



Committee on Administration
BOARD OF REGENTS FOR HIGHER EDUCATION
AGENDA – REGULAR MEETING
1st floor Boardroom, 39 Woodland Street, Hartford, CT

1:30 p.m., Friday, March 1, 2013

A meeting of the Committee on Administration of the Board of Regents for Higher Education will be held at **1:30 p.m., on Friday, March 1, 2013, in the 1st floor Boardroom, 39 Woodland Street, Hartford, CT.**

The agenda for the meeting is below.

1. Call to Order—Establishment of Quorum
2. Adoption of Minutes - [December 20, 2012](#)
3. Review and Adoption: Policy on Policies
4. Discussion: Draft Human Resources Policies
5. Update: Phase II Classification Study
6. Adjournment

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Board members –Committee on Administration

Naomi K. Cohen, Committee Chair
Yvette Melendez
Michael Pollard



**BOARD OF REGENTS FOR HIGHER EDUCATION
COMMITTEE ON ADMINISTRATION**

Minutes – Special Meeting

1:30 p.m., Thursday, December 20, 2012

Room 323

61 Woodland Street, Hartford, CT

COMMITTEE MEMBERS PRESENT

Naomi Cohen, Committee Chair

Yvette Melendez

Michael Pollard (Telephonic)

BOR STAFF PRESENT

Philip E. Austin, President

Dennis Murphy, Chief of Staff

Steven Weinberger, VP for Human Resources

Ernestine Weaver, Counsel

Toby Bates, Director of Employee Relations

Rosalie Butler, Administrative Assistant

GUESTS

Kerry Kelley, OPM

1. Call to Order, Roll Call, Declaration of Quorum

With a quorum present, Committee Chair Cohen called the meeting to order at 1:40 p.m.

2. Approval of Special Meeting Minutes from November 9, 2012

The minutes of the November 9, 2012 Special Meeting were unanimously approved on a motion by Regent Melendez, seconded by Regent Pollard

3. Review and make recommendations regarding Special Compensation Analysis Report

Committee members were provided with the “Special Compensation Analysis - Final Executive Report dated December 2012”, as performed by Owen Pottier Consultants. Chairman Cohen gave a general overview and background information. The analysis was requested by the Committee as a result of certain employees having been granted raises or stipends during the tenure of former President Robert Kennedy.

Of the 21 employees originally granted stipends or raises, one had left the system and 20 remained. Stipends for Vice Presidents Nuñez and Levinson were approved by the

Board of Regents consistent with a statutory responsibility for the Board to appoint these employees. Therefore, they were not included in the study.

The study compared Conn State Colleges and University compensation classifications developed in 2010 to other peer institutions within New England and nationally. The report found Connecticut's existing compensation to be competitive. The report concluded that the BOR merger, by itself, does not justify major salary increases, nor did additional workloads unless additional fields of knowledge and abilities and greater accountability for measurable results have been added to the position. Discussion ensued among all committee members and staff present, resulting in consensus on the following items:

- *Committee members received and noted the Owen Pottier "Special Compensation Analysis Final Executive Report (December 2012)" with regard to the classification and compensation system. In the discussion which ensued, Committee members further noted that, with the exception of the two Vice Presidents and one other employee who had received stipends for new responsibilities requiring additional knowledge, skills and accountabilities, the current compensation of the incumbents should remain unchanged. For two positions determined to be outside the existing minimum and maximum applicable salary ranges, the Committee directed the administration to develop a remediation proposal for implementation, subject to appropriate review and approval.*
- Chair Cohen presented to the Committee a memorandum from the administration containing a recommendation to reinstate a temporary stipend (\$2,000/month) for the BOR Director of Policy and Research, retroactive to October 10, 2012, for the period of time in which he performs the additional duties of Academic Programs & Student Services. Payment of the stipend would terminate upon the hiring of a new academic leader. Discussion followed on the search process and anticipated timeline. *After the discussion which ensued, Chair Cohen noted that the consensus of the Committee is to proceed as recommended by the administration and submit this matter to the Finance Committee for its review and approval.*
- Having completed Phase I (the compensation study), the Committee will proceed with Phase 2 -- to develop a Request for Proposals for purposes of a full classification and compensation study of all management, confidential, and otherwise non-represented positions within the CONNSCU system.
- Establish common HR policies which link to the primary objectives and overarching strategies of the BOR.

Staff advised the next draft of BOR HR Policies should be ready for review before the end of the calendar year. These will incorporate statements tying strategic mission to positions.

4. Expense Accounts' Voucher Requirements

Committee members raised questions as to what types of expenses fall into vouchered vs. unvouchered expense categories, history to date and what policies and procedures to either revise or establish going forward. These questions will be of particular importance as the BOR embarks on a Presidential search. Toward that end, Committee members expressed their interest in conferring with campus presidents to ascertain any impacts which may potentially arise from a change in policy.

With no further business to consider, the meeting was adjourned at 2:50 p.m. on a motion by Regent Pollard, seconded by Regent Melendez.

Policy and Procedures for Creating and Establishing BOR Policy

I. POLICY STATEMENT

The Board of Regents for Higher Education (“BOR”) is committed to open and transparent communication of the policies that govern its actions. It is the intention of the BOR to create policies that are well-defined, understandable and consistent with its mission.

II. PURPOSE

The purpose of this policy is to establish a formal process to create, approve, rescind, and revise policies and procedures.

III. DEFINITIONS

ConnSCU: The collective of the following institutions: Charter Oak State College, Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, and Western Connecticut State University.

Constituent unit: The categorization of the institution as community college, state university, the University of Connecticut or Charter Oak State College.

Guidelines: Guidelines establish a protocol to manage a particular policy or procedure as it relates to a particular activity.

Policy: A BOR policy is an official statement of the governing principles that guide and inform the decisions and actions of the BOR and institutions under its purview. Policies have broad application throughout the public system of higher education and especially for the collective of state colleges and universities. Policies are developed to promote operational efficiencies, to enhance the BOR mission and values, to reduce institutional risks, and to ensure compliance with applicable laws and regulations. In developing a BOR policy, consideration should be given to the implications for implementation to ensure that the intent of the policy is achievable, cost effective, and produces the desired outcomes.

Procedure: A procedure describes the steps needed to implement or manage a policy, and operate consistent with policy. A procedure describes a process that must be followed to achieve the desired outcomes. A procedure is not a policy.

IV. PROCEDURES

A. General Requirements: All BOR policies will be developed and reviewed in accordance with the following requirements:

1. BOR policies shall be:
 - Broad in application throughout institutions.
 - Consistent with applicable laws and regulations
 - Be approved by the full Board of Regents
2. Connecticut Community College Board of Trustees policies, Connecticut State University Board of Trustees and Charter Oak State College policies will continue to remain in effect until amended or rescinded by the BOR and shall govern the constituent unit for which it was written.
3. Each BOR policy will be reviewed and updated from time to time as appropriate.
4. Any new policy as well as any revision of an existing policy may be required whenever there is a change(s) in:
 - the organization;
 - relevant laws, regulations, or case law;
 - available resources, personnel, and facilities; or
 - circumstances that may necessitate restructuring or reformulation of an existing policy or procedure.

B. Development, Approval, or Rescission

1. Development

A policy proposal may be presented to an executive staff member, a Vice President or a standing or special committee of the BOR. Draft policy proposals originating at the BOR committee level shall be submitted to a Vice President or other executive staff member responsible for the area of activity to which the Policy may apply.

The Vice President or executive staff member shall determine whether there is a need for the policy creation, revision, or repeal in conformance with standards, requirements, best practices, institutional objectives, existing operating protocols and/or law. Although the development or administration of a policy may be delegated, the final draft of the Policy must be reviewed and approved by the Vice president or member of the executive staff of the BOR. Other appropriate ConnSCU councils or applicable personnel shall be invited to review and comment. If the proposed policy impacts more than one area, the proponent is responsible for coordinating and consulting with the other potentially impacted executive staff.

A policy proposal shall include an executive summary and a report of the process followed in developing the proposal. After policy proposals have been reviewed by staff and determined by the President of the BOR appropriate for further consideration, the draft proposals shall be submitted to the BOR Executive Committee which shall consider the draft proposal and, if appropriate, refer it to the impacted BOR committees for review and further action.

The Executive Committee review may include the following: A recommendation with or without amendments; reassignment for further study and analysis; rejection; or referral to other committees of cognizance.

All proposals shall be reviewed by the Committee on Administration as to form and consistency with other policies. When recommended, the Committee will submit the proposed policy or procedure for official consideration and approval to the full Board of Regents for Higher Education

2. Approval

Upon receipt of an approved policy the Board Secretary will:

- post the document on the BOR website, and
- Send an e-mail to all ConnSCU informing them of the policy and the date on which it will take effect.

3. Modification and Rescission

Proposals to rescind or modify a policy shall be approved by the Board upon the recommendation of the Committee on Administration

V. RESPONSIBILITY

A. Only the BOR may adopt policy. Only by a resolution of the full board may it delegate any of its policy making authority.

B. The President of the BOR or designee is responsible for ensuring that all policies are current, compliant with the law, and consistent with other applicable standards.

C. Each Vice president will be responsible for:

1. Reviewing and updating the policies and procedures as needed.
2. Ensuring that his/her staff and colleagues are made aware of all applicable policies.
3. Monitoring compliance and assessing outcomes.

VI. APPROVAL and EFFECTIVE DATE

A. Effective Date will be upon passage unless otherwise directed by Board or law.

Human Resources Policies
For Management and Confidential Professional Employees
Of the
Board of Regents for Higher Education

DRAFT 1/30/13 rev 2/26/13

Approved by the Board of Regents on _____
Version 1.0

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Contents

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Article 1 – Purpose and Disclaimer

1.1 Purpose

These policies are promulgated by the Board of Regents for Higher Education (the Board) established under Connecticut General Statute section 10a-1a and set forth the terms and conditions of employment for Management and Confidential Employees under the Board of Regent’s jurisdiction. These policies supersede and cancel all prior practices and agreements, whether written or oral unless expressly stated to the contrary herein.

1.2 Disclaimer

Nothing contained herein shall constitute a contract of employment and the Board reserves the right to alter, amend, revise or repeal these policies from time to time in whole or in part. Nothing contained in these policies constitutes a promise or guarantee of continuing employment or of benefits or policies described herein will not be modified in the future. This booklet simply describes current benefits and policies, subject to change from time to time.

1.3 Interpretation, Application and Modification of Human Resource Policies

Disputes concerning the meaning of these policies shall be reduced to writing and submitted to the Board’s Vice-President for Human Resources. He/she will convene a meeting to hear the dispute and give the parties an opportunity to present information and respond to questions. The Vice-President for Human Resources will make a written recommendation on the disposition of the complaint to the President of the Board within thirty (30) calendar days of receipt of the dispute. The President of the Board shall either accept or reject the written recommendation. If he/she rejects the written recommendation then the issue is remanded back to the Vice-President for Human Resources for further review and he/she must submit a different written recommendation within thirty (30) calendar days.

If the President accepts the written recommendation from the Vice-President for Human Resources it shall be final and binding. Said recommendation shall be forwarded by regular mail to the Complainant.

Periodically, these policies are revised or modified. Employees may make suggestions for alterations to these policies to their respective Human Resource Director.

Article 2 – Definitions

2.1 Professional Personnel

The term “professional personnel” includes all unclassified personnel, excluding those who are covered by a collective bargaining agreement. These employees, or personnel, are referred to as Management or Confidential Professional Personnel.

2.2 State Universities

The words “state universities” refer to the Connecticut State Universities described under Connecticut General Statutes 10a-1(2) and include Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University and the Connecticut State University Research Foundation.

2.3 Community Colleges

The words “community colleges” refer to the regional community-technical colleges described under Connecticut General Statutes 10a-1(3) and include Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College and Tunxis Community College.

2.4 Charter Oak

The words Charter Oak refer to Charter Oak State College established under Connecticut General Statutes 10a-143(c) and the Connecticut Distance Learning Consortium.

2.5 Institution

Institution refers to the community colleges, state universities and Charter Oak.

2.5 College & University Personnel

The term “college & university” personnel excludes personnel in the system office and refers to persons assigned to the CSU, CCC or Charter Oak.

2.6 President

The term “President” refers to the president for the Board of Regents or any of the presidents assigned to the State Universities, Community Colleges, or Charter Oak.

2.7 System Office

The term “System Office” means the organizational unit comprising the staff of the Board of Regents for Higher Education and employed by the President under Connecticut General Statutes 10a-1b(b).

2.8 The System

The system refers to the System Office along with all of the institutions.

2.9 Management and Confidential Professional Employees

The term “Management and Confidential Professional Employees” includes the Presidents, Vice- Presidents, Chief Officers, Executive Deans, Associate and Assistant Vice-Presidents, Provosts, Deans, President’s Executive Assistant, Directors and Assistant Directors of Human Resources and such other persons as may be designated by the President of the Board of Regents or a President of a constituent unit.

The term “Confidential Professional Employee” includes those employees under these policies not designated as management.

2.10 Full-Time/Part-Time

As used herein “full-time” means a position or an employee in said position whose regularly assigned hours of work are at least 40 hours per week. “Part-time” employees or positions are those that are less than full-time.

2.11 Non-temporary Employee/Appointment

A non-temporary is any individual whose appointment is without term and may be terminated pursuant to Article 8.

2.12 Temporary Employee/Appointment

A temporary employee is any individual whose appointment is limited in duration, grant-funded, or whose letter of appointment indicates that employment ends on a specified date. A temporary appointment may also be terminated pursuant to Article 8.

2.13 Employer

As used herein the employer shall mean the Board, the Presidents or their designee as appropriate.

Article 3 – Professional Responsibilities

3.1 Non-discrimination, Affirmative Action & Sexual Harassment

It is the legal, intellectual and moral responsibility, but more importantly, the policy of the leadership of the Board of Regents to advance social justice and equity by exercising affirmative action to remove all discriminatory barriers to equal employment opportunity and upward mobility. Accordingly, the System will, with conviction and effort, undertake positively to overcome the present effects of past practices, policies or barriers to equal employment opportunity, and to achieve the full and fair participation of all protected groups found to be underutilized in the workforce or adversely impacted by system policies and practices.

Similarly, it is the policy of the System that sexual harassment is prohibited. This policy is a strong statement of our institutional commitment to have a community in which individuals can work and learn in an environment which fosters dignity and mutual respect, and it reaffirms the System's commitment to fair and equal treatment for all.

All employees are expected to discharge their affirmative action responsibilities, in word and deed, consistent with the System's objective of establishing and implementing affirmative action and equal employment opportunity.

Complaints alleging discrimination and sexual harassment will be investigated according to the complaint procedures adopted at each of the constituent units or at the system office. Complaints must be filed with the individual responsible for affirmative action at the appropriate location and in accordance with the procedures located in the respective affirmative action plan.

3.2 President of the Board of Regents

The position President of the Board of Regents is established under Connecticut General Statutes 10a-1b and is the chief executive officer for the Board of Regents. The President of the Board of Regents is responsible for implementation of all decisions and policies of the Board. The President of the Board of Regents is responsible for the operation of the System and supervises the work of the staff in the System Office. The work of the System Office includes, but is not limited to: academic affairs, student affairs, budgeting, financial management, legal services, communications, public policy, personnel matters (including affirmative action and collective bargaining), institutional research, telecommunications, facilities planning and construction, innovation and outreach, and information technology.

The President of the Board of Regents shall keep the Board fully informed on all aspects of the System. He or she prepares the agenda for Board meetings, provides adequate notice of meetings as required by state statute and Board policy, and maintains records of the Board's actions. The President of the Board of Regents or his/her designee acts for the

Board and represents the Board and the institutions to other units of state government and to the community and citizens at large.

In the absence of a Board policy, the President of the Board of Regents determines appropriate action and need for policy. The President of the Board of Regents or his/her designee is empowered to issue administrative directives and to call for reports as may be needed. The President of the Board of Regents may direct transfers of funds among the System (in accordance with state appropriation rules and regulations), whenever such transfers in the President of the Board of Regents' judgment provide the best management and operation of the System.

The Presidents of the constituent units report to the President of the Board of Regents and are responsible for the effective management of their institutions.

The President of the Board of Regents or his/her designee may define categories of students to insure appropriate designation for purposes of fee payment and uniform enrollment reporting.

When applicable, the President of the Board of Regents or his/her designee may establish and/or manage compensation classification systems for employees whenever he/she determines said classifications provide for the best management and operation of the System and are in accordance with collective bargaining policies and procedures.

This section should not be construed to limit other duties and responsibilities of the President described in section 10a-1b of the Connecticut General Statutes.

3.3 Presidents of the Institutions

Each President of an institution is the Chief Executive Officer of the college or university to which he/she has appointed by the Board of Regents, and report to the President of the Board of Regents. In the capacity of Chief Executive Officer, the Presidents are responsible for meeting stated missions, serving as the executive management of the college/university, and promoting the development and effectiveness within approved Board policy. In addition, the Presidents are responsible for the welfare of all students and employees at their college/university.

3.4 The Management and Confidential Professional Staff of the System Office

The professional staff of the System Office shall be the President of the Board of Regents and the Management and Confidential Professional staff to the President of the Board of Regents. The duties and responsibilities of the President of the Board of Regents shall be as assigned by the Board. The duties and responsibilities of professional staff shall be assigned by the President of the Board of Regents or his/her designee.

3.5 The Management and Confidential Professional Staff of the Constituent Units

Each institution shall have a President and such other Management or Confidential Professional employees as are required by that institution's president. Duties and responsibilities of the institution's President shall be assigned by the President of the Board of Regents and/or by the Board, except that such duties assigned by the President of the Board of Regents shall not negate duties and responsibilities assigned by the Board. Duties and responsibilities borne by institution Management and Confidential Professional employees shall be as assigned by the institution's President or his/her designee in conformance with the compensation classification established by the President of the Board of Regents.

3.6 Special Responsibility of Presidents and the President of the Board of Regents

The management and operation of the System depend on the leadership and oversight exercised by the Presidents. When the President of the Board of Regents is to be absent from the office and inaccessible for a period of more than a day, except for an absence which occurs because of a state holiday, then he or she shall inform the Board Chairman of the planned absence, as well as who has been assigned the responsibility for the management of the System Office. When an institution's President is to be absent from the office and inaccessible for a period of more than a day, except for an absence which occurs because of a state holiday, then he or she shall inform the President of the Board of Regents, as well as who has been assigned the responsibility for the management of the college or university.

3.7 Reporting Attendance

Management and Confidential Professional employees are required to report their work attendance in the manner as prescribed by the President of the Board of Regents or his/her designee or by the appropriate president or his/her designee, as appropriate.

3.8 Address and Telephone Number

Management and Confidential Professional employees have specialized skills and knowledge essential to the operation of the System. For this reason it is essential to be able to contact such persons in case of emergencies or other unusual circumstances.

All Management and Confidential Professional employees shall file home addresses, telephone numbers (including cell phone numbers) and emergency contact information with their respective President, as appropriate. Whenever an address or a telephone number is changed, the new address or telephone number must be reported immediately to the employee's President (or designee).

3.9 Code of Ethics

All state officials and employees, including all Management and Confidential Professional employees of the System, must comply with the State Code of Ethics. The Code is intended to prevent one from using his/her position or authority for personal financial benefit.

3.9.1 Financial Disclosure

Certain public servants (all personnel who exercise policy-making, regulatory or contractual authority) in the Legislative and Executive Branches of State Government and the State's Quasi-Public agencies must file statements of financial interest (interests held during the previous year) annually with the Office of Governmental Accountability by May 1.

Additionally, any "necessary expense" payments received in the capacity of a state employee if lodging and/or out-of-state travel is included, unless provided by the Federal Government or another state government must be disclosed to the Office of Governmental Accountability (Office of State Ethics) within thirty (30) days of the trip.

3.9.2 Questions about the Ethics Code

Anyone subject to the Code may request the Office of State Ethics advice (advisory opinion) as to how the Code applies to a situation. The Office's staff also provides informal advisory letters when the question posed is unambiguous or has been previously addressed by a previous opinion. Finally, staff are available to discuss application of the Code to a particular issue on a confidential basis.

Questions about the above information or requests for more information about the Ethics Law or Code of Ethics, may be addressed to:

Office of State Ethics
18-20 Trinity Street
Hartford, CT 06106-1660

Main Phone Number: 860-263-2400

The full guide for Public Officials & State Employees may be viewed at:

<http://www.ct.gov/ethics>

3.9.3 Political Activity and Employment

Political activity of state employees is governed by the Federal Hatch Act and Connecticut General Statutes. To avoid conflicts with the law, employees who are considering running for public office must notify their human resources office prior to initiating a campaign to determine if the state or federal laws apply and to determine whether an accommodation will be needed or possible.

Article 4 – Professional Development

4.1 Professional Development

The Board recognizes that professionals must have the opportunity to keep abreast of developments in their fields, to sharpen their skills and to increase their knowledge. The various types of leaves are provided in Article 6.

Employees may be granted reimbursement for course work, seminars and conferences, provided this request is made and approved by the President of the Board of Regents or his/her designee in advance of the scheduling anticipated participation and that participation in the seminar, conference or other skill development training, increases an employee's value to the Board by improving professional skills.

4.2 Travel

Travel is an important ingredient in the development of professional skills. The Board requires the President of the Board of Regents to set reimbursement standards and rates for Management and Confidential Professional Employees that shall be consistent with state travel policy shall not be less than the most favorable granted to any employee of the Board of Regents who is covered under a prevailing collective bargaining agreement.

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Article 5 – Appointments

5.1 President of the Board of Regents

The President of the Board of Regents is appointed by the Governor upon the recommendation of the Board of Regents. Temporary appointments as defined in Section 2.12, end on the date specified. Non-temporary appointments may be terminated by the Board pursuant to Article 8.

5.2 University Presidents

University Presidents are appointed by the Board. Temporary appointments, as defined in Section 2.12, end on the date specified. Non-temporary appointments are without term and may be terminated by the Board pursuant to Article 8.

5.3 College Presidents

College Presidents are appointed by the Board. Temporary appointments, as defined in Section 2.12, end on the date specified. Non-temporary appointments are for a term of one year or less and expire June 30 of each year. Non-temporary appointments are subject to annual renewal.

5.4 Management and Confidential Professional Employees assigned to the System Office.

Management and Confidential Professional Employees in the System Office are appointed by the President of the Board of Regents. Temporary appointments, as defined in Section 2.12, end on the date specified. Non-temporary appointments may be terminated pursuant to Article 8.

5.5 Institution Management and Confidential Professional Employees

Institution Management and Confidential Professional Employees are appointed by the President of the College or University. Temporary appointments, as defined in Section 2.12, end on the date specified. Non-temporary appointments may be terminated pursuant to Article 8.

5.6 Faculty Appointed as Management or Confidential Professional Employees

When Faculty or ten-month employees are appointed to a Management or Confidential Professional Employee position at a time other than the beginning of the academic year, they shall be paid a lump sum for any prior service completed.

5.7 Acting or Interim Appointments

When a Management or Confidential Professional position becomes vacant because of resignation, retirement, illness, sabbatical leave or any other cause Presidents may appoint a qualified individual to fill the position on an Acting or Interim basis. A person who is an employee of the Board and who accepts an acting, or interim, appointment may receive a non-temporary appointment to the position in which such a person is serving in an acting capacity, provided such non-temporary appointment is made accordance with existing

Board and human resource policies, as well as all affirmative action rules and procedures governing the ConnSCU system. Accepting an acting or interim appointment does not impact the employee's non-temporary appointment.

5.8 Temporary Appointment to Management or Confidential Professional Position from a Bargaining Unit

When a member of a bargaining unit is temporarily appointed to a Management or Confidential Professional position, his/ her salary shall be expressed as what he/she would receive had they remained in their bargaining unit position plus any additional biweekly amount received for the period served in the Management or Confidential position in conformance with the Compensation and Classification Policy. Faculty, however who do enter into a temporary Management or Confidential Professional position will receive vacation and sick time accruals until the end of the appointment. At the end of the appointment the vacation time will be paid out to the Faculty employee should he/she have any remaining balance.

5.9 Consultants and Temporary Workers

The Presidents are authorized to employ consultants and other temporary workers, provided such employment does not violate an existing collective bargaining agreement or other state regulation and provided the funds are within the budgetary provisions approved by the Board.

5.10 Faculty and Administrative Bargaining Unit Ranks

Application of this provision is subject to collective bargaining agreements, as may be amended from time to time. As part of an employment package, a prospective employee may only be offered academic department status following appropriate faculty consultation procedures. Employees shall not seek assignment of faculty rank, promotion from a former faculty rank or assignment to administrative rank, while under the aegis of these policies.

5.11 Emeritus Status

When a President believes it is appropriate, emeritus status may be conferred upon Managers and Confidential Professional employees. Ordinarily, emeritus status will be conferred only upon persons who have ten (10) years or more of service to the Board of Regents (or one of the Board of Regents' colleges or universities), or its predecessor organization who are 55 years of age or older, and who have retired from service to the State of Connecticut. The following privileges are provided for emeriti: use of the emeriti title, library privileges, a computer account, course privileges as provided in Article 6.14, desk space if available, inclusion on the distribution list for all publications issued by the College or University to which the employee was assigned immediately before retirement.

Article 6 – Evaluation, Personnel Files, Compensation and Benefits

6.1 Evaluation of the President of the Board of Regents

The President of the Board of Regents shall be evaluated in conformance with Board policy.

6.2 Evaluation of the College and University Presidents

The College and University Presidents shall be evaluated by the President of the Board of Regents in conformance with Board policy.

6.3 Evaluation of Management and Confidential Professional Employees

The President(s) shall evaluate those employees who report directly to the Office of the President. Designees of the President(s) shall evaluate the performance of Management and Confidential Professional employees who report to them. Such evaluations shall take place annually, except that more frequent evaluations may occur at the discretion of the evaluator. Evaluations will be based upon objectives established for the period since the last evaluation and upon the individual's accomplishments and areas for development during that period of time. The evaluation schedule and instrument shall be determined by the President of the Board of Regents.

Each employee shall be shown the original evaluation and shall sign and date such evaluation indicating that the document has been reviewed. Employees may append statements to evaluations within a ten-day period following their signature on the evaluation.

6.4 Personnel Files

Personnel files shall be maintained in accordance with all applicable laws and regulations. Personnel files shall be located in the Human Resources Office in a secure location. These files shall include, but not be limited to, the application for employment and supporting documentation, recommendations, evaluations, disciplinary actions, payroll and benefits-related forms and correspondence reasonably related to an employee's personal status. These files shall be maintained under the direction of the Human Resource Director.

Each employee file shall contain a log of every instance of access to that file except by the President, Human Resource Director or the staff charged with Human Resources responsibilities.

Employees shall have access to their personnel file at the mutual convenience of the Human Resource Office staff and the employee. Nothing may be added, removed or altered in a personnel file by the employee except upon the written agreement of the Human Resource Director or his/her designee.

Upon an employee's request, a copy of any document (s) within the file shall be given to the employee within a reasonable period of time.

Employees wishing to contest the accuracy, completeness or relevancy of documents in the personnel file shall submit a request for addition, deletion or correction, in writing to the Human Resource Director. The dated request shall provide detailed reasons for the proposed change. The decision in the matter by the Human Resource Director shall be final, binding and issued within thirty (30) days of the initial written request. Contents of the Chief Human Resource Officer's file may only be changed upon the agreement of the President.

An employee's file may be opened to an outside party pursuant to and in accordance with the Freedom of Information Act and other relevant laws. An affected employee shall be promptly notified of any such request.

6.5 Salary Ranges

Each Management and Confidential Professional title is assigned to a salary range. The assignment of new titles to ranges and the reassignment of existing titles to new ranges shall be pursuant to the Classification and Compensation Policy.

A. Salary Adjustment Policy

The Board recognizes the dedication and professional accomplishments of the Management and Confidential Professional employees and is committed to compensating such persons fairly. Salary adjustments shall be administered in accordance with the Classification and Compensation policies

B. Salary Adjustments for Management and Confidential Professional Employees

Salary adjustments for Management and Confidential Professional Employees shall be pursuant to Board policy. All salaries fall within ranges established by the Board. The effective date for annual salary adjustments shall be the beginning of the pay period which includes July 1. No one employed less than six(6) months in such a position shall be eligible for consideration of such a salary increase. Anyone who will not be employed in a Management or Confidential Professional position as of the September 1, for any reason shall not be eligible for the salary adjustment.

Salary adjustments for Management and Confidential Professional Employees shall not exceed but may match the salary increases given to bargaining units. Subject to the approval of the Board, a President may adjust a salary of Management and Confidential Professional Employees due to change in function or other substantiated reason.

C. Reporting Salary Adjustments

All salary adjustments for Management and Confidential Professional Employees within the System Office shall be reported to and approved by the Board on a form prescribed by the President of the Board of Regents.

6.10 ARP Disability Plan

Management and Confidential Professional Employees who are members of the Alternate Retirement Plan (ARP) shall be covered at no expense by a group disability plan.

6.11 Group Life Insurance

Employees shall continue to be eligible to participate in the state's group life insurance plan pursuant to Connecticut General Statutes.

6.12 Overpayment Recovery

When the System Office or an institution determines that an employee has been overpaid, the human resources office shall give reasonable notice to the employee of the fact and reasons therefore. Overpayments or other unauthorized payments may be involuntarily recovered by payroll deduction. Such biweekly recovery deduction(s) shall not exceed the amount of the overpayment(s). The deduction shall begin promptly provided:

- The individual employee has not agreed, in the opinion of the Human Resource Director, to an alternative reasonable payment schedule;
- There is no pending litigation related to the issue; and
- The recovery rate shall not exceed five (5) percent of the employee's gross biweekly salary.

6.13 Course Privileges

Subject to the approval of the College or University offering the instruction, a full-time non-temporary System Office employee covered by these policies or their spouse and unmarried dependents under the age of 25 may take courses only at either the Community Colleges or the State Universities on a space available basis without payment of tuition. Upon making an election of either university or college, System Office employees may not change their election.

Full-time non-temporary Community College employees or their spouses and unmarried dependents may take courses only at any of the colleges. Full-time non-temporary State University employees or their spouses and unmarried dependents may take courses only at any of the state universities.

If attending a state university the following fees may be waived: State University Fee or General University Fee for full-time students and Extension Fee and Registration Fee. If attending a community college the following fees may be waived: application fee, program enrollment fee, college services fee and student activity fee. Course privileges may be granted provided that participation in courses does not interfere with the employee's professional obligations. Course privileges do not include waivers for credit extension course work. This benefit shall also be available to the above-mentioned spouse and dependents surviving a deceased employee (death having occurred on or after July 1, 1990, during the employee's active service) who had accumulated ten (10) years of State service.

Full-time Charter Oak employees may take one free course per calendar year at Charter Oak State College.

6.14 Moving Expenses

The President(s) are authorized to offer reimbursement for out-of-state moving expenses for prospective employees when, in their judgment, such offer would be in the best interests of the Board of Regents. Such offers must be in writing and conform to current Board Policy.

6.15 Consulting

Management and Confidential Professional employees may be compensated for performance of research, consulting or similar activities which are beyond the scope of their normal duties provided:

- Notification and approval has been granted by the direct supervisor and the Human Resource Director.
- That no conflict of interest results, and that such activities can be accomplished on personal time in such a way as not to conflict with normal duties; and
- That payment is made directly to the employee.

6.16 Teaching

Management personnel may teach courses within the Board of Regents so long as the course does not interfere with their normal duties and that compensation for such course is in accordance with collective bargaining rates for the affected institution. Internal or external teaching assignments may be undertaken only with prior approval of the appropriate President.

Article 7 – Vacations, Holidays, Compensatory Time Off and Leaves of Absence

7.1 Vacation

Vacation days do not accrue in any month in which an employee is on leave of absence without pay for an aggregate of more than five (5) working days during that month. Full-time employees employed on a 10-month basis are entitled to a total of 18.33 working days of vacation per calendar year accrued at the rate of 1.833 days per calendar month of service. Full-time employees employed on a 12-month basis are entitled to a total of 22 vacation days each calendar year accrued at the rate of 1.833 days per calendar month of service.

Part-time employees who work twenty (20) or more hours per week and are eligible for benefits shall receive vacation, sick and personal leave on a pro rata basis. Proration of benefits shall be measured by the length of the part-time employee's work week, divided by the length of the work week for full-time employees.

Charter Oak employees may accumulate vacation days with pay from year to year to a maximum of 60 such days (480 hours). All other employees may accumulate vacation days with pay from year to year to a maximum of 120 such days (960 hours). The Human Resources Office will notify an employee before he/she reaches the maximum limit and for employees who are at the limit will adjust the balance to remove the overage to such employee's record once a year in January or at the time of separation from State service.

Employees are required to use a minimum of twelve (12) days of vacation per calendar year. Forfeiting required vacation leave time to carry over vacation leave time must be approved by the Chief Human Resource Officer.

Upon separation from State service, an employee shall be compensated for unused vacation days (to a maximum 120 days) at the daily rate of pay at the time of separation. In the event of death, the compensation shall be paid to the employee's estate.

7.2 Personal Leave

In addition to annual vacation, each full-time employee shall be granted up to three (3) days of personal leave with pay in each calendar year. Such leave shall be for the purpose of carrying out important personal matters, including the observance of religious holidays, and shall not be deducted from vacation or sick leave credits. Except in emergencies, employees who desire to use personal leave are expected to give reasonable advance notification to their immediate supervisors.

If at any time a part-time Management or Confidential Professional employee is changed to full-time status, they shall receive the remainder of the personal leave time give a full-time employee for the year. Any individual commencing employment in the first four months of the calendar year is eligible for three (3) personal days; in the second four months, two (2)

days; and in the last four months no days.

Personal leave days not taken within the calendar year may not be carried over to the next year.

7.3 Sick Leave

Full-time employees shall accrue sick leave with pay at the rate of one and one-quarter (1.25) working days per completed calendar month of continuous full-time service commencing with the date of initial employment. No such leave will accrue for any calendar month in which an employee is on leave of absence without pay an aggregate of more than five (5) working days. Part-time employees shall accrue sick leave monthly on a pro-rated basis.

There shall be unlimited accumulation of sick leave. Upon retirement, however, an employee shall be compensated for one-quarter (.25) of the accumulated sick leave up to a maximum of 60 full days. Payment for accumulated sick leave shall not be included in computing retirement income. Upon the death of an employee who completed 10 years of satisfactory state service, the employee's estate shall receive the sick leave compensation which would have been provided to the employee had he/she retired on the date of the employee's death.

7.4 Purposes of Sick Leave, Medical Certificate

Earned sick leave is granted for the following reasons:

- Temporary incapacitation for duty;
- Avoidance of the exposure of others to contagious diseases;
- Dental, medical or eye examination or treatment which cannot be scheduled outside of working hours;
- In the event of death in the immediate family when as much as five (5) working days' leave with pay shall be granted (immediate family means husband, wife, father, mother, sister, brother, child or any other person who is domiciled in the employee's household);
- If critical illness or severe illness or severe injury in the immediate family creates an emergency which requires the attendance or aid of the employee, when up to five (5) working days' leave with pay shall be granted;
- In the event of the death of a non-immediate family member or friend the President may also authorize the use of sick leave not exceed in the aggregate a total of five (5) working days' leave per calendar year, to fulfill the obligations of traveling to, attending and returning from funerals.
- Up to three (3) days paid leave will be provided to a parent at the time of birth, adoption, or taking custody of a child.

Medical certificates are required before sick leave will be granted for the following reasons:

- Any period of absence of more than five (5) consecutive working days;

- When absence recurs frequently or habitually (as determined by the Human Resource Director); or to
- Adjust vacation leave to sick leave in the event that employee becomes ill while on vacation. Occasionally, the Human Resource Director may require a second medical certificate from a physician of his/her choosing selected from a list of state-approved medical providers.

7.5 Sick Leave Bank

There shall be a Sick Leave Bank established for use by full-time Management and Confidential Professional employees who have been employed at least one year, exhausted their own sick leave and who have a catastrophic and extended illness. Each employee shall make a mandatory contribution of four (4) sick leave days during their first year of service. (For current employees who have not previously made the mandatory contribution, upon adoption of these policies four (4) sick leave days will be taken immediately from their sick leave accruals).

The Sick Leave Bank shall be administered by a Sick Leave Bank Committee whose membership will be made up of volunteers from the Council on Employee Relations and will be chaired by the Vice-President of Human Resources for the Board of Regents. The Sick Leave Bank Committee shall determine the eligibility for the use of the Bank and the amount of leave to be granted. The following criteria shall be used by the Committee in administering the Bank and determining the eligibility and amount of leave:

- Adequate medical evidence of catastrophic and extended illness; and
- Prior utilization of all available sick leave, including prior sick leave patterns and usage.

The initial grant of sick leave by the Sick Leave Bank Committee to an eligible employee shall not exceed thirty (30) working days. Upon completion of the 30-workday period, the period of entitlement may be extended by the Sick Leave Bank Committee upon demonstration of need by the applicant. In normal circumstances, such grants from the Sick Leave Bank Committee shall not exceed a total of 120 consecutive workdays per occurrence. If the sick leave bank is exhausted, it shall be replenished by the contribution of up to four (4) additional sick days from each employee covered by these Policies. The Sick Leave Bank Committee shall determine the time when it becomes necessary to replenish the sick leave bank. The decisions of the Sick Leave Bank Committee, with respect to eligibility and entitlement, shall be final and binding with no appeal.

When an employee has a catastrophic and extended illness that has exhausted their sick leave, a request for use of the sick leave bank may be made to the Vice-President of Human Resources for the Board of Regents or his/her designee.

7.6 Holidays

If these holidays fall within their working year, employees shall be granted time off with pay for the following twelve (12) holidays:

Colleges

New Year's Day
Martin Luther King Day
Lincoln's Birthday
Washington's Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Christmas Day

Universities and Charter Oak

New Year's Day
Martin Luther King Day
Lincoln's Birthday (observed the Friday preceding Washington's Birthday)
Washington's Birthday
Day of Prayer
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day (observed the Friday after Thanksgiving)
Thanksgiving Day
Christmas Day

If a College or Universities' classes are in session on a scheduled holiday, a substitute day may be subsequently taken with the agreement of the President.

If these holidays fall within their working year, System Office employees shall be granted time off with pay for the following ten (10) holidays:

New Year's Day
Martin Luther King Day
Washington's Birthday
Day of Prayer
Memorial Day

Independence Day
Labor Day
Columbus Day
Thanksgiving Day
Christmas Day

System Office employees shall also be granted two (2) floating holidays. One holiday may only be granted on either Lincoln's Birthday or the Friday preceding Washington's Birthday. The second floating holiday may only be granted on either Veterans Day or the Friday after Thanksgiving.

If any of these holidays fall on a Saturday or Sunday, employees shall be excused from work in accordance with state practice.

7.7 Inclement Weather

Whenever the Governor of Connecticut or the Governor's designee excuses state employees from work, the President of the Board of Regents or designee may grant time off to Management and Confidential Professional employees. A President may also close his/her institution due to inclement weather or emergency if he/she deems that appropriate and excuse management and confidential personnel.

7.8 Compensatory Time

The Board recognizes that Management and Confidential Professional positions are demanding and often require work beyond that normally expected of other employees. Compensatory time off will be based upon the individual's FLSA status (below the salary range of Assistant Director, grade 36) as determined by the Human Resource Director.

- Travel-related functions (e.g. conferences, seminars, etc.) do not qualify for compensatory time.
- Personnel who are required to perform extended service beyond the normal workweek to complete a special project, participate at a university function on a weekend (e.g. orientations, graduation, conference, etc.) or meet specific deadlines due to unusually heavy, peak-period workload, may claim compensatory time provided they have written pre-approval from their supervisor and the Human Resource Director.
- In other circumstances, compensatory time for work on a legal holiday, a Saturday or Sunday may be granted at the discretion of the President or designee as appropriate, provided they have received written pre-approval from the President or designee.
- Use of compensatory time is subject to supervisory approval which shall not be unreasonably withheld.

Such compensatory time earned must be taken by December 31st of the year earned. Compensatory time will not be used as the basis for additional compensation. Employees may not aggregate more than 15 days (120 hours) of compensatory time. With written approval from the President or designee an employee may aggregate more than 15 days, but in no case shall the aggregate exceed 20 days (160 hours).

7.9 Sabbatical Leave

Sabbaticals are granted to increase an employee's value to the System by improving professional skills and thereby enriching the employer. Sabbatical leaves shall be granted for planned travel, study, formal education, research, writing or other experience of professional value. Such leave shall be available as a matter of privilege rather than a right and shall be granted to an eligible employee only in those cases where the criteria set forth below are met.

Upon completion of six (6) years' full-time service, an employee may be considered for sabbatic leave. After a sabbatical, a person does not again become eligible until the completion of an additional six (6) years' of full-time service. The number of sabbatic leaves available each year is limited and depends upon the availability of funds. Leaves are granted without regard to seniority or to the number of years a person has been eligible for a sabbatical. Proposals for such leaves must be submitted to a President or the Board, as appropriate. The proposal must include:

- (1) A full description of the activity to be undertaken;
- (2) A detailed explanation of how this activity will improve professional skills and is mutually beneficial to the institution/Board of Regents and the individual;
- (3) The time period for which the leave is requested; and
- (4) A description of the individual's role, his/her prior service to the institution/Board of Regents, and other contributions to the System

The President or the Board, as appropriate, will evaluate the request for sabbatic leave based on the following criteria:

- (1) The merits of the project to the System;
- (2) The merits of the project to the professional development of the individual;
- (3) The feasibility of completing the project within the timeframe stated in the proposal; and
- (4) How the leave would impact the functioning of the unit.

Leaves approved by the President or the Board shall be reported to the Board.

Payment for employees on sabbatic leave shall be at the rate of full pay for leaves of six (6) months or less or half pay for leaves of more than six (6) months, but not to exceed twelve (12) months. An employee on sabbatical shall continue to accrue sick leave, vacation leave and retirement credit. An employee on a half-pay sabbatical shall be credited with one full-year service (but not salary) for purposes of retirement.

Management or Confidential Professional Personnel on sabbatic leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for purposes related to the leave, and part-time employment directly related to the project at an institution where they are in residence for the purpose of study and

research, or other educational purpose, in addition to the partial salary from the constituent unit, provided that the total compensation from all sources does not exceed full salary. The leave may not be used to accept paid employment during the period of the leave except as provided above. Upon completion of the sabbatic leave and within three (3) months of returning from the leave, the employee will submit a written report to the President or the Board that details the professional activities and accomplishments attained in pursuit of the objectives set forth in the original proposal report (a dissertation may be substituted if completed while on the sabbatic leave). Employees accepting and completing sabbatic leave are expected to return to on-site work for one (1) year following expiration of the leave unless specifically exempted from this provision in writing by the President or Board.

7.10 Leaves Without Pay

A President, as appropriate, may grant an employee an unpaid leave of absence for periods lasting up to one (1) calendar year. Unpaid leaves of absence may be extended for up to no more than one (1) additional year at the discretion of the President. During an unpaid leave, an employee may exercise the option of continuing all benefits normally provided by the state by paying all the required premiums for such benefits. While on unpaid leave, an individual shall remain an employee of the Board; however, the period of any such leave shall not be considered a period of service for purposes of salary and fringe benefit calculation, retirement, longevity, seniority or eligibility for sabbatic leave. Any family or medical leave taken pursuant to Article 7.14 shall count toward the one-year limit.

7.11 Short-Term Military Leave

Short-term military leave shall be granted in accordance with state and federal statutes.

7.12 Court Leave

An employee who serves on a jury or is subpoenaed to testify to matters which arose out of the course of state employment, shall be entitled to receive full pay and benefits for the duration of such duty in return for relinquishing to the state all fees received for such court

7.13 Leave With Pay

In extraordinary circumstances, the President of the Board of Regents, with the approval of the Board may grant leave with pay for not more than six (6) months if it is in the best interest of the System. Such leave should serve the operational needs of the System and would be granted solely for that purpose. During said leave, the individual on leave will be assigned projects or tasks that the President of the Board of Regents deems beneficial to the System or its institutions. Such leaves may also be granted at the universities and colleges on the recommendation of the President and with the written approval of the President of the Board of Regents and the Board. Leaves approved by the President of the Board shall be reported to the Board of Regents.

7.14 Family and Medical Leave

In addition to any other paid benefits or leaves, upon written request and with proper medical documentation, an eligible employee shall be granted:

Federal FMLA: Up to 12 weeks of unpaid leave in a twelve-month period for the birth, care or adoption a child; placement of a child for foster care; care for an immediate family member with a serious health condition; or to take a medical leave when the employee is unable to work due to a serious health condition. Employees may elect or the System may require that the employee utilize their accrued leave for this time.

For the purpose of this section, “serious health condition” is defined as an illness, injury, impairment, or physical or mental condition that involves: (1) any period of incapacity or treatment related to in-patient care in a hospital, hospice or residential care facility; or (2) continuing treatment by a health care provider.

State Family/Medical Leave: Up to 24 weeks of unpaid leave within a two-year period for the birth, care or adoption of a child; care for an immediate family member with a serious illness; or to take a medical leave when the employee is unable to work due to a serious illness. The state entitlement begins after the employee has exhausted their applicable sick leave accruals. The employee is allowed to use their personal leave and vacation accruals, however, this will not extend the 24-week period. Where possible, leave time granted under this provision will run concurrently with the federal FMLA entitlement.

For the purpose of this section, “serious illness” means an illness, injury, impairment, or physical or mental condition that involves: (1) in-patient care in a hospital, hospice or residential care facility; or (2) continuing treatment or continuing supervision by a health care provider.

The federal and state leaves both define an immediate family member as a spouse, child or parent of such employee.

The state shall pay for the continuation of health insurance benefits for the employee during any leave of absence taken pursuant to this section. In order to continue any other health insurance coverage during the leave, the employee shall contribute that portion of the premium the employee would have been required to contribute had they remained an active employee during the leave period.

The period of such leave shall count towards the one-year limit described in Article 7.10.

7.15 Return to System Employment

A person who terminates employment for reasons other than retirement and who returns to the employment of the System within one (1) year of the date of such resignation or termination shall be credited with the number of unused days of sick leave that were available to them on the last work day. Unused personal leave shall be reinstated to the employee if they return within the same calendar year. No credit will be given for vacation days.

7.16 Leave Privileges for Transferred Employees

Employees of the state who are transferred into or within the System shall carry with them all accrued sick, vacation, and personal leave previously earned elsewhere in the service of the state or the Board.

7.17 Separation Because of Incapacity

When a Management or Confidential staff member has become physically or mentally incapable of or unfit for the efficient performance of duties of his/her position, the President may recommend to the Board of Regents that the person be separated from state service in good standing, after the staff member has exhausted the sick leave or other leave to which he/she is entitled. The Vice President for Human Resources may

require that the management or confidential employee receive a physical or mental examination by a competent medical professional.

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Article 8 – Non-continuation , Discipline, Reprimand, Suspension and Termination

8.1 Non-continuation

Presidents may be non-continued only by an action of the Board. Other management and confidential professional employees may be non-continued in their current positions without cause or explanation, at the option, of the President of the Board, for System Office employees; or Presidents, for College and University employees. Employees hired on or after January 1, 2013 shall receive three (3) months' notice. Permanent employees hired prior to January 1, 2013 shall have the greater of three months' notice or the notice provisions covered by the policy that was previously in effect for their respective employer (e.g. BOR/DHE, CCC, CSU or Charter Oak). The Board retains the authority to offer payment of salary in lieu of service or notice, and to provide more than three (3) months' notice of non-continuation.

8.2 Discipline for Cause

No employee shall be disciplined except for cause. Discipline is defined as reprimand, suspension or termination. Discipline does not include counseling.

Cause includes, but is not limited to: conviction of a crime; offensive, indecent or abusive conduct toward students, the public, superiors or co-workers; use of fraudulent credentials in seeking of appointment, continuation of appointment or promotion; poor performance; theft; willful neglect or misuse of state funds, property, equipment, material or supplies, including state-owned vehicles; violation of law, state regulation or policy of the Board of Regents for Higher Education; intoxication while on duty; neglect of duty; insubordination; engagement in an activity detrimental to the State or the Board of Regents for Higher Education; and disloyalty to the United States or to the State of Connecticut.

8.3 Reprimand

All reprimands shall be placed in the employee's personnel file and a copy shall be sent to the employee. Written reprimands may be removed from an employee's personnel file on the one year anniversary of the date of its issuance unless, during that one year period there is additional discipline issued to the employee. It shall be the employee's responsibility to request removal of a reprimand after its expiration date has passed. Reprimands may only be removed by mutual agreement of the President, Chief Human Resource Officer and the employee.

8.4 Suspension

A President may suspend an employee with pay if the employee constitutes a threat of harm to him or herself or others pending investigation of conduct for which discipline may be appropriate.

A President may suspend an employee without pay for cause as specified in section 8.2. in any given action, the affected employee shall have the right to know and respond to the

reasons for suspension without pay prior to the imposition of the penalty.

8.5 Appeals of Discipline (not applicable to those non-continued based on 8.1)

To discipline an employee (per 8.2) the following steps shall be followed:

- a. Before any disciplinary action is taken a meeting shall be arranged with the employee and the designee of the employer to discuss the situation. The employee shall have the opportunity to present relevant information. Upon the agreement of both parties discussion may be continued to a mutually agreed time.
- b. After the employer has issued discipline the employee may request a formal hearing by presenting said request not later than five (5) days after the receipt of the disciplinary notice. Said hearing shall be scheduled within thirty (30) days following a timely request by the employee.
- c. A hearing for non-Presidential Staff shall be held before the Vice-President for Human Resources or his/her designee. The hearing shall not be governed by formal rules or procedures. The Vice-President for Human Resources or his/her designee shall make a good faith effort to be fair and impartial while eliciting relevant information on the matter in question. If the discipline that is being contested was imposed by the Vice-President for Human Resources then the President of the Board of Regents may appoint a different hearing officer of his/her choosing.
- d. Hearings for Presidential Staff shall be held by a committee of three appointed by the Chairman of the Board of Regents or his/her designee. Such hearings shall not be governed by formal rules or procedures. The committee appointed by the Chairman of the Board or his/her designee shall make a good faith effort to be fair and impartial while eliciting relevant information on the matter in question.
- e. In either a Presidential or non-Presidential hearing the hearings officers have ten (10) days from the conclusion of the hearing to notify the employee of his/her final and binding decision. Said decision(s) shall be without appeal.
- f. Failure by an employee to adhere to the deadlines specified herein shall be deemed a waiver of the opportunity for a hearing on the matter.

8.6 Abandonment

Failure to perform assigned duties for five (5) consecutive working days without prior approval of the President of the Board of the Regents (for system office personnel); or the President (for college and university personnel) is abandonment of one's appointment/position. The employee who has abandoned his/her position will then be separated from State service and be deemed to have resigned not in good standing.

8.7 Layoff

In the event of a reduction in the ranks of Management and/or Confidential Professional employees resulting from retrenchment, reorganization or fiscal exigency, the notice provisions for non-continuation in 8.1 shall apply.

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