

SECTION 800 - HUMAN RESOURCES (See Also, BOR Policy Manual Section 800)

802 GENERAL POLICIES FOR ALL PERSONNEL

802.07 HOLIDAYS

Georgia Gwinnett College's holidays shall be as follows (actual dates published each year):

New Year's Day
M.L. King Day
Memorial Day
Fourth of July
Labor Day
Thanksgiving Day
Day after Thanksgiving
Winter Holidays (Five Days)

802.08 LEAVE

802.0807 FAMILY LEAVE

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, an eligible employee may be entitled to up to 12 work weeks of leave during any 12-month period for one or more of the following reasons:

- a. the birth and care of a newborn child of the employee;
- b. the legal placement of a child with the employee for adoption or foster care;
- c. the care of an immediate family member (defined as the employee's spouse, child, or parent) with a serious health condition; or
- d. a serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.

To be eligible for FMLA leave, the employee must have worked for the University System of Georgia:

- a. for at least 12 months total; and
- b. for at least 1,250 hours during the 12-month period immediately preceding the commencement of such leave. (BR minutes, August 2004)

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient hospital care (such as an overnight stay), hospice, or residential medical care facility;
- any period of incapacity requiring sporadic absences from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or,
- continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity; and for prenatal care.

Spouses who are both employed by the college are jointly entitled to a combined total of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, but 12 weeks each may be allowed to care for a child or parent (but not parent “in law”) who has a serious health condition.

Leave for birth, adoption or foster care placement must conclude within 12 months of birth or placement.

Under some circumstances, employees may take FMLA leave intermittently—which means taking leave in blocks of time, or by reducing the normal weekly or daily work schedule. Where FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to approval by Georgia Gwinnett College. FMLA leave may be taken intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Notice and Certification

Employees seeking to use FMLA leave are required to:

- Provide 30-days advance notice to the supervisor and the Office of Human Resources of the need to take FMLA leave, when practicable.
- Complete a Personnel Action Form, Family and Medical Leave Request and a Medical Certification if applicable. *Required forms may be obtained from the Office of Human Resources.*
- Meet with the designated Human Resources Representative in the Benefits Office; and
- Provide periodic reports during FMLA leave regarding the employee’s status and intent to return to work.

Paid vs. Unpaid Leave

The Federal law provides for 12 weeks of unpaid, job protected leave. However, when taking FMLA leave, employees may choose to use either accumulated sick pay or annual leave based on the following criteria:

- Sick leave **MUST** be used when FMLA leave is due to the employee’s own serious illness or to care for designated family member.
- Once all sick leave has been exhausted, the employee may elect to use all of his or her accrued annual leave, or freeze the annual leave at any given point. The request to freeze annual leave must be documented with a signed memo from the employee.
- If leave is for any of the other reasons described under “Leave Entitlement,” the employee may use all accrued annual leave or freeze annual leave at any given point. Once the annual leave has been exhausted or if accrued annual leave has been frozen, the remainder of the FMLA leave will be in an unpaid leave status. The request to freeze annual leave must be documented with a signed memo from the employee.

Benefits Coverage During Leave

During the period of FMLA leave, an employee may retain health benefits under the same conditions that applied before the leave began. To continue coverage, the employee will be required to pay his or her share of health insurance premiums while on leave each month. Failure to pay the employee share of the health insurance premiums may result in loss of coverage.

Job Restoration

Upon return from FMLA leave, the employee will be restored to his or her original position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. Georgia Gwinnett College cannot guarantee that an employee will be returned to his or her original job. The employee's use of FMLA will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave. In an unpaid leave status, however, the employee will not continue to accrue vacation or sick leave benefits.

Return from Leave

Employees must provide a signed statement to his or her supervisor stating the return to work date. This statement should be completed on the employee's first day back to work. The supervisor is responsible for ensuring that the documentation is either delivered to the Human Resources Office, either in person, via e-mail or facsimile. Upon receipt of the statement, the employee will be added to payroll if he or she was on leave without pay. In some cases, the employee may be required to provide a fitness-for-duty certificate prior to being restored to active status.

If an employee wishes to return to work prior to the expiration of FMLA leave, notification must be given to the employee's supervisor at least five (5) business days prior to the employee's planned return. The supervisor is then responsible for notifying the Office of Human Resources of the employee's status. The employee must provide medical certification that he or she is able to return to work earlier than expected.

Extension of Leave

An employee requesting an extension of FMLA leave due to the continuation, recurrence or onset of his or her own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's immediate supervisor. The maximum amount of FMLA leave that an employee may take during a calendar year is 12 weeks. The employee is required to notify the immediate supervisor as soon as it is determined that he or she will not be able to return from leave as originally planned.

Employee Eligibility – The minimum requirements for an employee to be eligible for FMLA are [1] works at a location in the U.S. where there are 50 or more company employees working within 75 miles; [2] worked for the company for at least 12 months; [3] worked at least 1250 hours in the 12 months prior to when the leave will commence; [4] has not used all available FMLA leave in the 12 months looking back from the date the requested leave will begin; and [5] there is a qualifying event.

Amount and Timing of Leave – Eligible employees may take up to 12 weeks of leave during a rolling twelve month period. The twelve month period is determined by measuring backward from the date an employee takes any FMLA leave. Spouses who are employed by the company and who request FMLA leave for the birth, adoption or foster care placement of a child with the employee, are eligible for a combined 12 weeks between the two employees. In other words, both employees continue to be eligible for 12 weeks of FMLA apiece, but may only take 12 weeks between them for this event. If the leave is for birth, adoption or foster placement of a child with the employee, the leave must be taken within 12 months of the birth or placement. If the leave involves a serious health condition, it can be taken on an intermittent or reduced schedule basis if medically necessary, however, the employee may be temporarily transferred to another position that better accommodates the need for leave.

Employee Notice – If the reason for FMLA leave is foreseeable [such as planned surgeries or normal births], you must give 30 days notice. If the need for leave is unexpected [such as a serious injury in a car accident or a premature birth], you must notify the company as soon as possible and, in no event, more than two days after knowing of the need for leave. Notice to the company is accomplished by completing a FMLA Request form, which is available in the HR Department. If the reason for leave involves a serious health condition, you will be given a Certification of Health Care Provider form that must be completed by your physician and returned to HR within 15 calendar days.

Pay and Benefits During Leave – The HR Department will provide you with a written explanation of the status of your pay and benefits at the start of the leave. FMLA is usually unpaid, but you [Option: may or must] use earned but unused [Insert list of types of paid time off, such as vacation, PTO, sick pay, floating holiday] during the absence. Employees who qualify for short term disability [STD], long term disability [LTD] or both will receive pay in accordance with the terms of the plan. Employees who qualify for workers' compensation benefits will receive pay continuation according the requirements of state law and our insurance plan in each state.

The employee's health [Option: and dental] plan insurance coverage will be maintained during the leave under the same conditions as if the employee had continued to work. This means that the employee must continue to pay the portion he or she normally pays toward the premium or risk cancellation of health [Option: and dental] benefits during the leave. If you are on a paid leave, the premiums will be deducted from your pay as usual. If some or all of your leave will be without pay, information on how and when to make premium payments will be provided to you at the beginning of the leave. If necessary, you will be allowed to discontinue coverage and be reinstated to the plan, if you return to work on or before expiration of the FMLA leave. Benefits such as [insert list of types of paid time off again] [Option: do or do not] accrue during a FMLA leave. An employee on FMLA leave [Option: is or is not] eligible for holiday pay during a FMLA leave.

Return to Work – You should notify HR of your intent to return to work, two weeks prior to the anticipated date of return, or of any medically necessary changes in the date of return. If the leave was due to your serious health condition, we will require a "fitness for duty" certification from your health care provider, verifying your ability to return to work, with or without restrictions. [Option: You may also be required to submit to a medical examination before returning to work, under certain circumstances.] If you return to work on or before the expiration of available FMLA leave, you will normally be returned to your former position or an equivalent job. If, however, you do not return prior to the expiration of FMLA leave, there is no guarantee of reinstatement. An absence for FMLA leave is not an "occurrence" for purposes of our attendance policy. If you are medically released to return to work and fail to either report to work or call in with a satisfactory explanation, the company will treat this as a voluntary resignation.

802.0808 MISCELLANEOUS LEAVE

Other Leave. Georgia Gwinnett College employees who are required to work when the campus is closed due to inclement weather or some other emergency such as water shortages, riots, etc. are entitled to a comparable amount of time off. Employees who are scheduled to work but do not work when the campus is closed will note on their time sheets the appropriate number of hours associated with the closure. Exempt employees are not required to report the time. Employees who were not schedule to work during such emergencies, are not to be compensated.

It is the responsibility of the employee's supervisor to ensure that the time is recorded correctly.

If a non-exempt employee terminates employment prior to taking all the time off, the employee must be paid for those hours. The departmental budget will be charged for their inclement weather balance.

Temporary employees are not covered by this policy. They are only paid for actual hours worked.

802.89 USE OF TOBACCO ON CAMPUS

The use of tobacco is prohibited in all buildings of Georgia Gwinnett College. Tobacco usage is restricted to the outdoor areas designated by the Campus Provosts. Smoking is not permitted in any doorway unless an official sign is posted designating the area a "Smoking Area."

802.90 EMPLOYMENT IN MULTIPLE TYPES OF EMPLOYMENT

An individual may not be employed at Georgia Gwinnett College in more than one employment type. For example: An employee should not be employed as a regular employee and as a temporary employee or an employee should not be employed as a student assistant and as a half-time regular employee. Most importantly, an employee should never be employed as both an Exempt employee and as a Non-exempt employee.

802.91 STANDARD CALENDAR YEAR HOURS

For purposes of calculating hourly pay, 2080 hours will be the factor used in all cases. The actual work hours in a year will not be used (including leap years).

802.92 PRE-EMPLOYMENT DRUG TESTING POLICY

In accordance with Senate Bill 22, O.C.G.A. 45-20-110/111 and in an effort to promote a drug-free workplace, an applicant for employment at Georgia Gwinnett College who is offered a position that has been designated as requiring a drug test shall, prior to commencing employment, submit to an established test for illegal drugs.

General Provisions

Positions that have been designated as requiring a pre-employment drug test are:

Public Safety Officer*

Sergeant*

Security Guard*

Senior Security Guard*

Unless otherwise indicated, designated positions are full-time. *Applicants who have been

offered full or part-time positions must submit to a pre-employment drug test.

Job advertisements for designated positions will indicate that pre-employment drug testing is required.

Any new position(s) established by Georgia Gwinnett College will be analyzed to determine if the new position(s) should be subject to pre-employment drug testing. Such analysis will be conducted by the Director of Human Resources.

All costs of such testing shall be paid for by Georgia Gwinnett College.

An applicant selected for a designated position will be notified that he/she must submit to a pre-employment drug test and that employment is contingent upon a negative test result in accordance with Senate Bill 22.

The Director of Human Resources or his/her designee will provide the applicant with the appropriate pre-employment drug testing document that must be presented to collection facility designated by Human Resources.

Tests will be conducted in an authorized laboratory facility and an applicant will be told where he/she may go to submit to the test. He/she must submit to the test within three (3) work days.

Failure or Refusal of Pre-employment Drug Testing

Any applicant who is offered employment in a position requiring a pre-employment drug test and who: (a) declines to submit to an established test for illegal drugs; (b) fails to appear for an established test for illegal drugs after being properly notified to do so; or (c) who tests positive for the use of illegal drugs shall be disqualified from employment with Georgia Gwinnett College.

Such disqualification shall not be removed for a period of two (2) years from the date such test was administered or offered, whichever is later.

The identity of any applicant who declines a pre-employment drug test, who fails to appear for a pre-employment drug test, or who tests positive for illegal drug use, shall not be considered a public record and shall be withheld from all persons except those who have a need for such information in their official capacity.

The results of pre-employment drug tests shall remain confidential and shall not be a public record unless necessary for the administration of the provisions of Senate Bill 22 or otherwise mandated by other state or federal law.

The Director of Human Resources shall establish such policies as may be necessary to assure the confidentiality of such information and to identify those individuals who are entitled to such information.

Screening Results

An applicant whose sample is rejected by the testing laboratory shall be directed to appear for retesting.

If the results of the confirmatory test indicate the presence of illegal drugs, such results shall be reviewed and interpreted by a Medical Review Officer (MRO) to determine if there is an alternative medical explanation. If the applicant provides appropriate documentation and the Medical Review Officer (MRO) determines that it was a legitimate usage of the substance, the result shall be reported to the Director of Human Resources as negative. If the testing laboratory determines that the sample of an applicant may have been adulterated, the applicant shall be directed to appear for retesting.

Any applicant who fails to provide an alternative medical explanation shall be reported to the Director of Human Resources, by the Medical Review Officer (MRO) as having a positive test result. If an applicant, while at the collection facility, is unable to produce at least sixty (60) milliliters of urine after following the procedures of the collection facility, the applicant shall be directed to appear the next business day for retesting.

Any applicant offered employment who refuses to submit to an established test for illegal drugs or whose test results are positive shall be disqualified from employment with Georgia Gwinnett College for a period of two years from the date that such test was administered or offered whichever is later. The results of such tests shall remain confidential and shall not be public record unless necessary for the administration of Senate Bill 22 or otherwise mandated by other state or federal law.

Any applicant who tests positive for the use of illegal drugs shall be disqualified from employment with Georgia Gwinnett College. Such disqualification shall not be removed for a period of two (2) years from the date such test was administered or offered, whichever is later.

Test results will be sent to the Director of Human Resources only.

The Director of Human Resources will notify the applicant of the results. If test results are positive, the Director of Human Resources will ask the applicant to re-submit to a drug test. The Director of Human Resources will communicate with the Medical Review Officer (MRO) at the lab to determine if the second test result is positive or negative.

The Director of Human Resources will notify an applicant in writing to confirm that he/she may be employed by the College or that he/she has been disqualified for employment for two years from the date the test was administered.

The Director of Human Resources will notify in writing an applicant who refuses to submit to a test that has been offered, that he/she has been disqualified from employment at the College for two years from the date the test was offered.

Medical Review Officer

The testing laboratory shall forward the results of all pre-employment drug tests to the State Medical Review Officer who shall assure the security of such results.

The Medical Review Officer shall forward negative results of a pre-employment drug test to the State Merit System, which in turn will notify Georgia Perimeter College, Director of Human Resources as soon as is practicable.

Laboratory reports which indicate the presence of any illegal drug(s) shall be retained by the Medical Review Officer (MRO) until a final determination is reached. Such information shall be confidential and shall only be available to the MRO or designee and the affected applicant. Positive laboratory results shall be reviewed and determinations of legal or illegal usage shall be made in accordance with procedures established by the Commissioner of the Georgia Department of Human Resources (DHR).

Any pre-employment drug test which indicates the presence of illegal drugs shall be followed by a confirmatory test using gas chromatography/mass spectrometry analysis. The results shall be reviewed and interpreted by the MRO to determine if there is an alternative medical explanation.

If the applicant provides appropriate documentation and the MRO determines that it was a legitimate usage of the substance(s), the pre-employment drug test results shall be reported as negative.

The MRO or designee shall, upon receipt of a laboratory report that indicated the presence of an illegal drug(s), attempt to contact the applicant to establish a time at which a private discussion may be conducted concerning the results of the pre-employment drug test. This process will be conducted consistent with the provisions adopted by the State Merit System of Human Resources Administration.

If an applicant refuses to discuss with the MRO the results of a pre-employment drug test, declines the opportunity to provide an explanation of the results, or admits to the usage of an illegal drug(s), the MRO, without further action or review, shall report to the Director of Human Resources that the results of the pre-employment drug test indicate that the applicant has used an illegal drug(s).

If after appropriate review, the MRO determines that the results of a pre-employment drug

test indicate that an applicant has used an illegal drug(s), the MRO shall, in writing, notify the affected applicant and the Merit System. Such notification shall include the specific drug(s) the applicant has been deemed to have illegally used. The State Merit System will advise the Director of Human Resources of any such result.

802.93 FACULTY/STAFF PROFESSIONAL TRAVEL

Non-Exempt employees who travel on behalf of the college will be compensated according to FLSA regulations which includes payment for travel time.

Professional Travel at the **Request of the College:**

Travel at the request of the College is normally paid in accordance with current state rules and regulations. Individuals should strive to travel as inexpensively as possible without interfering with the business that they have been requested to perform.

College policies for travel reimbursement will be used and should be reviewed by the traveler prior to departure.

Professional Travel at the **Request of the Employee:**

Employees' request for travel within the United States or to Canada will be handled at the discretion of the Department Chair/Dean of School or appropriate manager.

Employees' requests for travel outside the United States and Canada should be recommended by the Department Chair/Dean of School and approved by the Executive Team. Approval will be contingent on available funds and other relevant considerations. Generally, funds for international travel will be limited to those giving professional presentations. Funding up to \$1,500 will be considered.

Travel and Registration Funds are allotted by the College to the budget centers based on the number of positions eligible for travel. The amount of travel funds allocated by the College to the traveler will be at the discretion of the Department Chair/Dean of Academic Services or the appropriate manager.

College policies for travel reimbursement will be used and should be reviewed by the traveler prior to departure.

As a general rule, professional leave will not be granted to teaching faculty for more than eight days in any academic year and/or for more than five days in any one semester. Any exceptions to this policy must be approved by the Vice President for Academic and Student Affairs.

802.94 RIGHT TO KNOW

In compliance with the law and in an effort to help insure the health and safety of our employees, Georgia Gwinnett College has established a "Hazardous Communication Program". This brief explanation of that program should answer many of your questions about hazardous chemicals at Georgia Gwinnett College and provide the resources for any further information that you might want.

In 1988, the Georgia State Legislature passed the Public Employee Hazardous Chemical Protection and Right-To-Know Act. In a nutshell, this Act provides public employees with the same protection and rights in this area as OSHA provides to employees in private industry. More specifically, the law provides:

By December 31, 1991, each agency of the State of Georgia submit to the Department of Labor, for approval, an extensive and detailed plan of how it intends to comply with all aspects of the Act.

By July 1, 1992, all employees of the State must be apprised of the law and how it affects them. Also, certain training and an opportunity to ask questions are to be provided. There must be documentation that each employee has participated in a training session. All hazardous substances be properly stored and labeled. Material Safety Data Sheets (MSDSs) be provided on all hazardous chemicals and stored in a general location as well as in job specific areas. Any contractors bringing hazardous chemicals onto a site must provide all protection and MSDSs as provided by the law.

802.95 CLASSIFIED PERSONNEL PERFORMANCE EVALUATION

All employees of the University System except faculty and students, are subject to, and governed by the provisions of the CLASSIFIED PERSONNEL POLICY FOR THE UNIVERSITY SYSTEM OF GEORGIA* as adopted by the Board of Regents on September 16, 1970, and as subsequently amended (Minutes, 1977-78, p. 182; Minutes 1985-86, pp. 131-133**).

Each institution of the University System of Georgia shall establish a system of performance evaluation for all classified employees. This system of performance evaluation shall be for the purpose of transfer, promotion, demotion, retention, supervisory assistance and future employment references. It is stipulated and understood that all classified employees shall be evaluated in a systematic manner at specified time intervals by the supervisor or immediate department head, but in no case less than once each year. The following elements shall be involved: adjustment, capability, productivity, efficiency, and potential for departmental and institutional development. The supervisor or department head shall not be restricted to the foregoing as criteria for personnel evaluation. The continuation of employment of the employee shall rest on the judgment of the supervisor or department head (or division head). (BR BUSINESS PROCEDURES MANUAL, Volume 3A, Section II.)

Georgia Gwinnett College has established a system of performance evaluation for all classified personnel. This performance evaluation shall be for the purpose of transfer, promotion, demotion, supervisory assistance, and future employment references. They shall be evaluated at a specified time once a year. The intended objectives of the evaluation process are improvement in organizational effectiveness through individual improvement and merit pay administration.

An Evaluation Form will be distributed by the Georgia Gwinnett College Human Resources Department.

802.96 VISITORS WHILE AT WORK

Employees that desire to entertain visitors while at work must share in the responsibility that accompanies such a visit. In order to facilitate a professional working environment in the offices and classrooms of the College and to provide specific instructions concerning visitors to the College, the following guidelines have been created.

Note: For the purposes of this policy, a visitor is defined as friends and/or family of the employee. Persons conducting business with the College are not addressed in this policy.

Whenever possible, the employee should inform his or her immediate supervisor of an impending visit in a timely fashion.

An employee must accompany visitors at all times. Children and other minor visitors especially require that the employee be present and are not to be left alone. As a place of employment, the College is an inappropriate place for children. Thus, the College cannot and will not assume any responsibility for employee's children on campus. Children who are visiting on College premises must be supervised at all times by the parent or adult guardian. This portion of the policy is not meant to exclude children that are enrolled in a credit or non-

credit program or from participating in activities scheduled by the College to which the general public is invited.

Visitors to classrooms while class is being conducted should have a legitimate academic interest in the subject matter being taught.

Under **NO** circumstances should an unescorted visitor be allowed into an area where chemicals are stored. This includes chemicals for cleaning and maintaining the facilities as well as chemicals and supplies for the classrooms and laboratories. It is the responsibility of the employee to complete safety training (provided by the College) and to be aware of the location of the Material Safety Data Sheets that detail the treatment for exposure to any such chemicals in their department.

Under **NO** circumstances should a visitor be allowed to remain in an area where employee, student or financial records are stored without the explicit permission of the custodian of the records.

A visitor should not unduly disrupt the normal working routine of any of the employees in the department that they are visiting. The immediate supervisor will have the discretion to determine if the presence of the visitor is disruptive.

Should a visitor act in such a way that necessitates their leaving the campus, it is the responsibility of the employee to facilitate their departure. This may necessitate the employee leaving the premises as well. In this event, the vacation and/or sick leave of the employee will be charged accordingly. If the employee feels unable to control the visitor, the employee is responsible for notifying campus security officials for the physical removal of the visitor.

The act of inviting an individual to the College is considered a workplace judgment made by the employee. As such, the behavior of the invited guest is a reflection of the job performance of the employee. Employees that repeatedly invite visitors that hamper the operations of the College may find that the evaluation of their performance is affected.

802.97 PERSONNEL FILES

There shall be one and only one official personnel file, which shall be maintained in the Department of Human Resources. Each official personnel file shall contain the original copy of at least the information specified in the Personnel File Contents list appropriate to that employee.

Each employee has access to his/her personnel file. The file may be reviewed at any time that is mutually agreeable under the supervision of a member of the Human Resources staff. Nothing may be removed from the file of an employee. Upon request by the employee, a copy of any document in the file will be provided within three working days. Georgia Gwinnett College follows the provisions of the Open Records Act (O.C.G.A. 50-18-70 through 50-18-76) with respect to access to personnel files by others.

Following termination of employment, the personnel file is to be held in the current file area for a period of at least three years and then transferred to the archives for retention according to the Board of Regents of the University System of Georgia Records Management Policies and Procedures.

PERSONNEL FILE CONTENTS Regular (On-Going) Employees

DOCUMENT	ADMIN. / PROF. STAFF	FACULTY	CLASSIFIED STAFF
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At time of employment:			
Letter of application	X	X	X
Resume	X	X	X
Official transcript(s)	X	X	
Faculty Profile		X	
Georgia Gwinnett College employment application	X	X	X
Faculty Information form		X	
Teachers Retirement application (TRS)	X		X
Teachers Retirement or ORP application		X	
Security questionnaire/loyalty oath	X	X	X
Direct Deposit form (where appropriate)	X	X	X
Signed offer letter	X	X	X
During employment:			
Annual evaluation	X	X	X
Annual salary letter	X		X
Annual contract		X	
Tenure/Promotion approvals ¹			
Payroll worksheets	X	X	X
At time of termination or resignation:			
Letter of resignation	X	X	X
Separation notice	X	X	X
Insurance elections forms	X	X	X
Health/dental insurance card and/or form	X	X	X
Life/supplemental/dependent life insurance card	X	X	X
Section 125 designation sheet	X	X	X
Flexible spending accounts forms	X	X	X
Workers' Comp info	X	X	X
COBRA Rights	X	X	X
Short/long term disability form	X	X	X

¹ Portfolios shall be retained in a separate location in Human Resources/Academic Affairs

PERSONNEL FILE CONTENTS

Temporary (less than 6 months) Employees

DOCUMENT	ADMIN./PROF. STAFF	FACULTY	CLASSIFIED STAFF
At time of employment:			
Security questionnaire/loyalty oath	X	X	X
Direct Deposit form (where appropriate)	X	X	X
Memorandum of Understanding		X	
GA. Defined Contribution Plan application	X	X	X
Hazard Communication Training certificate	X	X	X
Drug Free Awareness signature sheet	X	X	X

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802.98 DRUG-FREE WORKPLACE POLICY

As a recipient of federal funds, Georgia Gwinnett College is committed to establishing and maintaining a drug-free workplace, in compliance with the Drug-Free Workplace Act of 1988. Under this policy, the unlawful manufacture, distribution, dispensation, possession or use of any illegal drug is prohibited in all work areas of Georgia Gwinnett College, including buildings, vehicles, and grounds.

Violations of this policy shall be considered sufficient grounds for dismissal or lesser disciplinary action, regardless of whether such violation leads to criminal proceedings.

An employee who is convicted of or pleads nolo-contendere to any drug violation which occurs in the workplace must inform his or her immediate supervisor of such conviction or pleas as soon as possible, which must be within five calendar days of the conviction or plea.

Failure to comply with any part of this policy will result in disciplinary action, including possible dismissal from employment.

For further details on the Drug-Free Workplace Policy, consult the Board of Regents Policy Manual (406.04)

802.99 CRIMINAL HISTORY CHECK

A Criminal History Check is to be conducted on employees with access to facilities after hours and employees who handle cash and checks.

The Criminal History Check is conducted by the Protective Services Department of Georgia Perimeter College.

A consent form will be made available to each potential candidate who is being considered for employment. The form should be completed, and returned immediately to the Director, Human Resources.

Offers of employment should be made contingent on the successful completion of the criminal history check. The Director of Human Resources will make employment decisions based on the Board of Regents Business Procedures Manual, Vol. 3A, Revised Section II B which states: A candidate will be disqualified for employment for any of the following reasons:

Conviction of a criminal drug offense shall disqualify a candidate for not less than two years. Any candidate who has been convicted of a second or subsequent criminal drug offense shall be ineligible for employment or re-employment for a period of five years from the most recent date of conviction.

Any false statement of material fact in the application.

The candidate is or has been a member of an organization advocating the violent overthrow of the government of the United States.

The candidate has been convicted of a felony or a crime involving moral turpitude, unless the applicant has been pardoned.

Additionally, an applicant may be disqualified for conviction of activities that would be in conflict with proposed job duties. The Human Resources Department will notify the Supervisor whether the applicant's criminal history report has cleared or not cleared as soon as information is received from the Department of Protective Services.

804 CLASSIFIED PERSONNEL POLICIES

804.99 DISCIPLINARY PROCEDURES FOR CLASSIFIED EMPLOYEES

In order to provide fair and objective procedures for correcting unacceptable employee conduct and/or performance; and in instances where employees demonstrate no improvement, for terminating employment, Georgia Gwinnett College has developed the following disciplinary procedure.

Supervisors are responsible for setting standards of performance and behavior by their employees through orientation, instruction, and training. However, in those instances where an employee fails to meet acceptable standards of performance or violates established rules of conduct, supervisors are expected to take prompt action in accordance with the disciplinary procedures provided below.

A supervisor should select the least severe disciplinary action appropriate to the offense, unless the offense is so severe as to warrant immediate discharge. The purpose of disciplinary action is to correct the unacceptable performance or behavior, not to punish an employee. Should an employee's performance or behavior fail to reach minimum institutional standards, the supervisor may recommend in writing suspension or termination.

A suspension must be reviewed by the Human Resources Department prior to implementation. A termination must be reviewed by the next highest administrative authority and the Human Resources Department prior to implementation. The Human Resources Department will inform the Area Vice President, and the Vice President for Business and Finance, prior to implementation, as appropriate.

No record of disciplinary action shall be placed in an employee's official personnel file without his or her knowledge. Employees who receive formal disciplinary action have the right to present a written statement concerning the incident or action, and that statement shall be attached to the record of disciplinary action. Suspensions and terminations may be appealed to the next highest administrative authority. Suspensions and terminations, except for terminations during the provisional period, may also be appealed through the College's grievance procedure.

PROVISIONAL PERIOD OF EMPLOYMENT

All classified personnel, and re-appointments with Georgia Gwinnett College, will serve the initial six months of employment on a provisional basis to provide the supervisor with an opportunity to evaluate the employee's work performance. The above policy does not apply to USG transfer employees, providing the first six months provisional requirement has been completed prior to transfer.

Human Resources recommends that a Performance Evaluation be completed by the immediate supervisor at the end of the first three months of employment. If the evaluation is not completed it will be assumed that the employee's work is satisfactory, and the provisional period will proceed through the final three months.

Should the employee's performance prove unsatisfactory for any reason during the provisional period, the supervisor should schedule a conference with the employee. During the conference, areas for improvement, specific actions, and time limits should be identified. The conference should be documented. In the event of termination, the conference documentation and the Performance Evaluation should be forwarded to the Human Resources Department for inclusion in the employee's personnel file.

If it is determined that an employee's performance of duties or personal conduct is unsatisfactory, his or her employment may be terminated any time during the provisional period without the right to appeal the action under the Georgia Gwinnett College Grievance

Policy. A termination must be reviewed by the next highest administrative authority and the Human Resources Department prior to implementation. The Human Resources Department will inform the Area Vice President, and the Vice President for Business and Finance prior to implementation, as appropriate. When possible two weeks notice should be given to terminating employees.

If the supervisor determines that an employee needs additional time beyond the first six months of employment to improve his or her performance, the supervisor place the employee on probation, not to exceed ninety days. This action must be reviewed by the next highest administrative authority and the Human Resources Department prior to implementation. The Human Resources Department will inform the Area Vice President, the Vice President for Business and Finance, as appropriate.

The employee's work performance shall be reviewed before the conclusion of the probationary period and a determination made by the supervisor regarding continued employment.

WORK EXPECTATIONS AND RULES

Georgia Gwinnett College expects every employee to meet standards of satisfactory work performance and to observe basic rules of good conduct, as well as Georgia Gwinnett College Policy and Procedures. The following list of unsatisfactory work performance and improper conduct is not intended to be exhaustive; rather, it is intended as a guide for supervisors and employees.

Individual departments in the College may have specialized work rules that are specific to their functions. Any additional work rules must be reviewed by the Human Resources Department, the Area Vice President, and the Vice President for Business and Finance.

Items 1 through 10 cite examples of unsatisfactory work performance or improper conduct on the part of an employee that are serious in nature upon initial occurrence, but are considered correctable. Continued failure to correct these serious problems may result in suspension, termination, or other disciplinary actions.

Unsatisfactory work performance or improper conduct with respect to such items listed in 1 through 10 will be considered cumulative in nature: that is, a pattern of unsatisfactory work performance or improper conduct across more than one serious item will be considered similar to continued failure to correct any one serious problem.

1. Failure to perform assigned duties.
2. Failure to maintain acceptable standards of work quality and/or productivity.
3. Failure to adhere to established safety policies and procedures.
4. Rude or discourteous actions toward students, visitors or other employees.
5. Failure to notify supervisor of absence, unauthorized or unjustified absence, tardiness, or abuse of sick leave, or excessive absence.

As a condition of employment, employees are expected to report for duty at the assigned time and place and to remain on duty during scheduled work hours. Employees are also expected to report hours worked and leave taken. In a situation where employees are unable to report or may be delayed in arriving for work at the assigned time and place, contact must be made with the immediate supervisor or other designated person prior to the start of the scheduled work shift. Except in the most unusual situations, the employee is expected to make the call personally, provide a projected length of absence, and explain reasons for the absence or lateness. When absence is necessary, the employee must contact the supervisor in advance of every scheduled shift, unless the absence is approved in advance by the supervisor.

A supervisor may or may not grant an excuse for the absence depending upon the circumstances. Unexcused absence or lateness will be recorded as leave without pay. In cases of absence or lateness for medical reasons, when an employee has been absent for 5 days or is chronically absent, the employee must provide medical certification to justify excusing the absence or lateness.

Employees may use the following definitions to assist in understanding the categories of attendance problems which represent misconduct. Appropriate responses to such problems will be determined based on the employee's overall attendance record. All circumstances will be considered in determining the response to attendance problems.

Tardiness

Tardiness exists when an employee fails to report to work at the specified starting time. Corrective action may be taken if an employee is recorded late 10 or more minutes after the start of a scheduled work shift. Repeated tardiness after verbal counseling is a pattern of tardiness. If a pattern of reporting to work late within the 10 minute period is established, corrective action may also be taken. In this latter case, the employee must be notified that a pattern of tardiness within 10 minutes has been established before such incidents can be counted toward corrective action.

Failure To Notify Supervisor Of Absence (No Call, No Show)

An incident of no call, no show occurs when an employee both fails to report for work at the start of a scheduled work shift and fails to notify the supervisor or designated person within 30 minutes of the start of the work shift of an intention to be absent.

Unjustified Absence

An unjustified absence occurs when a supervisor does not accept as reasonable an employee's explanation for an absence or lateness. A supervisor may designate a medical-related absence as unjustified only after consulting the Human Resources Department. Unjustified absences should be reported as leave without pay.

Excessive Absence

Excessive absence from work occurs when an employee is away from work to the extent that completion of normal work requirements is adversely affected. An employee must be notified that absences are excessive before such incidents can be counted toward corrective action. A supervisor may designate medical-related absences as excessive only after consulting with the Human Resources Department.

6. Unauthorized absence from assigned work area, including leaving work early without permission. An incident of failure to remain on duty occurs when an employee does not obtain permission to leave the work site during scheduled work time or takes or exceeds a break period without authorization.
7. Presence in an unauthorized area at any time.
8. Failure to conform to an established uniform dress or equipment policy in those departments that require it.
9. Interfering with the work performance of another employee.
10. Actions that attempt to obstruct or disrupt any teaching, research, administrative, disciplinary or public service activity or any other activity authorized to be discharged or held on property owned or operated by Georgia Perimeter College.

Items 11 through 24 cite examples of unsatisfactory work performance or improper conduct on the part of an employee that are even more serious and that may result in suspension, termination, or other disciplinary actions. If the facts are unclear or incomplete, an employee may be suspended without pay pending an investigation for a period of up to five working days.

Unsatisfactory work performance or improper conduct with respect to such items listed in 11 through 24 will be considered cumulative in nature: that is, a pattern of unsatisfactory work performance or improper conduct across more than one more serious item will be considered similar to continued failure to correct any one more serious problem.

Willful damage of Georgia Gwinnett College equipment or property

Theft of State property or property belonging to another person.

Falsification of institutional documents or records, including applications for employment.

Insubordinate or willfully disobedient acts toward the supervising authority.

Consumption of, possession of, or being under the influence of alcohol while working.

Possession, consumption or being under the influence of illegal drugs.

Carrying a weapon on a Georgia Gwinnett College campus. (This includes a licensed weapon whether concealed or in open view. Certified law enforcement officials acting under published police agency policies are the only exceptions.)

Failure to notify the supervisor extended absence and reason for absence (three consecutive work days without notification), a chronic pattern of excessive or unjustified absence, or presumed resignation.

A chronic pattern of excessive or unjustified absence exists when an employee's absences from work have a serious negative effect on a unit or department's ability to provide service. These absences can be for medical or non-medical reasons. Supervisors may consult the Human Resources Director regarding such determinations. In these cases, notice will be given to employees that their chronic absences are a hardship on the work unit and that additional requirements must be met in order to receive approved leave.

These requirements include:

Two Weeks notice for use of annual leave documentation to support other paid leave (funeral leave, jury duty, etc.), a physician statement verifying incapacitation, medical reasons for the absence, and anticipated date of return when sick leave is requested.

After notice has been given, another incident of unjustified or excessive absence may result in disciplinary action at the next higher step of progressive discipline.

When an employee has been placed on "chronic absence" restrictions, a regular review of an employee's attendance record should be completed by the supervisor every month. These restrictions may be lifted by the supervisor if the employee corrects the chronic pattern of absence. An employee may request such a review of his or her status related to chronic absence restrictions, if not initiated by the supervisor. Employees should be notified in writing regarding their status following each regular review.

Five consecutive working days of unauthorized absence for which an employee is unable to provide an explanation is considered job abandonment or presumed resignation. A supervisor or designee should make reasonable attempts to contact the employee during this 5-day period; however, to make contact with the employee does not excuse the absence.

Abusive treatment by an intentional or grossly negligent act, or failure to act, which causes harm or potential harm to a guest, visitor or an employee; including, but not limited to, assault or battery.

Sexual harassment in the form of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, as defined in Georgia Gwinnett College Policy 802.17.

Discrimination as defined in Title VII, which prohibits an employer from denying equal opportunity based on race, ethnicity, gender, physical ability, or age.

Acceptance of gratuities, courtesies or gifts from any persons or organizations that, directly or indirectly, may seek to use that connection for securing favorable comment or consideration on any commercial activity. (Meals in the course of normal business are excluded.)

Acceptance of additional payment in any form from any source for work performed in the employ of the Georgia Gwinnett College for which payment has been or will be made by the payroll.

Commission of a criminal act on or off property owned or operated by Georgia Perimeter College.

College as evidenced by conviction of any felony or conviction of a misdemeanor charge if the misdemeanor is materially related to the employee's job.

EMPLOYEE ARRESTS

When an employee is arrested for an act committed on or off property owned or operated by Georgia Perimeter College, the details of the incident will be investigated by the Protective Services Department and reported to the Human Resources Department and to the employee's supervisor. The supervisor, after consultation with the Human Resources Department, will determine what disciplinary action may be appropriate based on available information. The Human Resources Department will inform the Area Vice President, the Executive Vice President for Financial and Administrative Affairs, and the College Legal Advisor, as appropriate.

- A. If the employee is arrested for a felony, the employee may be terminated, or suspended with pay until the matter is settled through legal proceedings, or suspended without pay until the matter is settled through legal proceedings.
- B. If the employee is arrested for a misdemeanor, the supervisor will consult with the Human Resources Department to determine if the continued presence of the employee in his or her position constitutes a threat to the safety and morale of others or to the security of state property. If such a threat is judged to exist, the employee may be suspended with pay or suspended without pay until the matter is settled through legal proceedings.

JOB-RELATED COUNSELING

When the performance or behavior of an employee is considered below established standards, the supervisor should begin immediate counseling of the employee. Job-related counseling is not formal disciplinary action but a sincere effort on the part of the supervisor to understand the reason(s) for the problem, to re-emphasize to the employee the standards and expectation to be achieved and to motivate the employee to make the required improvements. During counseling, a supervisor should emphasize how correcting the problem is to the advantage of both the employee and the College.

Counseling should always be conducted in a private setting and should be positive, constructive and result in a better understanding between the employee and the College. The essential facts about each counseling conference should be documented by the supervisor.

In most cases, counseling should be sufficient to correct the problem. In those instances where an employee fails to respond to counseling, formal disciplinary steps as described below should be initiated.

PROGRESSIVE DISCIPLINE

Discretion is permitted supervisory personnel in administering discipline. Generally, the least severe disciplinary penalty should be imposed which, in the judgment of the supervisor, will correct the problem.

For the majority of cases where formal discipline is justified, a sequence of progressive discipline should be initiated as described below. Progressive discipline provides sufficient opportunity for an employee to understand and correct a performance or behavioral problem and assures consistency in administering disciplinary action.

The employee will be requested to sign each notice of disciplinary action to indicate receipt of the notice and understanding of its contents. An employee's refusal to sign a disciplinary notice shall be noted on the form by the supervisor.

The general guidelines with respect to progressive discipline follow:

- A. For unsatisfactory work performance or conduct as described in items 1 through 10 under Work Expectation and Rules, discipline would ordinarily include Oral Warning, Written Warning, Disciplinary Suspension or Final Written Warning in lieu of Disciplinary Suspension, and Termination.
- B. For unsatisfactory work performance or conduct as described in items 11 through 24 under Work Expectations and Rules, discipline would ordinarily include Disciplinary Suspension, or Final Written Warning in lieu of Disciplinary Suspension, and/or Termination.
- C. Unsatisfactory work performance or improper conduct will be considered cumulative in nature: that is, a pattern of unsatisfactory work performance or improper conduct across more than one area will be considered similar to continued failure to correct any one problem.

STEP ONE: ORAL WARNING

When it is clear to the supervisor that counseling efforts have failed to produce the required improvements in an employee's conduct or performance, or when the seriousness of the offense justifies immediate disciplinary action, an Oral Warning should be issued. To administer an Oral Warning, the supervisor should do the following:

- a. Meet with the employee privately;
- b. Review, in detail, the incident(s) which led to the decision to discipline the employee;
- c. Explain to the employee the standards of performance or conduct which must be achieved and the time limit for improvement;
- d. Answer questions relating to the problem;

- e. Warn the employee that failure to achieve the standards, within the time limit provided, will subject the employee to further disciplinary action;
- f. Prepare a memorandum to the employee confirming the Oral Warning and ask the employee to sign it.

STEP TWO: WRITTEN WARNING

If the employee fails to correct unacceptable conduct or performance after an Oral Warning, or if the initial offense is serious enough to warrant a more severe disciplinary action, the supervisor should prepare and administer a Written Warning. Again, the supervisor should do the following:

- a. Hold a private conference with the employee;
- b. Review the details of the incident(s) which led to the decision to take disciplinary action;
- c. Explain the standards of performance or behavior that are expected and the time period by which they must be attained;
- d. Answer questions relating to the problem; then,
- e. Provide the employee with a copy of the Written Warning, emphasize that failure to correct the problem will result in further disciplinary action, and ask the employee to sign it;
- f. Forward a copy of the Written Warning, together with a copy of the Oral Warning or notes concerning counseling sessions pertaining to the problem, to the Human Resources Department for placement in the employee's file. The Human Resources Department will forward a notice to the College Grievance Officer.

STEP THREE: DISCIPLINARY SUSPENSION OR FINAL WRITTEN WARNING IN LIEU OF DISCIPLINARY SUSPENSION

A Disciplinary Suspension, without pay, for up to five working days, may be administered to an employee in the event of continued or cumulative unsatisfactory performance or conduct, or for a first offense of a more serious nature (as described in Work Expectations items 11 through 24). A Final Written Warning, in lieu of Disciplinary Suspension, may be administered when, in the supervisor's judgment, allowing the employee to continue to work would improve the chances of correcting the problem.

As with a Written Warning, the supervisor should meet privately with the employee and cover the points listed. However, since Disciplinary Suspension or Final Written Warning is generally the last action prior to termination, it should be made clear to the employee that one final opportunity remains to correct the problem and that a further incident will result in termination.

In case of Disciplinary Suspension, the supervisor must allow five working days prior to the effective date of the suspension to give the employee an opportunity to appeal to the next highest authority. An employee is not required to appeal. If the employee does appeal, the next highest authority must respond in writing. The employee may also file a grievance with the College Grievance Officer.

Under emergency circumstances when immediate action is necessary, an employee may be suspended by the immediate supervisor pending review by the next highest authority.

Review by the next highest administrative authority and by the Human Resources Department are required for a Step Three disciplinary action. Documentation supporting the Disciplinary Suspension or Final Written Warning should be given to the employee and a copy forwarded to the Human Resources Department for placement in the employee's personnel file. The Human Resources Department will forward a notice to the College Grievance Officer.

There is a second type of Disciplinary Suspension. A Suspension Pending Investigation may be administered in those instances where an employee is implicated in a work rule violation of a more serious nature and when further investigation and review of the facts are required before a final decision can be made. If the investigation clears the employee of the offense, the suspension will be rescinded and the employee will be paid for the pay lost while on suspension. If the evidence is conclusive that the employee committed the offense, one of the following outcomes will normally result:

1. Termination.
2. The Suspension Pending Investigation may be changed to Disciplinary suspension for up to five days.

STEP FOUR: TERMINATION

In most cases, discharge will result from the failure of an employee to heed prior warnings about substandard performance or conduct. With respect to acts of a more serious nature (as described in Work Expectations 11 through 24), though, an employee may be terminated without prior warnings.

An involuntary termination for substandard performance or conduct requires review by the next highest administrative authority and review by the Human Resources Office before implementation. The Human Resources Department will inform the Area Vice President, the Executive Vice President for Financial and Administrative Affairs, and the College Legal Advisor of termination prior to implementation, as appropriate. (This applies regardless of the length of time employed.)

The supervisor must allow five working days prior to the effective date of discharge to give the employee an opportunity to appeal to the next highest authority. An employee is not required to appeal. If the employee does appeal prior to the effective date, the next highest authority must respond in writing. The employee may file a grievance with the College Grievance Officer. Documentation supporting the discharge including any responses filed should be forwarded to the Human Resources Department for placement in the employee's personnel file. The Human Resources Department will forward a notice of discharge to the College Grievance Officer.

Under emergency circumstances when immediate action is necessary, an employee may be suspended by the immediate supervisor pending review of the discharge by the next highest authority. Reasons for discharge shall be put in writing and delivered or mailed to the employee.

ADDITIONAL MEASURES REGARDING UNSATISFACTORY JOB PERFORMANCE

If the problem to be corrected involves only the employee's job performance, it should first be determined if the employee has the requisite skills and abilities to perform at an acceptable level. If the employee has the ability, but elects not to exert the effort required to perform acceptably, the disciplinary steps, as outlined above, should be initiated following job-related counseling of the employee.

When an employee is judged not to have the requisite skills and abilities, the problem is usually one of placement, not discipline. With the employee's concurrence, these situations can be resolved by voluntary demotion or voluntary transfer to a more suitable position. Voluntary demotion or voluntary transfer must be reviewed by the Human Resources

Department prior to implementation. Documentation supporting the voluntary demotion or voluntary transfer should be forwarded to the Human Resources Department for placement in the employee's personnel file. The Human Resources Department will forward a notice to the College Grievance Officer.

If an employee is unwilling to accept the demotion or transfer and remains unconvinced that the job requirements exceed his or her abilities, disciplinary steps may be initiated as a way of providing systematic notice to the employee that his or her performance is deficient. At the final step of the disciplinary procedure, the employee may be discharged, or demoted if practicable, or transferred to another more appropriate position.

In the case of involuntary demotion, the supervisor must allow five working days prior to the effective date of demotion to give the employee an opportunity to appeal to the next highest authority. Involuntary demotion or involuntary transfer must be reviewed by the Human Resources Department prior to implementation. An employee is not required to appeal. If the employee does appeal, the next highest administrative authority must respond in writing. The employee may also file a grievance with the College Grievance Officer.