

**FROSTBURG**

STATE UNIVERSITY

# EMPLOYEE HANDBOOK

Frostburg State

OFFICE OF HUMAN RESOURCES

Hitchins Building Room 330

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This handbook is for general information only and is not a statement of contractual obligation. Frostburg State University (FSU) reserves the right to change, or discontinue without notice, any plan, program, benefit, term, or condition set forth herein.

All [University System of Maryland \(USM\) Policies](#) referenced in this handbook can be located at <https://www.usmd.edu/regents/bylaws/>

Any amendments to these policies may be made only by the USM, or where delegated, by the Chancellor or the Chancellor's designees.

The [Office of Human Resources](#) (OHR) or your supervisor can provide additional information or assistance regarding [FSU policies](#). Changes will be made to this handbook periodically and will be updated on the [OHR website](#) and a notice will be sent to the campus community.

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## **Introduction**

The Office of Human Resources (OHR) contributes to Frostburg State University's (FSU) mission of teaching, research, and public service by providing benefits and services that help to attract, motivate, and retain a highly talented, committed, and diverse workforce. To encourage excellence, the OHR promotes fair and equitable treatment, provides continuing opportunities for training and professional development, values and recognizes productivity and achievement, and respects the worth and dignity of all individuals who comprise FSU.

The employee handbook is developed and published by the OHR. The employee handbook applies to all staff employees although portions may be superseded by collective bargaining agreements where applicable. Employees whose actions are subject to any provisions of state or federal laws shall be governed by the provisions of the applicable state and federal laws to the extent the provisions in the employee handbook conflict with the applicable laws. Employees who are represented for collective bargaining purposes should refer to the Memorandum of Understanding (MOU) governing them for information regarding terms and conditions of employment applicable to them.

Personnel policies may change or evolve after a publication date. Any changes to the material in the employee handbook will be sent to supervisors. Also, changes will be posted on the [OHR web page](#). Please contact the OHR if you need an explanation or clarification of any item mentioned herein (301-687-4106).

## **Definitions**

*Nonexempt Employee* – If you are nonexempt, FSU is required by federal law to pay you a regular hourly wage. FSU is also required to pay you overtime at the rate of one and one-half times your regular hourly rate for all hours you work over 40 hours in a given workweek. Time records are required for all nonexempt staff members.

*Exempt Employee* – If you are exempt, FSU is required to pay you a salary. Salary levels for exempt staff should reflect the total compensation for all services provided. The nature of exempt work may require exempt employees to work more than regularly scheduled hours in a given workweek. Exempt employees are not eligible for overtime pay; do not complete an hourly timesheet and are not covered by the overtime pay provisions of the Federal Fair Labor Standards Act (FLSA). Exempt employees must account for 10 days per pay period. They may be duty days, paid leave days, or any combination thereof.

*Contingent Status Employment* - Contingent status employment is a non-regular status of employment for nonexempt or exempt positions in the University System of Maryland (USM). A contingent status employee is defined as a person who (1) pursuant to a written agreement, provides personal services to an institution for pay; (2) is not employed as a regular status

employee in a budgeted position; (3) whose compensation, terms and conditions of employment are governed by the Category II Contingent Employment for Nonexempt Employees policy and a written contract and not by the USM policies generally applying to Regular Status Nonexempt and Exempt staff; and (4) has an employer-employee relationship with the institution in which the institution furnishes necessary supplies and equipment, and a place to work; has the right to control and direct the details, means and results of the performance of the services; and has the right to discharge the person from employment.

- a. *Category I Contingent Employee* – Category I contingent employee is any contingent employee whose written agreement is for a term of 6 months or less regardless of the percentage of time worked and regardless of whether it is seasonal or intermittent in nature.
  
- b. *Category II Contingent Employee* – Category II contingent employee is defined as any contingent status employee whose written agreement (contract) is for more than 6 months, but no more than 12 consecutive months; and is on a full-time basis or on a part-time basis of 50 percent or more of full-time employment; and is not seasonal or intermittent in nature. ***Other than in extenuating circumstances and with the approval of the President, no Contingent II employees shall be hired by FSU.***

*Labor Organizations* – In May 2001, Governor Paris N. Glendening signed into law Senate Bill 207, legislation that expands current state law governing collective bargaining to include public institutions of higher education, including USM institutions. The new law became effective July 1, 2001. Senate Bill 207 granted FSU employees’ statutory protection to organize, bargain collectively, and participate through labor organizations in decisions that affect them. Employees who are represented for collective bargaining purposes are not required to join the union representing them. All represented FSU employees are free to join or not join labor organizations.

The American Federation of State, County and Municipal Employees (AFSCME) has been certified as FSU’s exclusive representative for employees in the nonexempt and exempt bargaining units and the Fraternal Order of Police Lodge 147 has been certified as exclusive representative for the sworn police officers’ bargaining unit. The contract between management and the union is commonly referred to as the Memorandum of Understanding (MOU).

The following employees are specifically excluded from the legislation and are not eligible to participate in collective bargaining:

1. Chief administrators or someone in a comparable position
2. Deputy, associate, or assistant administrators, or someone in a comparable position
3. Faculty members and faculty librarians

4. Student employees, including teaching assistants or comparable positions, fellows, or post-doctoral interns
  5. Contingent employees
  6. An employee whose regular place of employment is outside of Maryland
  7. An employee whose participation in a labor organization would be contrary to the state's ethics laws
  8. Any supervisory, managerial, or confidential employee as defined in regulations adopted by the USM Board of Regents (BOR)
  9. Employees entitled to participate in collective bargaining under another law
- **Managerial Employee** - A managerial employee is an employee who is engaged predominantly in executive and management functions; or charged with the responsibility of directing the effectuation of management policies and practices.
  - **Supervisory Employee** - A supervisory employee is an employee who has authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment.
  - **Confidential Employee** - A confidential employee is an employee
    - who has access to confidential or discretionary information, which means information regarding (a) legal advice, (b) the development of policy or procedures pertaining to labor/employee relations, or (c) budget formulation and implementation
    - whose functional responsibilities or knowledge concerning labor/employee relations makes the employee's membership in an employee organization incompatible with the employee's duties
    - who performs the functions of a secretary; administrative assistant; or executive administrative assistant to a chancellor, president, vice chancellor, vice president, provost, or dean

## **About Your University**

### **Mission Statement - Summary**

FSU is a student-centered teaching and learning institution featuring experiential opportunities. The university offers students a distinctive and distinguished baccalaureate education along with a select set of applied master's and doctoral programs. FSU serves regional and statewide economic

and workforce development; promotes cultural enrichment, civic responsibility, and sustainability; and prepares future leaders to meet the challenges of a complex and changing global society.

## **Employees' Voice in Governance**

### **American Federation of State, County and Municipal Employees (AFSCME)**

All exempt and nonexempt positions at FSU are a part of Collective Bargaining and are covered under the MOU between FSU and AFSCME with the exclusion of positions that are considered Confidential, Managers, or Supervisors. More information about the MOUs can be found on the HR website at: <https://www.frostburg.edu/human-resources/Employee-Relations/Union-Information.php>

### **Council of University System Staff (CUSS)**

The mission of the University System of Maryland Council of University System Staff (CUSS) is to provide a voice for staff employee concerns in reference to basic decisions that affect the welfare of the University System of Maryland and its employees. More Information on CUSS: <https://www.usmd.edu/usm/workgroups/SystemStaff/>

### **Frostburg State University Staff Senate (FSUSS)**

The Frostburg State University Staff Senate (FSUSS) is an essential component of shared governance at Frostburg State University and contributes to the effectiveness of the institution as it strives to accomplish its educational mission. The FSUSS acts on behalf of all exempt, non-exempt, and full-time contingent staff employees who are not represented by collective bargaining, excluding Academic Deans, members of the Frostburg State University Executive Cabinet, and employees who are eligible to participate on the Faculty Senate. It has the responsibility to consider and make recommendations to the President on institutional and statewide issues that affect staff employees and to inform eligible employees about topics of importance concerning Frostburg State University and the University System of Maryland. The FSUSS provides representation for the University on the Council of University System Staff (CUSS). More Information on Staff Senate: <https://www.frostburg.edu/staff-senate>

## **Campus Expectations**

### **Affirmative Action and Equal Opportunity**

All policies, programs, and activities of the USM are and shall be in conformity with all pertinent federal and State laws concerning non-discrimination on the basis of race, color, religion, age, national origin, sex, disability, sexual orientation, gender identity, gender expression, marital status, genetic information, veteran's status, and any other legally protected characteristic. This policy prohibits discrimination against students, faculty, staff, and applicants for admission or employment, on the basis of any legally protected characteristic, in admissions, financial aid, educational services, housing, student programs and activities, recruitment, hiring, employment, appointment, promotion, tenure, demotion, transfer, layoff or termination, compensation, selection for training and professional development, and employee services. This policy prohibits harassment, including acts of violence, on the basis of any legally protected characteristic, at USM institutions and in connection with USM programs and activities. This policy also prohibits retaliation against any student, faculty, staff, or applicant for admission or employment who asserts a claim of discrimination under this policy or one who participates in an investigation of a complaint of discrimination. For copies of the procedures and for more information regarding the policy, individuals should contact the AA/EEO Office (301-687-3035). More Information?  
<https://www.usmd.edu/regents/bylaws/SectionVI/VI100.pdf>

### **Equal Employment Opportunity**

FSU affirms its commitment to a campus environment which values diversity and respects individuals who represent that diversity. Fostering diversity and respect for difference is a fundamental goal of higher education, ranking among the highest priorities of this institution. In this spirit, FSU is committed to a policy of equal opportunity and to the elimination of discrimination in both education and employment on the basis of race, color, national origin, ethnic background, gender, sexual orientation, age, creed, political or religious opinion or affiliation, disability, veteran's status or marital status, in conformity with all pertinent federal and state laws on non-discrimination and equal opportunity. For more information regarding equal opportunity and compliance, individuals should contact Brauer (301-687-3035).

More Information: See FSU PN 1.002 Policy on Affirmative Action and Equal Opportunity; FSU PN 1.008 Non-Discrimination/Equal Opportunity; USM VI-1.00 Policy on Affirmation Action and Equal Opportunity

## **Sexual Harassment**

FSU is committed to maintaining a working and learning environment in which students, faculty and staff can develop intellectually, professionally, personally, and socially. Sexual harassment is inconsistent with maintaining such an environment and is a form of discrimination prohibited by federal and state law. The position of FSU is that sexual harassment within the campus community will not be tolerated. Sexual harassment includes a variety of behaviors and may occur within a variety of relationships, including relationships between persons of the same or different genders or persons of equal or unequal power. Sexual harassment may be as undisguised as a direct solicitation of sexual favors or solicitation accompanied by overt threats. Harassment may also be implied by unwelcome physical contact; sexual remarks, conversations or jokes, or the display of sexually explicit materials which are inappropriate or without defensible educational purpose. Members of the FSU community with personal knowledge of incidents of harassment are encouraged and employees are required to report such knowledge to the Title IX Coordinator. All allegations of sexual harassment will be thoroughly and confidentially investigated in accordance with FSU's Gender-Based Harassment and Violence Policy and its related procedures.

The rights of both the complainant and the respondent will be protected, including protection from retaliation. Frivolous or false reports of sexual harassment will be treated as seriously as the offense itself. Sanctions for sexual harassment may vary from reprimand to termination of employment or dismissal from FSU. In addition to pursuing support and redress through the Gender-Based Harassment and Violence Policy, those affected by sexual harassment are also encouraged to report their experience to local law enforcement.

The Title IX Coordinator may be contacted at [titleix@frostburg.edu](mailto:titleix@frostburg.edu). The Gender-Based Harassment and Violence Policy, and related Procedures for Resolving Reports of Prohibited Conduct, are accessible online at [www.frostburg.edu/titleix/policy/](http://www.frostburg.edu/titleix/policy/). For more information, please visit [www.frostburg.edu/titleix](http://www.frostburg.edu/titleix).

More Information: See FSU PN 1.004 Sexual Harassment; FSU PN 1.008 Non-Discrimination/Equal Opportunity

## **Americans with Disabilities Act**

It is a priority of FSU to ensure full participation in programs, employment, and activities for all individuals. Reasonable accommodations shall be provided, upon request, to employees, students, and visitors to FSU. All university publications and events announcements shall contain a statement informing persons with disabilities of the procedure for requesting accommodations. New construction projects and renovations

shall comply fully with all federal, state, and local codes, including the Americans with Disabilities Act Accessibility Guidelines and the Uniform Federal Accessibility Standards. FSU is committed to ensuring non-discrimination and to resolving any complaints related to disability in a prompt and equitable manner. The Director of ADA/EEO shall attempt to resolve complaints following FSU's internal grievance procedure.

More Information: See FSU PN 3.073 Policy on Compliance with Disability Discrimination Laws

### **Drug-Free Workplace**

FSU strives to maintain a workplace free from the illegal use, possession, or distribution of controlled substances. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the State's and/or University's owned or utilized premises and violation of this policy will result in discipline up to and including termination from employment. As a condition of employment, employees must abide by the terms of this policy and must notify their supervisor of any criminal drug conviction no later than five days after such conviction.

FSU's policy on a drug-free workplace will be governed and administered in accordance with USM VII-1.10 Policy on a Drug and Alcohol-Free Workplace for Employees.

### **Risk Management**

Risk and Safety Management is responsible for:

- Developing, implementing, and administering university safety and risk management programs designed to insure staff, faculty, public, and student safety
- Eliminating or preventing risk
- Assuring compliance with OSHA, MOSHA, and all other applicable health and safety standards; and
- Educating the campus community in accordance with the Maryland Risk Management Program.

More information: See FSU PN 3.023 Risk Management Policy

### **Workplace Violence**

FSU is committed to maintaining a work environment that is as free as possible from acts or threats of violence or intimidation. The safety and security of staff, faculty, students, and visitors are of vital importance. Violent or threatening behavior will not be tolerated.

This policy applies to any acts of violence or threats made on FSU property, at FSU events, or under other circumstances that may negatively affect FSU's ability to conduct business. Included in this prohibition are such acts or threats of violence made directly or indirectly, by words, gestures, or symbols that infringe on FSU's right or obligation to provide a safe workplace for its employees, students, and visitors.

More information: See FSU PN 3.097 Workplace Violence Policy

### **Smoke-Free Environment**

Smoking is prohibited on all University grounds and property owned, leased, or otherwise operated by the University, including campus walkways, parking lots, recreational, and athletic areas and within university-owned vehicles. Employees who fail to observe this policy shall be subject to disciplinary action.

More information: See FSU PN 3.014 Smoking

### **Soliciting Personnel during Working Hours**

FSU's procedures in regard to soliciting personnel during working hours shall be governed by and administered in accordance with USM VII-2.20 Policy on Soliciting Personnel During Working Hours. Employees shall have an undisturbed opportunity to perform assigned duties and responsibilities.

### **Hiring Practices**

Hiring practices follow guidelines supporting equal opportunity, diversity, and employment law compliance. Individuals who have been given permission to conduct a search to fill a position must contact OHR for appropriate forms, guides, and recruitment policies and procedures.

Proof of qualifications and skills necessary to perform the duties of a position must be evident and clearly documented for any individual hired. The individual selected for employment must meet the minimum qualifications for the position and must successfully complete a background check.

More information: See **USM VII-1.01 Policy on Recruitment and Selection**

### **Category I Contingent Hiring Procedures**

Category I contingent employees are not required to be hired through competitive recruitment or selection. A "Contingent Employment Request and One Time Payment" form must be completed and submitted to OHR. The individual selected for employment must meet the minimum qualifications for the position and must successfully complete a background check.

More information: See FSU PN 3.084 Contingent Category II Employment for Nonexempt & Exempt Employees

## **Understanding Your Job**

### **Job Specification**

Job specification is a statement of the essential components of a job class including a summary of the work to be performed, primary duties and responsibilities, and the minimum qualifications and requirements necessary to perform the essential functions of the job. USM maintains job specifications for nonexempt positions. Because these specifications are system-wide, they cannot be changed, deleted, or amended without the approval of the Chancellor. USM job specifications may be system-wide or institution specific. System-wide applies to those job classes that are commonly used at more than one institution. Institution specific applies to those job classes that are unique to a particular institution. Job specifications are available on-line at [www.usmd.edu/umspp/alljobs.html](http://www.usmd.edu/umspp/alljobs.html).

### **Position Description**

A job class specification is not the same as a position description. A job class specification broadly defines a group of similar positions that have the same essential functions, qualifications, basic title, and salary range. A position description specifically defines an individual employee's duties, responsibilities and the position requirements in a particular office or department. A position description is the statement of the actual duties and responsibilities that an employee performs. It is more detailed and specific than the job specification. At FSU, a Position Information Form (PIF) is used to record an employee's actual duties and responsibilities. Each employee must have a position description, or PIF, on file in OHR.

The employer may change an employee's job-related duties. Upon initial employment and upon each significant change in duties and/or job classification thereafter, each full-time or part-time employee shall be furnished a copy of his/her position description.

### **Classification**

Each employee, based on objective criteria, shall be assigned to the classification that most accurately reflects the employee's actual duties and responsibilities.

### **Classification/Promotion/Equity Adjustments Exempt Staff**

Although USM maintains, administers, and performs a biannual market analysis of a wide-band compensation system for exempt staff employees, there are no job families or job specifications. The classification and compensation rates of exempt staff employees, based

upon the knowledge, skills, and abilities necessary to perform the essential functions of the position, combined with market analysis, are determined by the individual institutions, and then slotted into the USM wide band system. Consequently, there is no USM policy on position classification for exempt employees.

As an exempt employee, you were offered and accepted a particular position and corresponding salary at the time of hire. If at any time during the course of your employment you become concerned about your title, job duties, and/or level of compensation relative to job requirements and market, you are encouraged to meet with your supervisor and discuss your concerns. Upon request and based upon significant and substantial changes to the requirements of the position, OHR may be asked to review the position.

### **Position Reclassification**

Reclassification of a position may occur when significant and substantial changes occur in the primary duties of the position. The employee or the supervisor may initiate a request for a reclassification review using the following procedures:

- Requests will only be accepted March 1 to April 30.
- Approved changes will be effective July 1.
- Signatures of all parties, including acknowledgement by the division Vice President, are required.
- The employee and/or supervisor prepares a PIF.
- The supervisor submits the PIF with documentation to OHR with a Reclass Request form. If the supervisor disagrees with the employee, the supervisor must provide OHR written documentation as to the reasons for disagreement and sign the form.
- Unless an extension is agreed to between OHR, supervisor, and the employee, OHR shall complete the position review process within a maximum of 30 days.
- If the process supports reclassification, the CHRO will provide documentation to the Vice President of Administration and Finance for approval.
- The Chief Human Resource Officer shall provide written notification of the decision to the employee and supervisor.
- The minimum percentage increase for a reclassification shall be as set forth by USM VII-9.20 Policy on Pay Administration for Regular Nonexempt Staff Employees, which is currently 6%. All job reclassification decisions shall be effective retroactive to the date OHR received the request for review.

## **Internal Job Postings/Advertisements**

With the exception of entry-level positions, nonexempt vacancies will be advertised internally only for a minimum period of 5 workdays. Only FSU employees are eligible to apply for internal postings. At the conclusion of the internal posting period, OHR will review the applicant pool and make a determination as to whether or not the position will be advertised externally. Under special circumstances, at the request of the department head and with the concurrence of the Chief Human Resource Officer or designee, a position may be posted internally and advertised publicly concurrently.

## **Employee Eligibility**

1. Employees who wish to pursue an internal promotional opportunity must satisfy the following qualifications:
  - A. Maintain a performance level of meets standards or better
  - B. Meet the minimum qualifications as outlined in the employment ad and/or job specification
  - C. Have at least one year of continuous service in their current position
  - D. Follow appropriate application procedures as detailed in the position posting
2. Meeting minimum qualifications does not guarantee an internal applicant an interview.
3. If an internal candidate is not selected for interview or hire, the candidate may request and shall be granted a meeting with the Chief Human Resource Officer or designee to discuss the decision.

## **Specific Guidelines for Nonexempt Employees:**

### **NONEXEMPT MOU ARTICLE 8. HOURS OF WORK AND OVERTIME**

#### **8.1a – Hours of Work and Overtime**

For nonexempt employees, a workweek and work Schedules A work schedule is defined as the employee's assigned work hours, including starting and ending times during the day, and the days included in the employee's standard workweek. Unless modified by the Employer, the normal standard workweek is 40 hours per week and runs from Monday through Friday. It is understood that there may also be workweeks other than Monday through Friday in 24/7 or other special operations.

The administrative workweek for purposes of reporting work time begins at 12:00 a.m. on Wednesday and ends at 11:59 p.m. on Tuesday. All overtime pay is based on the administrative workweek and the Fair Labor Standards Act (FLSA) and the provisions of Section 6 (paid leave counts as work time). There is no guarantee of the number of hours of work in a day or week.

### **8.1b Work Schedule Changes**

A. The Employer has the right to implement any work schedule change it deems appropriate so long as the work schedule and employee compensation comports with the Fair Labor Standards Act (FLSA) and this MOU. When the University decides that more positions are needed on another shift or that a transfer from one shift to another is needed on a permanent basis, the University shall first ask for qualified volunteers to fill the positions or need on the other shift. If the number of volunteers is insufficient, then the University shall require the least senior qualified person in the affected classification to be transferred. In the event the Employer implements a permanent change in an employee's work schedule, the Employer will provide the affected employee with 14 calendar days advance notice.

B. The University reserves the right to transfer employees as necessary and appropriate to resolve personnel disputes, meet specific operational needs, or carry out disciplinary actions. Under those circumstances, Sub-sections 8.1a and 8.1c. shall not apply.

C. Employees may request and, in accordance with operational needs and with the approval of the supervisor, be approved temporary changes in their regular work schedule including flextime, "make-up" time and shift changes.

### **8.1c. Housekeeping and Groundskeeping Assignments**

A. When a vacancy or transfer opportunity occurs in the Housekeeping and Groundskeeping Departments, current housekeeping and groundskeeping employees shall be notified in writing and shall have five days to bid on the vacancy or transfer. (A form shall be provided.) First consideration shall be given to interested employees in the complex/area where the vacancy/transfer opportunity exists. If the number of volunteers is insufficient, the University shall require the least senior qualified person in the department to be transferred. If the number of bids exceeds the number of vacancy/transfer opportunities, the most senior person shall be awarded the bid. In the event of a tie, the employee with the highest average PMP score over the past three years shall be awarded the bid. (For purposes of this article, seniority shall be counted as time spent in a housekeeping/groundskeeping classification.) Employees who fail to return a bid form by the posted deadline shall be counted as "not interested."

B. This article shall apply to lateral transfers only. Promotional opportunities are governed by Article 31-Classification/Reclassification/Pay Adjustment.

## **8.2 Timesheets**

Employees are required to record all hours worked and absences (paid and unpaid) on their timesheets.

## **8.3 Work Breaks**

There shall normally be two paid duty-free rest periods of 15 minutes each for all full-time assignments. Rest periods shall be scheduled towards the mid-point of the first and second parts of the daily schedule. During a break period, the employee is free to move about the campus.

## **8.4 Lunch Break**

A. There shall be a duty-free unpaid lunch break of at least 30 minutes for employees working on assignments of eight hours or more. Lunch breaks should normally be scheduled at approximately the mid-point of the employee's regular work shift. Employees, with prior approval of the supervisor, may choose a daily schedule encompassing nine hours, which allows a 60 minute duty-free unpaid lunch break.

B. Due to the nature of the operation, employees serving as police communication officers and tour engineers are to take up to a 30-minute paid meal break while on duty with notification to and approval of the supervisor. While attending training, employees will take an unpaid lunch break that coincides with the training schedule except that application of this unpaid meal provision shall not result in an employee receiving less than eight hours pay for that day. Employees may not leave campus while on duty without supervisor approval and must be available to return to their job duties immediately where necessary.

## **8.5. Copy of Job Description**

The Employer retains the right to change an employee's job-related duties. Upon initial employment and upon each significant change in duties and/or job classification thereafter, each full-time or part-time bargaining unit employee shall be furnished a copy of his/her job description. A job specification is a statement of the essential components of a job class including a summary of the work to be performed, primary job duties and responsibilities, and the minimum qualifications and requirements necessary to perform the essential functions of the job. OHR maintains USM Job Specifications for nonexempt positions. A job description is a statement of the actual duties and responsibilities that an employee performs in a particular office or department. Employee job descriptions are developed in accordance with, and duties shall be within the parameters described by the USM Job Specification. Terms such as "other duties as required" shall mean job-related duties relevant to the position.

## **8.6 Overtime**

Employees shall receive 1-1/2 times their regular rate of pay for hours worked more than 40 hours per workweek in accordance with the FLSA. All hours worked and paid more than 40 in a week must be pre-approved by the employee's

supervisor. Hours worked shall include paid sick, annual, holiday, administrative, and personal leave.

#### **NONEXEMPT MOU ARTICLE 10 – SHIFT DIFFERENTIAL**

- A. An employee who regularly works a qualifying shift is eligible for shift differential pay for hours actually worked subject to the conditions set forth below. A qualifying shift means a full-time or permanent part-time shift that starts at or after 2:00 P.M. and at or before 1:00 A.M. The rate of shift differential pay is one dollar per hour. Shift differential will be included in the regular rate calculation for the computation of overtime. The following provisions establish eligibility:
1. To qualify for shift differential, an employee must be employed on a 50 percent or more basis of full-time employment.
  2. Shifts and eligibility for shift differential pay are not established by the time the employee begins to work, but rather by when an established shift starts.
  3. An employee who works any part of a qualifying shift is eligible for shift differential pay on a prorated basis.
  4. Shift differential is authorized for an employee who is permanently assigned to a qualifying shift while on approved leave with pay. An employee who is on a permanent schedule of rotating shifts is eligible to claim the shift differential only for leave taken while scheduled for a qualifying shift. However, such payment of shift differential will cease after ten full workdays of continuous paid leave for which there has been a shift payment.
- B. In an overtime situation where the employee continues working from a non-qualifying shift into a qualifying shift, the employee is eligible for a shift differential for the portion of the qualifying shift in which overtime occurs.

#### **10.4 On Call**

- A. Employees may be placed in an on-call status at the direction of the University. The following guidelines apply:
1. An employee assigned to on-call status is eligible to receive compensation in the amount of \$50 per day, plus appropriate wages for all hours worked. On-call pay shall be included in the computation for overtime wages.
  2. The employee must be always accessible and must immediately notify their supervisor if inaccessible. If inaccessible, on-call pay will be forfeited.

3. An employee cannot be designated on-call for more than seven consecutive days, however the employee may be on-call for 24 hours on each of those days.
4. An employee who is assigned to on-call status and cannot be reached or does not report within two hours of being contacted, will face disciplinary action, and will not receive on-call pay for that day.
5. Employees will not receive on-call compensation if performance of the duties is an extension of the regular workday or workweek.
6. Essential employees are not automatically assigned to on-call status.
7. The University will make reasonable efforts to allocate on-call assignments among qualified eligible employees on a rotating basis.

### **10.5 Call Back**

The University may, at its discretion, require an employee(s) to report to work in “call-back” capacity. Employees who are called to report to work on their regular day off, or that have been recalled working after having left the Employer’s premises, shall be guaranteed a minimum of two hours of pay plus travel time at the applicable rate of pay. If an employee is called back on a shift, which qualifies for shift differential pay, the employee will receive the shift differential pay. Pre-scheduled overtime or an extension of the regular workday does not constitute a call-back situation.

More information: See USM V-II4.62 Policy on On-Call and Call-Back for Nonexempt Staff Employees

### **Specific guidelines for exempt employees:**

#### **EXEMPT MOU ARTICLE 8. HOURS OF WORK AND COMPENSATORY TIME**

##### **8.1 Purpose and Applicability**

This article identifies the work schedule requirements for regular employees in exempt positions.

##### **8.2 Schedule Requirements**

Employees covered under this MOU shall be assigned a reasonable work schedule. The work of employees in exempt positions is not measured solely by the hours worked. Employees in exempt positions are expected to work the hours necessary to complete assignments on a schedule that satisfies the requirements of the job. A full-time commitment typically requires a minimum of 80 hours per bi-weekly payroll period.

##### **8.3 Timekeeping**

Consistent with the Fair Labor Standards Act (FLSA), exempt employees will note on their timesheets "D" (duty day) to record workdays.

#### **8.4 Breaks**

Based upon the exempt status of bargaining unit employees, employees shall be allowed to take work breaks and lunch breaks at the option of the employee so as not to interfere with the operational needs of the University

#### **Salary**

USM exempt and nonexempt pay plans govern the salaries of employees. The pay plans include salary ranges for job classes. The pay plans may only be changed with the review and approval of the USM Board of Regents upon the recommendation of the chancellor of the USM. Copies of the pay plans are available through OHR and on OHR's web page. Questions regarding an employee's individual salary should be directed to the employee's supervisor. COLA, merit pay, equity adjustments, reclassification, or movement within/out of a band (exempt) may result in salaries being adjusted.

The following guidelines shall be used to determine a nonexempt employee's salary:

- If there is an increase in the minimum salary within a salary range, all employees below the minimum shall be moved to the minimum salary within their job class.
- If there is a decrease in the maximum salary within a salary range, affected employees shall not experience a reduction in current pay.
- Unless otherwise provided by USM policy, employees whose salary exceeds the maximum of the salary range are eligible for COLA increases only, until their salaries fall within the range.

More information: USM Policy VII-9.11 Policy on Pay Administration for Exempt Positions and USM Policy VII-9.20 Policy on Pay Administration for Regular Nonexempt Staff Employees

#### **Payroll and Direct Deposit**

Payroll and Employee Services is in Room 318 of the Hitchins Administration Building. Office hours are from 8:00 a.m. to 4:30 p.m.

#### **Pay Periods**

FSU pay periods start on Wednesday, end on Tuesday, and are 2 weeks in length. Regular pay dates are on the Wednesday 1 week following the pay period end date. Contractual pay dates are on the Wednesday 2 weeks following the pay period end date. Since all payroll

checks for State of Maryland employees are produced at Central Payroll Bureau (CPB) in Annapolis, Maryland, it is important for departments to meet the timesheet deadline.

### **Timesheets**

Employees are responsible for the accuracy of their timesheets. Timesheets must be submitted online no later than 10 a.m. the day after the pay period ends. Each timesheet is verified and approved by the supervisor.

### **Payroll Online Service Center (POSC)**

Pay stub information may be viewed and printed from Central Payroll's web site at the Payroll Online Service Center (POSC).

To complete the signup process and establish a Logon ID & Password, you will be required to supply the following information:

- Social Security Number
- Date of Birth
- Agency Number (360226) and Check / Advice Number from your most recent paystub - (contact FSU Payroll at x4332 for assistance)

Employees who receive a payment before their direct deposit becomes effective (which usually takes one to two payrolls) will receive a paper paycheck mailed from the Central Payroll Bureau (CPB) in Annapolis to their home address as reported on their W-4 form. CPB will not mail the check if they do not have the employee's signature on a W-4 form or on a Payroll Address form with address. It is very important to accurately complete the W-4 form and Direct Deposit form.

POSC users can also view/print their W-2 forms, update address changes (for payroll records only) and update their W-4 tax withholding information.

Other information and forms may be accessed from our web page at <http://www.frostburg.edu/admin/payroll>

All employees are encouraged to contact Payroll & Employee Services at (301) 687-4332 with questions.

## **Probation for Nonexempt Employees**

Probation is a trial period in which employees demonstrate their ability to perform the duties and responsibilities of their positions.

Specific guidelines for nonexempt employees:

- All newly hired nonexempt employees shall serve a six-month probationary period.
- During the probationary period, the supervisor, with the approval of the department head and written notification to OHR, may separate the employee without reason at any time with a two-week written notification. An employee has the right to appeal the rejection within five workdays of receipt of the written notification on grounds of procedural deficiency.
- Under certain circumstances as described in USM VII-1.21 Policy on Probation for Regular Nonexempt and Exempt Staff Employees, a promoted, transferred, or reinstated nonexempt employee may be placed on probation. In such cases, the employee may only be separated with cause and a 30-calendar day written notification.
- Upon the request of the Department Head or designee, the Chief Human Resource Officer or designee may extend an original or status change probationary period for a period not to exceed six months.
- Nonexempt employees who have completed a probationary period shall not be required to serve a new probationary period when transferring to the same position in a different department.

## **Pay on Completion of Probation for Nonexempt Employees**

Upon satisfactory completion of probation, a nonexempt employee shall be given an increase in pay equivalent to the merit increase approved and funded for the fiscal year in which the probationary period is completed.

Nonexempt employees who successfully complete an Original Probation or Promotional Status Change Probation (at least one pay range higher than the prior position) shall receive a 2.5% adjustment to their base salary upon completion of the probation.

More information: See USM Policy VII-9.20 Policy on Pay Administration for Regular Nonexempt Staff Employees.

## **Probation for Exempt Employees**

**Specific guidelines for exempt employees:**

- Newly hired exempt employees shall serve a probationary period of one year.
- Under certain circumstances described in USM VII-9.01 Policy on Vesting of Certain Rights Upon Implementation of Phase II-Exempt of the USM Pay Program, promoted employees shall also be required to serve one-year probation.

- During the probationary period, the supervisor, with the approval of the Chief Human Resource Officer, may reject an employee, without reason, provided there is a 30-calendar day notification, and the notice occurs at least 30 calendar days prior to the expiration of the probationary period. In such cases, the employee has the right to appeal the rejection within five working days of receipt of the written notification on grounds of procedural deficiency. Information on appeals may be obtained from OHR.

### **Pay on Completion of Probation for Exempt Employees**

Upon satisfactory completion of probation, an exempt employee shall be given an increase in pay equivalent to the merit increase approved and funded for the fiscal year in which the probationary period is completed.

More information: See USM VII-1.21 Policy on Probation for Nonexempt and Exempt Staff Employees; USM VII-9.01 Policy on Vesting of Certain Rights Upon Implementation of Phase II-Exempt of the USM Pay Program

### **Status Change for Nonexempt Employees**

An appropriate administrator may separate an employee serving a status change probationary period for cause.

The appropriate administrator shall provide to the employee and the Chief Executive Officer or designee written notice of the rejection at least 30 calendar days prior to the end of the probationary period. The notice shall state the reasons for and effective date of the rejection and shall advise the employee of the right to appeal.

An employee whose job class has been changed because of a promotion and is rejected during a status change probationary period shall be restored to the employee's former position if it is vacant or held by a temporary employee.

More Information: See USM VII-1.21 Policy on Probation for Regular Nonexempt and Exempt Staff Employees

### **Status Change for Exempt Employees**

During the probationary period, at the discretion of the administrator, reject an employee. The employee to be rejected shall be given at least a 30 calendar days' written notice of the rejection or, at the discretion of the responsible administrator, shall be placed on administrative leave as described below. The notice is to be provided to the employee no later than 30 calendar days prior to the expiration of the probationary period. The

notification period requirement does not apply if the rejection is the result of a breach of discipline or of such gross incompetence as to jeopardize essential services. An employee may grieve the rejection on probation for the purpose of showing that the rejection is procedurally deficient or in violation of law.

Non-bargaining Unit Members, at the option of the FSU President or designee, an employee who has been notified of a period of notice of separation, may be placed in an administrative leave with pay status for any part or all the period of notice. In this case, the employee shall not earn other paid leave (annual, sick, holiday, personal) during the period of administrative leave. Alternatively, the FSU President or designee may assign alternate duties and responsibilities to an employee who has been notified of a period of notice of separation for any part or all the period of notice.

More Information: See USM VII-1.22 Policy on Separation for Regular Exempt Staff Employees

### **Performance Management Program (PMP)**

FSU utilizes an electronic performance appraisal system called TrakStar.

#### **PMP Process**

A discussion of expectations between the supervisor and the employee should take place at the beginning of the rating period. There should be continuous communication and feedback throughout the year between the employee and the supervisor. There should be a discussion between the supervisor and the employee at the end of the rating period on achievements and methods for improvement.

#### **Evaluation Process**

Employees shall receive a performance review at least once every 12 months. Evaluation ratings for the past year and discussions of expectations for the coming year must be completed by March 30<sup>th</sup> each year.

Initial discussion of expectations and performance reviews may be conducted more frequently when appropriate (e.g., a new employee, employee transfers to a new job, changes in performance level during the evaluation period).

Employees shall be informed at the beginning of the performance period or upon hire of the objectives and factors on which their performance will be evaluated.

More information: See USM VII-5.20 Policy on the Performance Management Program

### **Progressive Corrective Discipline**

Department managers and supervisors should inform employees of FSU rules and regulations. Disciplinary action should be taken as soon as possible after a work rule violation or unacceptable behavior. For repeated but relatively minor incidents of substandard performance, misconduct, or rule violations, corrective counseling and discipline should be progressive. The normal sequence of action is:

1. Counseling or Initial Discussion
2. Verbal Reprimand
3. Written Reprimand
4. Suspension without pay
5. Discharge from University service

Depending on the severity of the case, action may begin at any of these steps. Any action involving suspension or discharge requires prior review by the Chief Human Resource Officer or her/his designated representative.

Offenses are any willful, deliberate, or negligent acts or violations of University policies or rules of such a degree that continued employment of the offending individual may not be desirable. The following are examples of some offenses that may subject an employee to corrective action. This list is not all inclusive.

- Poor performance of duties, including failure to follow instructions or to maintain established standards of workmanship or productivity.
- Insubordination or willful disobedience including refusal to accept instructions from supervisors or other proper authorities.
- Use of profane or abusive language on FSU premises, or actions that may be discourteous or harmful to others.
- Threats, fighting, or other physical action against another person while on University premises, including abusive, unruly, indecent, or obscene conduct.
- Continued absences or excessive tardiness that exhibit a pattern or trend.
- Failure to inform the supervisor when leaving the workstation, or failure to report back to the workstation at the scheduled conclusion of a work break or meal period.

- Failure of an absent employee to notify the supervisor on each day of absence.
- Failure to adhere to FSU or departmental safety policies or procedures, including failure to immediately report an accident on FSU premises involving an on-the-job injury or property damage.
- Unauthorized or improper use of FSU funds or property.
- Being in an unfit condition to perform the duties of the job, including sleeping on the job, or working under or suspected of working under, the influence of drugs or alcohol.
- Willfully falsifying any FSU records.
- Behavior that compromises another's safety or privacy or discloses confidential FSU information to unauthorized persons.

### **Steps**

**Counseling or Initial Discussion:** Normally, initial disciplinary action should be in the form of an oral discussion, especially for minor rule violations.

**Verbal Reprimand:** If the initial discussion fails to produce the desired results, a verbal reprimand is normally the next step. Supervisors should maintain a complete and accurate written notation of the reprimand.

**Written Reprimand:** A Written Reprimand involves both a formal interview with the employee by the supervisor and an official memorandum to the employee emphasizing the negative effect of the employee's conduct or work performance on the employee's record.

**Suspension:** "Suspension" means the interruption (without compensation) of the active employment status pending an investigation and decision as to the extent of disciplinary action; or suspension may be disciplinary action.

**Discharge or Release:** In cases other than serious offenses, release from employment should be used as a last resort. When it becomes necessary to release an employee, the employee, in effect, will have been released based on the record the employee has established.

At each step in this sequence, except discharge, the supervisor should:

1. State the problem and ask the employee what caused it
2. Explain the error or work rule violation to the employee

3. Tell the employee what is expected of the employee
4. Indicate that it is the employee's responsibility to correct the employee's behavior/performance
5. Answer questions relating to the violation
6. Tell the employee specifically what the employee can expect in the event of future similar work rule violations.
7. Set a follow-up date to review behavior/performance.

Summarize the interview on the appropriate disciplinary action notice. Obtain the employee's signature on the notice. Provide the employee with a copy. Advise the employee that a copy of the notice will be placed in the employee's personnel folder.

### **Grievances**

Grievances are governed by USM VII-8.00 Policy on Grievances for Nonexempt and Exempt Staff Employees and are subject to all the terms and conditions set forth therein.

### **Reassignment**

An employee's ongoing duties and responsibilities may be changed or modified by the supervisor at any time. Unless there is an emergency, the supervisor shall provide the employee with a written notice two weeks before the reassignment takes place. Also, the supervisor shall work with the employee to develop a revised job description and forward the revised description to OHR.

- Reassignment can move a nonexempt employee from one position in a given class to another position in the same class. Failure of a nonexempt employee to accept a reassignment shall result in disciplinary action.

More information: See USM VII-9.51 Policy on Reassignment of Regular Exempt Staff Employees

### **Acting Capacity Pay**

- A. When an employee is appointed to a higher-level position on a temporary basis, the employee is in acting capacity and shall be eligible for acting capacity pay beginning

on the 21<sup>st</sup>) consecutive calendar day of work in the acting capacity, retroactive to the first day that the employee served in the acting capacity.

- B. The employee is eligible for a salary increase of not less than 6%. Upon conclusion of the acting appointment, the employee's salary reverts to the employee's last regular salary rate in effect prior to the acting appointment, subject to adjustment for any intervening salary adjustments, other than acting capacity pay, that have occurred. An employee who is in acting appointment status must meet the minimum qualifications of the position to which he or she is appointed.
  
- C. Prior to accepting the acting capacity appointment, the employee shall be notified in writing of the duties expected. The performance evaluation of the employee working the duties of a higher classification shall reflect the added responsibilities the employee performed during the period of acting capacity. Employees who cannot satisfactorily perform the essential functions of the higher classification due to a lack of knowledge, skills, and ability, shall be returned to their former position and shall not suffer formal disciplinary action. Employees who fail to perform the essential functions of the new position due to negligence, or any other action that would normally be cause for disciplinary action, will be subject to the same disciplinary action as an employee not on acting capacity.
  
- D. Nonexempt employees serving in acting capacity shall be paid on an hour-for-hour basis. The maximum period of acting capacity shall be limited to 12 months but may be extended by agreement of the supervisor and the employee and with the approval of the Chief Human Resource Officer or designee.

### **Dual Employment**

A current FSU employee may be asked or may volunteer to serve FSU in a capacity additional to his or her primary duty. Supervisory approval by the primary supervisor and division vice-president is required in all instances. When such need arises, the guidelines set forth in the Dual Employment Policy must be applied. Prior to employment, affected parties must complete the "Dual Employment Certification" form and return the completed form to OHR.

More information: See FSU PN 3.099 Dual Employment Policy, Exempt and Nonexempt Employees

### **Training and Development**

FSU offers professional development opportunities and seminars throughout the year. All employees, with the approval of the supervisor and based upon operational need, are welcomed, and encouraged to attend.

Employees will be paid for time spent in university required training. The Employer will make reasonable efforts to have employees attend training during their regularly scheduled work hours. All travel undertaken in conjunction with approved university required training must be documented by the employee and pre-approved by management. All out-of-state travel must have a pre-approved travel request form. Expenses properly incurred in conjunction with approved university required training are reimbursable to the extent allowed by and as provided by university regulations.

Employees who wish to attend training unrelated to their current position may do so with the approval of the supervisor. Time spent in training not required by FSU shall be recorded on the timesheet as personal or annual leave. Flextime or makeup time may be used with the previous approval of the supervisor. All flex time and makeup time must take place in the work week in which the training occurs.

### **Personnel Records**

If you wish to view your official employment records in your central personnel file, you must make an appointment with OHR. All files shall be reviewed in OHR in the presence of the Chief Human Resource Officer or designee. At the time of review, employees may be required to initial and date all records in the file.

Central personnel files are confidential to the employee and FSU. They will not ordinarily be released to anyone outside FSU unless the employee supplies a notarized written statement releasing the file (or a part of it), or unless required by law.

Policy on personnel records shall be governed in accordance with USM VII-6.02 Policy on Employee Files for Nonexempt and Exempt Staff Employees.

## **Disciplinary Documents**

After 12 months without any further disciplinary action and upon request of the employee, counseling session memos and verbal warnings shall be expunged from the employee's official personnel file.

More information: See USM VII-6.02 Policy on Employee Files for Nonexempt and Exempt Staff Employees; FSU PN 3.102 Procedure on Maintenance of Personnel Files for Frostburg State University

## **Employing Members of the Same Family (Nepotism)**

Members of the same family are eligible for employment at FSU. However, a supervisor-subordinate relationship shall not exist between family members, nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion. If members of the same family are recommended to work for the same supervisor, the arrangement must be approved in advance by the institution's chief executive officer or designee. Where possible, members of the same family assigned to the same supervisor should not work in the same building and should always work different shifts. An "Employment of Members of the Same Family (Nepotism)" form must be completed.

More information: See USM VII-2.10 Policy on Employment of Members of the Same Family (Nepotism)

## **Employee and Applicant Disclosure of Conduct**

The purpose of this policy is to set forth FSU's policy on employee and applicant disclosure of misconduct and to protect those individuals from retaliation in the form of adverse personnel action for disclosing what they believe to be certain unlawful, wasteful, or hazardous practices. An employee shall disclose all relevant information regarding evidenced misconduct to the Chief Executive Officer or designee of FSU in a signed written document within one year of the day on which the employee knew or reasonably should have known of the misconduct. In consultation with the Maryland Attorney General's Office, the Chief Executive Officer or designee shall consider the disclosure and take whatever action the Chief Executive Officer or designee determines to be appropriate under the law and circumstances of the disclosure.

If an employee or applicant believes that they have been retaliated against in the form of an adverse personnel action for disclosing information regarding misconduct under this policy, the employee may file a written complaint requesting an appropriate remedy. A complaint shall be filed with the appropriate Chief Executive Officer or designee within

30 calendar days from the effective date of the adverse personnel action or from the date on which the employee or applicant should reasonably have had knowledge of the adverse personnel action.

More information: See USM VII-2.30 Policy on Employee and Applicant Disclosure of Misconduct for Nonexempt and Exempt Staff Employees and Applicants for USM Staff Positions

## **Employee ID**

While no employee is required to display an ID badge, all staff are encouraged to display their FSU ID photo badges.

## **Leave Policies**

### **Holiday Leave**

University employees are entitled to 12 paid holidays per year and 13 holidays during years of general or congressional elections. These holidays include the following:

New Year's Day	January 1 <sup>st</sup>
Martin L. King's Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Juneteenth Day	June 19 <sup>th</sup>
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veteran's Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Friday after	4 <sup>th</sup> Friday in November
Christmas Day	December 25
Election Day	1 <sup>st</sup> Tues. in Nov./even years

In addition, employees receive 3 administrative leave days. The actual dates of observation for the holidays and administrative leave vary from year to year. Employees may find the current year listing of observed dates on the OHR web page and in the on-line directory.

Specific holiday guidelines are as follows:

- Part-time employees on at least a 50 percent basis shall earn holiday leave on a prorated basis.
- When a holiday falls on a Saturday, it is earned the Friday before, and when a holiday falls on a Sunday, it is earned on the following Monday.
- An employee may be required to work on a holiday to perform necessary duties. When this occurs, the employee normally is granted the holiday on a different day. Occasionally, due to work demands the employee shall be paid holiday pay in lieu of taking the holiday.
- Employees shall be paid for any unused holiday leave that has been earned as of the date of separation.

### **Holiday Termination Payment**

Employees, who leave their employment at FSU for any reason, are entitled to be paid for any unused holiday leave that has been earned as of the date of separation. If a holiday is taken and the employee severs employment before the holiday is earned, the employee will pay back the holiday upon severance.

More information: See USM VII-7.30 Policy on Holiday Leave for Regular Nonexempt and Exempt Staff Employees

### **Personal Leave**

Employees are entitled to 3 days or 24 hours of personal leave per calendar year. Any personal leave that is unused at the end of the calendar year shall be forfeited and shall be contributed to the USM Leave Reserve Fund.

Specific personal leave guidelines:

- Part-time employees working 50 percent or more shall receive personal leave on a prorated basis.
- Employees shall notify supervisors before taking personal leave. Unless a critical staffing shortage occurs, personal leave shall be granted.
- Personal leave for nonexempt employees must be taken in one-hour increments. Exempt personnel shall take Personal Leave in full-day increments.
- Requests for personal leave to attend religious observances shall be honored.

- At the time of separation from service, employees will not be paid for any unused personal leave.

More information: See USM VII-7.10 Policy on Personal Leave for Regular Nonexempt and Exempt Staff Employees

### **Annual Leave**

Annual leave shall be available only to the extent earned if dates of such leave have been approved in advance by the employee's supervisor. Specific information applying to both nonexempt and exempt employees' annual leave:

- Part-time employees working on at least a 50 percent basis shall earn annual leave on a prorated basis.
- An individual leaving employment shall be paid for any earned but unused annual leave that has been credited and is available for use on the day of separation.
- Time taken as annual leave must have the approval of the supervisor.
- Supervisors have the right to refuse a request for annual leave.
- If an employee's request for annual leave is denied, the employee may request through their supervisor payment for annual leave in excess of the maximum accumulation. Such requests shall be accompanied by the employee's written request for leave as well as the written response from the supervisor stating why the leave was denied. The Chief Human Resource Officer reviews all requests for payment of denied annual leave.
- When an employee transfers to another institution within FSU System of Maryland or to another department, or from the State of Maryland to FSU, all unused accumulated annual leave shall be transferred with the employee.

### **Annual Leave for Exempt Employees**

Annual Leave for exempt employees is governed by USM VII-7.00 Policy on Annual Leave for Regular Nonexempt and Exempt Staff Employees, and is subject to all the terms and conditions set forth therein with the following modification:

A maximum of 55 workdays of annual leave may be carried into a new calendar year by all full-time exempt employees. This maximum will be pro-rated for employees working 50 percent or more.

Full-time exempt employees earn 22 days of annual leave per calendar year that shall accumulate on a bi-weekly basis from the beginning of employment. Beginning with the

21<sup>s</sup>) year of USM and/or State of Maryland employment annual leave shall be earned at the rate of 25 days per calendar year. Part-time exempt employees working 50 percent or more shall earn annual leave on a pro-rated basis.

### **Annual Leave for Nonexempt Employees**

Annual leave for nonexempt employees is governed by USM VII-7.00 Policy on Annual Leave for Regular Nonexempt and Exempt Staff Employees and is subject to all the terms and conditions set forth therein with the following modification:

Annual leave for full-time nonexempt employees is earned on a prorated basis and can be used to the extent that it is accrued and available. Leave will be earned according to the following schedule. (Part-time employees in the bargaining unit working 50 percent or more will earn annual leave on a pro-rated basis.)

- Beginning with the first month through the completion of the first year: 11 days
- Beginning with the second year through the completion of the second year: 12 days
- Beginning with the third year through the completion of the third year: 13 days
- Beginning with the fourth year through the completion of the fourth year: 14 days
- Beginning with the fifth year through the completion of the tenth year: 15 days
- Beginning with the 11<sup>th</sup> year through the completion of the 20<sup>th</sup> year: 20 days
- Beginning with the 21<sup>st</sup> year and thereafter: 25 days

A maximum of 50 workdays of annual leave may be carried into a new calendar year by all full-time nonexempt employees. This maximum will be pro-rated for employees working 50 percent or more.

More information: See USM VII-7.00 Policy on Annual Leave for Regular Nonexempt and Exempt Staff Employees

### **Sick Leave**

Employees earn 15 days of sick leave per year. Part-time employees on at least a 50 percent basis earn sick leave proportionate to their employment. Sick leave may be accumulated without limitation. There is no compensation for unused sick leave at termination of employment. However, if you retire from the Maryland State Retirement and Pension Systems, directly upon terminating employment, you will receive additional creditable service for your accumulated sick leave, which would increase the amount of your benefit.

More information: See FSU PN 3.094 Sick Leave for Exempt & Nonexempt Employees; USM VII-7.45 Policy on Sick Leave for Exempt and Nonexempt Staff Employees

### **Verification of Use of Sick Leave**

A Supervisor may require an employee to submit written documentation of an illness, injury, or disability. If the supervisor determines that written documentation will be required, the supervisor must notify the employee in writing in advance of the requirement.

### **Care of Immediate Family Members**

Sick may be used to provide medical care to a member of an employee's immediate family. Sick leave may also be used to take a family member to a medical appointment, which cannot be scheduled during non-work hours. An employee may be required by his or her supervisor to provide written documentation of the need to be absent due to illness or injury of or a medical appointment for a member of the employee's immediate family. Immediate family includes spouse, child, stepchild, grandchild, mother, father, mother-in-law, father-in-law, brother, sister, grandparent, brother-in-law, sister-in-law, other relative who is a permanent resident of the employee's household, or legal dependent irrespective of residence.

### **Birth or Adoption of a Child**

An employee may use sick leave if she is temporarily disabled during pregnancy or childbirth. Written documentation of the need to be absent signed by a qualified practitioner is required. In addition, an employee may use up to a maximum of 12 Weeks of FMLA, earned sick days following the birth or adoption of a child. If both parents are employees of FSU, sick leave for this purpose is available to only one parent.

### **Death of a Relative**

For the death of a close relative, the Department Head or designee (normally the immediate supervisor) may grant the use of up to three days of accrued leave. If the death of a close relative requires an employee to travel requiring staying away from home overnight, upon request the Department Head or designee (normally the immediate supervisor) may grant the use of up to a maximum of five days of accrued leave for this purpose.

Close relative means a spouse, child, stepchild, foster child, mother, father (or someone who took the place of a parent), mother-in-law, father-in-law, grandparent of the employee or spouse, grandchild, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, or other relative who permanently resided in the employee's household.

The Department Head or designee (normally the immediate supervisor) may grant the use of up to a maximum of one day of sick leave for reasons related to the death of the employee's or his/her spouse's aunt, uncle, niece, or nephew.

### **Advanced Sick Leave**

An employee who is unable to work due to a serious temporary disability or personal illness may be eligible to borrow advanced sick leave. Advanced sick leave is not an entitlement. At the discretion of the Chief Human Resource Officer, advanced sick leave may be granted in increments of 15 days for each calendar year of the employee's USM/state service up to a maximum of 60 days during a calendar year. While on advanced sick leave, the employee continues to earn sick leave and annual leave, which are applied to the employee's absence as they are earned. Personal leave and holiday leave are also credited toward advanced sick leave. Advanced sick leave must be paid back upon the employee's return to work or upon the employee's separation from service. Upon returning to work, the minimum rate of repayment is one-half of the rate at which the employee earns sick leave and annual leave. To be eligible to receive advanced sick leave, the employee must meet the following requirements:

- Have at least 6 months of continuous service with USM and, if applicable, completed probation.
- Have a satisfactory record of work performance and sick leave usage.
- Have exhausted all available paid leave.

### **Extended Sick Leave**

Extended sick leave is leave with pay that may be requested by an employee who is unable to work due to a serious temporary disability or personal illness. Such leave may be granted up to a maximum of 12 months during an employee's entire USM service or state service. Extended sick leave is not an entitlement and is granted at the discretion of the Chief Human Resource Officer. While on extended sick leave, the employee continues to earn sick leave and annual leave, which are applied to the employee's absence as they are earned. Personal leave and holiday leave are also credited to the employee's absence. When returning to work, the employee does not need to repay extended sick leave. To be eligible to receive extended sick leave, the employee must meet the following requirements:

- Have at least 5 years of USM or state service.
- Have a satisfactory record of work performance and sick leave usage.
- Have exhausted all available paid leave, including advanced sick leave.

## **Leave Reserve Fund**

The USM administers a Leave Reserve Fund composed of unused personal leave. An employee with a serious temporary disability or personal illness may request to use leave from the Reserve Fund. The request cannot exceed one day for every month of creditable service as defined by the Maryland State Retirement and Pension System. The Chief Human Resource Officer reviews the request and may submit it to the USM Reserve Fund for consideration. To be eligible to receive leave from the Leave Reserve Fund, the employee must meet the following requirements:

- Have at least one (1) year of USM service.
- Have a satisfactory record of work performance and sick leave usage.
- Have exhausted all available paid leave, including advanced sick leave, extended sick leave, compensatory leave, and personal leave.

More information: See USM VII-7.11 Policy on Leave Reserve Fund for Regular Status Nonexempt and Exempt Staff Employees

## **Parental Leave**

Parental leave is leave to support staff during and after the birth or adoption of a child. Parental leave provides up to eight (8) weeks of eligible paid leave.

More information: See USM VII-7.49 Policy on Parental Leave and other Family Supports for Staff

## **Pregnancy Accommodation**

Employee's Rights to Reasonable Accommodations for Disabilities Due to Pregnancy Chapters 547 and 548 of the 2013 Acts of the Maryland General Assembly and State Government Article § 20-609 requires an employer, if the employee requests a reasonable accommodation for a disability caused or contributed to by pregnancy, to explore with the employee all possible means of reasonably accommodating the disability, including changing the employee's job duties; changing the employee's work hours; relocating the employee's work area; providing mechanical or electrical aids; transferring the employee to a less strenuous or less hazardous position; or providing leave.

Reasonable accommodations shall not impose an undue hardship on the employee's employer. Under the law, disabilities caused or contributed to by pregnancy or childbirth, are temporary disabilities for all job-related purposes; and shall be treated as temporary disabilities under any health or temporary insurance or sick leave plan available in

connection with an employer. Thus, any written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions of leave, the accrual of seniority and other benefits and privileges; reinstatement, and payment under any health or temporary disability insurance or sick leave plan, formal or informal, shall be applied to disabilities due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

An employer may require certification from an employee's health care provider regarding the medical advisability of a reasonable accommodation to the same extent certification is required for other temporary disabilities. The certification shall include: date a reasonable accommodation is medically advisable; probable duration; explanation as to the medical advisability of the reasonable accommodation.

If you are a DHMH employee and believe that your rights have been violated or would like additional information on Reasonable Accommodations for Disabilities Due to Pregnancy, you may contact:

- Your immediate supervisor or Human Resources Representative
- Equal Access Compliance Unit, Office of Equal Opportunity Programs, 201 West Preston Street, Room 422-H, Baltimore, Maryland, 21201, 410-767-6600, [www.dhmh.maryland.gov/OEOP](http://www.dhmh.maryland.gov/OEOP)
- Maryland Commission on Civil Rights, 6 St. Paul Street, Suite 900, Baltimore, Maryland, 21202, 410-767-8600, [www.mccr.maryland.gov](http://www.mccr.maryland.gov)
- Equal Employment Opportunity Commission, 10 South Howard Street, Third Floor, Baltimore, Maryland, 21201, 1-800-669-4000, [www.eeoc.gov](http://www.eeoc.gov)

### **Accident Leave**

Accident leave is leave with two-thirds of the employee's regular pay. An employee who is injured while at work and is unable to return to work as a result of the work accident, may be eligible to receive up to 6 months of accident leave. Accident leave may be granted for up to an additional 6 months if a physician selected by FSU certifies that the employee continues to be disabled. In addition, an employee has the right to file a claim with the Workers' Compensation Commission. For an employee to be eligible to receive consideration for accident leave, the following steps should be taken:

- The injury is within the guidelines of the Maryland Workers' Compensation Act.
- The employee reports the injury immediately to the employee's supervisor. (The employee's supervisor is responsible for submitting a report of the accident to the Chief Human Resource Officer within 24 hours following the injury.)
- Within three (3) workdays of the injury, a physician must examine the employee and certify the employee is disabled.

More information: See USM VII-7.40 Policy on Accident Leave for Nonexempt and Exempt Personnel

## **Family and Medical Leave (FML)**

Family and Medical Leave is governed by USM VII-7.50 Policy on Family and Medical Leave for Nonexempt and Exempt Staff Employees and is subject to all terms and conditions set forth therein. Employee eligibility for a Family and Medical Leave Act (FMLA) - qualifying absence is calculated on the basis of a rolling 12-month period for purposes of Family Medical Leave eligibility.

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
  - the birth of a child and to care for the newborn child within one year of birth;
  - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
  - to care for the employee's spouse, child, or parent who has a serious health condition;
  - a serious health condition that makes the employee unable to perform the essential functions of his or her job;
  - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- Twenty-six work weeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

## **Inclement Weather and Emergency Conditions**

Information regarding delayed openings and cancellations will be available at the main university number (301-687-4000, option 2) after 6 a.m. Notification of delays or closures will also be made through these outlets:

- On the main and "Current Students" page of the FSU Web site ([www.frostburg.edu](http://www.frostburg.edu) or [students.frostburg.edu](http://students.frostburg.edu))
- Through campus email
- Through local radio stations
- Burg Alert text and email alerts. Registration information is below
- FSU Facebook page

- School's Out Emails and text alerts are available.

Burg Alerts can be sent as text messages to your cell phones (standard texting rates apply) and as free e-mails. In addition to notifications of weather closings, Burg Alerts will be used to alert the campus in any kind of emergency. To sign up, visit Burg Alert or visit the Technology page from the FSU front page. Look for "Text Alert System sign up" under "Quick Links."

### **Telework Agreement**

A Regular Telework agreement is where an employee teleworks on a regularly scheduled basis entirely remotely at an agreed-upon designated location, other than the official worksite, where employees perform work assignments, such as the employee's home or an authorized telework center. This document is intended to ensure that both the University and the employee have a clear, shared understanding of the employee's telework arrangement.

This telework agreement is not a contract of employment and does not provide any contractual rights to continued employment. It does not alter or supersede the terms of existing employment.

### **Administrative Leave for Exempt and Nonexempt Personnel**

Frostburg State University's procedures regarding administrative leave for exempt and nonexempt employees shall be governed by and administered in accordance with Board of Regents (BOR) Policy VII- 7.20 – Policy on Administrative Leave for Administrative and Classified Personnel.

Agreements negotiated by Memorandum of Understanding (MOU), Memorandum of Agreement (MOA) or recognized bargaining units will supersede, if so specifically written, portions of this procedure.

### **Administrative Leave Exempt MOU ARTICLE 11.8**

- A. Administrative Leave for employees covered by this MOU is governed by USM VII - 7.20 Policy on Administrative Leave for Nonexempt and Exempt

Staff Employees, (approved by the Board of Regents February 28, 1992, amended 10/9/15).

- B. Administrative Leave may be granted when emergency conditions exist.
- C. The institution Chief Executive Officer (CEO) may approve a request for administrative leave or may require an employee to take administrative leave for any purpose considered to be in the best interests of the institution.

More information: See USM VII-7.20 Policy on Administrative Leave for Nonexempt and Exempt Staff Employees

## **Administrative Leave Nonexempt MOA**

### ADMINISTRATIVE LEAVE

I. EMERGENCY CONDITIONS: Administrative Leave may be granted when emergency conditions exist. (See the BOR VI-12.00 Policy on Emergency Conditions: Cancellation of Classes and Release of Employees).

### II. FOR ATTENDANCE AT EMPLOYEE ORGANIZATION EVENTS:

- A. Any employee organization which is permitted to collect dues by payroll deduction may request that its member employees be released from their normal duties for the purpose of participating in approved organization activities.
- B. The total amount of Administrative Leave granted to employees of any employee organization at any institution during a fiscal year may not exceed one day for every 20 employees of that organization who have dues collected by payroll deduction as of July 1 of that fiscal year.
- C. All requests for Administrative Leave shall be submitted to the head of the institution's Office of Human Resources 30 calendar days in advance of the event and shall include:
  - 1. A general description of the event and its purpose
  - 2. The date and location of the event
  - 3. The names of employee members for whom Administrative Leave is being requested
- D. After verifying the validity of the request and the accuracy of the time being requested, the head of the institution's Office of Human Resources may approve administrative leave if the employee's services can be spared without impairing the services of the department(s) involved.
- E. If the employee organization needs to substitute employee members for those previously granted administrative leave, or substitute new dates, such requests will be submitted to the head of the institution's Office of Human Resources

for approval. Such substitutions may be approved if the substitution will not impair the services of the unit.

### III. ADMINISTRATIVE LEAVE FOR OTHER PURPOSES:

The President or designee may approve a request for administrative leave or may require an employee to take administrative leave for any purpose considered to be in the best interests of the institution.

#### **Jury Duty and Leave for Legal Actions**

Jury service and legal actions leave for employees is governed by USM VII-7.21 Policy on Jury Service for Regular Nonexempt and Exempt Staff Employees, and USM VII-7.22 Policy on Leave for Legal Actions for Nonexempt and Exempt Staff Employees and is subject to all the terms and conditions set forth therein with the following modification to USM Policy VII- 7.21 and USM Policy VII-7.22:

- Employees who are dismissed from jury duty and legal actions will be expected to return to work for the balance of their scheduled workday if the amount of time left in the employee's workday exceeds three (3) hours.

Employees called for jury duty or legal action must notify the employees' supervisor immediately. If jury duty and leave for legal action interferes with the necessary work of the department, the department head can make a written request to the court to have the employee excused from jury duty.

The employee may be required to provide documentation to verify the employee's attendance at jury duty and leave for legal actions.

More information: See USM VII-7.21 Policy on Jury Service for Regular Nonexempt and Exempt Staff Employees, and USM VII-7.22 Policy on Leave for Legal Actions for Nonexempt and Exempt Staff Employees

#### **Military Leave**

Military leave for employees is governed by USM VII-7.23 Policy on Military Leave with Pay for Nonexempt and Exempt Staff Employees and is subject to all the terms and conditions set forth therein.

More information: See USM VII-7.23 Policy on Military Leave with Pay for Nonexempt and Exempt Staff Employees, USM VII-7.24 Policy on Call-up to active Military Duty During A National or International Crisis or Conflict for Nonexempt and Exempt Staff Employees

### **Leave for Disaster Service**

FSU grants leave for disaster service in accordance with USM VII-7.26 Policy on Leave for Disaster Service for Regular Status Nonexempt and Exempt Staff. All requests for leave must meet the following criteria:

1. Be certified by the American Red Cross as a disaster volunteer; or
2. Have had the American Red Cross request his/her services for a Level II or greater disaster.

More information: See USM VII-7.26 Policy on Leave for Disaster Service for Regular Status Nonexempt and Exempt Staff

### **Leave to Attend Grievance Hearings**

FSU grants leave specifically for the time that an employee will be attending a grievance hearing. To be eligible for this leave, the employee must report to work on the date of the hearing, at his/her regular work time, and leave work 30 minutes prior to the start of the hearing. Also, the employee must report back to work immediately following the hearing. Timesheets should include a note in the "Remarks" section indicating the exact time away from work to attend the hearing.

### **Leave to Attend Workers' Compensation Hearing**

FSU grants leave specifically for the time away from work to attend a Workers' Compensation hearing to which the employee is a party. To be eligible for this leave, the employee must report to work on the date of the hearing at his/her regular work time and leave work 30 minutes prior to the start of the hearing. Also, the employee must report back to work immediately following the hearing. The timesheet should include a note in the "Remarks" section indicating the exact time from work to attend the hearing.

### **Class Attendance During Working Hours**

It is the purpose of the faculty-staff tuition waiver program to assist employees in gaining further college level and advanced education. Therefore, attendance at regularly scheduled classes offered at FSU is encouraged.

Time off for classes must be made up the same week of class. The needs of the department must be given priority, although reasonable effort will be made within the work area to accommodate the employee's schedule.

## **Benefits**

Employees appointed on at least a 50 percent basis are eligible to enroll in a wide array of benefit plans.

### **Health and Life Insurance Plans**

Employees are eligible to enroll in any of several flexible health care and insurance plans including but not limited to general health care (includes vision care), dental care, prescription, life insurance, personal accidental death and dismemberment, long-term care, and disability insurance. FSU pays a major portion of the benefit premiums for medical, prescription, and dental plans and the individual employee pays their share through payroll deductions. All other plans are paid entirely by the employee. Detailed information on specific plans may be found on the [OHR website benefits page](#).

### **New Enrollment for Health Benefits**

New employees must enroll in health benefits within the first 60 days of employment. After enrolling, the employee and dependents are locked into the selected benefits for the remainder of the year unless the family status changes. If a new employee does not enroll within the first 60 days, the employee shall not have access to the benefits until Open Enrollment for Health Benefits or until a Change in Family Status.

### **Change in Family Status**

A change in family status is a result of a qualifying event, such as the birth or adoption of a child, loss of a dependent, marriage, change in the work status of a spouse, or divorce. Employees should notify the Manager of Benefits immediately when a change in family status occurs. Documentation will be required to implement a change in benefits. All changes must be implemented within 60 days of the qualifying event.

### **Open Enrollment for Health Benefits**

Open enrollment is an annual period during which employees have the option of enrolling/changing their health plans through the State Group Health Benefits Plans.

### **Retroactive Adjustments**

When a delay occurs in the enrollment of a newly eligible employee or dependent, a retroactive adjustment to extend the effective date of coverage back to the actual date of eligibility can be made. Such cases may include a change in family status or a transfer from another state agency. Employees shall notify the Manager of Benefits as soon as the event has occurred. Retroactive adjustments must be submitted to the Maryland Department of

Budget and Management Employee Benefits Division within 60 days of the qualifying event.

### **Extended Coverage**

An employee and/or dependent who loses eligibility for subsidized health benefits may receive extended coverage through the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). The employee and/or dependent may remain in the State Group Health Benefits Plan on an unsubsidized basis for 18 to 36 months, depending on the situation. Enrolling in COBRA assures no break in health coverage. Information on COBRA may be obtained by calling the Manager of Benefits at x4398.

### **Employee Tuition Remission**

All regular employees may receive tuition remission for courses taken at any teaching campus within the USM. Full-time regular employees receive 100 percent tuition remission for up to eight credit hours per semester. For employees working on at least a 50 percent basis, tuition remission is proportionate to the percent of time employed. Category II contingent employees may participate, at their home institution only, in the USM's tuition remission program.

More information: See USM VII-4.10 Policy on Tuition Remission and Tuition Reimbursement for Regular and Retired Nonexempt and Exempt Staff and Faculty Employees of the University System of Maryland

### **Spouse and Dependent Children**

Procedure on tuition remission benefits and policies for spouses and dependent children of regular employees shall be governed in accordance with USM VII-4.20 Policy on Tuition Remission for Spouse and Dependent Children of USM Employees and Retirees.

### **Retirement Benefits**

Employees are enrolled in retirement plans at the time of appointment. Individuals anticipating retirement should contact OHR at least three months prior to the date of retirement. Detailed information on the retirement programs may be found in OHR.

### **Supplemental Retirement Annuities (SRAs)**

Employees may invest a portion of their salary in an SRA. SRAs are voluntary programs that permit employees through payroll deduction to defer receiving a portion of their current income until retirement. All contributions and earnings accumulate until the employee withdraws the money upon retirement, leaves state service, or reaches a specific

age. There is no specified enrollment period for employees to enroll in an SRA. For more information, contact the Manager of Benefits.

### **Death Benefits**

In the event of an employee's death prior to separation from service, the employee's beneficiaries or estate shall be entitled to any unpaid salary, compensation for accrued and unused annual leave, life insurance where applicable, and any other entitlement that may be due from the Maryland State Retirement and Pension System or Optional Retirement Plans.

### **Contingent Employee Benefits and Policies**

Procedure on employee benefits and the policies governing contingent employment shall be implemented in accordance with USM VII-1.40 Policy on Contingent Status Employment for Nonexempt and Exempt Staff Employees and FSU PN 3.084 Procedure on Contingent Employment for Exempt and Nonexempt Employees.

### **Benefits**

#### **Activities for Life**

Activities for Life offers noncredit activity classes within the Athletics Department. Semester activities include youth swim lessons, preschool swim time, beginner and basic tumbling, water aerobics, group fitness classes, and yoga. American Red Cross lifeguard classes, and Certified Pool Operator classes are also offered. Birthday parties at the swimming pool and climbing gym are scheduled through Activities for Life. All classes are offered for an affordable fee. The Activities for Life office is located in Room 177 of the Cordts Physical Education Center. For additional information, contact 301-687-7934 or by email at [anazelrod@frostburg.edu](mailto:anazelrod@frostburg.edu).

#### **Athletic Events**

Most athletic events are free to university employees upon presentation of their FSU identification card. For athletic schedules or additional information, contact 301-687-4462.

#### **The University Store**

The University Store is owned by FSU. The pricing structures are governed by FSU and operated for the FSU community. Profits generated are used to support the overall FSU budget. The University Store is open from 8:00 a.m.–4:15 p.m. Monday through Friday. The store remains open until 5:00 p.m. during the first week of each semester and is open on selected Saturdays and for special occasions. The store accepts cash, checks (with proper identification), VISA, MasterCard, Discover and the Bobcat Express

card. Employees of FSU may make purchases in the store, and with a valid FSU identification card will receive a discount on most non-textbook items. The University Store is located on the ground floor of the Lane Center. For more information, call 301-687-4341.

### **Harold J. Cordts Physical Education Center**

The center has a swimming pool, weight rooms, tennis courts, racquetball and squash courts, rock climbing wall, practice gym and indoor track. Employees may use the facilities when they are open and not in use for classes or other scheduled activities.

### **Library**

The Lewis J. Ort Library serves faculty, staff, and students of FSU. The library participates in a collaborative circulation system with other institutions of the University System of Maryland (USM). The library also cooperates with other USM libraries for subscription to electronic databases that can be accessed on the Library web page. The library's regular hours and additional information are available on the web page.

For additional details about the library, call the reference desk at 301-687-4424.

### **Parking**

Employees are required to register personal vehicles parked on campus by following campus registration procedures and paying appropriate fees. Each parking registrant receives information about how to access the on-line parking regulations. To find out how to register your car or if, after reading the parking regulations, additional information is needed, contact the chief of police at 301-687-4328 or the duty officer at 301-687-4223.

### **Security**

FSU maintains its own police force for the protection of students, staff, and visitors, as well as university property. Each employee is nevertheless responsible for taking reasonable precautions for his or her own protection and for the protection of personal and institutional property. Employees are required to comply with reasonable requests of university police officers acting in the performance of duties. All crimes and suspicious circumstances of an emergency nature should be immediately reported to university police at 301-687-4222. The non-emergency police number is 301-687-4223.

FSU's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting FSU Police at (301) 687-4223.

Each year, the university police prepare certain campus security, crime, and personal safety information in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This information is presented as part of the FSU Policy Statement Booklet for Students, Faculty and Staff and is available on the University Police website.

### **Maryland Charity Campaign**

The Maryland Charity Campaign is a state-sponsored initiative to provide state employees in Maryland with the opportunity to contribute to charitable organizations of their choice. It is held in the fall of each year. While it is encouraged, participation in this campaign is strictly voluntary. No employee is compelled to participate. Contribution to the campaign may be made through payroll deduction or one-time payment by check or credit card.

### **On-Line Campus Directory**

To make changes to your directory listing, visit HR/Payroll Resource Center and access self-service.

### **Employee Recognition**

#### **Board of Regents' University System of Maryland Staff Awards**

The purpose of the Board of Regents' University System of Maryland Staff Awards is to recognize distinguished performance of Staff employees of the University System of Maryland community. These awards represent the highest honor bestowed by the Board of Regents for achievements of exempt and nonexempt employees from institutions within the University System of Maryland and are presented to staff members who have demonstrated excellence in one of the following categories:

1. Contribution to the institution and/or unit to which the person belongs
2. Service to students in an academic or residential environment
3. Public service to FSU or to the greater community
4. Effectiveness and Efficiency in academic or administrative transformation

Each award winner receives a \$1000 stipend and a recognition plaque. This award program is separate from the FSU Staff Awards for Excellence.

### **President's Distinguished Faculty Awards**

The annual President's Distinguished Faculty Award. For those who are not familiar, this award recognizes faculty members who advance the University in ways consistent with its mission and the goals outlined in the [Strategic Plan](#). It is normally presented during the May commencement ceremony and includes a \$2,500 monetary prize.

Examples of qualifying activities include:

- Focusing learning on the acquisition and application of knowledge.
- Providing engaging experiences that challenge our students to excel.
- Expanding regional outreach and engagement.
- Aligning university resources - human, fiscal, and physical - with strategic priorities.

### **President's Distinguished Staff Awards**

for the President's Distinguished Staff Award. Similar to the annual President's Distinguished Faculty Award, this award is intended to recognize and encourage FSU staff members who provide exceptional service to the University and who have helped to advance its mission, goals, and priorities. The award is normally presented to a staff member during May commencement and includes a \$2,500 monetary prize.

Staff and faculty are invited to nominate staff colleagues whom they know to have a recent record of significant contributions to the success of the university. Examples of qualifying activities could include, but are not limited to:

- Suggesting new methods to help increase enrollment or student retention
- Involvement with innovative student activities to promote safety and well-being
- Providing leadership for a project or initiative making a favorable impact on the campus community
- Efficiency and effectiveness efforts leading to significant savings of cost, time, labor, or other resources
- Community relations to help strengthen ties between FSU and residents or businesses
- Assisting in FSU's contribution to economic development in Western Maryland, the region, and the state
- Other contributions deemed to be far above and beyond the staff member's regular job duties

Regular exempt and non-exempt staff employees with at least three consecutive years of service to FSU are eligible to be nominated. Colleagues may nominate an eligible staff member with the knowledge and consent of the nominee. Contractual staff employees, faculty members, and student workers are not eligible. Vice Presidents, Deans, and other senior leadership are excluded.

### **FSU Staff Awards for Excellence**

One of the goals of FSU's Strategic Plan is to reward outstanding service to the institution. The FSU Foundation funds three 3 Staff Awards for Excellence to employees who have demonstrated excellence in service. The 3 categories for the Awards for Excellence are:

1. A nonexempt employee in facilities/maintenance
2. A nonexempt employee other than facilities/maintenance
3. An exempt employee

Award winners are selected based on demonstrated evidence of a high level of professionalism and performance related to the employee's job description, along with at least one of the following areas:

1. Exceptional contribution to FSU and/or the unit within the institution to which the employee belongs
2. Outstanding service to students in an academic or residential environment
3. Extraordinary public service to the FSU community and/or the greater community (including both professional and community activities)

### **Service Award Program**

The Service Award Program recognizes and expresses FSU's appreciation for the long-time service of permanent Staff employees. FSU recognizes service at five-year intervals beginning with five years of regular service. Employees are honored with a certificate and a letter from the President. A reception is held for long-term employees achieving 20, 25, 30, 35, 40, and 45 years' service.

### **Leaving FSU**

#### **Reinstatement**

Former employees who leave in good standing and return after a break of less than three years in service from university or state employment are considered reinstated employees. These employees receive full credit for prior service as it applies to service time and unused accumulated sick leave. Depending on the situation, a reinstated employee may receive salary and probation considerations.

### **Pay on Reinstatement**

FSU shall have the flexibility to authorize a salary for a position to be occupied by an individual eligible for reinstatement in keeping with the following provisions:

#### **Reinstatement to the Same Job Class**

Upon reinstatement to a position within the same job class, the individual's salary shall be no less than the salary the individual held at the time of the most recent separation from USM service.

#### **Reinstatement to a Job Class with a Higher Maximum Salary**

Upon reinstatement to a position within a job class that has a higher maximum salary than the job class at the time of the individual's most recent separation, the individual's salary shall be no less than the salary the individual held at the time of most recent separation from UMS service, but no less than the minimum salary for the job class.

#### **Reinstatement to a Job Class with a Lower Maximum Salary**

Upon reinstatement to a position within a job class that has a lower maximum salary than the job class at the time of the individual's most recent separation, the individual's salary shall be no more than the salary received at the time of separation. The Chief Human Resource Officer or designee shall determine the individual's salary within the range.

### **Reemployment**

A former regular exempt or nonexempt employee who returns to USM service after a break in service of three or more years shall be considered a new employee. Former employees who return within three years of separation shall be governed by the Policy on Reinstatement.

### **Layoff**

Layoffs occur when positions are abolished or discontinued due to reduction or termination of funds, program or organizational changes, or lack of work.

Layoffs of regular nonexempt employees shall be governed by and administered in accordance with USM VII-1.30 Policy on Layoff for Nonexempt Staff Employee and the AFSCME Nonexempt MOU Article 27 - Layoff and Recall.

Layoffs of regular exempt employees shall be governed by and administered in accordance with USM VII-1.32 Policy on Layoff and Recall of Regular Exempt Staff Employees and AFSCME Exempt MOU Article 26 – Lay Off and Recall.

## **Resignation**

Upon receiving notice of an employee's resignation, OHR shall send the employee an exit interview survey link to complete before leaving employment. Any unused annual leave and accrued holidays to which the employee may be entitled shall be paid upon separation.

Nonexempt employees wishing to resign in good standing shall give their supervisor a minimum of 2 weeks written notice. An employee who is absent from work for 5 continuous workdays without notifying the employee's supervisor may be considered to have resigned without notice under the following sequence of circumstances:

1. The supervisor notifies the employee of the employee's status by registered mail with a receipt required, within a period of not more than 5 workdays including the first day of unexplained absence.
2. The employee does not respond within 3 workdays after receiving the registered notice.
3. The employee shall be considered to have resigned effective as of the employee's last day of work and a report on the separation form shall be sent by the supervisor to the Chief Human Resource Officer.

Exempt employees who wish to end their employment in good standing should give written notice at least 14 calendar days before their separation date in accord with USM Policy VII – 1.22 Policy on Separation for Regular Exempt Staff Employees.

## **Dismissal**

For serious reasons, FSU may file for removal of an employee. Dismissal may occur as the final step in progressive discipline or, where warranted, as an initial disciplinary action as a result of a serious offense.

A nonexempt employee has the right to appeal the charges within 5 workdays of receipt of notification of the charge. Detailed information on the process is available through OHR.

It is important to note non-bargaining unit covered exempt employees serve "at-will" and may be asked at any time to leave employment. The length of notice given to employees asked to leave depends on their length of service with FSU. This period of notification is not required if the employee is terminated for disciplinary reasons. In addition, certain senior staff and management positions as described in USM VII-1.22 Policy on Separation for Regular Exempt Staff Employees are excluded from this requirement. The period of notice shall be as modified as follows:

Years of Institutional Service	Period of Notice
Less than one year	one month
One year but less than five years	three months
Five full years or more	12 months

After the exempt employee receives notice of separation, the employee may be placed on administrative leave with pay status for any part or all of the period until separation. During the period of administrative

leave, the employee shall not accrue annual, sick, holiday, or personal leave. Alternatively, the employee may be assigned other duties for part or all of the period until separation.

### **Exit Packet**

The Exit Packet is an important part of the separation process. Your department is responsible for notifying OHR of your separation. Upon receipt of this notification, OHR will send you an Exit Packet. Important benefits and policy information is provided in the exit packet including continuation of insurance benefits (COBRA) and final pay information.

The exit survey is an essential part of the separation process, please go to <https://baseline.campuslabs.com/p/Project.aspx?q=5955349a919a8bd0b8354d16bf70afde66b84beb0ef74409a81544ddcd9a42b5ba967d7db00bfd8126440c599086e7211b5b8b573128de20870f77b1c57894&r=1fec5cca-9fc7-42a8-9098-7db6a654d58e> and complete the survey.

### **Retirement**

In order to transition successfully from employment to retirement, OHR encourages you to plan ahead. A major component of this planning process is knowledge of retirement-related issues, including the choices available and the decisions that you need to make. The Manager of Benefits provides retirement counseling by appointment only, and retirement planning seminars are offered during the year through the Maryland State Retirement System (MSRS).

**Disclosure**

The information in the Employee Handbook does not constitute any agreement, implied or otherwise, as to the terms and conditions of employment. In the event of any dispute, the provisions contained in the appropriate source documents will govern.

