits.

The tuition remission benefit available at PLU is:

Employee Length of Service	Employee Discount	Dependent Discount
Less than 1 year	-0-	-0-
At least 1 full year, and up to 2 full years	50%	-0-
Over 2 full years, and up to 3 full years	75%	50%
Over 3 full years of service <b>or</b> tenured <b>or</b> tenure-track faculty	90%	75%

Tuition discount benefit amounts listed above are for full-time (1.0 FTE) employees working regular appointments. The benefit levels are prorated for part-time employees on regular appointments of at least half-time (.5 FTE) but less than full-time (1.0 FTE).

The employee and his/her spouse or qualified domestic partner are eligible for undergraduate and graduate studies. Employees, spouses and qualified domestic partners are limited to one graduate degree using tuition benefits. If employees or spouses/domestic partners are enrolled in a PLU graduate program, **it will be taxable income to the employee and will most likely increase your taxes withheld and decrease your net pay.** The value of the remission will be added to your taxable income, July and August for Summer classes; October, November and December for Fall classes; February for J-term classes and March, April and May for Spring classes. Each calendar year, IRC section 127 allows employees the first \$5,250 of their graduate remission tax-free. Dependent children are eligible for undergraduate studies. **Tuition benefits for undergraduate course work is limited to 144 credits for all participants.** Doctoral studies are not eligible for tuition

remission benefits.

### **Policy Guidelines**

1. No additional remission (e.g. alumni discount) is available in addition to tuition remission benefits.
2. Tuition benefits apply to study away tuition, but not to housing/meal charges.
3. If an employee or dependent fails a class or withdraws after 10<sup>th</sup> day while using tuition benefits, the benefit cannot be used to repeat the class.
4. No remission is applied when one receives credit by exam.
5. If an employee audits a class, a remission form is required and the benefit is administered as if the employee was taking the class for credit.
6. Employees are expected to make up time they spend in classes, which take them away from their normal work schedules.
7. If an employee drops a class while using the waiver benefit, a Tuition Waiver Drop Form is required no later than the 10<sup>th</sup> day after the semester begins. Failure to complete this form in a timely manner may effect future benefits. Withdrawal from a class may result in fee assessments and will be governed by the university's policy on refunds.
8. If an individual exceeds the maximum tuition benefit allowed per policy, the individual will be required to repay the university.

### **Tuition Benefit for MBA International Experience (Revised September 2006)**

Students in the MBA program are required to participate in either a local alternative "international" experience or leave the country on a 10-day international experience.

The PLU tuition benefit does not apply to international experiences and therefore, a PLU employee, spouse or domestic partner who qualifies for either the 75% or 90% tuition benefit will need to 1) elect to participate in a local alternative experience thereby not incurring international travel costs, or 2) pay the standard rate out of pocket to participate in the 10-day international experience.

Furthermore, if a PLU employee in the MBA program elects the 10-day international experience and pays the out of pocket expense, the employee must also coordinate the vacation time with their direct supervisor for the duration of their leave.

### **Tuition Waiver Benefits and Eligibility for Employees (Revised June 2015)**

*Note: 2015-16 is the final year this benefit will be offered; Spring 2016 is the last eligible semester. This benefit is not available to employees hired February 15, 2015 or later.*

The waiting period for the tuition waiver benefit for PLU courses is the beginning of the school term following completion of one full year of service. PLU terms are Fall, J-term, Spring and Summer. Although there are multiple sessions during summer, it is considered one term. A tuition remission form must be completed along with the tuition waiver form. Dependents are not eligible for tuition waiver.

During the period of their employment with PLU, eligible employees may receive a benefit of up to 12 credit hours of courses with the tuition waived - the equivalent of 100% tuition remission for those classes. A maximum of 4 credit hours can be waived per semester. While supervisor and vice president approval is required, the courses need not be directly job-related.

# Unemployment Compensation

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Pacific Lutheran University pays the total cost of this program for terminated employees of the university. Weekly benefits are paid by the Washington State Employment Security Department, which in turn bills the university for the full amount of the benefits. Details regarding eligibility are available from Employment Security Offices. Student workers and those whose work is dependent on, or incidental to, their student status are not eligible to receive unemployment compensation (Revised Code of Washington 50.44.040).

# Vacation

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## Vacation Policy

**Revised March 2009; Revised October 2009**

### **Purpose**

The university encourages time off from work for change of pace and relaxation. For this purpose only, the university provides eligible employees with vacation leave benefits. Accumulated vacation time is not a form of wages or other cash compensation.

### **Eligibility**

All administrators and staff members in regular “with benefits” appointments of half-time (.5 FTE) or more begin accumulating vacation time on their first day of work and may take accrued vacation following satisfactory completion of their introductory period. Temporary employees are typically not eligible for benefits, and therefore do not generally accumulate vacation time.

### **Vacation Accrual Staff Employees in Nonexempt Positions-**

Full-time staff accumulate vacation at the following rates:

<b>Completed Full Years of Employment</b>	<b>Standard Vacation Days per 12-Month Period</b>	<b>Standard Monthly Accrual Rate*</b>	<b>Maximum Vacation Accrual</b>
New hire to 4th anniversary	10	6.67 hours	90 hours
During 5th year to 9th anniversary	15	10 hours	135 hours
During 10th year and beyond	20	13.33 hours	180 hours

Part-time staff members who are eligible for benefits (regularly scheduled to work .5 FTE or more) accrue vacation on a prorated basis using the above schedule.

\*The actual vacation accrual will vary from month to month for part-time staff working irregular schedules (i.e. fewer or zero hours in the summer months; variable hours from one month to the next). See “Accrual Calculation” section.

### **Administrative Employees in Exempt Positions -**

Full-time administrators accrue vacation at the rate of 14.67 hours per month, equivalent to 22 days per year. The maximum vacation accrual is 200 hours. Part-time administrators who are eligible for benefits (regularly scheduled to work .5 FTE or more) accrue vacation on a prorated basis. The more liberal vacation plan for administrators is granted in recognition that administrators work beyond regularly scheduled hours and are ineligible for overtime pay.

### **Accrual Calculation -**

Vacation time is accrued on most paid hours such as regular work hours, paid sick time, and paid vacation and holiday time. The standard annual and monthly vacation amounts noted above are guidelines; the actual accrual amounts will be determined by each person’s eligibility status and his/her actual eligible paid hours as calculated each month by the university’s payroll system.

Vacation time is not accrued on unpaid hours, including personal time without pay and sick time without pay. Vacation time is also not accrued on any hours worked over forty (40) within a workweek. New employees starting after the first of the month will receive a prorated accrual the first month.

### **Vacation Usage -**

Vacations are a time for renewal and rest, and employees are strongly encouraged to take their earned vacation time each year. Employees may accumulate up to the maximum vacation accrual amount appropriate for their position and length of service. However, once that maximum vacation accrual is reached, the employee will forfeit additional vacation leave accrual until such time as his/her vacation balance is under the maximum accrual cap.

Vacation time will not be advanced, but must be accrued prior to the month in which it is used. Vacation leave accrues on the last day of the month and is available for use the first day of the next month subject to the eligibility requirements listed in this policy.

Negative vacation balances are not allowed. Only that vacation time which has been earned and accrued by the end of the preceding month, will be considered eligible vacation pay in any given month. Other time off will be considered personal leave without pay, requiring the standard supervisory approvals.

The supervisor must approve all vacation usage in advance. Employees are encouraged to give as much advance notice as possible when planning vacation time, preferably two weeks notice or more. Employees are also encouraged to take vacation during periods that are less busy in their offices. The vacation date requests preferred by the employee will be considered whenever practical. However, the university reserves the right to deny vacation that may hinder the normal or continuous operation of the department. Supervisors will be reasonable in allowing the use of vacation and may not unreasonably deny vacation requests where the result would be forfeiture of accrued vacation.

If scheduling conflicts arise due to multiple requests for the same vacation time off, requests will typically be granted based on length of service with the university (i.e., the longest service employee being granted first preference for the vacation time), within the constraints of efficient departmental operation.

Administrators and staff members are responsible for reporting all vacation taken in an accurate and timely manner using the monthly staff time sheet. Supervisors and budget heads are responsible for ensuring the accuracy of all vacation and time reporting.

The Payroll Office maintains records of vacation accrued and used. Vacation accrual balances are reported to eligible employees on their monthly payroll deposit advices or paychecks.

Holidays recognized by the university that occur during a scheduled vacation are considered holiday pay and are not counted as vacation time.

Illness or injury occurring during a scheduled vacation will not be charged to sick leave unless the employee or an immediate family member (see Sick Leave policy in the Personnel Manual) is hospitalized. The supervisor may request documentation of hospitalization.

Employees applying for Family and Medical Leave Act (FMLA) leaves will generally be required to use accrued vacation and sick time before unpaid FMLA leave begins. Paid vacation and sick leave will be included in the calculation of the employee's FMLA leave entitlement of twelve (12) weeks (see Family Medical Leave Act in the Personnel Manual).

The transfer of vacation time for use by another employee is not permitted.

### ***Vacation - Transfer***

An employee transferring from one department to another takes along unused, accrued vacation. If the transfer involves a change of employment status (i.e. staff to administrator) the new accrual rate will become effective the day the new position begins.

### ***Vacation - Termination***

Employees are not entitled to receive additional pay in lieu of accumulated vacation leave upon separation of employment. Depending on the specific facts of an individual situation and subject to such documentation as the University may require, PLU generally follows these guidelines:

- An amount equal to the amount of accumulated but unused vacation leave, up to a maximum of 80 hours of accumulated vacation, will be paid upon an employee's separation of employment.
- An employee with fewer than 80 hours of accumulated but unused vacation will receive a payment equal to the amount of accrued vacation.
- The final pay period's vacation accrual (if any) will be calculated on a prorated basis (see Vacation Accrual above).
- All accumulated vacation in excess of 80 hours will be forfeited and lost upon separation of employment. This applies even in the case of an employee who is rehired within 12 months of leaving employment with PLU.
- Terminating employees who have not completed their introductory period will receive no payment for unused vacation time.

# Worker's Compensation

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Each employee is insured through the State Industrial Insurance program that is paid for by the university with a partial contribution made by each employee through payroll deduction. This insurance covers work-related injuries, deaths, and occupational illnesses. It does not cover employees while away from work or while driving to or from work.

# Categories of Employment

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## Full-time and Part-time Status

*Revised January 2011*

Full-time employees are those who are scheduled to work 2,080 hours per year (52 x 40 hours per week for most employees) with an allowance for vacation and holidays.

Part-time employees are those whose work schedule calls for anything less than 2,080 hours.

Employees must be regularly scheduled to work at least half-time (1,040 hours) to be eligible for benefits such as medical, dental, disability and life insurance, and tuition remission. Employees must work a minimum of 1,000 hours to be eligible for PLU retirement contributions, as required by law. Some benefits are prorated for those working less than full-time.

## INTRODUCTORY STATUS

All new employees enter into an introductory period of employment. Introductory periods are generally set for an initial period of 90 days. With Human Resources approval, the supervisor may direct that the introductory period be terminated, curtailed, or extended depending upon the progress being made by the new employee.

The introductory period provides employees an opportunity to determine their interest in, and suitability for, the position. It also gives the supervisor an opportunity to assess the employee's progress.

During the introductory period, new employees typically receive the necessary advice and training from their supervisors to help them learn their assignments and perform satisfactorily.

A performance appraisal is normally conducted at the end of the introductory period for both staff and administrative employees. Successful completion of the introductory period does not alter the employment at will status or confer any greater right to employment than previously existed.

The introductory period is generally waived for employees with satisfactory performance who transfer from one department to another. Supervisors remain responsible for coordinating appropriate coaching and training.

## NONEXEMPT AND EXEMPT STATUS

Positions that do not meet the exemption provisions of the Fair Labor Standards Act and the Washington Minimum Wage Act are defined as nonexempt positions. Employees in nonexempt positions are eligible for pay for time worked over and above that regularly scheduled (refer to the Overtime Policy for specific details). At PLU, nonexempt employees are called staff. All newly employed employees are entered into an introductory period of employment. Introductory periods are generally set for an initial period of three calendar months. The supervisor may direct that the introductory period be terminated, curtailed, or extended depending upon the progress being made by the new employee.

Exempt positions are those which meet the exemption provisions of the Fair Labor Standards Act and the Washington Minimum Wage Act. Full-time employees in exempt positions are not eligible for pay for additional time worked. At PLU, exempt employees are called administrators.

## REGULAR AND TEMPORARY STATUS

Revised October 2009

A regular employee is one in a benefits eligible position who has completed the introductory period.

A temporary employee is one who is employed short term to complete a special project, to assist during a department's peak load period, etc. Temporary employees may be paid on an hourly or salaried basis, depending on whether the position is classified as exempt or nonexempt. Generally temporary employees are not eligible for benefits. University parking passes and identification cards will be issued only to temporary employees hired to work assignments expected to last three months or more, unless they are required to successfully complete the assignment (i.e. adjunct faculty need temporary ID cards to access the Library).

Long-term temporary employees may be eligible for benefits, provided their temporary assignments are expected to last six months or more, and during which time 1,040 or more work hours will be completed. Normal benefit waiting periods will apply. Vacation, sick leave and holiday pay are subject to the same requirements. A temporary appointment is not to exceed one year in length without prior approval of the appropriate officer and the Director of Human Resources.

The hire date will be determined from the date the employee was hired in a regular benefits eligible position. If there has been a break in service of less than one year, the employee will be given credit for prior service in benefits eligible positions. If the break in service is greater than one year, the date of hire will be determined from the date hired in the current regular benefits eligible position. Service awards are based on the hire date.

For temporary employees appointed to regular status, benefits eligibility will be based on the date that the employee moves to the regular benefits eligible position.

### **COMPENSATION PHILOSOPHY**

Pacific Lutheran University is committed to providing a comprehensive program of higher education. The university recognizes that the people who comprise its faculty and staff are central to achieving this objective. In order to assure that employees are recognized and rewarded within the constraints of its financial resources, the university supports a pay system that:

1. Is compatible with and supportive of the university's goal to provide a comprehensive program of higher education.
2. Is designed to attract, retain and reward people who are knowledgeable about and committed to the university's mission and goals and who are capable of achieving performance objectives within the university environment.
3. Allocates compensation in a fair and equitable manner, reflecting excellence in both individual and group performance.
4. Provides compensation levels consistent with the employee's contribution to the university's mission and goals.

# Demotions

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A demotion is a movement to a position in a lower pay grade. Demotions may occur as a result of organizational realignments or performance difficulties among other possible reasons. If an employee is demoted, the circumstances of each case will be reviewed to ascertain the appropriate pay rate for the new job. It is the general practice that the wage rate of the employee will not be cut if the demotion is not a result of poor performance. However, if a reduction in force was ever to become a necessity, the university reserves the right to decrease individual wage rates to an appropriate pay level for the newly assigned lower level responsibilities.

# Pay

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Most university positions are assigned to a salary grade. Each salary grade has a minimum wage and a maximum wage. The midpoint of each range is driven by the market rate for positions in that salary grade. The pay range of the salary grades are reviewed annually. New employees in nonexempt positions normally start in the first quartile of the assigned range, while new employees in exempt positions normally start in a unique range identified for the specific position. Exceptions to this practice are infrequent. Above standard starting wage will be authorized only if such action will not create an internal equity problem with current employees in the same classification or pay level.

# Position Classification

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The university uses numerous techniques to classify staff and administrator positions, including:

- participation in and review of salary surveys
- review by Human Resources and President's Council
- consideration of the Fair Labor Standards Act (FLSA) exempt/nonexempt guidelines
- input from the relevant department head
- Human Resources conducts an annual process to review positions within the salary grade structure, and to consider requests relative to the level of existing positions and those positions in which job duties have changed significantly. New positions are evaluated as needed

Supervisors may request a position be re-evaluated to determine whether the position is appropriately classified by submitting a new job description or job analysis questionnaire and a memo documenting the reasons why a re-evaluation is warranted (significant change in job duties due to department reorganization, etc).

If a position is reclassified to a new salary grade, and/or status, the position level will typically be revised at the time of the university's regular salary changes (generally June 1 of each year).

# Promotions

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A promotion is a movement to a job at a higher pay grade or a job with significantly higher duties. Vacant positions may be filled by promoting current employees. Salaries of employees who are promoted will be established using the range of the new pay level, the wage rate of similarly situated employees and the promoted employee's qualifications.

# Supplemental Pay Policy

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## ***Approved by President's Council October 2003***

Supplemental work above one's basic letter of appointment and any resulting, associated pay requires the prior recommendation of one's supervisor and the prior approval of the vice president and must be made in accordance with university personnel policies.

For one-time payments to faculty and administrators, recommendations may be made using the Extra Pay Form, which can be downloaded from the Payroll office website.

For payments spanning more than one pay period, follow the most current version of the Procedures for Production of Part-time Service and Teaching Agreements. All deans and their administrative assistants have these procedures; they are also available in Human Resources.

Any extra pay for faculty and staff must be approved in advance by the appropriate vice president before the work is performed. The deans may not authorize such payments.

# Transfers

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A transfer is a movement to a different job in the same department or a job in a different department that does not involve a promotion or demotion. Transfers within the same pay grade are normally made without an adjustment in pay.

# Arbitration

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## **POLICY FOR ARBITRATION OF ADMINISTRATIVE AND STAFF (FOR STAFF HIRED JUNE 1, 2014 OR LATER) EMPLOYMENT DISPUTES**

April 1, 2002; updated April 1, 2008; updated April 1, 2010; updated April 1, 2013; updated June 1, 2014

**1. Arbitrable Disputes.** In the event a dispute arises between the employee signing this Agreement (“Employee”) and Pacific Lutheran University (“PLU”) or any of PLU’s officers, regents, employees or agents in their capacity as such, regarding any matter arising out of Employee’s employment with PLU, or the separation thereof, including, but not limited to, any dispute or claim arising under any federal or state statute, regulation, law or common law, relating to the employment relationship (collectively “arbitrable matters”), the dispute shall be resolved solely and exclusively by final and binding arbitration conducted in accordance with the terms of this Policy. Arbitrable matters shall not include: 1) a claim for workers’ compensation benefits; or 2) a claim for unemployment compensation benefits. This Agreement does not limit Employee’s right to file a charge with the National Labor Relations Board, the Equal Employment Opportunity Commission, the Washington State Human Rights Commission or similar government agency.

**2. Waiver of Judicial Forum.** The Employee and PLU waive any right to a judicial forum other than for the purposes of obtaining a judgment on the arbitration award or collecting on such a judgment. Any dispute concerning the interpretation or enforceability of this Arbitration Agreement, including, any dispute about the enforceability of this arbitration agreement, the scope of arbitrable issues, the severability of any clause, and any defense to arbitration shall be decided by the arbitrator.

### **3. Arbitration Procedures.**

a. **Commencement of Arbitration.** Arbitration of an arbitrable matter shall be commenced by serving a written demand for arbitration on the other party, either personally or by both regular first class mail and certified mail, return receipt requested. A demand for arbitration initiated by an Employee shall be addressed to the Director of Human Resources. The demand for arbitration shall be served within the applicable statute of limitations periods (deadlines for filing) for the claims upon which the party’s demand for arbitration is based. If arbitration is demanded on a claim after the expiration of the applicable statute of limitation period, the claim shall be void and deemed waived. The demand for arbitration shall identify and describe all of the claims asserted, the facts upon which such claims are based and the relief or remedy sought. After a party serves a demand for arbitration on the other party, the parties shall file a request for arbitration with the American Arbitration Association (“AAA”) pursuant to the Employment Arbitration Rules (“Rules”).

b. **Arbitration Rules of Procedure.** The arbitration shall be conducted in accordance with the AAA’s Employment Arbitration Rules (“Rules”) in effect at the time arbitration is demanded. The Rules are available on line at [www.adr.org](http://www.adr.org). Notwithstanding any other provision of the Rules, the parties shall be entitled to conduct such discovery as would be authorized by the Washington Rules of Civil Procedure for a period of 180 days following appointment of the AAA arbitrator, unless a longer period of time is ordered by the arbitrator upon a showing of good cause for the extension. Any disputes or disagreements regarding discovery matters shall be presented to the arbitrator for resolution. The arbitration hearing shall be scheduled and held in accordance with the Rules. The arbitrator shall render an award and written opinion no later than thirty (30) days following the arbitration. The opinion shall include the factual and legal basis for the award. A judgment on the arbitration award issued pursuant to this Agreement may be entered by a court of competent jurisdiction over the parties.

c. **Fees and Expenses.** The parties agree that the expense of the arbitration and the arbitrator’s fees and expenses shall be borne by PLU, except in the case of an arbitration demanded by the Employee, the Employee shall be required to pay only the portion of the expense of the arbitration and the arbitrator’s fees and expenses equal to the amount the Employee would be required to pay to file suit in Washington State Superior Court. Each party shall pay for its own costs and attorney’s fees, if any, except as provided in Paragraph 4 below.

**4. Law and Remedies.** In making the decision and rendering the award, the arbitrator shall apply applicable substantive law. The arbitrator may award injunctive relief or any other remedy that would have been available to the parties had the matter been heard in court. All statutes of limitation that would apply in court shall apply in the arbitration. The arbitrator may award attorney’s fees, arbitration fees and costs to the prevailing party, to the extent authorized by the applicable statutes and which would have been available to the parties had the matter been heard in court.

**5. Coordination with PLU Dispute Resolution Procedure.** PLU is committed to the internal resolution of disputes arising within the University Community, wherever such resolution is possible. Parties to such disputes are strongly encouraged to utilize the PLU Dispute Resolution Policy and Procedure to resolve all disputes subject to that policy. PLU does not intend this policy to replace the desire to resolve disputes within the University Community. This policy is, however, designed for those disputes where an internal resolution cannot be achieved.

**6. Severability.** In the event that any provision of this Agreement shall be determined to be unenforceable or otherwise invalid for any reason, the remaining provisions of such policy are severable and the unenforceable or invalidity of any single provision of this policy shall not affect the remaining provisions of this policy.

# Grievance Policy and Procedures

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## Grievance

***Adopted September 1997***

***Updated September 2001, April 2002, August 2005, November 2010, and July 2014***

### **I. INTRODUCTION**

Pacific Lutheran University is committed to the internal resolution of disputes arising within the university community. To that end, the President has appointed a University Dispute Resolution Committee that includes representatives from the faculty, student life, human resources and academic administration. The Committee appointments shall each be for a minimum two-year term.

The University Dispute Resolution Committee (UDRC) is charged with reducing conflicts and helping members of the community resolve disputes appropriately, expediently and fairly. The committee does so by educating the community about campus policies and dispute resolution options; coordinating dispute resolution services; investigating grievances when appropriate and advocating for review of university policies and procedures when necessary.

It is the intent that the University Dispute Resolution Committee be a resource for all members of the PLU community. The UDRC may assist any faculty, administrator, staff or student who needs consultation or referral to resolve an on-campus conflict, or who desires conflict resolution services. The UDRC also processes all formal grievances as allowed by the University's Grievance Policy, except those that (1) relate to faculty tenure, dismissal or discipline, (2) which otherwise arise under the grievance procedure set forth in Article VI of the Faculty Constitution and Bylaws or (3) which arise under the Student Conduct System. The University Dispute Resolution Committee (UDRC) processes complaints of sex discrimination, (including, but not limited to, sexual harassment, sexual assault, sexual misconduct and sexual violence) by employees when such conduct is alleged against any member of PLU's staff, faculty or third parties. The UDRC follows the Grievance Policy and Procedures. Students who are also employees may be subject to the Student Conduct process, depending on circumstances and at the University's discretion. Similar complaints against students are handled under the Code of Student Conduct and the Student Conduct Procedures.

The UDRC shall have authority to establish separate policies and procedures for certain types of grievances. Subject to faculty approval, the UDRC shall also have authority to enact special policies and procedures for resolution of grade disputes and issues of academic dishonesty. The University Dispute Resolution Committee has the authority to appoint additional committee members on an as needed basis, for example, when one or more UDRC members would be unable to participate in a specific matter or when an additional member would assist in serving the mission of the University Dispute Resolution Committee.

The university encourages community members to resolve their disputes at the earliest and most informal level (i.e. by talking directly with the individual(s) involved; through facilitated conversation and/or through conflict mediation). When informal resolution is not possible, every member of the university community, whether faculty, student, administrator or staff, has the right to file a grievance and access the grievance procedures established by the UDRC. Grievances may be initiated by contacting any member of the Committee. Grievances involving allegations of sexual harassment, sexual assault, and sexual violence may also be initiated by contacting the Title IX Coordinator, Teri Phillips, at 253.535.7187 or phillitp@plu.edu or any member of the UDRC, see [www.plu.edu/udrc](http://www.plu.edu/udrc) for members. Grievances first reported elsewhere in the community should be referred to the Committee for resolution, except for grievances that arise under the faculty constitution and by-laws or under the Student Conduct System.

If, at any time during a conflict resolution or grievance proceedings, a participant believes that a member of University Dispute Resolution Committee has a conflict or the appearance of a conflict, or that the dispute/grievance involves or potentially involves a member of the Committee, that member will be excused from any further involvement in the grievance proceedings. In such circumstances an additional UDRC member may be appointed by the remaining University Dispute Resolution Committee members.

The grievance policy and procedures will be published bi-annually and distributed to all members of the university community.

### **II. GENERAL ADMINISTRATIVE PROCEDURES**

The following administrative procedures shall apply to all grievances, with the exception of (1) grade disputes; (2) allegations of academic dishonesty; (3) student conduct issues covered by the Student Code of Conduct; (4) faculty grievances relating to tenure, dismissal, or discipline and/or (5) grievances which otherwise arise under the grievance procedure set forth in Article VI of the Faculty Constitution and Bylaws.

The voluntary and/or involuntary termination of faculty, staff and administrative personnel may not be grieved under this Grievance Policy and Procedures. Such termination is not subject to these administrative procedures. While such termination

decisions may not be grieved, the UDRC may investigate allegations that the termination of a faculty, staff or administrative employee was contrary to the University's anti-discrimination policy, anti-harassment policy or was otherwise in violation of any PLU policy or any applicable state, federal or local law. In conducting such investigations, the UDRC may elect, at its sole discretion, to use any of the informal or formal dispute resolution procedures set forth in this policy. The determination of how to process a grievance alleging that a termination was contrary to PLU policy and/or applicable law shall rest solely with the UDRC.

A faculty member who seeks to grieve a dismissal or disciplinary decision may have such matter reviewed under the grievance procedure set forth in Article VI, Section 1 of the Faculty Constitution and Bylaws.

All other matters, including, but not limited to, disputes or complaints relating to discrimination and sexual harassment sexual assault, and sexual violence shall be handled in accordance with the following procedures.

The University is committed to resolving all grievances arising under these procedures, including complaints of sexual harassment and/or misconduct, at the earliest and most informal level.

### **A. Informal Grievance Resolution**

A grievant may pursue any of the following options for informal resolution:

1. Direct Resolution. The grievant may discuss directly with the respondent the allegations of the grievance and work with the respondent to resolve any concerns.
2. Supervisor Resolution. If the action suggested in paragraph 1 is unsuccessful, ill-advised or otherwise inappropriate, the grievant is encouraged to first discuss his or her concerns with the supervisor or department chair who is responsible for taking appropriate action. If the grievance directly involves the supervisor, the grievant may go to the next level of supervision or may bring the matter directly to the University Dispute Resolution Committee as set forth below. If a grievance directly involves an individual at the level of Vice President, Dean, Provost or President, the grievant should bring the matter directly to the Dispute Resolution Committee. The matter may be concluded by mutual consent at this point. Supervisors and chairs must inform the Dispute Resolution Committee when handling grievances, which involve potential violations of the University's policy on discrimination, sexual harassment or sexual misconduct.
3. University Dispute Resolution Committee. If there is no mutually satisfactory resolution at an earlier stage, or if the grievant does not wish to bring the matter to the chair or supervisor, the grievant may contact any member of the University Dispute Resolution Committee to seek resolution. The Dispute Resolution Committee may discuss options for informal handling of the grievance, make referrals to appropriate resources and support services, and, with the permission of all parties, may also attempt to resolve the problem through mediation.

At any point in the process, the grievant may send written notification to the Dispute Resolution Committee that the situation is resolved or that no further University action is desired. The Dispute Resolution Committee will retain records of informal grievances for a minimum of three (3) years.

At any time during the informal resolution process, either party, or the Dispute Resolution Committee, may request that informal resolution efforts be terminated and that the formal grievance procedures be initiated. Such request shall automatically suspend informal procedures. At such time, the Dispute Resolution Committee, or any subcommittee thereof, shall, within five days, hold a meeting with both parties to discuss options for informal resolution, including mediation. If no agreement can be reached as to informal means of resolution or if informal procedures fail, then either party, or the Committee, may request that the grievance proceed in accordance with the formal grievance procedures set forth in Section B, below.

### **B. Formal Grievance Procedures**

1. Filing the Written Grievance. Grievants for whom the matter has not been satisfactorily resolved through the informal process may file a written grievance with the University Dispute Resolution Committee within five (5) working days after termination of the informal process. If no informal resolution was sought, written grievances must be filed within 30 working days of the alleged incident. The grievance shall include the grievant's written statement describing the alleged inappropriate action or misconduct. Upon receipt, the grievance shall be marked with the date received.
2. Determination of Whether Grievance is Subject to Procedures. Within five (5) working days of the grievance filing date, the Dispute Resolution Committee shall determine whether the facts alleged in the grievance fall within the purview of these procedures. If not, the grievant shall be so notified in writing. No appeal may be taken internally of such determination.
3. Notification to Respondent. If it is determined the grievance falls within the purview of these procedures, the Dispute Resolution Committee shall, within three (3) working days of such determination, provide a copy of the grievance to the respondent, together with a copy of these procedures.
4. Written Response May Be Filed. Within five (5) working days after receiving a copy of the grievance, the respondent may submit to the Dispute Resolution Committee a written response to the allegations raised in the grievance. The respondent is encouraged to provide a written response, however, failure to answer a charge or to participate in the investigation will not prevent the process from proceeding. Failure to respond may result in the investigation proceeding solely on the basis of the grievant's testimony and evidence.
5. Investigation of the Grievance. Within fifteen (15) working days of receipt of the respondent's written response, or, if there is no written response, within twenty (20) working days of notification to respondent, the Dispute Resolution Committee or its designees shall complete an adequate, reliable and impartial investigation which may include interviews with both parties and with those identified by the parties as having personal knowledge of the facts relating to the grievance; review of

- written responses as appropriate; and/or review of any documents or other evidence submitted by the parties or by persons with knowledge.
6. Preliminary Report and Recommendations. Within five (5) working days after completion of the investigation, the Dispute Resolution Committee will prepare a preliminary written report which details the investigative process, summarizes information received, and presents the Committee's factual findings and recommendations. Copies of the preliminary report shall be given to the grievant and respondent.
  7. Rebuttal Statements. Should either the grievant or the respondent dispute the findings of the preliminary report or the recommendations, rebuttal statements may be filed with the Committee within five (5) working days of receipt of the preliminary report. The Committee may review the rebuttal statements and shall have the authority to reopen its investigation and amend its preliminary investigative report, if it deems such action appropriate. Either party may also submit names of additional witnesses and additional information, additional evidence or documents, etc.
  8. Final Report and Recommendations. Within seven (7) working days of receipt of any rebuttal statements or additional information, the Committee shall complete a final investigative report and recommendations. In the event no rebuttal statements are submitted, the Committee's preliminary report shall be deemed final. Copies of the final investigative report and recommendations shall be given to the grievant, to the respondent and to the appropriate vice president, dean and/or department head. If the grievance involves a faculty member, a copy of the final report shall also be provided to the Provost.
  9. Review by Appropriate Supervisor. Within ten (10) working days from completion of the Committee's final report, the appropriate Vice President, Dean or Provost shall assess the report, review any written statements, determine whether to accept the recommendations, and take any responsive action. In the event the grievance and/or recommendations of the Dispute Resolution Committee directly involve a Vice President, Dean or Provost, the Committee will designate an alternate authority to assess the report and determine any responsive action. Such action, if any, shall be in accord with applicable University policy. The grievant shall be informed of any corrective action taken involving the respondent. Where sexual harassment sexual assault, and sexual violence is found, the university will take steps to prevent recurrence of any harassment and correct discriminatory effects on the Grievant and others, if applicable.
  10. Time Limits. Time limits set forth in these procedures may be extended by the Dispute Resolution Committee upon request and showing of good cause. Either party may seek an extension of time. Reasonable extensions of time may also be granted upon initiation of the Committee at its discretion. The Dispute Resolution Committee will not usually extend the time for filing a written grievance except for those situations in which the grievant alleges violation of the University's Policies on Equal Opportunity, Affirmative Action, and Sexual Misconduct. When appropriate, time limits may also be extended from one school year to the next.
  11. Grievance Initiated by Administration. The President, Provost, or any Vice President may request that the Dispute Resolution Committee conduct an investigation without a formal grievance from any individual. In such cases, the Provost or applicable Vice President will act as the grievant. In those cases, the Dispute Resolution Committee will use the same notification and process guidelines as outlined in the formal grievance procedures.
  12. Grievance Initiated by University Dispute Resolution Committee. The Dispute Resolution Committee may initiate a formal grievance at any time where an individual declines to pursue the formal grievance process and/or where the Committee believes the University's Policies on Equal Opportunity, Affirmative Action, and Sexual Misconduct may have been violated. In such cases, the grievance will follow the same notification and procedures set forth above. The Dispute Resolution Committee has the right, where appropriate, to protect the identity of a grievant and to proceed with an anonymous grievant. That right should be used only in rare circumstances, taking into consideration the inherent difficulty to the respondent, and only after consultation with the University's attorney.
  13. Record Retention. The Dispute Resolution Committee is the custodian of all records developed during the investigation of a grievance. All records of the Dispute Resolution Committee are considered confidential and will be retained by the Committee for three (3) years, except records relating to grievances involving violations of the University's policies on Equal Opportunity, Affirmative Action, and Sexual Misconduct, which may be kept indefinitely at the discretion of the Committee.
  14. Sanctions. The Dispute Resolution Committee has no authority to impose any sanction, however, it may, as part of its investigative report, recommend a particular sanction or course of corrective action. The actual authority to impose sanctions and other corrective action shall remain with the Provost, as to faculty; the Vice President of Student Life, as to students; and the appropriate administrative Vice President as to staff and administrative personnel. The authority imposing sanctions shall report its action to the Dispute Resolution Committee in writing.
  15. Falsified Grievance. Deliberately filing a grievance with false statements is considered to be serious misconduct and such offenses will be subject to the full range of disciplinary sanctions, including termination and/or expulsion.
  16. Right of Appeal. Either party may appeal to the President of the University the findings of the Dispute Resolution Committee's final investigative report. The Dispute Resolution Committee may also request that the President review a particular grievance. Such appeal must be filed in writing to the President's Office within ten (10) working days after completion of review by the Vice President or Provost in accordance with paragraph 9 above. The President may choose to accept, reject, accept in part, or reject in part the investigative findings and recommendations. The President shall have final authority.
  17. Attorneys. These procedures are intended to be a means of internal resolution only. As such, attorneys will not be allowed to participate directly in any phase of these grievance procedures, however, any party affected by a grievance is free to consult with an attorney of his or her choice at his or her own expense.
  18. Retaliation Prohibited. The University expressly prohibits retaliation against any person who has filed a grievance, or in any way participated in the grievance process. Any person who violates this policy may be subject to disciplinary action, including termination and/or expulsion.

### **III. ALTERNATIVE GRIEVANCE PROCEDURES**

These grievance procedures do not supersede existing procedures for resolution of grade disputes, academic dishonesty or

matters arising under the Student Code of Conduct or any grievance procedures set forth in the Faculty Constitution and Bylaws. Where a grievance may be brought in under an alternative procedure, the grievant must elect at the outset which forum to use. As used herein, the term “outset” shall mean (a) with respect to a grievance filed under these policies, the date such grievance is accepted by the UDRC or (b) with respect to a grievance filed under an alternative dispute resolution procedure, the date such grievance is filed with the alternative adjudicating body. If a grievant chooses to proceed under these administrative procedures in lieu of alternate internal grievance procedures, then the grievant may not subsequently pursue the alternate grievance procedures for resolution of the same grievance. Similarly, if a grievant elects to pursue an alternate grievance procedure, the grievant may not subsequently seek to use these procedures to resolve the same grievance.

Should a faculty member file any grievance under the grievance procedure set forth in Article VI, Section 1 of the Faculty Constitution and Bylaws, that faculty member thereby waives right to have the subject matter of such grievance addressed under this Grievance Policy and Procedures. Similarly, a faculty member who elects to have any matter proceed under this Grievance Policy and Procedures thereby waives any right to have the subject matter of such grievance addressed under the Grievance Procedures set forth in Article VI, Section 1 of the Faculty Constitution and Bylaws.

#### **IV. SPECIAL CONSIDERATIONS IN SEXUAL MISCONDUCT CASES**

PLU takes allegations of sexual harassment and sexual violence very seriously. Allegations that PLU’s Sexual Misconduct Policy has been violated trigger some procedures in addition to those set out above as required by federal law.

PLU generally investigates allegations of sexual harassment and sexual violence in one or more of three ways. All three processes are designed to:

- Provide notice to students and employees of sexual misconduct grievance procedures, including where complaints may be filed;
- Apply the procedures to complaints alleging harassment carried out by employees, other students, or third parties;
- Provide for adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence;
- Set out designated and reasonably prompt time frames for the major stages of the complaint process;
- Provide notice to parties of the outcome of the complaint. Assure community members that the university will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

PLU’s three processes are:

**The Student Conduct Process** is utilized if allegations are made that PLU’s Sexual Misconduct policy in its Code of Student Conduct has been violated by a current student. The process is governed by PLU’s [Student Conduct Procedure](#).

**The University Dispute Resolution Process** is utilized if allegations are made that PLU’s Human Resources Policy has been violated by a faculty or staff member, or a third party. The process is governed by PLU’s [Grievance Procedures](#).

#### **Further Investigative Process by the Title IX Coordinator**

The Title IX Coordinator is advised of and monitors all allegations of conduct that may constitute sexual harassment or sexual violence, as they are filed in and investigated and determined through either the Student Conduct process or the UDRC process. The Associate Director for Student Rights and Responsibilities and all UDRC Committee Members have been designated as Title IX Deputies to actively participate in the Student Conduct and Dispute Resolution processes, respectively. All final determinations of either group are forwarded to the Title IX Coordinator for review. The Title IX Coordinator will, in her sole discretion, decide whether further investigation is necessary to determine whether a violation of Title IX may have occurred. PLU’s Code of Student Conduct Sexual Misconduct Policy – which is designed to educate students about healthy sexual interaction – prohibits some sexual conduct that may not rise to the level of sexual harassment or violence as defined by Title IX. As a result, it is possible for a student to be found “Responsible” and sanctioned for a violation of the Sexual Misconduct policy in the Student Code of Conduct, but for a determination to be made that the conduct has not violated Title IX.

If the Title IX Coordinator investigates further, and discovers information that causes her to believe Title IX may be violated, s/he may file an independent Incident Report in the Student Conduct Process or a Complaint in the Grievance Process based on the additional information. The prompt and equitable procedures set out in the Student Conduct Procedures and the Grievance Procedures will be utilized to review the additional information.

All questions about PLU’s efforts to stop sexual harassment and sexual violence should be directed to the Title IX Coordinator (and/or the Associate Director of Rights and Responsibilities in the appropriate case.)

# Attendance

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## ***December 2008***

Regular and reliable attendance is an essential function and a requirement of all positions at the university. Failure to maintain regular and reliable attendance as determined by the University may lead to disciplinary action up to and including termination of employment.

# At Will Employment

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All staff and administrative employees are employed on an at will basis. This means that both the employee and the University may end the employment relationship at any time and for any reason, with or without advance notice or cause. Nothing in this Personnel Manual is intended to or shall be interpreted to change the at will nature of a staff employee's employment at PLU. Similarly, nothing in this Personnel Manual is intended to or shall be interpreted to make any promise of specific treatment in any specific situation.

# Back to Work Policy

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## Back to Work

Pacific Lutheran University values the safety, health and well being of all employees. PLU policy is to provide safe and healthful working conditions in all operations and to follow the laws and regulations about the safety and health of our employees. When working with supervisors and employees, PLU will draw on all applicable policies.

Should you become injured or ill, it is important that you return to employment as early as is medically safe for you to do so. At the same time, however, it is important that you not return to work unless it is medically safe. A doctor's release may be required prior to your return to work. Your supervisor and/or Human Resources will stay in contact with you and your medical provider to keep up-to-date on your recovery progress.

Light duty assignments may be developed where possible for employees who are unable to return to their normal duties while recovering from their injuries. Light duty assignments will be evaluated on a case-by-case basis. If you are eligible for a light duty assignment, your medical provider will be contacted to furnish information on the nature of the work you are medically able to perform. If accommodations are necessary to perform your duties, the university will attempt to make reasonable accommodations.

Should you be assigned to light duty, you will be expected to follow the advice of your medical provider. If you have trouble performing these duties, let your supervisor know immediately. You then need to follow-up with your medical provider. She/he should provide a written report giving medical reasons why you are unable to continue working.

PLU reserves the right to ask for a second and/or third medical opinion at its expense where it is concerned about the medical ability of an employee to return to work or to perform light duties.

No one knows your job better than you do. Please help us by making suggestions about what duties you feel you can safely perform. Also, please let us know how your job might be changed so you, or an injured co-worker, can more easily and safely do it.

Please report all injuries or hazardous situations to your supervisor as soon as possible.

# Continuous Service

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## **Revised October 2009**

Many of the benefits of employment are determined at least in part by an employee's length of service. Therefore, the computation of "continuous service" must be accomplished in a fair, consistent, and impartial manner.

Continuous service begins with a person's date of employment in a benefits eligible position and is not broken by leaves of absence so long as an employee returns to work before the expiration of such leaves. Continuous service is also not broken by entry into military service so long as the employee exercises his or her return rights and all conditions established by the U.S. Department of Labor regarding such return are met.

Continuous service under this policy is broken in the event of:

1. Involuntary termination;
2. Voluntary termination if not re-employed within one year of termination date;
3. Remaining in a state of layoff for a period of one year.

Employees who are rehired by the university in a benefits eligible position within one year (365 days or less) following voluntary termination or layoff will receive credit for their prior benefits eligible service for service awards.

Some of the university's benefit plans have different definitions relative to a break in service, and such definition will apply to those benefit plans. Please contact Human Resources if you have a specific question about a possible break in service.

# Employment Procedures

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## ***Updated January 2011***

Authority to fill a vacant or newly created position is obtained by completing a Position Request form and routing it through the appropriate budget head, dean or director, vice president(s), President's Council and Human Resources. Human Resources will assure that the position has been properly classified and will establish the hiring salary range.

Job Vacancy announcements are prepared for all positions in which applications will be accepted. Essential duties of the job will be clearly identified along with required and preferred job qualifications.

Generally staff and administrative positions are posted in Human Resources, listed on the PLU Job Line, and posted on the PLU website. Positions may be advertised in a variety of other ways depending on the type of position.

Appropriate advertising and mailing lists are used to solicit applications. To develop diverse applicant pools, recruiting procedures are reviewed for consistency with the university's Affirmative Action Plan.

Positions are sometimes advertised internally first for current university employees to afford them the opportunity to be considered for advancement or transfer. If on-campus efforts are unsuccessful, the position may be opened to all applicants. Positions may, however, be directly opened to all applicants.

For most staff and administrative positions, applications are pre-screened by Human Resources using specific criteria provided by the hiring department. The hiring department may interview as many applicants as desired. The salary offered to the finalist will be determined by Human Resources with input from the hiring department. Employment offers will typically be made by the hiring manager, and HR will confirm the starting date and salary in writing with the selected applicant.

# Labor Relations Policies

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## **Employee Labor Relations**

The university believes the best interests of its employees are served by direct contact with the university's management rather than through representation by an outside organization.

The university makes every effort to treat employees honestly, equitably, and objectively by developing and administering human resource policies and programs designed to assure fair, consistent, and individual treatment for every employee. By providing these programs, the university believes that employees will have no need to work through a union form of employee organization.

## **National Labor Policy**

Pursuant to national labor policy, employees have the right to choose freely whether they wish to form or join unions or whether they wish to deal directly with management. The university acknowledges this policy.

# Nepotism Policy

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Relationship by family or marriage constitutes neither an advantage nor a deterrent to appointment by the university, provided that the individual meets the appropriate standards for the position to be filled and provided that the individual will not be in the chain of supervision of a spouse, family member, or person with whom the individual is dating. Employment will be denied under the following circumstances:

1. Where one family member would have the authority or practical power to supervise, appoint, remove, or discipline another;
2. Where one family member would be responsible for auditing the work of another;
3. Where other circumstances exist which would place family members in a situation of actual or reasonably foreseeable conflict between the employer's interest and their own.

Applicants who are denied employment to a particular position for one of the foregoing reasons will be considered for other vacant positions for which they may be qualified. Failure to advise the university of the existence of one of these circumstances may result in a withdrawal of an offer of employment or actual discharge from employment.

Existing PLU employees who become involved in one of the foregoing circumstances have an obligation to advise the university about the conflict. Every effort will be made to resolve the conflict without loss of employment to either employee, however, the university reserves the right to transfer one or both employees, to discharge one or both employees or to demote one or both employees to resolve the conflict. Employees who fail to advise the university of the existence of a family, spousal or dating relationship under one of these circumstances will be subject to discipline, up to and including discharge.

# Orientation for New Employees

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Orientation is an important part of becoming familiar with one's job, work environment, and the university. The supervisor is primarily responsible for orienting new employees. Assistance will come from the Personnel Manual, fellow employees, Human Resources Benefits Orientation, and a formal orientation meeting for new staff and administrators conducted twice a year.

# Personnel Files

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Personnel files for all current staff, faculty, and administrators are maintained within Human Resources. For mutual protection, confidentiality is used when addressing all personnel-related matters.

It is important for legal and business purposes that Human Resources maintain current personal information in each employee's personnel file regarding legal name, home or forwarding address, telephone number, emergency contact, and marital and/or dependent status. It is the employee's responsibility to notify Human Resources of any changes to information necessary to keep benefits status and employment data current and accurate.

Employees may have access to their personnel files, which do not include pre-employment reference information. Any employee who wishes to review his or her personnel file should contact Human Resources to schedule a mutually convenient time when the file can be reviewed. The personnel file cannot be removed from Human Resources. However, employees may request copies of documents in the file. If the employee identifies file information that he or she believes to be irrelevant or incorrect, the employee can request that the file information be removed or can prepare a rebuttal or corrective statement for the personnel file.

# Pre-Employment Screening Policy

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## **ADMINISTRATORS AND STAFF**

***October 2000; Revised January 2011***

The university seeks to hire well-qualified applicants for vacant positions. To achieve this goal, the university has developed this policy regarding background checks, reference verifications and related inquiries. This policy applies to all regular full-time and regular part-time staff and administrator positions filled after the effective date of this policy. The university will determine whether this policy will apply to temporary positions, on a case-by-case basis, depending on factors such as the nature, duration, scope and duties of the position.

Position offers (both verbal and written) to finalist candidates for staff and administrator positions, whether they currently work for PLU or not, are contingent upon satisfactory completion of the pre-employment screening process. Refusal to complete the process or the receipt of questionable or unsatisfactory information during the screening process may result in the position offer being rescinded. The verification process will generally include:

- All finalists – employment verification, criminal record search, Social Security tracking report.
- For positions requiring a college degree and/or professional license – education and/or professional license/certification verification, plus the checks noted above that apply to all finalists.
- For positions requiring a valid driver's license – driving record verification, plus the checks noted above that apply to all finalists.
- For positions with significant money handling and/or fiduciary responsibilities – credit report, plus the checks noted above that apply to all finalists.
- For positions requiring physical skills (frequent lifting, bending, etc.), satisfactory completion of a physical capacities exam (including a drug screen) will be required once a conditional job offer has been extended. In addition, the checks noted above that apply to all finalists must be completed.

Where appropriate, records outside Washington State and Pierce County will be reviewed. For example, this would apply in the case of a finalist from another state.

All finalists must complete the background check packet to permit the university to obtain necessary information. These documents are available in Human Resources. Because these documents are needed to comply with legal obligations, the verification process will begin after the background check packet and employment application have been completed.

As soon as finalist candidates are identified, the hiring official must notify Human Resources, who is responsible for coordinating the background check and screening process. Human Resources maintains a central budget to pay for the cost of the pre-employment screens. The employment application materials, background check, and results are kept in Human Resources.

Human Resources will review the results of the pre-employment checks and share them on a “need to know” basis.

## **FACULTY**

***September 2002; Updated January 2010; Updated January 2011***

The university seeks to hire well-qualified candidates for vacant positions. As one step towards achieving this goal, the university conducts a variety of pre-employment verifications.

This policy applies to all faculty positions filled after the effective date of this policy. The background verification process outlined here is a supplement to, not a replacement for, the standard employment references that should be completed by faculty search committees.

Position offers (both verbal and written) to finalist faculty candidates are contingent upon satisfactory completion of the pre-employment screening process. Refusal to complete the process or the receipt of questionable or unsatisfactory information during the screening process may result in the position offer being rescinded. The verification process will generally include:

1. Employment verification and references (typically completed by the department chair and/or search committee members), and
2. Criminal record search and Social Security verification (typically completed by a local firm upon request by Human Resources), and
3. Education and/or professional license/certification verification if applicable (typically completed by a local firm upon request by Human Resources).

Where appropriate, records outside Washington State and Pierce County will be reviewed. For example, this would apply in the case of a finalist from another state.

Based on the requirements of the position, other items may be screened as appropriate. For example: positions requiring a valid driver's license may require a driving record and valid state driver's license verification; positions requiring physical skills (for example, physical education positions or others requiring frequent lifting, bending, etc.) may require satisfactory completion of a physical capacities exam once a conditional job offer has been extended.

When finalist candidates return their employment contract, they should complete the PLU employment application and the background check packet. These documents are available in Human Resources. Because these documents are needed to comply with legal obligations, the verification process will begin after the background check packet and employment application have been completed.

When the top candidate is selected and the employment contract has been signed, Human Resources coordinates items 2 and 3 of the screening process outlined above.

Human Resources maintains a central budget to pay for the cost of the pre-employment verifications. The employment application, background check, and results are kept in Human Resources. The results of the pre-screening process will be shared with the appropriate hiring official(s).

# Termination of Employment

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## **OUTPROCESSING**

Departing employees are asked to clear campus by completing an outprocessing form to ensure there are no outstanding obligations. In some cases Human Resources may coordinate this information gathering process. The outprocessing form also ensures that Human Resources and Payroll have a forwarding address (if appropriate). The completed form is normally turned in to Human Resources on the last day of work.

## **NOTICE OF RESIGNATION**

Administrators are requested to give at least 20 working days notice of resignation, and staff employees are requested to give at least ten working days notice of resignation. Introductory, training and temporary staff members need not give prior notice when terminating. The notice should be in writing to the employee's supervisor with a signed copy to Human Resources, and include last day of work, and reason for resignation. It is from this data that the employee's final paycheck is calculated. The termination date will be the employee's last day actively worked. The employee cannot claim sick or vacation leave on their last day of employment.

## **REDUCTION IN FORCE**

The university strives to maintain staffing levels and organizational structures that efficiently match the workload on campus. Changes may be necessary from time to time to ensure both effectiveness and efficiency.

### **Introduction and Decision-Making**

In the event of a change in program or services, whether or not there is financial exigency, an officer of the university may initiate a reduction and/or reallocation in force (RIF). The magnitude of such a RIF is determined by the extent of the change required. When this occurs, the university will make reasonable efforts to eliminate positions through attrition or other means to avoid laying off employees. Among the many factors to be considered are:

- The essentiality of the function to the university;
- Efficient organization of workflow and assignment of job duties;
- The professional competence and relevant progress of the incumbent;
- The length of service at PLU of the incumbent; and
- The Affirmative Action goals of the university.

Once a decision is made and accepted by the appropriate officer, a written termination notice will be communicated expeditiously to the affected employee(s). Individuals whose positions are being eliminated will receive at least two weeks notice of job elimination, or pay in lieu of notice.

### **Reduction in Force Benefits**

PLU recognizes the loss of one's job can create both financial and emotional pressures. When an employee's job is eliminated or when employment is lost in a reorganization and not regained in the new organization, or elsewhere on campus, the university may provide certain benefits to ease the transition. These severance benefits, if any, will be communicated and coordinated by Human Resources.

### **Recall**

If the position from which an employee was laid off is re-established within 120 calendar days from the date of the staff member's layoff, the laid off employee will then be notified by the department head in writing and asked to return to the job, at which point the employee will have two weeks to do so. During the 120 days following layoff, the laid off staff member may apply for any other position in the university that becomes available, and will be considered for transfer/promotion on the same basis as active employees.

## **VACATION - TERMINATION**

Employees are not entitled to receive additional pay in lieu of accumulated vacation leave upon separation of employment. Depending on the specific facts of an individual situation and subject to such documentation as the University may require, PLU generally follows these guidelines:

- An amount equal to the amount of accumulated but unused vacation leave, up to a maximum of 80 hours of accumulated vacation, will be paid upon an employee's separation of employment.

- An employee with fewer than 80 hours of accumulated but unused vacation will receive a payment equal to the amount of accrued vacation.
- The final pay period's vacation accrual (if any) will be calculated on a pro-rated basis (see Vacation Accrual above).
- All accumulated vacation in excess of 80 hours will be forfeited and lost upon separation of employment. This applies even in the case of an employee who is rehired within 12 months of leaving employment with PLU.

Terminating employees who have not completed their introductory period will receive no payment for unused vacation time.

# Preamble

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## **POLICIES ON EQUAL OPPORTUNITY, AFFIRMATIVE ACTION, ADA AND POLICY FOR EMPLOYEE SEXUAL MISCONDUCT**

Adopted October 1998

Updated September 2001

Updated October 2007

Updated December 2008

Revised July 2014

### **Preamble**

Pacific Lutheran University is committed to providing an educational and employment environment which is fair, consistent, caring and supportive of professional and personal growth. The University is further committed to protecting the rights of its community members to engage in dialogue and express ideas in an environment which is free from harassment, discrimination and exploitation. Freedom of expression does not entail freedom to threaten, intimidate, harass or assault. The University community will not and does not tolerate such behaviors. Finally, the University is committed to expanding and maintaining diversity in its student, faculty, staff and administrator populations and to accommodate, whenever possible, persons with disabilities.

To honor and implement these commitments, the University Board of Regents has adopted policies on Equal Opportunity, Affirmative Action, Discriminatory Harassment, and Accommodation of Persons with Disabilities as well as policies prohibiting Sexual Misconduct. Sexual Misconduct as defined by PLU includes sexual harassment, sexual assault, and certain consensual sexual relationships. The success of these policies requires the cooperation of every member of the University community.

Specifically, each member of the University community is expected to read and follow the directives in these policies. The process of providing equal employment and educational opportunity as well as providing working, learning and living environments free of harassment, discrimination and intimidation requires that every member of the University community respect the rights of others and report violations of the University's policies. Failure to report violations may inhibit the University's ability to take prompt, corrective action.

Throughout these policies, references to "employee(s)" shall mean any regular or temporary member of the University's workforce including faculty, administration, and staff.

# Policy on Equal Opportunity

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Pacific Lutheran University is committed to providing equal opportunity in employment and in education for all members of the University community without regard to an individual's race, color, creed, religion, gender, national origin, age, mental or physical disability, marital status, sexual orientation or any other status protected by law.

This equal opportunity policy shall apply to all aspects of employment, including hiring, compensation, benefits, transfers, promotions, training, education, reduction-in-force and termination. To the extent permitted by applicable law, PLU reserves the right to hire Lutherans or other Christians for faculty or administrative positions whenever such choices are deemed necessary for carrying out the educational and religious goals consistent with Article II of its Articles of Incorporation and Article V, Section 2 of the University's By-Laws. PLU further reserves the right to make employment decisions based on an individual's job performance, merit and/or qualifications.

This equal opportunity policy shall similarly apply to all aspects of educational opportunity, including recruitment, enrollment, advancement and evaluation.

The University will not tolerate any unlawful discrimination or harassment toward or by any of its employees or students. Any written, oral, physical or visual communication that is demeaning, degrading, intimidating, or otherwise directed at a person or persons because of race, color, gender, national origin, marital status, age, religion, mental or physical disability, veteran status, sexual orientation or any other status that is protected by federal, state or local law will be considered a violation of this policy. Any person, or persons, who are found to have violated this policy may be subject to disciplinary action, up to, and including, suspension, expulsion, and/or termination.

Individuals who believe that they have been subject to discriminatory action or harassment or believe that discriminatory action or conduct has taken place, are strongly encouraged to contact any member of the University Dispute Resolution Committee or their supervisor. The University strictly prohibits threats, intimidation or retaliation of any kind against a person who reports a violation of this non-discrimination policy or who cooperates with an investigation of alleged violation. Any such conduct will itself constitute a violation of this policy and may subject the offender(s) to disciplinary action.

# Policy on Affirmative Action

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Pacific Lutheran University is committed to enlarging and maintaining the representation of ethnic, gender, cultural and economic diversity among its employees, as well as among its student population. PLU is further committed to the reasonable accommodation of persons with disabilities. In furtherance of these goals and in accordance with state and federal law, Pacific Lutheran University has adopted a Program that reflects its intent to provide applicants, employees, and students equal opportunity in all aspects of employment and education and to provide a working and learning environment free from unlawful discrimination and harassment.

In accordance with the plan, the University has appointed an Affirmative Action Officer who is responsible for implementing and monitoring the University's goals including those set forth in the Affirmative Action Program. The Affirmative Action Program is regularly reviewed and may be modified from time to time to serve the needs of the PLU community consistent with the University's affirmative action goals. The current Affirmative Action Program may be reviewed at any time by contacting the Human Resource Services Office.

# Policy on Accommodation of Persons with Disabilities

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As stated in the equal opportunity policy, and in accordance with the Americans with Disabilities Act of 1990 ("ADA"), Pacific Lutheran University will not discriminate against any student applicant or employee because of the presence of a mental or physical disability. As part of its long-range plan, the University has committed the financial and human resources necessary to provide access to University facilities according to the recommendations and requirements of the ADA. Where a student, applicant or employee with a disability is able to perform the essential functions of the job or academic/program requirements, the University will engage in an interactive process to develop reasonable accommodation to the needs of that individual, unless such accommodations would provide undue hardship to the University.

Reasonable accommodation may include job restructuring, part-time or modified work/class schedule, reassignment, transfer, purchase or modification of special equipment or devices, modification of examinations, training/course materials or policies. Reasonable accommodation will be determined on a case-by-case basis.

Students and employees with medically recognized and documented disabilities and who are in need of special accommodation, have an obligation to notify the University of their needs. Employees should contact Human Resource Services. Students in need of accommodation should contact the Director of Disability Support Services in the Disability Support Services Office.

Individuals who believe this policy has been violated may contact a member of the University Dispute Resolution Committee or their supervisor.

# Policy on Discriminatory Harassment

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Harassment on the basis of race, color, national origin, religion, disability, veteran status, marital status, sexual orientation, age, or any other protected classification is prohibited. Such prohibited behavior may include:

- Verbal threats, epithets, derogatory comments or slurs
- Offensive jokes
- Inappropriate or harassing emails, phone conversations or other electronic communications
- Visual conduct such as displaying derogatory posters, photographs, cartoons, drawings, gestures or websites
- Physical conduct such as assault, unwanted touching, or blocking normal movement

The reporting, investigation and potential sanctions procedures for a violation of this policy are the same as in PLU's Sexual Misconduct Policies.

# Policy on Sexual Misconduct

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## PLU's Sexual Misconduct Policy is made up of two parts:

### 1. Human Resources Policy on Sexual Misconduct

This is PLU's Human Resources policy that applies if this policy is alleged to have been violated by a faculty or staff member, or a third party (see below).

### 2. Code of Student Conduct Policy on Sexual Misconduct

This is PLU's Code of Student Conduct Policy that applies if this policy is alleged to have been violated by a current student.

<http://www.plu.edu/srr/code-of-conduct/sexual-misconduct/>

Any questions about these policies or about rights or obligations under them, should be directed to Teri Phillips, PLU's Associate Vice President of Human Resources and Title IX Coordinator, at 253-535-7187 or [phillitp@plu.edu](mailto:phillitp@plu.edu).

These policies are intended to meet the requirements of applicable federal, state and local law. If this policy is inconsistent with any applicable law, it is the University's intent to follow the law.

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## HUMAN RESOURCES POLICY ON SEXUAL MISCONDUCT

### A. Introduction

In accordance with its equal opportunity policy, Pacific Lutheran University prohibits any discrimination in education or employment on the basis of gender. Moreover, PLU is committed to providing an environment in which students and employees can work free from all types of sexual misconduct. Sexual misconduct has a serious negative impact on the quality of the education and work experience. The range of sexual misconduct includes sexual harassment, intimidation, coercion, sexual assault, and certain consensual sexual relationships.

The University does not and will not tolerate sexual misconduct by or against any of its students or employees. The University will work to prevent and eliminate such behavior by providing a comprehensive education program to promote awareness of acceptable and non-acceptable behaviors.

This policy is intended to meet the requirements of applicable federal and state law. If this policy is inconsistent with any applicable law, it is the University's intent to follow applicable law.

### B. Policy Scope

This policy applies when a violation is alleged against a member of the faculty, staff or a third party, such as an off-campus vendor, independent contractor, work-study employer, internship supervisor, prospective student or volunteer.

The University may impose sanctions designed to prevent recurrence if the prohibited conduct occurs on University premises or in connection with a person's participation in a university-sponsored organization, program or activity, or if the conduct poses a risk of harm to any member of the campus community, including but not limited to any of the harmful effects encompassed by the definition of sexual harassment.

### C. Prohibited Conduct

#### Sexual Harassment

Sexual harassment is a form of sex discrimination which is prohibited by Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments and the State and local law. When the University becomes aware of allegations of sexual

harassment, it is bound by state and federal law to investigate those allegations, stop the harassment if it is found to exist and take measures to ensure a working and learning environment that is free of sexual harassment.

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct or activity is made either explicitly or implicitly a term or condition of an individual's employment or academic progress;
- Submission to or rejection of such conduct or activity is used as the basis for employment or evaluation;
- Such conduct or activity has the purpose or effect of interfering with an individual's employment or educational performance or advancement; or
- Such conduct or activity creates an intimidating, hostile or offensive working learning or campus residential environment.

**The following are examples, without limitation, of specific behavior which is prohibited under PLU's anti-sexual harassment policy:**

- Touching or grabbing a sexual part of any individual's body.
- Touching or grabbing any other part of an individual's body after that person has indicated or it is known that the contact is unwelcome.
- Display in the workplace or learning environment of sexually suggestive photographs, cartoons, graffiti, and/or displaying or transmitting pornography, including accessing pornographic web sites except as germane to the subject matter for educational purposes.
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects.
- Verbally (or in written email) making or using derogatory comments, epithets, slurs, sexually explicit jokes, sexual innuendo, or comments about any employee's body or dress.
- Gossip or questions about someone's sexual conduct, orientation, or experiences.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Subtle pressure for sexual activity, including unwelcome but apparently sanction-free sexual advances by a manager to a subordinate.
- Continuing to ask a person on a date (or to meet outside of work or learning environment) when that person has indicated that he or she is not interested.
- Retaliation for reporting harassment or threatening to report harassment.
- Advances or requests are made under circumstances implying that one's response might affect educational or personnel decisions that are subject to the influence of the person making the proposal.
- Speech or conduct is directed against another and is either abusive or severely humiliating, or persists despite the objection of the person targeted by the speech or conduct.
- Speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers. If it takes place in the teaching context, it must also be persistent, pervasive, and not germane to the subject matter.

Sexual harassment may occur when there is a difference in institutional authority between persons, such as dean to department chair, supervisor to employee or faculty to student. It may occur between persons in equal positions, such as co-workers, colleagues and peers. It may occur without respect to gender, age, appearance or status. It may occur between persons of the same sex. It may occur if the sexual conduct of others in the education work or campus residential environment has the purpose or effect of substantially interfering with another's academic or work performance or environment. Sexually harassing conduct can include unwanted jokes, comments, gestures and non-verbal conduct. Anyone who is uncertain as to whether particular conduct violates this policy should contact the Human Resources Manager, the Title IX Coordinator or any member of the Dispute Resolution Committee, all of whom are Title IX Deputies.

### **Sexual Assault**

Sexual assault perpetrated by employees is a form of sexual harassment and is strictly prohibited. Such conduct may also be criminal. Any member of the campus community who may have been the victim of a sexual assault is encouraged to contact a member of the Dispute Resolution Committee who may make a referral to other support resources and/or appropriate law enforcement agencies.

### **Certain Consensual Sexual Relationships**

Primary responsibility for maintaining high standards of conduct resides with faculty and supervisors, since they exercise significant authority and power over others.

A consensual sexual relationship between an employee (faculty, staff, or administrator) and a student, or between a supervisor and a subordinate employee, does not necessarily involve sexual harassment or sexual misconduct. In such circumstances, however, the University's responsibilities to its students and employees are potentially compromised by the likelihood or even the appearance of a conflict of interest. Consequently, this policy strictly prohibits consensual sexual relationships between an employee and a student whenever the employee is in a position of professional responsibility with respect to the student. This policy also strictly prohibits consensual sexual relationships between a supervisor and a direct subordinate employee.

For the purposes of this policy, an employee is in a position of professional responsibility with respect to a student when the employee is currently in a position to make or influence a decision or to confer or withhold a benefit relating to the student's education, employment, or campus-sponsored activity. This includes, but is not limited to, staff/student, faculty/student, coach/player, supervisor/student worker, and adviser/advisee relationships.

For the purposes of this policy, an employee is in a direct subordinate relationship with a supervisor if the employee reports to the supervisor, if the supervisor evaluates or directs the employee's work, or if the supervisor is in the direct chain of command of the person to whom the employee reports.

The University strongly discourages consensual sexual relationships such as those between an employee and a student (even in the absence of a current professional responsibility with respect to the student) and between a faculty member or supervisor and an employee in a position of less authority (even in the absence of a direct reporting relationship as defined above). While this policy does not prohibit consensual sexual relationships such as these, they are strongly discouraged. Because all such relationships potentially involve a violation of equal opportunity law, it may be difficult, if not impossible, in any subsequent proceeding to defend against a sexual harassment charge where the defense is based on the complainant's consent to the relationship. Moreover, those persons involved in such relationships must be aware that the relationship may be viewed by others as exploitative or as creating actual or apparent conflicts of interest, thereby creating potential difficulties for one or both parties.

## **D. Reporting Violations**

Individuals who believe this policy has been violated, or who observe potential violations, are strongly encouraged to seek redress of their concerns by contacting any member of the University Dispute Resolution Committee, their supervisor, Teri Phillips, PLU's Associate Vice President of Human Resources and Title IX Coordinator, or the Associate Director of Student Rights and Responsibilities. Individuals may also choose to report sexual misconduct to law enforcement.

The University Dispute Resolution Committee, following the Grievance Policy and Procedures, processes complaints of sex discrimination, (including, but not limited to, sexual harassment, sexual assault, and sexual violence) by employees, or sexual misconduct, when such conduct is alleged against any member of PLU's staff, faculty or third parties, except that students who are also employees may be subject to the Student Conduct process, depending on circumstances and at the University's discretion. Similar complaints against student are handled under the Code of Student Conduct and the Student Conduct Procedures.

Violation of the Human Resources Policy on Sexual Misconduct may result in disciplinary action up to and including termination of employment. Any form of reprisal, actual or implied, whether academic or related to employment, will be treated as an aggravation of prohibited behavior and will not be tolerated.

Retaliation against anyone reporting or thought to have reported sexual harassment is prohibited. Such retaliation is considered a serious violation of this policy and will be considered independently of whether a charge or informal complaint of sexual harassment is substantiated. Encouraging others to retaliate also violates this policy.

## ***Services for Faculty and Staff***

Employee victims of an incident committed on campus or in connection with a University-sponsored activity or event, or by a member of the PLU community, are strongly encouraged to contact Campus Safety, Human Resources, campus pastors, Women's Center and/or counseling through the University's employee assistance program.

## **E. Training**

The University is committed to providing all members of its community with education and training about the nature of sexual harassment, its damaging consequences and procedures for handling complaints. **Training is particularly essential for persons in supervisory roles who may face personal liability if they fail to take appropriate action when they become aware of instances of sexual harassment. If you believe you are in need of additional training on this subject, please contact Teri Phillips, PLU's Associate Vice President of Human Resources and Title IX Coordinator.**

The University is dedicated to the prevention and elimination of sexual harassment in the workplace, in the campus residential environment, and in the learning environment. The University cannot take corrective action, however, when it does not know about inappropriate behavior. Therefore, it is very important that violations of this policy be reported as soon as possible.

# Computer and Network Use Policies

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Pacific Lutheran University provides computing and networking resources to students, faculty and staff. Use of these resources is a privilege granted to members of our community as we work and learn in an environment supportive of education and service.

These policies, which apply to all users of PLU's computing and information resources, consist of the following elements:

- [General Use](#)
- [Network Use Policy](#)
- [Anti-Virus Software Policy](#)
- [Administrative Systems Use Policy](#)
- [Web Policy](#)

Help Desk staff members are available to answer questions regarding computer and network use. Feel free to contact them at 253-535-7525 or [helpdesk@plu.edu](mailto:helpdesk@plu.edu).

Because technology is rapidly changing, future revisions to this or other technology policies will be made as needed.

# Policy on Non-Discrimination

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Pacific Lutheran University does not discriminate on the basis of race, color, creed, religion, gender, national origin, age, mental or physical disability, marital status, sexual orientation, or any other status protected by law in the educational programs or activities which it operates. Numerous federal, state and local laws, including but not limited to the following federal laws, prohibit discrimination in educational programs, activities, admission to and employment at PLU: Title IX of the Education Amendments of 1972, Title VI and Title VII of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

Inquiries concerning the application of these laws (and their accompanying regulations) to this university may be referred to:

- **For matters relating to employment** policies and practices, promotions, fringe benefits, training, and grievance procedures for all staff employed by the university, contact the Director of Human Resources, Pacific Lutheran University, telephone 253-535-7185.
- **For matters relating to student admission**, contact the Office of Admission, Room 109, Hauge Administration Building, Pacific Lutheran University, telephone 253- 535-7151.
- **For matters relating to student curriculum**, contact the Office of the Provost, Room 103, Hauge Administration Building, Pacific Lutheran University, telephone 253- 535-7126.
- **For matters regarding administrative policies relating to students**, contact the Student Life Office, Room 105, Hauge Administration Building, Pacific Lutheran University, telephone 253-535-7191.
- **For matters relating to the application of Section 504 of the Rehabilitation Act**, contact The Director of Disability Services, University Center, Pacific Lutheran University, telephone 253-535-7206.
- **For matters relating to the student grievance procedure**, contact the Dean for Student Development, University Center, Pacific Lutheran University, telephone 253-535-7159.
- Or contact the Assistant Secretary for Civil Rights, U.S. Department of Education, Switzer Building, 330 C Street S.W., Washington D.C. 20202.

# Administrator/Staff Teaching Policy

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The opportunity for administrators and staff to occasionally teach a class at PLU allows them to pursue their own professional development, maintain their intellectual interests, and maintain contact with our students in a rigorous academic setting. Carried to excess, however, teaching can interfere with the person's regular work, could cause doubt as to whether the staff/administrator position is fully necessary, and could be construed as taking courses away from a regular faculty member. It is also the case that for many administrators, the notion of "after hours" is vague.

The purpose of the following policy is to strike a balance among these often competing considerations.

## **Administrators**

Administrators who teach are limited to a maximum of 4-semester hours during a twelve-month period (June - May) unless otherwise specified as a term or condition of employment. No additional compensation beyond their administrator salary will be given to administrators who teach.

## **Administrators with Faculty Status**

As defined in the Faculty Handbook, these persons are administrators who have voice and vote in the Faculty Assembly. Teaching obligations and expectations may be specified in their letter of appointment. No additional compensation for teaching will be given beyond what is specified in their letter of appointment. In cases where no such terms are specified, these persons will be treated the same as administrators with regard to this policy.

## **Staff**

Staff members who teach are limited to no more than 4-semester hours during a twelve-month period (June - May). Additional compensation may be given. Courses and course-related activities must be conducted outside of the staff member's regular work hours.

The Provost must approve all administrator and staff teaching requests. Teaching is contingent on enrollment, course availability, the support of the person's immediate supervisor and Vice President, and the support of the appropriate dean. Any exception to the 4-semester hour limit for administrators and staff that is not specified as a condition or term of employment must be approved by the Provost.

# Drug and Alcohol-Free Workplace

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**Revised January 2011; Updated November 2012**

While at work, all university employees have the responsibility to perform their jobs in a safe, conscientious, and effective manner and in compliance with university policy and state and federal laws. In order to do this employees must be able to work in a drug and alcohol-free environment and themselves be free from the effects of drugs and alcohol. Accordingly,

1. The manufacture, sale, possession, or use by an employee in the workplace of a controlled substance or drug that is illegal under state or federal law is strictly prohibited. The phrase "use" means any detectable level of that substance in the employee's system;
2. The manufacture, being under the influence of or use by an employee in the workplace of alcohol is strictly prohibited, except as permitted by this policy;
3. The use by an employee of a controlled substance or drug with a lawful prescription may be prohibited if such use affects job performance or poses a hazard to the safety and welfare of the employee, or other employees, is strictly prohibited; and
4. An employee is required to report his/her criminal drug statute conviction for a violation occurring in the workplace to his/her immediate supervisor within five (5) days after such conviction.

The university will impose disciplinary sanctions (consistent with local, state and federal law) on employees who violate the drug and alcohol-free workplace policy. Sanctions may include any of the following, depending on the severity of the incident: oral and written warnings, placement on probation, suspension from employment, successful completion of a treatment/counseling program, termination, and referral for prosecution. PLU reserves the right to conduct an individual drug test where there is reasonable suspicion that an employee may be under the influence of illegal drugs or alcohol or following a job related accident or injury.

Furthermore, each employee who observes or has knowledge of other employees in a condition which affects their ability to perform job duties or poses a hazard to the safety and welfare of others is expected to report such conditions promptly to the immediate supervisor, the next higher-level supervisor, a university officer, or the Director of Human Resources.

On occasions, PLU serves alcohol at social or other University sponsored events. The prohibitions in this policy do not apply to the possession or moderate consumption of alcohol when alcohol is served by the University at a University sponsored event to which the employee has been invited. Employees are reminded that any consumption of alcohol at such an event should be moderate, should not result in the employee becoming intoxicated and that normal expectation of appropriate workplace behavior continue at such events.

The university takes its commitment to provide a drug and alcohol-free working environment seriously. All employees who suspect they may have a drug, substance or alcohol abuse problem are encouraged to seek assistance through their own efforts before the problem affects their employment status. To comply with the Federal Drug-Free Workplace Act of 1988, and the Drug-Free Schools and Communities Act Amendments of 1989, Human Resources, Health Services, Residential Life Office, and the Counseling Center maintain a list of agencies, which provide rehabilitative and counseling services. Requests for information and/or referral sources will be treated confidentially.

# Pets in the Workplace Policy

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Approved by President's Council  
Adopted February 2000  
Updated February 2003  
Updated April 2004

## Introduction

The university recognizes the important role of pets in the lives of some employees and students. This document defines the policies within which pet visits to campus are welcome.

## Definitions

For the purposes of this policy, the following definitions will apply:

**Pet Owner:** Anyone working or studying at the university, including faculty, staff, administrators, students, temporary employees, or others who bring a pet to campus. Please refer to the Student Handbook and the Residential Life Office for applicable policies on animals in residential halls.

**Pet:** A domestic animal that is owned by, resides with, and is cared for by an employee or student. This will include dogs, cats, and fish in aquariums holding less than 25 gallons of water. For the purposes of this policy, pets are not snakes, ferrets, rats and spiders. Those with questions about domestic animals that are not specifically addressed here should call the offices listed at the end of this policy statement. Decisions about the appropriateness of bringing a pet to campus will be made based on any potential risk to the pet and to people in the community, and to the perceived disruptions caused by the pet.

## University Commitment

The university will ensure that applicable legal requirements are met. These include, but are not necessarily limited to:

Law	Responsibility
Washington Industrial Safety and Health Act (WISHA)	The university has a general duty to create a safe and healthful working environment for employees.
Americans with Disabilities Act (ADA)	The university must provide reasonable accommodation for employees and students with documented disabilities as defined by law.

In consideration for the general well being, health and safety of all members of the campus community, the following lists detail areas where pets are allowed and restricted areas.

## Areas Of Campus Where Pets Are Allowed

- Outdoors, on leash, and accompanied by pet owner
- Individual private offices with walls and door. This includes the private office of the pet owner as well as the private offices of colleagues of the pet owner, where advance permission has been obtained from that person. For example, a pet owner may bring his/her pet to a small meeting in a colleague's private office, provided that the colleague has given permission to the pet owner to do so. (Note: see exceptions under "Restricted" section.)
- All areas used by employees or students with documented disabilities who are assisted by designated guide or working pets
- Classrooms and instructional facilities only when pets or demonstration animals are used by faculty members for teaching purposes
- Resident Director apartments in accordance with the guidelines set forth by Residential Life

## Restricted Areas

Pets are not allowed in locations or situations other than those noted as allowed in the previous section. Such areas of campus where pets are not allowed include:

- Areas that are open to the public and commonly used, such as libraries, foyers, bathrooms, copy rooms, lounges, meeting and conference rooms, except as necessary to travel en route to permitted locations

- Classrooms and training labs (except for instructional purposes as noted above)
- Dining and food preparation areas; kitchenettes; break-rooms
- Health and medical facilities
- Private offices that are essentially public areas due to the frequency with which they are visited by others and used for meetings
- The University Center
- Computing and Telecommunications machine room
- Residence halls and offices in residence hall buildings, except as allowed per Student Life Division policies
- Any area or situation in which another person has raised a legitimate concern for health or other reasons about the presence of a pet, except for designated guide or working pets assisting employees or students with documented disabilities

### **Pet Owner Commitment**

Employees and students are welcome to bring pets into the working and learning environment in accordance with this policy and PLU's "Pet Owner Commitment" procedures. Pets must be cared for in a responsible manner that ensures the safety of those on campus, as well as the safety of the pet. The pet owner may be asked by the university to discontinue bringing their pet to campus, if the relevant policy and procedures are not upheld.

Copies of the procedures will be available in Human Resources and in the offices of the Provost and the Vice Presidents of Student Life and Finance and Operations. It is the responsibility of the pet owner to obtain and follow the procedures.

### **Communication**

Before bringing a pet to campus, the pet owner will check first with others in the work or learning environment to ensure that there are no concerns, such as allergies to dogs, etc. In the event of legitimate health problems, the pet may not be brought to that area. Otherwise, employees and/or students are encouraged to work together to find a reasonable compromise that is acceptable to everyone. If the pet owner requires the animal's presence due to a documented disability, then reasonable accommodation will be made.

### **Lab Animals**

Procedures governing the use of lab animals in Rieke Science Center or other locations and situations will be addressed by the Division of Natural Sciences, the Animal Usage Committee, and/or other appropriate offices and committees.

### **Questions**

Employee questions about this policy should be directed to Human Resources at ext. 7185. Student residence hall questions should be directed to Residential Life at ext. 7200. Student questions regarding other campus buildings should be directed to Student Life at ext. 7191.

### **Pet Owner Will**

1. Obtain and follow the pets in the workplace policy and these procedures.
2. Check with others in the work or learning environment before bringing a pet to ensure that there are no concerns, such as allergies. In the event of legitimate health problems, the pet may not be brought to that area unless it is required for disability accommodation.
3. Care for the pet in a responsible way that ensures the safety of those on campus, as well as the safety of the pet.
4. Have the pet regularly checked by a veterinarian, with current vaccinations and documentation.
5. Keep the pet on a leash at all times, except when the pet is in the private office of the employee and the door to the office is closed.
6. Move the pet in and out of buildings using the most expedient route, minimizing time in areas where pets are not allowed.
7. Clean any indoor and outdoor messes immediately. Call Plant Services with any questions about appropriate cleaning techniques.
8. Provide a mat or small rug for the pet in the private office of the employee to protect the carpet.
9. Post a sign on his/her office door indicating that a pet is inside.
10. Perform an occasional thorough cleaning of his/her office to remove hair and smells associated with the pet, including at the time the pet owner transfers the office to another employee.
11. Be responsible for any undue wear or damage to university property that may be caused by the pet.
12. Not leave the pet unsupervised in a vehicle if it creates a health risk to the animal.

### **Pets Will**

1. Be well socialized, housebroken, and in a clean, groomed, healthy condition with no fleas.
2. Be licensed according to the law, with current identification tags.
3. Not interrupt the work of others by barking or otherwise causing a disturbance.
4. The pet owner may be asked by the university to discontinue bringing their pet to campus, if the relevant policy and procedures are not upheld.

Employee questions about these procedures should be directed to Human Resources at ext. 7185. Student residence hall questions should be directed to Residential Life at ext. 7200. Student questions regarding other campus building should be directed to Student Life at ext. 7191.

These procedures are subject to change without notice as determined by the university.

# Solicitation Policy for all Employees

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In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions or solicit for any other cause during working time unless it is directly related to university business. Employees who are not on working time may not solicit employees who are on working time for any cause or distribute literature of any kind to them. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time. Working time does not include meal periods, rest periods or time before or after work hours.

Individuals who are not employees are not permitted to distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, solicit for any other cause, or conduct any activity on university property that is not specifically authorized and directly related to university business.

# Standards of Personal Conduct

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The university is steadfastly committed to full compliance with all applicable laws and ethical standards that govern its operation as an institution of higher education and as an employer. Consistent with that commitment, the university expects each employee to acknowledge and exemplify the highest standards of professional and ethical conduct. In that regard, the university expects that its employees, while on working time or while representing the university, will conduct themselves in a manner consistent with all applicable legal and ethical standards.

All employees have a duty to report, verbally or in writing, promptly and confidentially, any evidence of improper practice of which they are aware. As used here, “improper practice” means any illegal, fraudulent, dishonest, negligent, or otherwise unethical action relating to university operations or activities. Employees must contact their immediate supervisor or Human Resources with knowledge of improper practice. When alleged impropriety appears to involve a management employee, reports must be to the next higher management level and Human Resources.

The university strictly prohibits any retaliation against any person who reports or participates in the investigation of any allegedly improper practice pursuant to this policy. Any person found to have engaged in retaliation prohibited by this policy is subject to appropriate disciplinary action, including immediate dismissal from employment.

It is not possible to set forth with specificity each area of expectation for personal conduct. Nevertheless, the following are issues of specific concern with regard to expected standards of personal conduct. This list is not exclusive and all employees are expected to act in accordance with the expectations set forth above, even if a specific act of misconduct is not described below.

- The university respects the dignity of all students, faculty, staff, and visitors and expects all employees to show the same respect and concern for others without regard to rank or position, demonstrating professionalism, courtesy, honesty, and care in the performance of their duties. Employees may not engage in any activities on the job that would place in danger the safety of others, nor may employees bring onto university premises or carry in university vehicles any items that could create a potentially hazardous or offensive work environment. (Also see policy on Possession of Weapons.)
- Employees may not engage in coarse or obscene language nor conduct themselves, through action, words or dress, in a manner that suggests or creates disrespect for others or reflects poorly on the university.
- Employees are expected to comply with applicable health and safety regulations governing the workplace. The university has a Safety Committee and publishes a manual setting forth safety procedures. If an employee is aware of a health or safety hazard or has a concern about health and safety issues, he or she should contact their immediate supervisor or the Environmental Health and Safety Office immediately. Employees who violate health and safety regulations or who engage in conduct which creates an actual or potential workplace hazard may be subject to discipline.
- Employees shall not engage in outside activities which consume so much time and energy as to interfere with obligations to the university or which bring discredit or disrespect to the university.
- Each employee is personally responsible for all university assets and property assigned to the employee. Each employee is responsible for providing a full accounting of all university assets and material for which the employee has responsibility.
- University employees have an obligation to disclose and answer fully and truthfully any authorized inquiry about any university matter with which the employee has been entrusted and to maintain a high level of security for all property, records, information and data made available to the employee.
- Employees will use sound judgment and maintain a high level of security and safety for all premises, equipment, keys, records, budgets/cash, information, data, and other valuables made available to the employee.
- Employees shall not maintain personal records or files of university information and must make available at any time, upon request, to their supervisors and to any employee who might succeed them in their positions, information accumulated within the scope of their work. All information and material related to an employee’s work is the property of the university. This includes written material, computer files, data, videos, audio files and other information, regardless of the form or medium in which the information is created or maintained.
- Employees are expected to comply with PLU Computer Use Policy, which is generally available online. Consistent with that policy, information, computer documents and other data contained or created on computers owned by the university and/or created on university time and/or created in connection with university business shall be considered the property of the university unless otherwise specified.
- Employees with access to confidential information, whether verbal or written, shall treat such information as confidential at all times and shall not disclose or disseminate such information during the course of their employment except as may be required for the employee to perform his or her work duties for PLU, or at any time following separation from employment without express authorization for such disclosure.

If an employee has a question about standards of expected conduct, he or she should consult with their immediate supervisor or contact Human Resources for clarification or guidance.

# Tobacco-Free Campus Policy

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## **Adopted June 2012**

Pacific Lutheran University is committed to sustaining a healthy, safe, and caring community. The use of tobacco is a health hazard and is the leading cause of preventable death in the United States. More than 1,000 Americans die every day from tobacco-related illnesses, and more than eight million Americans are living with diseases directly attributable to smoking. For these reasons, on June 1, 2012, PLU will become a tobacco-free campus.

We recognize that tobacco cessation can be both a physical and psychological challenge, and we are committed to supporting students, faculty and staff through this transition. Our initiatives include tobacco cessation classes and one-one-one counseling for students, faculty and staff. Further, we will continue to educate our community about the hazards associated with tobacco use, provide resources, and encourage healthy behaviors.

PLU seeks not only to graduate healthy students and employ healthy faculty and staff, but to serve as an example for the community around us. As we eliminate tobacco use from our campus, we hope that the trend will continue, and that other communities—in Washington state and beyond—will follow our lead toward a healthier tomorrow.

## **Implementation**

The successful implementation of this policy depends on the involvement, courtesy and cooperation of the entire campus community.

Appropriate signage will be posted in campus facilities, on the PLU website and elsewhere to inform members of the campus community and visitors of the Tobacco-Free Campus Policy. PLU will provide access to tobacco cessation resources to both students and employees.

The policy will be communicated in appropriate university publications and contracts. University publications include but are not limited to electronic notifications, handbooks, brochures and other university-generated materials. Small cards, as friendly reminders, will be printed with policy information as well as cessation resources.

The policy is effective June 1, 2012 and applies to the entire campus, including personal offices and parking lots. Boundaries for campus may be found here <http://www.plu.edu/tobacco-free/>.

## **Substances and Delivery**

Tobacco includes any lit cigarettes, cigars, pipes and hookahs (except for approved cultural and religious celebrations); use of snus, snuff, chewing tobacco and e-cigarettes are also not permitted.

(E-cigarettes are not FDA approved devices, and banned in public places in Pierce County. Link to the Pierce County Dept. of Health FAQ on e-cigarettes <http://www.tpchd.org/files/library/e377c23d58eae02.pdf>)

## **Enforcement**

Courtesy and consideration will be exercised when informing others unaware of and/or in disregard of the policy. This policy is enforced as any other university policy is enforced. This includes community members talking with one another and with visitors. Retaliation against any person for requesting compliance with the policy or reporting an alleged violation is prohibited.

While not preferred, if necessary, disciplinary actions for violations, appropriate to each constituency within the community, may be taken.

# Intellectual Property Policy

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**Adopted May 2015**

## **Purpose**

This policy establishes guidelines for creative works, inventions, improvements, and discoveries resulting from the work of Pacific Lutheran University faculty, administrators, staff, students, research associates, visiting scholars, and anyone employed by PLU.

## **Creative Works of Authorship**

Copyrightable works created by University employees, other than faculty, as part of their job, are deemed “Works Made for Hire” and are owned by the University. Copyrightable works are described in Section 102 of the Copyright Act of 1976. “Works Made for Hire” are defined in Section 101 of the Copyright Act of 1976, and the employer’s ownership of them at Section 201(b) of the Copyright Act. This policy includes works created by student employees.

Works created by students in their capacity as students belong to them, unless the copyright is transferred to the University by written agreement. However, a student’s work may be derivative of a faculty member’s work, in which case it is likely owned by the faculty member, not the student. Unauthorized use of a faculty member’s work is prohibited.

The University recognizes and reaffirms the traditional academic expectation that all faculty (including full-time, part-time, adjunct, visiting, and research associates) own and control instructional materials and scholarly works created by their own initiative with the aid of standard and customary University resources. The University’s policy is that these works are not “works made for hire.” Therefore, faculty members will own the copyrights in works that result from a faculty member’s pursuit of traditional teaching, research and scholarly activities, including the creation of books, articles and other literary works; computer software; inventions; artistic, musical or dramatic works; or course materials, whether in traditional or electronic form, unless they fall within one of the exceptions below.

The University may own copyrightable works created by faculty in specific instances. Those instances will include:

- (a) When there is a written agreement between the faculty member and the University regarding ownership of the copyright;
- (b) The Work was developed pursuant to a sponsored research project or other agreement in which the copyright terms are specifically stated or negotiated;
- (c) The Work was created as part of an administrative assignment for the University (for example, a report to a University committee); or
- (d) The Work was created using “extraordinary resources” from the University, as defined below.

## **Inventions, Improvements and Discoveries**

Under patent law, inventions are owned by the inventor and not the employer unless the inventor agrees to assign his or her rights in an invention to the employer. Unless “extraordinary resources” of the university are used in the creation of a work, the university will not expect the faculty member to assign his or her rights in an invention conceived, developed, or discovered during the faculty member’s employment with the university. With regard to any particular invention, the university and the faculty member may mutually agree on an alternative ownership arrangement. These provisions for inventions apply equally to improvements and discoveries.

## **Definition of Extraordinary Resources**

“Extraordinary resources” means that the Work was created using more University resources than are standard or customary for the faculty member’s position. Extraordinary resources may consist of release time from regularly assigned duties, direct investment by the university through funds or staff; the university’s purchase of special equipment for the project; use of the university multimedia production personnel and facilities; or extraordinary use of the university’s computing resources.

Where ambiguity may exist, whether extraordinary resources are used for the Work shall be determined on a case-by-case basis. In each case it is important that the university and the faculty member have a clear understanding of what is “standard and customary.” At a minimum, “standard and customary” resources will include funds provided by the University as part of its regular and on-going budgetary support, such as Regency Advancement or similar faculty/student research grants, sabbatical leaves, travel support, incidental supplies, an office computer, and the like. If a faculty member has doubts as to what is standard or customary in their particular case, the faculty member should seek clarification from the university by inquiry to the Provost. If the faculty member believes the university’s interpretation of what is standard and customary in their particular case is incorrect, the faculty member has access to the dispute resolution process described below.

**Cooperative Actions**

For all works for which the university retains ownership, the faculty member agrees to cooperate with the university and take any further actions necessary to effectuate ownership by the university.

**Administration and Disputes**

This Intellectual Property Policy will be administered by the Office of Finance and Administration. Disputes concerning application of this policy will be resolved by a Review Panel of three members consisting of one member appointed by the President, a representative appointed by the creator or inventor, and a third member (who may be from outside the University) appointed by the other two representatives. If the third member has not been selected within thirty (30) days of the appointment of the other two, then, upon written request by either of the two members of the Review Panel, the President may select the third member of the panel. The Review Panel may determine the procedures it will follow. The Review Panel will facilitate a negotiated resolution of the issues if the parties request.

If, after reviewing the initial materials provided by the University and the creator or inventor (here, the "Claimant"), the Review Panel decides that it can decide the issues without further information, then it shall so notify the parties of its decision. If the Review Panel feels that further information or investigation is needed, it may seek additional materials from one or more of the parties and may ask for briefing and oral arguments on the issues. After receiving and reviewing the information received, the Review Panel shall issue its decision and deliver that decision to the President and the Claimant.

Within thirty days of receipt of that decision, the President and the Claimant shall notify each other and the Review Panel of their acceptance or rejection of it. If either rejects the Review Panel's decision, he or she may appeal to the Board of Regents within thirty days of that rejection. If the decision is not appealed within said time, then the Review Panel's decision will be final and binding on the parties. On appeal to the Board of Regents, the Board shall have the authority to issue a final decision, binding upon the parties, using such procedure as it deems appropriate.

# Email Policy

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*Adopted August 2015*

All faculty, staff, and administrators are required to setup, maintain, and regularly monitor a PLU email account. Pacific Lutheran University uses email for a variety of reasons including official communication with employees, delivery of pay advices, and assigning mandatory trainings.

# Mandatory Reporting Policies

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## Mandatory Reporting Under Title IX

### **YOUR RESPONSIBILITY TO REPORT UNDER TITLE IX ALLEGATIONS OF SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND SEXUAL ASSAULT EXPERIENCED BY ANY MEMBER OF PACIFIC LUTHERAN UNIVERSITY'S COMMUNITY**

Each of us – whether faculty, administrator, or staff – is obligated to report incidents of sexual harassment, sexual assault, and sexual misconduct of which we become aware. This obligation extends to all of us (except the Health Center, Counseling Center, Campus Pastor, and the Victim Advocates these entities are considered confidential reporting sources) because of the University's responsibility Under Title IX to:

- + Stop the conduct
- + Prevent its re-occurrence
- + Remedy its effects
- + Provide care and support for the reporting person
- + Take steps to insure the safety and security of our community

The University has adopted the term **Mandatory Reporter** to describe this obligation that extends to all individuals “who a student could reasonably believe has the authority or responsibility” to address these incidents. (U.S. Department of Education Office for Civil Rights: REVISED SEXUAL HARASSMENT GUIDANCE: HARASSMENT OF STUDENTS BY SCHOOL EMPLOYEES, OTHER STUDENTS OR THIRD PARTIES) By reporting what you know to the appropriate University officials especially trained to respond, you support students and others who have experienced this conduct. You also protect yourself from potential liability because *when you know, the University is also considered to know*. The University's obligation to respond begins the moment the University is on notice that a member of our community has experienced sexual misconduct, sexual harassment or sexual assault.

### **How to Work with a Student or Other Reporting Person Who Requests Confidentiality:**

As Mandatory Reporters, we can no longer have confidential conversations with students or other reporting persons about their experiences with sexual misconduct, sexual harassment, or sexual assault. The University recognizes the significant trust relationship with students and the difficult situation you are placed in when a student requests that you keep the disclosure confidential. To help mitigate this challenge, students have been informed that all faculty, staff, and administrators must share their information with the University, and that they can report confidentially to designated offices and individuals if they do not want their information to be shared. These confidential reporting sources are listed below.

If you believe a student or other reporting person is about to disclose to you her/his experience of sexual harassment, sexual misconduct, or sexual assault, you can explain to that person, before she/he makes the disclosure, that you must share the information with the University so that she/he can receive care, support and resources and learn about the options for having the situation addressed and resolved within the University. You can explain that even though you are obligated to share the information with University officials especially trained to respond, her/his privacy will be respected; identities and details will be shared only with those who need to know to support the reporting person and to address the situation through the University's processes. You can tell the person that someone will explain these processes in detail and that she/he will be involved in decisions about what happens as a result of the disclosure. If the reporting person does not wish to disclose to you as Mandatory Reporter, you can refer the person, or offer to accompany the person to a confidential reporting source – the Health Center, Counseling Center, Campus Pastor, or Victim Advocates.

Whether or not the student or reporting person decides to disclose to you or to a confidential source, please assure the person that she/he will receive care and support as requested, both within the University and in the local community.

### **To Whom to Report, What, How and When to Report:**

As Mandatory Reporters, at the earliest possible time after you receive information that someone has experienced this conduct, you must forward the information to one of these Title IX resources: Campus Safety, Student Rights and Responsibilities, Human Resources, or a member of the University Dispute Resolution Committee.

### **What Happens After You Report:**

For student-student incidents, the contacted office will communicate with Student Rights and Responsibilities to facilitate immediate care and concern, support and resources for affected students and discuss the University's process for gathering facts about and responding to the incident. For all other incidents (student-faculty, student-staff, faculty-faculty, staff-staff, etc.), the Title IX Coordinator will contact the reporting person and facilitate support for all parties involved.

At all times, the privacy of the parties will be respected and safeguarded. Information will be shared only with those University officials who need to know to assist in gathering facts about and resolving the complaint.

After a report is received by one of the offices specially trained to respond, the reporting person will be contacted to discuss the process and options for having the report investigated and resolved within the University. Sometimes the reporting person requests that her/his identity or the identity of the accused remain confidential or that the University not pursue an inquiry. This request must always be balanced with the University's responsibility to provide a safe environment for the reporting person and the community. The University will take reasonable steps to conduct an inquiry and respond to the complaint consistent with the person's request for confidentiality. However, under compelling circumstances - including evidence of a pattern of repetitive behavior, the use of or threat of force, or the use of a weapon by the accused - the University may conduct further inquiry or take other appropriate measures without the reporting person's consent. The reporting person will always be informed whenever possible of any action the University takes to resolve the complaint, including further inquiry and corrective action or sanctions.

**Confidential Reporting Sources:**

If a student or other reporting person requests that you keep the disclosure confidential, before the disclosure is made to you, please refer - or assist the person to contact - one of these resources:

<b>Confidential Reporting Sources</b>	<b>Contact Number</b>
Advocacy Services at PLU Women's Center	253-535-8759
PLU Health Center	253-535-7337
PLU Counseling Center	253-535-7206
PLU Campus Ministry Office	253-535-7464
Rebuilding Hope: The Sexual Assault Center for Pierce County	253-474-7273 or 800-756-7273
Pierce County Domestic Violence Helpline	253-798-4166 or 800-764-2420

For more information on Title IX policies, please visit our [Title IX website](#).

# Reporting Abuse or Neglect of a Child

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September 2012

## Purpose

It is the moral and ethical responsibility of *all* members of the campus community to protect children from abuse or neglect. Stopping such abuse or neglect and reporting it to the proper authorities is an imperative that is, and has been, shared by all.

Now, under the requirements of state law, all employees of PLU also have a legal obligation to report abuse or neglect of a child to a proper law enforcement agency, the state Department of Social and Health Services, or the PLU Child Abuse Prevention Coordinator.

Washington State law, RCW 26.44.030 and RCW 26B.10.646, requires the following PLU employees to report or cause a report to be made whenever there is reasonable cause to believe that a child has suffered abuse or neglect: administrative employees, academic department employees, athletic department employees, including student employees in each of these departments.

State law also imposes reporting obligations on all other PLU employees.

Outlined below are the PLU procedures designed to ensure compliance with the law, to ensure that the required reports are made and to coordinate PLU's efforts to prevent the abuse or neglect of children.

## PLU Employees Required to Report Possible Abuse or Neglect

Under the law, the following two groups of employees have reporting obligations.

(1) Administrative, academic or athletic department employees, including student employees in these departments, are "mandatory reporters" under the law. Individuals may report directly to law enforcement or the Department of Social and Health Services and under this policy, must report to the PLU Child Abuse Prevention Coordinator. These employees **must** report or cause a report to be made whenever there is reasonable cause to believe that a child has suffered abuse or neglect. Supervisors in these departments also **must** report abuse by persons they supervise, even if such persons are not members of the PLU community (a volunteer, for example),

(2) All other employees of Pacific Lutheran University not included in category 1 are covered by this law. These additional employees **must** report to the Child Abuse Prevention Coordinator designated by Pacific Lutheran University whenever there is reasonable cause to believe that a child has suffered abuse or neglect. This section applies, for example, to staff employees employed in departments such as cleaning services, dining services and grounds.

## Definitions

The term "**child**" means any person under 18 years of age.

The term "**abuse or neglect**" means sexual abuse, sexual exploitation or injury of a child by any person under circumstances which could cause harm to the child's health, safety or welfare, excluding certain conduct by the child's parent or guardian and other conduct permitted by law. Any PLU employee who has any question regarding whether specific conduct constitutes "abuse or neglect" should contact the PLU Child Abuse Prevention Coordinator.

## PLU Child Abuse Prevention Coordinator

PLU has designated the Director of Human Resources as the Child Abuse Prevention Coordinator under this policy. That person may be reached at 253.535.7185 or [EndHarm@plu.edu](mailto:EndHarm@plu.edu).

## To Whom Are Reports to be Made

The law requires a report be made to the "proper law enforcement agency" or to the Washington State Department of Social and Health Services. In most cases, the "proper law enforcement agency" to receive a report of possible abuse or neglect of a child will be the Pierce County Sheriff's Office. The "proper law enforcement agency" depends on where the child is located. Employees with any questions as to the proper law enforcement agency to receive a report should contact the PLU Child Abuse Prevention Coordinator or call the Washington State reporting hotline, 1-866-ENDHARM.

## When is a Report to be Made

All persons who are "mandatory reporters" (i.e., persons in category (1) in the "Who is Covered" section of this policy), **are required** to report or cause a report to be made to the appropriate law enforcement agency or the Department of Social and

Health Services whenever there is reasonable cause to believe that a child has suffered abuse or neglect. All employees who are not mandatory reporters, (persons covered by category (2) in the “Who is Covered” section of this policy), **are required** to report to the PLU Child Abuse Prevention Coordinator whenever those persons have reasonable cause to believe that a child has suffered abuse or neglect.

The required report (whether required to be made to law enforcement, the Department of Social and Health Services or to the PLU Child Abuse Prevention Coordinator) must be made within 48 hours of the time the person becomes aware of the abuse or neglect.

### **How to make a Report**

PLU has developed the following reporting policy so reports are timely and appropriate. PLU prefers reports be made initially to PLU’s Child Abuse Prevention Coordinator. That person will then ensure that a timely report is made to the appropriate law enforcement agency or to the Department of Social and Health Services and will confirm, in writing, to the “mandatory reporter” that a report has been made. If a mandatory reporter makes a report directly to the appropriate law enforcement agency or the Department of Social and Health Services, that person is still **required by PLU policy** to also make a report to the PLU Child Abuse Prevention Coordinator. The latter report is necessary for the administration to properly monitor potential issues of abuse or neglect, to ensure that appropriate services are offered to individuals involved and to take other appropriate action under PLU Policies and Procedures, including, as applicable, employment policies, student conduct policies, or PLU Dispute Resolution policies.

Persons who are not “mandatory reporters” (i.e. those staff employees covered by above category 2 in the Who is Covered section of this policy) are **required** to make a report to the PLU Child Abuse Prevention Coordinator.

### **Questions**

Any question regarding an employee’s reporting obligations or other questions about this policy should be directed to the PLU Child Abuse Prevention Coordinator at 253.535.7185 or [EndHarm@plu.edu](mailto:EndHarm@plu.edu).

# Involuntary Separation / Corrective Action

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## Corrective Action

**Revised September 2006**

Staff and administrative employees are employed at will. That means that their employment exists and continues at the will of the organization and that the university need not provide notice, prior warning or show cause for termination of employment. By the same token, staff and administrative employees may terminate their employment at any time without the need to show cause.

Even though the employment relationship is at will and the university need not show cause for termination, PLU values employees and strives to make reasonable efforts, where possible, to avoid termination. Supervisors are encouraged to address performance issues as they arise before they become serious. Moreover, PLU believes discipline generally should be corrective rather than punitive and should be appropriate to the performance issue in question. Accordingly, PLU may inform employees whose performance falls below standard of their deficiencies and give those employees an opportunity to take corrective action in an effort to avoid termination or non-renewal. There are circumstances, however, in which termination is appropriate. The university expressly reserves the right to terminate any staff employee or non-renew any administrative employee for any reason. Prior notice, prior warning and good cause are not required for termination or non-renewal.

Each disciplinary situation is different and the university reserves the right to take whatever corrective action it feels appropriate in any given situation. The following options for corrective action apply to both staff and administrative employees:

- Attempt to bring about improved performance;
- Special performance appraisal;
- Counseling as appropriate;
- Oral warning;
- Written warning;
- Probation;
- Suspension;
- Termination/Non-Renewal.

Corrective action should be taken after consulting with Human Resources. Generally, employees who are currently on probation will not be considered for open positions or vacancies on campus. There is no guarantee that any particular corrective action will be taken prior to termination and no obligation on the part of the university to follow any set procedure with regard to disciplinary decisions. For instance, termination may follow an oral warning without first having a written warning. The university reserves the right to take any particular corrective action as it deems appropriate to the circumstances.

Moreover, the university may impose on an employee, as a condition of continued employment, an obligation to participate in the Employee Assistance Program or other counseling directed at behavior and/or substance abuse issues.

The university further reserves the right to suspend an employee, without pay, pending investigation of an act of misconduct, which may result in termination. If the employee is reinstated to his or her position, that employee will be reinstated without break in service and may receive back pay for the period of suspension, depending on the specific facts and circumstances involved.

# Banking

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## ***Updated January 2011***

Employees with benefits are required to sign up for direct deposit. This is accomplished by completing the form "Authorization Agreement For Automated Deposits." For current employees wishing to drop, add, or change information, a new form must be completed and submitted to Payroll. It is important to notify Payroll immediately should an emergency such as theft occur prompting a hasty hold on your account.

Payments are made directly to the employee's bank account through the Automated Clearing House, which includes out of state financial institutions. Employees are allowed to use one primary bank and may choose the credit union listed below as a secondary bank.

- School Employees Credit Union Of Washington

Refer to the Credit Union section of the yellow pages of your local phone directory for the nearest branch locations and phone numbers.

# Compensatory Time

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## ***Revised August 2013***

Only state and local government employers may offer "Comp Time." As Pacific Lutheran University is a private employer, regulations state we are not eligible to offer "Comp Time."

# Emergency Advance (Draw)

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If the need arises, the request should be directed to Payroll with at least one business days' notice. The following limitations apply:

1. A bona fide emergency situation must exist.
2. The amount of the advance is limited to the amount already earned, but not more than 50% of the monthly wage.
3. At the time of the request, the payroll cutoff date has not passed.
4. Employees may request only one such advance in each three-year period of their employment with Pacific Lutheran University.

The university reserves the right to approve or reject, in its sole discretion, any request for an emergency advance.

# Employee Delinquent Student Account Policy

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## ***Effective June 1, 2013***

The university reserves the right to deduct wages through payroll from employees who have delinquent student accounts (i.e. tuition, room, board, etc.) per the employee's advance written authorization and in accord with Employment Standards Rule WAC 296-126-028.

There is no maximum limit to the amount of the wage deduction in a pay period; the deduction may be up to the full amount of wages owed. In a case where the university is unable to collect the full amount owed on a student account within three months, delinquent accounts may be turned over to a third-party collection agency, and collection costs, including but not limited to attorney fees, interest, court costs and other fees incurred with collecting this debt, may be added to the account unless satisfactory payment arrangements have been made with the Student Account Office.

# Holiday Compensation

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## ***Revised January 2011***

Although there is no requirement by law, the university's policy provides for additional pay at the rate one and one-half times the regular rate, whenever certain benefits eligible staff employees are required to be present on holidays observed by the university.

# Inclement Weather

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## ***Updated January 2011***

Whenever inclement weather creates hazardous travel conditions, university employees and students are urged to use caution and personal discretion. In extreme weather situations, the university may decide to cancel classes and/or close the university. A determination will be made by 6:00 a.m. for morning and afternoon classes, and by 1:00 p.m. for evening classes and activities. Visit [www.plu.edu](http://www.plu.edu) or call the campus closure hotline, (877) 322-0872, for information regarding the status of PLU's hours of operation. Notice will also be given to Public Schools Emergency Communication System (PSECS).

Since the university is a resident campus some services are essential as long as students are in residence. Employees in departments providing services to resident students should check with their supervisors as to attendance policies during such closures.

No employee will lose pay as a result of an official closure. Staff employees required to work will receive extra compensation for the hours they worked by submitting those hours on an hourly time sheet to Payroll.

Employees unable to report for work due to weather conditions on days when the university is open should report those days on their time sheet as vacation, sick leave or leave without pay.

# Jury Duty

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## ***Revised January 2011***

Employees who are subpoenaed for jury duty will be allowed time off work to serve unless they prefer to petition the court to be excused from serving for hardship or other reasons.

Those who are required to appear in court (when not a litigant) or are called to jury duty will continue to receive their normal pay. Juror pay for services from the court must be remitted to the Payroll Office to offset the continued salary expense. However, the employee retains any mileage reimbursement received from the courts.

PLU may support and release employees from their regular job duties to volunteer as a Citizen Corps member during a county emergency. The supervisor has discretion to release the employee relative to job responsibilities at PLU. Please contact the PLU Emergency Programs office to register for Citizen Corps.

# Meal Periods

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Meal periods are not included as paid work time. Employees are allowed a meal period of at least thirty minutes commencing no less than two hours nor more than five hours from the beginning of the shift. No employee will be required to work more than five consecutive hours without a meal period. Employees are free from work duties during their meal period and are allowed to leave the work area. Employees working three or more hours longer than a normal work day (typically eight hours) will be allowed at least one thirty minute meal period before or during the overtime period.

# Military Reserves & National Guard Obligations

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Active members of the National Guard or military reserves are eligible for an adjustment of wages if a difference exists between their PLU salary and their military pay and allowances during the annual encampment or active-duty training. To be eligible for this benefit, members must be on an active pay status with a unit (drilling on a monthly or weekly basis) and must submit a statement of earnings for the annual active-duty period.

To report the leave of absence on their time sheet, the employee has the option of using vacation to receive their regular PLU salary in addition to their military pay, or it may be indicated as leave without pay.

National Guard members called to emergency duty in time of disaster or civil disturbance will receive differential pay for up to ten working days in one year.

Refer to the Military Call to Duty policy for additional information.

# Overtime Pay

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Exempt employees are not eligible for additional pay for time worked beyond that which is regularly scheduled. In recognition of the fact that exempt employees work beyond regularly scheduled hours, the university has established a liberal vacation plan for these employees.

Supervisors may adjust the work schedule within a work week as may be reasonable and prudent to avoid exceeding the forty-hour limit for staff (nonexempt) employees. So long as the forty-hour limit is not exceeded, overtime pay is not required.

When working hours cannot be held to forty hours in one work week, staff employees are entitled to overtime compensation at the rate of 1 1/2 times the regular pay. This requirement is based on State and Federal law. The supervisor must authorize overtime work in advance. The university reserves the right not to pay unauthorized overtime that the university did not know or permit to be worked.

While the university recognizes that work in excess of 40 hours per week may be unavoidable due to the nature of certain jobs, it is in the best interests of the individual employee to limit overtime worked. An employee who consistently works more than 40 hours weekly does not have adequate time away from the job in which to rest and relax. Over extended periods of time, this can affect not only job performance but ultimately the physical and mental health of the employee.

# Rest Periods

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Employees are allowed a rest period of ten minutes on university time for each four hours of working time. Rest periods should be scheduled as near as possible to the midpoint of the work period with consideration for the work involved. No employee will be required to work more than three hours without a rest period. However, where the nature of the work allows employees to take intermittent rest periods equivalent to ten minutes for each four hours worked, scheduled rest periods are not required. Rest periods are not cumulative and may not be used to shorten workdays. Voluntary attendance at Chapel may be substituted for the morning rest period.

# Salary Payments

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## ***Revised April 2008***

Payday normally falls on the 30th of each month for work performed during that month. When the date falls on a Saturday or Sunday, payday advances to the previous Friday.

Compensation for salaried employees covers the entire month. Compensation for hourly employees covers the period as shown on their time sheet, and may also be found on the Payroll Processing Schedule annual memo.

To comply with the American Job Creation Act of 2004 which revised the Internal Revenue Code 409A, faculty and administrator's pay plans are determined by the PLU administration and are administered by Human Resources.

# Time Sheets

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All administrators and staff must complete a time sheet each month. Time sheets are revised each calendar year and may be downloaded from the Payroll web site. Exempt employees are required to report leaves and holidays only. Nonexempt employees are required to report all hours worked in addition to their leaves and holidays.

Supervisors are responsible for ensuring that time sheets are completely accurate, and that they are submitted to Payroll by the monthly due date. Time sheets not completed by the employee until after the due date are held and will be processed in the following month's payroll.

# Work Week

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A work week is defined as a recurring period of seven consecutive twenty-four hour periods (168 hours). The established university work week begins at 12:01 Saturday morning and ends at 12:00 midnight Friday night.

The work week for nonexempt employees is the basic unit for determining the proper wage due employees.

# Accident Reports

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In the event of accident or injury on the job, each employee is covered by the Washington State Industrial Insurance Program (Worker's Compensation). If medical attention is required as a result of such injury, the employee should advise the physician that he or she is covered under the State Industrial Insurance Program so that necessary forms may be processed in the doctor's office. Failure to accomplish this will necessitate a return trip to the doctor's office to initiate the form required by the State.

Additionally, any accident on the job should be reported to the Supervisor immediately and, as soon as time permits (when possible, within 24 hours), the Injury Report should be completed and mailed to Human Resources. The form can be found on the Human Resources website. This form helps to provide the information required in processing a claim for insurance. Data from injury reports is compiled and reviewed by the University Safety Committee, and is also used for reporting purposes. Personal information regarding who is injured, for instance, is not shared.

# Emergency Response

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Pacific Lutheran University has an emergency response system, which is composed of qualified Safety Officers and professional staff in Campus Safety, a campus wide emergency number, ext. 7911, and first aid trained personnel in most buildings. The system is a coordinated means of responding to any emergency on campus.

Incidents of greater magnitude that may have a larger impact on the university's academics and operations are coordinated with other campus offices, such as Facilities Management, Human Resources, Residential Life, and the Provost.

# Emergency Communication

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PLU uses phone trees, emergency alert text messaging (sign-up from the Campus Safety website), and outdoor speakers to notify students and employees of emerging incidents that may impact safety. The university also relies on the web, email, voicemail, radios, and word-of-mouth to share information during an emergency incident.

# Fire & Other Evacuation (Get Out) Incidents

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If a fire or other incident that creates an unsafe environment occurs in your building or a fire alarm goes off, leave the area and, if possible, assist others to exit in an orderly manner. Use the nearest safe route and exit. Go to the Emergency Assembly Point (EAP) away from the building. Check in with the Emergency Building Coordinator (EBC) and report to the EBC anyone who is missing from the assembly point. Faculty who are in class at the time of the incident should escort their class to the assembly point and take roll call. Give the roll call sheet to the EBC. The EBC will have information on what to do next. As soon as you are out of danger, notify the Campus Safety Office (ext. 7911).

# Lock Down & Other (Stay In) Incidents

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If a violent incident or some other incident occurs outside your building, please stay inside or shelter-in-place. If there is an imminent threat of violent, the entrance doors should be locked by you or those designated to carry out a lock down in your building. In addition, you should lock classroom or office doors, if possible and hide from view of windows. The university may initiate a modified lock-down where the doors are locked, but normal academics and operations continue. An atmospheric release may also warrant staying inside, in which case, you should also move to the highest location in the building away from windows and doors.

# First Aid

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Campus Safety Officers are First Aid and CPR trained. A complete mobile First Aid kit is located at the Campus Safety Office for response anywhere on campus.

First aid kits are available in all buildings on campus. Locations are listed in the Emergency Procedures Handbook. Offices with kits are responsible for maintaining a full supply of materials in the kits by calling Environmental Health and Safety at ext. 7233 (SAFE) for replacements.

The university makes available First Aid and CPR training and certification for individuals in all areas of the campus

# General Safety

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Concern for safety is essential. All employees should be careful in their work habits to avoid injury on the job and should be especially cautious to watch their footing on walks and in hallways during bad weather.

To prevent injury, several general rules should be followed:

- Keep floors clear of debris and liquids.
- Maintain floor coverings in good condition to avoid tripping hazards caused by loose tile and frayed carpet edging.
- Keep designated walkways and doorways clear and free of electrical cords, boxes and office equipment at all times.
- When using file cabinets, only open one file drawer at a time.
- Use proper step stools or ladders - not chairs - when climbing to reach high items.

The University Safety Committee, which includes electees and appointees from the administration, faculty, and staff meets once a month. Suggestions to improve safety procedures should be submitted to the Environmental Health and Safety Manager. Liability insurance for the university is handled by the Finance and Operations Office.

Each new employee is given a copy of the university's Introduction to Health and Safety, and the Emergency Procedures Handbook. Additional copies are available in Human Resources or through the Environmental Health and Safety Manager's office.

# Hazard Communication Plans

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The university established a Hazard Communication Program that is described in the Occupational Health, Safety and Accident Prevention Manual. The program includes procedures for container labeling, maintaining Material Safety Data Sheets (MSDS), and employee training and information.

The university also maintains a Chemical Hygiene Plan for lab safety. The plan for Natural Sciences is available from the Chemical Hygiene Officer.

# On-Campus Emergencies

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In case of any emergency go to the nearest telephone and dial ext. 7911 or 535-7911 from your cell phone. If the emergency involves an injured person who is helpless, someone should remain with that person while another leaves the scene to report the emergency. The injured person should not be moved. Identify yourself and the person injured (if possible). Indicate the extension number from which you are calling, the nature of the emergency, and the location of the injured person. Wait on the line to answer any questions, which may be asked in order to dispatch emergency vehicles. Once released from the call by Campus Safety, keep the telephone line open for incoming calls.

# Off-Campus Emergencies

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For stretcher cases (for example, a person who is unconscious or who has suffered an injured back or a heart attack) call 911 and ask for "fire." Inform them of the nature of the problem. Stay on the line until told otherwise by the Operator. After caring for the victim, call Campus Safety and Information and report the details. For non-stretcher cases (for example, a person who has suffered a hard bump or a sprained ankle), see to it that the person is taken to the nearest medical facility. After treatment call Campus Safety and Information at 253-535-7441 and report the details.

# Personal Safety

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PLU is concerned about the safety of its employees. Following are some tips that will increase your awareness of precautions to take:

- Call Campus Safety Emergency ext. 7911 immediately if you hear or see anything suspicious.
- Call ext. 7441 for a Campus Safety escort to your car, or to another building.
- Use the buddy system. At night call Campus Safety so that they may check on your welfare as they patrol.
- When possible, lock your office door whenever you leave.
- Lock doors and windows when working at night. Secure everything before leaving.
- Don't leave keys, records, cash, checks, purses, or personal valuables even momentarily.
- Stay alert for the unexpected.
- Avoid unnecessary risks.
- Act with common sense.
- Walk confidently. Don't look like a victim.

Additional materials on personal security are available without cost at the Campus Safety and Information Office.

If you observe illegal or dangerous behavior or activities, please report it Campus Safety in a timely manner, so it can be investigated and resolved.

# Possession of Weapons

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To reduce the risk of injury to employees and students, the university prohibits the possession of weapons on campus premises, in university vehicles, at any university-sponsored events off-campus. Prohibited weapons include firearms, knives, or other dangerous devices including, but not limited to: guns, firecrackers or other explosives, hunting weapons, live ammunition, flares, swords, slingshots, pellet guns, paint guns, and bb guns.

Employees should check with their supervisors or with Human Resources if they have a question regarding this policy. Employees should report to their supervisors any concerns about other staff members, or students in possession of prohibited weapons.

Failure to adhere to the university's weapon policy or failure to cooperate in an investigation is grounds for disciplinary action, which, depending on the circumstances, may include immediate termination.

# Safety Bulletin Boards

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To increase employee's safety and health awareness, bulletin boards for safety information are located in several buildings on campus.

The safety bulletin boards in the following areas will display all Washington Industrial Safety and Health Act (WISHA) required posters and emergency information:

- Hauge Administration Building
- Dining and Culinary Services
- Facilities Management

Safety bulletin boards in other areas may display safety posters, emergency numbers, Material Safety Data Sheet (MSDS) locations, Safety Committee information and other items as determined by the Safety Committee representative.