

# STAFF HANDBOOK

## INTRODUCTION

### WELCOME TO NORTHWESTERN STATE UNIVERSITY OF LOUISIANA

#### FORWARD

The Staff Handbook is a reference that has been prepared to provide you information about Northwestern State University, its history, its mission, governance, administration, policies and procedures, opportunities, and obligations and responsibilities affecting employees of the University. Intended as a convenient guide, the Staff Handbook does not contain every policy and has only excerpts from others. You may obtain complete information from the actual policy documents located in offices of deans, directors, and department heads on campus. Additionally, these policies and procedures are available on the university's computer network [www.nsula.edu](http://www.nsula.edu) The University policies are subject to change at the sole discretion of the University. The most current information will be maintained on the Business Affairs Internet Home Page ([www.nsula.edu/vp/businessaffairs](http://www.nsula.edu/vp/businessaffairs)).

Information contained in this Handbook is not a contract and does not create any contractual rights for University employees. University policies and procedures that appear in the Handbook do not increase or diminish the legally enforceable rights of the University and its employees. The misapplication or failure to follow any specific provisions in this Handbook should not be grounds for setting aside or modifying any employment decision when it has been determined by appropriate administration authority that the decision was fairly made and in the best interest of the University.

The Handbook is not a contract guaranteeing employment for any specific duration. Although we hope that your employment's relationship with Northwestern will be long-term, either you or the University may terminate this relationship at any time for any reason, with or without cause in accordance with Civil Service Rules. Please understand that no supervisor, manager, or representative of Northwestern State University other than the President or his/her designee, has the authority to enter into any agreement with you for employment for any specified period or to make promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the President or his/her designee shall not be enforceable unless it is in writing. We wish you success in your position and hope that your employment with Northwestern will be rewarding and enjoyable experience.

#### EMPLOYEE ORIENTATION PROGRAM

During your initial employment you will be required to participate in an orientation program conducted by the Human Resource Office and one conducted by your supervisor and/or Department Head. During these sessions you will receive information regarding basic policies, compensation, benefits program, performance expectations, and other information necessary to acquaint you with your job and your rights as a University employee.

Please use these orientation programs to familiarize yourself with the University and our policies/procedures and benefits. We encourage you to ask questions so that you will understand all the guidelines that affect and govern your employment relationship with us. It is to your advantage to be attentive and to learn the policies and procedures which govern your employment.

#### EMPLOYEES EXCLUDED FROM THIS HANDBOOK

Northwestern State University's academic faculty, graduate assistants, and students are excluded from this handbook. Faculty members, including part-time faculties and adjuncts, at the rank of instructor or above, are excluded, as all policies and benefits applying to them are described in the Faculty Handbook. Student employees are temporary and are not eligible to receive employee benefits. These two groups are excluded from the Staff Handbook.

# CHAPTER I

## THE UNIVERSITY

### History

Northwestern State University of Louisiana stands on ground that has been dedicated to learning for well over a hundred years. Prior to the Civil War a portion of the present campus was the property of the Bollard family of Natchitoches. As early as 1856 the Bollard mansion was in use as a convent by the Religious of the Society of the Scared Heart. The following year a school building was erected at the convent, and in 1884 the property was purchased by the town and parish of Natchitoches. Three of the four great white columns that once supported the east gable of the Bollard mansion still stand on "The Hill" and often serve as the unofficial symbol of the University.

The State Legislature by Act 51 of 1884 created a Louisiana State Normal School for the preparation of teachers. A member of the Legislature, Leopold Caspari, offered the convent as a campus for the School with the anticipated approval of the citizens of Natchitoches. The offer was accepted, and from 1885 to 1918 the Normal School offered two years of study for the training of teachers. Baccalaureate programs were then inaugurated, and the State Constitution adopted in 1921 changed the name of the school to Louisiana State Normal College.

The resources and curricula of "Normal" grew steadily to meet the increasingly diverse requirements of Louisiana's expanding population. In 1944 the institution's excellent service in its broader role was accorded formal recognition in Act 326 of the Legislature, which changed its name to Northwestern State College of Louisiana.

Northwestern maintained and strengthened its long tradition of leadership in public service and academic endeavor and became, in 1954, the first college under the jurisdiction of the Louisiana State Board of Education to offer the Master's degree. The Specialist in Education degree was first offered in 1966.

On June 18, 1970, Governor John J. McKeithen signed the legislative act which recognized the school's expanded role, scope, and mission, by changing its title to Northwestern State University of Louisiana.

In 1980 the old campus quadrangle where the columns stand was entered into the National Register of Historic Places under the title "Normal Hill Historic District."

In addition to the main campus in Natchitoches, the present university has permanent facilities located in Leesville, Alexandria, and Shreveport and offers instruction at other centers in northern and central Louisiana.

By Action of the Board of Regents in 1987, the Louisiana Scholars' College for the Liberal Arts and Sciences was assigned to Northwestern State University. The Louisiana Scholars' College is a limited admissions undergraduate program for high-achieving students.

### Location

**Attachment 1** of the Handbook contains a map of the Northwestern State University Campus.

The main university campus covers some 916 acres immediately west of Natchitoches, Louisiana. The city is in the northwestern part of the state about 50 miles northwest of Alexandria and 75 miles southeast of Shreveport.

The campus, encompassing rolling pine hills and rich river bottom land, is one of the most spacious and attractive in the South. The natural beauty of the site drew people to it even in prehistoric times. Along the home of a major Indian tribe for which it was named, Natchitoches was fortified by the French in 1714 as an outpost of their New World empire facing Spanish Texas to the west. The city today takes pride in its standing as the oldest permanent settlement in the entire Louisiana Purchase Territory. Although the fires of civil war scarred the Cane River Country, Natchitoches escaped relatively unharmed, and many traces of its colonial and antebellum heritages remain.

Now a city of about 20,000, Natchitoches has an excellent system of public schools, numerous churches, a large modern hospital, and a progressive municipal government. Situated on the banks of the beautiful Cane River

Lake, Chaplin Lake, and lying in the heart of Louisiana's lake the forest country, the city rightly may be described as colorful and unique.

The Nursing Education Center in Shreveport at 1800 Line Avenue is the residential campus for the College of Nursing. The Nursing Education Center is composed of institutional facilities including instructional areas, administrative and faculty offices. Nursing Education maintains a satellite campus in Alexandria and Leesville, Louisiana.

The Northwestern State University Center at Leesville is on La Highway 467 approximately midway between Leesville and the main gate of Fort Polk. It occupies 160 acres of land deeded to NSU by the United State Army.

## **Statement of Beliefs**

Northwestern State University is a friendly, vibrant, student-oriented institution of higher learning deeply committed to preparing students to adapt to change throughout life. The arena for this preparation is a dynamic community of scholars - faculty, staff and students - dedicated to the creation, dissemination, and acquisition of knowledge. The university places the highest premium on excellence in teaching. Effective instruction in the classroom and laboratory is the *sine qua non* of the institution. The faculty has no greater responsibility. The university seeks to complement effective instruction with sound counseling and advisement. Accordingly, the faculty and administration take an active interest in each student's progress, academic and personal.

As an institution, with the Louisiana Scholars' College selective admission component, Northwestern attracts students with a wide range of backgrounds. The university takes to heart the state constitutional mandate that the goal of the public education system is "to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that ever individual may be afforded an equal opportunity to develop to his/her full potential." The university has made a substantial investment in sound academic programs to meet the needs of the traditional college student. Additionally, with the establishment of the Louisiana School for Math, Science, and the Arts on Northwestern's main campus, the university has become more conscious of its responsibility to offer unique educational opportunities to high achieving students. The university has assumed a major role in providing a unique college program for high ability students through the Louisiana Scholars' College.

The university's commitment to provide students a broad liberal education, grounded in the accumulated wisdom of the past, is central to Northwestern's academic mission. The core curriculum, expressly designed to accomplish this purpose, represents that body of knowledge that Northwestern holds to be essential to students seeking the baccalaureate degree. Beyond the core curriculum, and in recognition of the important role of new technologies in lifelong learning, the university has built computer applications into many courses required for degree programs at all levels. Basic to all curricula at Northwestern is the development and refinement of the student's ability to write and communicate effectively. Northwestern seeks to prepare students not only for citizenship but also for leadership. A strong foundation in the arts, sciences, and humanities is essential to preparation for life in a global society.

Historically, Northwestern State University has been a leader in teacher education and nursing education. As Louisiana's first normal school, Northwestern accepts as a primary responsibility its tradition of leadership in teacher education at both the undergraduate and graduate levels. The completion of the Nursing Education Center in Shreveport serves as a solid basis for the university to continue exercising its leadership role in nursing education. The university offers an approved master's degree program in nursing and it's prepared to assume statewide responsibilities in graduate nurse education. The large number of Northwestern nursing graduates who occupy statewide and national leadership positions underscore the importance of the university in nursing education.

Consistent with the state Master Plan for Higher Education in Louisiana (1984), which calls for the university "to develop innovative nontraditional methods of instruction to meet the needs of higher education's changing clientele," the university is mindful of its obligation to students beyond the traditional college age and to the military population of Central Louisiana. Therefore, the university offers instruction at a number of satellite locations. Northwestern plays an important part in the professional development of the men and women associated with the Army at Fort Polk.

The university also maintains a firm commitment to the economic, social, and cultural development and diversification of the state and the region. Many of Northwestern's graduate programs are reaching new frontiers in

advancing knowledge and diversity. At the same time, the university maintains a strong commitment to its undergraduate business and technology-related curricula. As part of its public service and research function, Northwestern offers a number of programs to aid in the development of small businesses in the region. The university's most important contribution to economic development is the preparation of its graduates to adapt to a rapidly changing world.

In its diverse facets - from the classroom, laboratory, and clinical setting to the more leisurely pursuits of student life - Northwestern State University provides a caring, student centered environment. The university's philosophy holds that students' needs come first and that each student's primary need to be the beneficiary of a challenging but rewarding academic experience. The university community is committed to a campus climate in which courtesy and respect are reciprocal among students, faculty, staff, and administrators.

## **Accreditation**

Northwestern State University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. It is a member in good standing of the Association of American Colleges, the Association of Colleges for Teacher Education, and the Council of Graduate Schools in the United States.

All degree programs at the bachelor's level in education and those leading to the Master of Education degree are accredited by the National Council for Accreditation of Teacher Education. The undergraduate programs in nursing are approved by the Louisiana State Board of Nursing and all programs, undergraduate and graduate, are accredited by the National League for Nursing.

The College of Business is a member in good standing of the National Association of Business Teacher Education. The Music program is a full member of the National Association of Schools of Music. The Industrial Technology program is accredited by the National Association of Industrial Technology.

The Chemistry program at NSU is approved by the American Chemical Society. The Radiologic Technology program and the Medical Technology hospital affiliates are accredited by the Committee on Allied Health Education and Accreditation. The Social Work Program is accredited at the Bachelor's level by the Council on Social Work Education. The Veterinary Technology program is accredited by the American Veterinary Medical Association.

## **General Governance**

Under the 1974 Constitution of the State of Louisiana, the Board of Regents was created to plan, coordinate, and have budgetary responsibility for all public higher education. The Board of Supervisors for the University of Louisiana System was established as the managing board with direct jurisdiction over Northwestern State University. The President of the University is appointed by the Board of Supervisors and is directly responsible to it for administering the University.

Copies of documents (such as the Rules of the Board of Supervisors for the University of Louisiana System) that pertain to the general governance described above are available at the Northwestern State University Library or on-line at [www.uls.state.la.us](http://www.uls.state.la.us).

## **University Administration**

The Appendix of this Staff Handbook contains a diagram of the organization chart applicable to Northwestern State University (**Attachment #2**).

### **Office of the President**

The President, the chief executive officer of the University, is empowered to perform all actions to make effective the policies of the University of Louisiana System. The President is charged with the overall responsibility for the organization and administration of the University in accordance with the authority vested in the President by the Board of Supervisors for the University of Louisiana System.

The President appoints and employs University personnel in accordance with applicable state law and Board of Supervisors for the University of Louisiana System policy, subject to the recommendation of the president or chief administrative officer of the System and approval of the Board of Supervisors. In practice, the President relies upon various administrative officers and faculty bodies to recommend policies and procedures, but retains the authority to administer the University in accordance with provisions of applicable state law and policies of the Board of Supervisors for the University of Louisiana System.

### **The Provost and Vice President for Academic Affairs**

The Provost and Vice President for Academic Affairs, the ranking academic office of the University reporting to the President, acts as the chief administrative officer in the President's absence. The Provost and Vice President for Academic Affairs directs and administers all operations and activities of the academic colleges, schools, departments, and academic support areas such as, the Leesville Center, CENLA Center, International Programs, Distance Learning and Continuing Education, Registrar, Enrollment Services, Recruitment, Financial Aid, Library, and Recreation Complex.

### **The Vice President for Business Affairs and Controller**

The Vice President for Business Affairs and Controller is the principal administrator of the University's business activities and financial affairs and reports directly to the President. The Vice President for Business Affairs and Controller is responsible for the direction and supervision of the University's purchasing, human resources, personnel, payroll, accounting, budget, financial systems, student accounting, cashiering and audit functions.

### **The Vice President for Student Affairs**

The Vice President for Student Affairs is the chief student affairs' officer and is responsible for policy development and the direction and supervision of a variety of student-related programs, services, activities and functions outside of the classroom, such as student activities, student services, housing, public safety, and intramural and recreational sports. The position reports directly to the President.

### **The Vice President for External Affairs**

The Vice President for External Affairs is responsible for planning, coordinating, and implementing public relations, intercollegiate athletic programs, alumni affairs, institutional advancement, information services, University Printing, and fund-raising programs that support the total objectives of the University. The position reports directly to the President.

### **The Vice President for University Affairs**

The Vice President for University Affairs provides direction for the physical growth of the University and coordinates the future development of physical facilities including University Environmental Health and Safety, Physical Plant, and University Plant Services. The position reports directly to the President.

### **Committee and Council System**

University governance is the shared responsibility of all members of the University community. To fulfill this responsibility, faculty, staff, and administration agree to establish bodies known as University Standing Committees and Councils, which are charged to perform specific governance duties requiring faculty, staff, administrative, and student involvement as well as conducting other University activities.

## CHAPTER II

### **New Employee**

Classified and non-classified, 12 month employees are paid biweekly. You may have your check direct deposited. Forms to sign up for direct deposit are part of the new hire packet or may be obtained from the Human Resource Office. All employees are required to belong to a state retirement. If you are a classified employee, you must join the Louisiana State Employees Retirement System (LASERS). If you are an unclassified employee, you must join the Teachers' Retirement System (TRSL) or one of the optional retirement plans (ORP) offered by TRSL. As a member of a state public retirement system, a University employee does not pay into Social Security, but will pay the medicare tax. Payroll deductions are available for participation in University-sponsored plans, such as, LaCap Federal Credit Union payments, tax-sheltered annuity payments, and Cafeteria Plan participation.

To ensure that you, as a new employee, are paid in a timely manner, all appointment and other necessary forms must be completed and returned to the Human Resource Office promptly. This includes properly completing the "New Hire Packet." (New Employee Orientation Policy).

### **Orientation**

The Budget Unit Head is responsible for new employee orientation and assuring completion of the appropriate "New Hire Packet." An entrance interview/orientation should be completed before a classified or unclassified employee starts performing duties. The Employee Orientation Checklist is used to assist the Budget Unit Head or his Designee in completing the process. Completion of the Checklist is mandatory. The Checklist is placed on file in the employee's personnel file in Business Affairs - Human Resource Section.

It is each Budget Unit Head's responsibility to assemble a new employee orientation packet for their new employees. Materials needed are available from the Business Affairs - Human Resource Section and the Business Affairs on-line Policies and Procedures.

The "New Hire Packet" and other relevant information is provided by Business Affairs - Human Resource Section to assist in providing information required to complete the hiring process and enable Human Resource Section to place the employee on payroll in a timely manner.

Each Budget Unit Head should inform the new employee of the importance of completing all the required paperwork/forms in the packet. This information is critical and is mandatory for completion of the employee's personnel file. Failure to provide complete and timely information could cause a delay in an individual being placed on the payroll and/or the effected employee's paycheck being routed to respective vice president for distribution to the effected employee upon the employee's submittal of the required information. All New Hire Packets are to be delivered or mailed to the Budget Unit Head of the department where employed.

The university's New Employee Orientation procedure can be found at (New Employee Orientation Policy).

### **Appointment Affidavit**

The Appointment Affidavit must be completed by all appointees. The Affidavit is essentially a loyalty oath, and the law is clear that each employee must complete and submit it with the "New Hire Packet." The Affidavit is required because Louisiana Revised Statute 42:52 states as follows:

"No person owing allegiance to the United States hereafter shall be employed by any department, board, commission or agency of the State of Louisiana, or any political subdivision or municipal corporations of the State of Louisiana, unless and until he shall take, and file with the administrative head of such department, board, commission, or agency the following oath or affirmation:

"I, do solemnly swear (or affirm) to support the Constitution and Laws of the United States and Constitution and Laws of the State, and faithfully and impartially discharge and perform all the duties incumbent upon you as a State employee according to your ability and understanding."

The Affidavit also provides information for use in determining whether a prospective appointee's eligibility for state employment has changed between the time the employee filed application and the time the employee is considered for actual employment. The Affidavit also states that "no employee in the classified service shall be a candidate for nomination for election to any public office except to seek election as the classified state employee serving on the State Civil Service Commission" and "no person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified service of the State or a city."

### **Vehicle Registration/Parking**

Vehicles operated on the campus must be registered with the University Police Department. Upon registration, faculty and staff members receive an identification tag for the vehicle that permits parking in any legal zone. Faculty and staff are encouraged to park in zones that are reserved for faculty and staff only.

Faculty and staff members should be cognizant of the published Campus Traffic Regulations, available from the University Police Station. Specific regulations related to moving vehicle violations, parking, pedestrian right-of-way, and vehicle registrations are to be strictly enforced.

### **Identification Cards**

Identification cards are issued to all eligible employees by the One Card Office, Student Union Building. Questions about your eligibility for an ID card may be answered by this office. These cards are used as a means of identification and to give employees access to a number of services.

### **Normal Business Hours and Work Day**

The university's official business hours are 8:00 a.m. to 12:00 Noon and 12:30 p.m. to 4:30 p.m. for each workday Monday through Friday. Unless otherwise specified in an employee's work schedule, the official workday is to be maintained.

Leave, overtime and/or compensatory time is to be requested, reported taken and earned in accordance with applicable university policy and procedure. For detailed information see University policy Standard Operating Hours.

### **Work Schedule**

In an effort to better accommodate and assist university employees with their assigned work hours, the following work schedules are offered and are to be selected by each non-9 month faculty annually, effective July 1 of each year. Under extraordinary conditions, as approved by the appropriate Vice President, an employee's schedule may be changed during a fiscal year.

The following standard work schedules are available:

1. 8:00 a.m. to 12 noon and 12:30 p.m. to 4:30 p.m. Monday through Friday with 30 minute lunch period.
2. 8:00 a.m. to 12 noon and 1:00 p.m. to 5:00 p.m. Monday through Friday with 60 minute lunch period.
3. 7:30 a.m. to 12 noon and 1:00 p.m. to 4:30 p.m. Monday through Friday with 60 minute lunch period.

Once a work schedule is made, an employee is required to work that schedule until a change is approved through the normal approval route. The work schedule may not be used to affect a daily flexible schedule. Once a schedule is assigned, the employee is required to submit for approval a "Request for Leave" for any hours of work missed and/or leave taken in accordance with all applicable policies, procedures, and directives. The standard work schedule does not preclude other schedule arrangements. Begin Times, lunch periods, and end time may be arranged within 15 or 30 minute intervals to affect regularly scheduled begin times, lunch periods, and end time. The 15 or 30-minute interval will provide supervisors the ability to accommodate office hours for the lunch period and office schedules as an extension of the Standard Work Schedules without special consideration. If a schedule other than those listed above with the 15 or 30 minute interval allowance is requested, it must be approved through the employee's approval route and also have the appropriate Vice President's approval prior to becoming effective. For more details see University policy Standard Work Schedules.

The Standard Work Schedules do not change the university's current official business hours. Offices may have business hours different from the official business hours if approved through the applicable approval route. These schedules do not preclude a supervisor making assignment to employees to accommodate office hours or other assignments on a rotating basis as required for the efficient operation of the university.

Nine (9) month faculty, graduate assistants, adjunct instructors and lectures, and student employees are assigned workloads in accordance with applicable university policy and procedures. Assignments are required to be on file in the respective budget unit office and other offices as required by university policy and procedures.

### **Flexible Work Schedule**

The Rules of the Board of Supervisors for the University System of Louisiana specifically prohibits the use of leave, specifically compensatory leave, to affect a flexible work schedule. Employees cannot arbitrarily determine their work schedule. In addition, work undertaken while at home does not constitute the earning of compensatory time. An employee that is away from his/her assigned tour of duty for 2 hours in the morning, cannot simply work in the evening. The appropriate leave for the 2 hours while away from the assigned tour of duty and approved compensatory hours earned for the 2 hours worked in the evening must be recorded in accordance with applicable university policies and procedures.

An employee that is on a flexible work schedule shall have for the flexible period a work schedule approved by the appropriate supervisor, budget head and vice president or record leave taken and compensatory time earned in accordance with appropriate policies.

### **Rest Periods**

The policy on rest periods was established by the University and therefore, it is within the authority of each department to establish its own policy regarding rest periods. However, certain guidelines must be followed;

No rest period shall exceed 15 minutes,

Rest period time shall not be added to the lunch break or other off-duty time,

Rest period time cannot be used to attend classes or for leave, that is, employees cannot leave the campus to tend to personal business while on a rest period.

### **Holidays and Closures**

In accordance with Louisiana Revised Statute 1:55F which reads:

**"Each institution of high education in the state, through a representative appointed it, shall designate a maximum of fourteen legal holidays per calendar year to be observed by all of its employees."**

Each year the President designates legal holidays that fall when classes are in session to holiday periods when classes are not in session. For closure days, not legal holidays, employees must use earned annual and/or compensatory leave. Non annual leave earning faculty use faculty leave for closure days. Employees who do not have enough earned annual and/or compensatory leave and for employees that do not earn leave, leave without pay must be taken. Employees providing essential services may be scheduled to work during legal holidays and closures.

When one or more legal holidays or half-legal holidays fall on a full-time employee's regular day off, his holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated by the university. Employees whose regular work hours do not fall in the time period, or fall only partly within the time period of the legal holiday, shall receive a number of hours equivalent to the legal holiday through appropriate compensatory time or overtime for the employee's class of employment. Part-time employees having a regular work schedule will receive benefits in a similar manner as full-time employees except that their benefits will be prorated to the number of hours normally worked.

Annually the President, during the fall semester, will provide to the Budget Unit Heads and employees a university schedule for observing holidays and other planned closures to assist in planning holidays, vacations and

work schedules. The designated holidays will be designated in accordance with the university's academic calendars developed by the university's Calendar Committee.

### **Confidentially of Information**

The University ensures that the operations, activities, and business affairs of the University and our students are kept confidential to the greatest possible extent. If during the course of employment, employees acquire confidential information about the University, its employees, or students, such information is to be handled in strict confidence and not be discussed with others. Employees found to be in violation are subject to disciplinary action, up to and including termination, and may be subject to civil and/or criminal penalties for violations.

### **Appropriate Employee Conduct**

As an employee of Northwestern State University, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

This involves sincere respect for the rights and feelings of others and that employees refrain from any behavior that might be harmful to them, co-workers, and/or the University or that might be viewed as unfavorable by students or by the public at large. Northwestern employees are expected to comply with accepted standards of personal conduct. Whether on duty or not, an employee's conduct reflects on the department where employed and the University. Employees are encouraged to observe the highest standard of professionalism at all times.

### **Absenteeism and Tardiness**

Northwestern State University expects all employees to assume responsibility for the work attendance. Recognizing, however, that illness and injury occur, the University offers sick leave for certain time lost. Should an employee be unable to work because of illness, the employee should notify his Supervisor. Failure to properly notify the department could result in an unexcused absence. The University may require a statement from employees' health care professional if the employee misses more than three (3) consecutive days due to illness, especially when abuse is suspected.

For any department to operate efficiently, each employee must be at their assigned work station at the scheduled time. Excessive tardiness on the part of any employee should be considered when recommending salary increases or promotions. Employees reporting late to work will be subject to being charged leave for the actual time missed. Employees with continued tardiness records should be recommended for disciplinary action. Absenteeism or tardiness that is unexcused or excessive in the judgment of the University is grounds for disciplinary action.

### **Employee Separation and Checkout**

There are prescribed procedures for exiting employment at Northwestern State University which should be followed by all personnel.

When an employee gives notice of termination his supervisor is responsible for:

- A. Recovering of a university owned articles or equipment such as keys, I.D. cards, etc.
- B. Conducting an exit interview and preparing a complete written report of the employee's reason for separation. The separation form found on line at [Employee Separation and Exit Interview](#) is used for writing this report.
- C. Seeing that the separation notice is completed and forwarded to Business Affairs - Human Resource Section.
- D. Notify Information Systems Office that the employee's employment is terminated in order to deny computer access.

### **Credit Union for University Employees**

In the spring of 1972 the Faculty Senate voted to endorse the Louisiana Capitol Federal Credit Union, a nonprofit organization established for Louisiana State employees. The Credit Union has been in continuous existence for 30 years. The University provides the service of payroll deduction for employees who want to repay a loan or save by this method. Request for information about membership in the Credit Union should be directed to:

LA Capitol Federal Credit Union  
Natchitoches Branch Office  
311 Keyser Avenue  
Natchitoches, LA 71457  
(318) 357-3103

## **Staff Personnel Policies**

### **Nondiscriminatory Policy**

In policies, practices, and procedures related to staff appointments, the university shall not engage in unlawful discrimination in employment against any person because of race, religion, sex, national origin, age, disability, or veteran status. The university shall take affirmative action to employ protected class applicants in accordance with the laws of the United States and the State of Louisiana. Such action shall include, but not be limited to, affirmative efforts with respect to employment, promotion, retention, recruitment, or recruitment advertising; reduction in force, or termination; rates of pay or other forms of compensation; and selection for staff development activities. Furthermore, the university shall post in conspicuous places notices setting forth the provisions of this policy.

The university is committed to providing access to educational programs, tuition assistance, and social and recreational activities for all students and employees without regard to race, religion, sex, national origin, age, disability, or veteran status.

### **Affirmative Action Policy**

It is the policy of Northwestern State University of Louisiana to recruit, hire, train, promote, tenure, and otherwise make personnel decisions without discrimination because of race, religion, sex, national origin, age disability or veteran status. Specific policies and procedures comply with Title VI and VII of the Civil Rights Act of 1964, Executive Orders 11246 and 11375, Title IX of the Education Amendments of 1972, Section 503 and 504 of Act of 1974, the Age Discrimination in Employment Act of 1967 as amended in 1978 and 1986, the Immigration and Reform Act of 1987, the Americans with Disabilities Act of 1990, and all Civil Rights Laws of the State of Louisiana.

These policies as published in the university's Affirmative Action Plan, apply to academic and nonacademic areas of personnel administration at all levels, and include, but are not limited to, recruitment, advertising, testing, hiring, training, tenure, promotions, transfer, leave practices, rates of pay, employee benefit programs, and employee terminations.

### **Affirmative Action Plan**

Through the adoption of the Affirmative Action Plan, the university is committing all its operating departments to a results-oriented program directed toward achieving equal employment opportunity in both academic and nonacademic levels.

Included in the plan are goals and activities the university will implement to remove artificial employment practices that could operate disadvantageously for an identifiable protected group of persons. The major goal of the plan is to achieve and maintain employment levels for minorities in faculty, professional nonfaculty, and staff positions in the university in proportion to their availability in the relevant labor force.

The university's EEO/AA Officer has been assigned responsibility for continuing development, implementation, and monitoring of the Affirmative Action Plan. Questions regarding the university's Equal Employment Opportunity/Affirmative Action Policy or its implementation may be directed to the EEO/AA Officer in Room 111, Caspari Hall.

## **Unprofessional Conduct and Sexual Harassment Policy**

Members of the university community, students, staff, faculty, and administrators are entitled to a professional working environment free of harassment or interference for reasons unrelated to the performance of their duties. Since some members of the community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power, so as to avoid actions that are abusive or unprofessional. Faculty, staff and supervisor, in particular, in their relationships with students and fellow employees, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to a strictly professional relationship. It is the responsibility of faculty, staff and supervisors to behave in such a manner that their words or actions cannot reasonably be perceived as suggestive or coercive.

Sexual harassment has been defined by the Equal Employment Opportunity Commission as unwelcome sexual advances, including requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment; or
- (2) Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual; or
- (3) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment, educational, or living environment.

Other unprofessional conduct includes, but is not limited to, the following:

- (1) Exploitation of another person for private advantage;
- (2) Appropriation of another person's work without appropriate credit;
- (3) Unreasonable and substantial interference with another person's work performance;
- (4) Creating an intimidating hostile, or offensive environment based on sex, race, religion, ages, political belief, or national origin;
- (5) Any conduct severely prejudicial to the university, or which is detrimental to the university and its working and processes.

The EEO/AA Officer is always available to assist individuals in resolving problems which may have arisen as a result of perceived unprofessional conduct or harassment in the work place. The NSU policy on sexual harassment and the procedures for resolution of sexual harassment can be found in **Attachment 3** of this Handbook.

### **Policy Statement Regarding Alcohol and Drugs**

Northwestern State University conforms to all local, state and federal laws regarding the illegal use of alcohol and other drugs on the campus. Northwestern is a member of the Network to Promote Drug-Free Colleges and Universities and abides by their standards regarding policies, athletic programs, educational programs, enforcement and assessment. Students and employees who fail to abide by university policies regarding alcohol and other drugs will be subject to disciplinary action according to established university policies and procedures which conform to local, state and federal laws.

Alcoholic beverages may not be possessed, sold, consumed or marketed on university property or during a university sanctioned events except as allowed by university policy. A copy of the policy may be obtained from the Office of the Vice President for Student Affairs.

### **Policy on Smoking in University Buildings**

Northwestern State University is dedicated to providing a safe, healthy and comfortable environment for its students, faculty, staff and guests.

Because smoking is a leading cause of premature death and disability, and because research has shown that nonsmokers with chronic heart or lung disease can experience severe distress when exposed to secondhand smoke on the job, and because many allergic individuals and even the majority of healthy nonsmokers report discomfort when exposed to secondhand smoke on the job, and because recent medical studies indicate that long-term exposure to involuntary smoking may increase nonsmokers' risks of developing lung cancer or other severe lung disease, it is imperative that nonsmokers are protected from secondhand smoke.

Smoking is prohibited within all university buildings and facilities (including all athletic facilities) and University vehicles on all campuses. Persons choosing to smoke outside of University buildings and facilities should avoid the immediate entrance and exit areas to prevent subjecting others to secondhand smoke. Lack of policy adherence should be brought to the attention of appropriate supervisory personnel.

### **Policy Statement on Violence Free Workplace**

Northwestern State University (NSU) and all offices under its jurisdiction affirm its policy to have all administrators and employees work in a violence-free workplace. All personnel at the University are responsible for helping to create and maintain a violence-free workplace and seeing that this policy is successfully implemented and giving it full support through active cooperation and personal examples. Persons who fail to adhere to the violence-free workplace policy are subject to administrative disciplinary actions. The University will periodically analyze its violence-free workplace policy/program to ensure compliance.

### **Policy Statement on Discrimination, Retaliation, and Sexual Harassment**

Northwestern State University (NSU) is committed to maintaining an environment free from any type of harassment, discrimination, and retaliation. In furtherance of that commitment, NSU's policy forbids harassment, discrimination, or retaliation of any kind against any applicant, employee, or student of NSU. The Policy recognizes that harassment, discrimination, and retaliation on the basis of race, color, gender, age, religion, national origin, citizenship, disability, sexual orientation, or veteran status subverts the mission of NSU and is strictly prohibited.

Northwestern State University does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following have been designated to handle inquiries regarding non-discrimination policies (i.e., Title IX). Employees or potential employees should contact the EEO Officer at 318-357-6359. Students should contact the Dean of Students at 318-357-5286.

For Americans with Disabilities Act (ADA) concerns, employees and students should contact the ADA Coordinator, Vice-President for University Affairs, at 318-357-5701.

Go to <http://universityplanning.nsula.edu/notice-of-non-discrimination/> for the statement of full disclosure.

### **Fraud and Illegal Acts**

Fraud encompasses an array of irregularities and illegal acts characterized by intentional deception, deceit, concealment of material facts, false suggestions, suppression of the truth, or other unfair means which can be committed by individuals which could benefit themselves and/or others. Fraud is illegal and can be very expensive in terms of monetary losses, loss of public trust, negative publicity, and potential litigation. The University has written policies and procedures and other action in place that addresses fraud and illegal acts. It is imperative that all employees strive toward the prevention of fraud at the university. Northwestern is committed to making their employees aware of fraud and illegal acts by properly educating employees about fraud, fraud and consequences of fraud. University employees who commit fraud acts are subject to consequences and disciplinary actions being taken against them.

### **Relationship Between Faculty/Staff and Students**

Romantic relationships are inappropriate when they occur between a faculty member and a student where grades are assigned or work is approved.

## **Nepotism**

Nepotism in governmental employment is regulated by the State of Louisiana Code of Governmental Ethics (the "Code"). The Code provides in pertinent part as follows:

### **1119 Nepotism**

No member of the immediate family of an agency head shall be employed in his agency.

The provisions of this Section shall not prohibit the continued employment of any public employee nor shall it be construed to hinder, alter, or in any way affect normal promotional advancements for such public employees where a member of the public employee's immediate family becomes the agency head of such public employee's agency, provided that such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head.

Definitions of the following relevant terms are also found in the Code of Governmental Ethics.

### **1102 Nepotism**

"Agency" means a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity. . .

"Agency head" means the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

"Immediate family" as the term relates to a public servant means his children, the spouses of his children, brother, sisters, parents, spouse, and the parents of his spouse.

"Public employee" means anyone, whether compensated or not, who is:

- (a) An administrative officer or official of a governmental entity who is not filling an elective office.
- (b) Appointed by any elected official, when acting in an official capacity, and the appointment is to a post or position wherein the appointee is to serve the governmental entity or an agency thereof, either as a member of an agency, or as an employee thereof.
- ⊙ Engaged in the performance of a governmental function.
- (d) Under the supervision or authority of an elected official or another employee of the governmental entity.

A public employee shall be in such status on days on which he performs no services as well as days on which he performs services. The termination of any particular term of employment of a public employee shall take effect on the day the termination is clearly evidenced.

"Public servant" means a public employee or an elected official.

More complete information concerning nepotism can be found in the Louisiana Revised Statute 42:1101, et seq.

## **Gifts and Favors**

No university employee shall receive anything of economic value, other than compensation and benefits to which he is dully entitled from the university, for the performance of duties and responsibilities of his office or position. No university employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agency, or employee of such person, if the university employee knows or reasonably should know that such person:

- (1) Has or is seeking to obtain contractual or other business or financial relationships with the university, or
- (2) Is seeking, for compensation, to influence the passage of legislation by the university.

No university employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if the university employee knows or reasonably should now that such person:

- (1) Conduct operations or activities which are regulated by the university, or
- (2) Have substantial economic interests which may be substantially affected by the performance or nonperformance of the university employee's official duty.

Examples of potential violations include, but are not limited to, accepting gifts or gratuities such as complimentary or free travel, accommodations, meals, tickets to sports and/or entertainment events, and turkeys and/or other gifts during the holiday seasons.

### **Outside Employment by University Employees**

The university encourages faculty and staff members to participate in professional business activities which enhance their reputations and reflect favorably upon the university. Faculty and staff members may not engage in any activities, paid or unpaid, which conflict with or delay their services to the university. Outside employment shall be performed only outside of assigned working hours or responsibilities, or during a period of paid or unpaid leave. If time is required during the employee's work schedule, a "Request for Leave" form must be approved before the outside employment is begun. A separate disclosure form is required for each outside employment activity. Employees may not use university facilities, equipment, computers, telephones, etc., to conduct personal, private or political business. This includes use of E-mail or internet.

The Board of Supervisors has promulgated a policy concerning outside employment of college and university employees as follows. (Board Rules Chapter III, Section VII).

The policy relates to employment directly undertaken by employees of System institutions with outside employers or to self-employment (including consulting) and does not relate to employment in which arrangements are made officially through the institution by contract with or grants to the institution.

#### **1. Outside Employment Which Will Be Considered for Approval**

The following types of outside employment will be considered for approval:

- A. General consulting, other outside employment or business activities.
- B. Serving as an expert witness in an area based upon the employee's training and experience.
- C. Consulting on a nonuniversity research project. A university employee may be engaged as a consultant on a nonuniversity research project or projects conducted by an outside employer, provided the employee neither supervises the research nor performs the research.

#### **2. Outside Employment Which Will Not Be Approved**

- A. A university employee may not receive compensation to assist in the passage or defeat of legislation during the fiscal year in which the legislation is pending in the legislature, except from the Louisiana Legislature or any department, institute or agency within the Legislative branch.

- B. If the university employee supervises nonuniversity research or performs the research, he/she is considered a participant or a part of the outside research team rather than a consultant. In such instances, the employee may not be employed by, nor contract directly with the outside agency unless it is not feasible or practical to seek a contract through the university under established procedures for sponsored research, as determined by the appropriate university President.
- C. Blanket approvals for outside employment will not be granted.
- D. Employment or contractual relationships which are considered to be a violation of the **Louisiana Code of Governmental Ethics** will not be approved.

### **3. Employment Responsibilities**

Full-time employees contemplating outside employment or currently engaged in outside employment shall:

- A. Disclose outside employment in accordance with this Issuance, and procedures established thereof.
- B. Submit a list of all contracts or other agreements between the university and the outside employer in which the employee is involved on behalf of the university. Such a list is to include, to the extent the information is known to the employee, the owners, directors, majority shareholders, or affiliates of the outside employer. Additional information about such contracts may be required by the university upon request.
- C. Provide notification to the outside employer that he/she accepts such employment as an individual, and not, in any manner, as a representative of the university. It is recommended that employees do this by including with any oral testimony or written reports, a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the university. In no case may the individual concerned use the name of the university or his/her university affiliation, title, or address officially or in any other way in support of any position he/she may take. Biographical data, including a statement of employment by the Board of Supervisors for the University System of Louisiana, may be included as introductory material to written reports or orally in the case of expert witness statements, but may not be incorporated into the body of the written report.
- D. Comply with any other provisions of this issuance.

#### **Approval Levels**

Certain types of outside employment require approval of the university President and/or the System President as follows:

- A. Approval by the university President. Under the Louisiana Code of Governmental Ethics, certain outside employment require review and approval by a President and/or the President of The Board of Supervisors for the University of Louisiana System.

#### **Reporting Requirements**

Annually, each university President shall prepare an information report listing all outside employment approved by him/her and currently in force under this policy and any other details which may be requested. Copies of this report shall be sent to the System President.

#### **Code of Ethics Requirement**

Compliance with the provisions of this policy is required by the **Louisiana Code of Governmental Ethics**. Violations of this policy may result in some violations of the Ethics Code and penalties applicable thereto and/or appropriate sanctions by the university and/or the Board of Supervisors for the University of Louisiana System.

All employees, both full-time and part-time, are reminded that they are subject to the Ethics Code.

## **Employee Request for Approval for Employment Outside the University Setting**

### **Certifications**

In accordance with Rules (bylaws, and policies and procedures) of the Board of Supervisors for the University of Louisiana System, Chapter III, Section VII, each employee is certifying for each outside employment activity that they are complying with the Board of Supervisors' Statement of Policy on Outside Employment as follows:

1. A member of the faculty or staff may engage in outside activities, paid or unpaid, which do not conflict, delay or in any manner interfere with instructional, scholarly, and/or other service he must render in the nature of is college or university employment.
2. A full-time member of the faculty or staff who is presently engaged, or who plans to engage, in such activities outside of his broad institutional responsibilities, during any period of full-time employment by the institution shall report to the chairman or head of his/her department in writing the nature and extent of such activities, and the amount of time the work will require. In all such instances, the department head or chairman shall forward the report to the employee's administrative superior who will make a complete disclosure of those facts to the campus head or his designee. A similar procedure shall be followed by deans in reporting to their vice-presidents and by vice-presidents in reporting to their president.
3. No full-time member of the faculty or staff shall engage in such outside employment (or continue such employment if already so engaged) without the written approval of the department head and dean. In the event that either the department head or the dean believes that such outside employment involves, or may involve, a matter of public interest or interfere with duties to the institution, the matter shall be referred through the appropriate channels to the president of the college or university or his designee for approval.
4. It is the responsibility of the employee to make clear to any outside employer that in accepting such employment he does so as an individual independent of his capacity as a member of the staff of the college or university. This might best be accomplished by providing with oral testimony or written reports a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the institution. In no case should the individual concerned use the name of the institution or his college or university title officially, or in any way, in support of any position he may take.
5. The institution recognizes the fact that a person qualifies as an expert because of his training and experience. Therefore, biographical data, including a statement of employment by the college or university, may be included as introductory material to written reports (but not incorporated in the body of the written report) by the outside employer, or orally in the case of an expert witness, by way of establishing the writer as a qualified expert.

Furthermore, certifies:

1. I am not rendering services for compensation to any person that I know or reasonably should know, either have or is seeking to obtain control of business or financial relationships with my agency (academic or an administrative unit), have or is seeking control of other business relationships with my agency, or have other business relationships with my agency, or have interests that may be substantially affected by the performance or nonperformance of my official duties.
2. I am not being directly compensated by a prohibited non-public or public source of the performance of any service that forms a part of the duties, responsibilities, or program of my agency.
3. I am not being compensated from a non-public source, excluding foundations and recognized alumni organizations, for the performance of any of my public responsibilities and duties. Any payments from foundations and recognized alumni organizations are being processed through the

university.

4. I comply with all other Ethics Codes applicable to my university employment.
5. I am involved in no activities that preclude my fulfilling duties as assigned by my institution.
6. I comply with the Dual Office Holding and Dual Employment law in accordance with R.S. 42:61, et seq.
7. I have reported or am reporting to the university all outside public source and non-public source employment or self-employment including the owner/ownership of company/entity.

### **Statement of Policy on Outside Employment**

1. A member of the faculty or staff may engage in outside activities, paid or unpaid, which do not conflict, delay or in any manner interfere with instructional, scholarly, and/or other services he must render in the nature of his college or university employment.
2. A full-time member of the faculty or staff who is presently engaged, or who plans to engage, in such activities outside of his broad institutional responsibilities, during any period of full-time employment by the institution, shall report to the chairman or head of his department in writing the nature and extent of such activities, and the amount of time the work will require. In all such instances, the department head or chairman shall forward the report to the employee's administrative superior who will make a complete disclosure of these facts to the campus head or his designee. A similar procedure shall be followed by deans in reporting to their vice-presidents and by vice-presidents in reporting to their president.
3. No full-time member of the faculty or staff shall engage in such outside employment (or continue such employment if already so engaged) without the written approval of the department head and dean. In the event that either the department head or the dean believes that such outside employment involves, or may involve, a matter of public interest or interfere with duties to the institution, the matter shall be referred through the appropriate channels to the president of the college or university or his designee for approval.
4. It is the responsibility of the employee to make clear to any outside employer that in accepting such employment he does so as an individual independent of his capacity as a member of the staff of the college or university. This might best be accomplished by providing with oral testimony or written reports, a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the institution. In no case should the individual concerned use the name of the institution or his college or university title officially, or in any way, in support of any position he may take.
5. The institution recognizes the fact that a person qualifies as an expert because of his training and experience. Therefore, biographical data, including a statement of employment by the college or university, may be included as introductory material to written reports (but not incorporated in the body of the written report) by the outside employer, or orally in the case of an expert witness, by way of establishing the writer as a qualified expert.
6. Institutional resources shall not be used for personal gain. No college or university personnel, laboratories, services or equipment is to be used without administrative authorization in connection with outside employment of college or university employees.

**Reporting Procedures.** Each year the appropriate vice president(s) shall submit a report of employee activities to the campus president.

Consulting relationships or other employment must comply with the "Code of Ethics for Public Employees" which "prohibits payments from nonpublic sources for the public servant's actions associated with his official duties." The employee should not enter into any contract with any person or business that has or is seeking a

business or financial relationship with the university. Contracts should comply with R.S. 42:61 et seq concerning prohibitions against “dual office holding and dual employment.” Payments from foundations and recognized alumni organizations, if any, must be processed through the university. It is the responsibility of all university personnel to know and follow these and all other laws regarding their employment.

Individuals must follow the procedure found in University Policy on Employment Outside the University Setting and in Section X-7 of the University Fiscal Policy and Procedure Manual regarding employment outside the university. In addition, all faculty and staff members are required to report annually the existence and nature of any outside work or employment, and, if such exists, certify on the Outside Employment Activities Certification Form, as follows:

I am not rendering services for compensation to any person that I know or reasonably should know, either have or is seeking to obtain control of business or financial relationships with my agency (academic or an administrative unit), have or is seeking control of other business relationships with my agency, or have interests that may be substantially affected by the performance or nonperformance of my official duties.

I am not being directly compensated by a prohibited nonpublic or public source for the performance of any service that forms a part of the duties, responsibilities, or program of my agency.

I am not being compensated from a nonpublic, excluding foundations and recognized alumni organizations, for the performance of any of my public responsibilities and duties. Any payments from foundations and recognized alumni organizations are being processed through the university.

I comply with all other Ethics Codes applicable to my university employment.

I comply with the Dual Office Holding and Dual Employment law in accordance with R.S. 42:61, et seq.

I have reported or am reporting to the university all outside public source and nonpublic source employment or self-employment including the owner/ownership of company/entity.

I am involved in no activities that preclude my fulfilling duties as assigned by my institution.

The Outside Employment Activities Certification Form is provided through the office of the appropriate Vice President. Upon completion, the form shall be delivered to the appropriate Vice President for review. Thereafter, the form shall be forwarded to Business Affairs - Human Resource Section in accordance with university policy and procedure.

### **Prohibited Transactions and Contractual Arrangements**

The Code of Governmental Ethics prohibits a university employee’s participation in transactions involving the university when the employee or any member of his immediate family has a personal substantial economic interest in such transaction.

No university employee shall bid on or enter into any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such employee.

### **Seeking and Holding Public Office**

As employees of the university, faculty and unclassified staff members will adhere to the following conditions in exercising the right to seek and to hold public office: (a) notify the President of his/her intention prior to the date of qualification; (b) continue a normal workload, including teaching and all other duties and office hours required by the institution; and (c) if unable to meet condition (b) above, take annual leave or leave without pay for the appropriate period of time, in accordance with the leave rules of the Board of Supervisors. Additionally, the employee should be accurate in all statements and make every effort to indicate that he/she is not a spokesperson for the university.

### **Dual Office Holding and Dual Employment**

Louisiana Revised Statute 42:63 provides the following prohibition against dual office holding and dual employment.

A. No person holding an elective office, appointive office, or employment in any of the branches of state government or of a political subdivision thereof shall at the same time hold another elective office, appointive office, or employment in the government of a foreign country, in the government of the United States, or in the government of another state.

However, a person holding employment in the government of the United States and at the same time holding an appointive office in a political subdivision of the state shall not be in violation of this Subsection, unless the particular nature of his employment in combination with the duties and interests of his appointive office in a political subdivision of this state is otherwise prohibited by this Part or is found to be adverse to the public interest as set forth in R.S. 42:61.

B. Except as otherwise provided by the Louisiana Constitution, no person holding office or employment in one branch of the state government shall at the same time hold another office or employment in any other branch of the state government.

C. No person holding an elective office in the government of this state shall at the same time hold another selective office, a full-time appointive office, or employment in the government of this state or in the government of a political subdivision thereof.

D. No person holding an elective office in a political subdivision of this state shall at the same time hold another elective office or full-time appointive office in the government of this state or in the government of a political subdivision thereof. No such person shall hold at the same time employment in the government of this state, or in the same political subdivision in which he holds an elective office. In addition no sheriff, assessor, or clerk of court shall hold any office or employment under a parish governing authority or school board, nor shall any member of any parish governing authority or school board holds any office or employment with any sheriff, assessor, or clerk of court.

E. No person holding a full-time appointive office or full-time employment in the government of this state or of a political subdivision thereof shall at the same time hold another full-time appointive office or full-time employment in the government of the state of Louisiana, in the government of a political subdivision thereof, or in a combination of these.

F. No person holding an elective office in any branch of state government shall contract, on a full-time basis, to provide health or health-related services for any agency of state government. No person engaged in a contract on a full-time basis, with any agency of state government to provide health or health-related services shall hold an elective office in any branch of state government.

If an employee is exempted from dual office holding and/or dual employment under the statutes and holds an elective office, appointive office or employment in any of the branches of state government or of a political subdivision, that employee cannot use university equipment nor facilities in work related to the elective office, appointive office or other employment. This includes use of telephone, E-mail, or Internet.

### **Classified Staff Prohibited Activities**

In accordance with Civil Service Rule 14.1 ([www.dscs.state.la.us](http://www.dscs.state.la.us)) and Section X-23 of the University Fiscal Policy and Procedure Manual, classified employees' political activities are limited as follows:

- a. No person shall be appointed or promoted to, or demoted, or dismissed from any position in the Classified Service, or in any way favored or discriminated against with respect to employment in the Classified Service, because of his or her political or religious opinions or affiliations, race, sex, or membership or nonmembership in any private organization.
- b. No employee in the Classified Service and no member of the Commission shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political party, faction, or candidate, or solicit or take any part in soliciting any such assessment, subscription or contribution of any employee in

the Classified Service.

- c. No person shall, directly, or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in a position in the Classified Service.
- d. No agent, or deputy thereof, or supervisor/budget unit head or other superordinate of any employee, shall directly or indirectly demote, suspend, discharge, or otherwise discipline any person in the Classified Service for purpose of influencing his vote, support, or other political activity in any election or primary election; and no supervisor/budget unit head or other superordinate, agent or deputy thereof, or other person, shall use his official authority or influence, by threats, promises, or other means, directly or indirectly, to punish or coerce the political action of any employee in the Classified Service.
- e. No employee in the Classified Service and no member of the Commission shall:
  - 1. Participate or engage in political activity.
  - 2. Be a candidate for nomination or election to public office, except to seek election as the Classified State employee serving on the State Civil Service Commission.
  - 3. Be a member of any national, state, or local committee of a political party or faction.
  - 4. Take active part in the management of the affairs of political party, faction, candidate, or any political campaign, except to exercise his right as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls, and to cast his vote as he desires.
  - 5. Take active part in an effort to recall from office an elected public official, or seek, solicits or attempt to coerce any person including any employee in the Classified Service and any member of the Commission into participating in any such effort or signing a recall petition except that nothing contained herein shall prevent any employee in the Classified Service or member of the Commission from signing a recall petition.
- f. No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the Classified Service.
- g. The support of issues involving bonded indebtedness, tax referenda, or Constitutional amendments shall not constitute prohibited activity within the meaning of this Rule.
- h. No person shall be appointed to or employed in a position in the Classified Service under any class title which has not been approved by the Director of State Civil Service as appropriate to the duties to be performed.
- i. No payment for personal services of any employee in the Classified Service shall be made until the Director of State Civil Service has approved the appointment.
- j. No person shall make any false statement, certificate, mark, rating, form or report with regard to any application, test, certification, personnel transaction, appointment or employment made under any provision of the Article, the Rules, or a regulation of the Department of Civil Service, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Article, Rules and regulation.
- k. No applicant for examination, eligible on any register, supervisor/budget unit head or other superordinate or his agent, or state employee, shall directly or indirectly persuade, induce or coerce any prospective applicant or eligible to withhold filing application or to withdraw from competition or eligibility for positions in the Classified Service for the purpose of either improving or injuring the prospects for appointment of any such applicant or eligible. The penalty for violation of this subsection by applicants or eligibles shall be cancellation by the Director of any or all applications or eligibilities. The Commission, after investigation and hearing, may also impose such penalties as may be provided by the Article against any person in violation thereof.

- l. Discrimination as defined in Rule 1.14.1 is prohibited (repealed effective January 1, 1975 and not included herein).
- m. It shall be the duty of every classified employee to assist the Commission and the Department of State Civil Service in effectively carrying out the provisions of the Article and Rules and to answer truthfully, whether under an oath or otherwise, all proper questions put to him by authorized representatives of the Department or the Commission.

### **Travel Policy**

Official travel, for which reimbursement is expected, is governed by the rules and regulations (Travel Regulations) of the Division of Administration of the State and the policies of the university. These regulations and policies apply to school-owned vehicles, privately owned vehicles, and any type of public transportation regardless of the source of funds. Reimbursement for privately owned vehicles will not be granted if appropriate school-owned vehicles are available for the trip.

Detailed information concerning policies and procedures for official travel are given in the NSU Fiscal Policies and Procedures Manual. Faculty and staff members are requested to become familiar with these details prior to initiating a request for official travel.

Requests from faculty and staff members for official travel should be in the form of a Request for Authorized Travel initiated by the Budget Unit Head and forwarded through approving agents. The University Police Office is responsible for assigning available vehicles. The University Police Office is not responsible for the authorization of travel.

### **Policy on Use of Facilities, Equipment or Property**

The private uses of state facilities, and equipment or property is prohibited. Louisiana Constitution 1974, Article 7, §14.

The use of copy machines, vehicles, offices, and other operating supplies for personal use, as well as telephone usage for personal long-distance calls without reimbursement, and use of the university facilities for private instruction such as music lessons and tutoring, are examples of violations of this policy.

### **Policy on Use of University Vehicles**

Only Northwestern State University or its designee will possess the authority to permit an individual the use of university vehicles. No person assigned to a vehicle has the authority to relinquish its use to another person unless prior approval has been obtained. Vehicles operated by the university are state owned and restricted to use for official university business only.

#### **Requirements for Drivers**

- a. Only selected state employees shall be authorized to operate these vehicles.
- b. Selected employees must possess a valid Louisiana operator's license for the vehicle class being driven and must have a verifiable need to operate this vehicle.
- c. Supervisors will submit for approval only persons with acceptable driving history.
- d. Persons permitted to operate these vehicles will operate only those vehicles for which they are specifically trained and licensed.
- e. All selected persons shall attend and successfully complete a "Defensive Driving Course" within three (3) month of application, and a refresher course every three (3) years thereafter unless the individual's driving record indicates a need for more frequent training or withdrawal of authorization.

- f. Drivers must obey all local, state, and federal laws.
- g. Student workers are allowed to use a state vehicle in conjunction with their student employment duties. They must comply with all requirements for drivers.
- h. Students not on official university business cannot travel in university vehicles.

### **Disclosure of Taxable Compensation - Meals, Lodging/Housing, etc.**

In accordance with State of Louisiana Division of Administration PPM. No. 73, which states in part,

“It shall be the policy of the State of Louisiana to report all taxable compensation and withhold all applicable taxes for such compensation as required by the Internal Revenue Code on each scheduled pay period.”

The university has established a policy, Taxable Compensation, to comply with state and federal law.

The policy applies to all employees of the university including graduate assistants, adjunct instructors, student employees, etc.

This policy and procedure can be found at Taxable Compensation, Supplemental Compensation or Benefits from nonpublic sources & Drug Prevention Program Certification and in the University Fiscal Policy and Procedure Manual Section X-25.

### **Drug Prevention Program Certification**

Northwestern State University conforms to all local, state and federal laws regarding the illegal use of alcohol and other drugs on the campus. Northwestern is a member of the Network to Promote Drug-Free Colleges and Universities and abides by their standards regarding policies, athletic programs, educational programs, enforcement and assessment.

The university has established a policy on drug prevention and the university’s commitment to a drug-free campus. This university statement of commitment is provided in the booklet “Our Commitment to A Drug Free Campus.” This document was developed to assure compliance with Public Law 101-226 and to comply with state and federal law.

Each new employee is provided a copy of this booklet in their “New Hire Packet.” Also, enclosed with the packet is a form **TAXABLE COMPENSATION & DRUG PREVENTION PROGRAM CERTIFICATION**. This form provides for certification of the employee receipts of the university’s Drug Prevention Program and allows for certification by the employee’s supervisor that they have discussed and reviewed the policy with the respective employee.

Each incumbent employee receives the **TAXABLE COMPENSATION & DRUG PREVENTION PROGRAM CERTIFICATION** and the current “Our Commitment to A Drug Free Campus” each spring semester. Each employee and respective supervisor is asked to certify that they have received the university’s policy on drug prevention and its commitment to a drug-free campus. Certifications are routed as per procedures and filed in the respective employees personnel file.

This policy and procedure can be found on-line at Taxable Compensation, Supplemental Compensation or Benefits from nonpublic Sources & Drug Prevention Program Certification and in the University Fiscal Policy and Procedure Manual, Section X-25.

### **Medical Emergency**

In cases of medical emergencies occurring on university property or in the performance of university business, it is the responsibility of the employee to notify the University Police Department immediately by the quickest mean available. It shall be the responsibility of the University Police to advise the employee and make

proper notification according to the university policy.

### **Reporting Accidents**

It is the responsibility of the employee to notify his supervisor immediately after any accident or injury that has occurred during the employee's working hours. The supervisor immediately notifies the university's Environmental Health and Safety Office and the University Police of the accident, providing pertinent information.

Completed Accident Report Form for each accident is forwarded to Business Affairs - Human Resource Section. After review of accident report, Employer's Report of Occupational Injury or Disease Form is completed and routed according to university policy.

**NOTE: Claims can be voided for delayed notification. Even if the employee does not go to a physician and/or receive medical attention, an accident report form must be completed in order to have documentation in the event that future complications arise.**

The procedure and necessary forms are available on-line at [Incident Report on Employee Injury/Accidents](#).

### **Fiscal Responsibility for Student Organizations, Clubs, Groups, and Other Organizations Affiliated with the University**

In accordance with Louisiana Attorney General Opinion Number 94-167, May 10, 1994, it is the opinion of the Attorney General that the issues of whether the university would be liable or responsible for funds generated by student groups depends upon the control exercised over said funds by the faculty or staff advisor. If the advisor is responsible, and/or has **any** control over the receipts, deposits and/or expenditure of said funds, the university could be held responsible for an accounting thereof. As such, the funds should be deposited in an agency account. However, if the student organization, through its duly appointed and/or elected officers (e.g., Treasurer) is solely responsible for the receipts, deposits and/or expenditure of its funds, it is unlikely that the university would incur any responsibility for same.

#### **Agency Funds**

Funds deposited in an agency account of the university are subject to **all** rules, regulations, laws, policies and procedures applicable to university funds.

#### **Policy**

It is the policy of the university that university employees **not** have the Care, Custody, and/or Control of any funds of Student Organizations, Clubs, Groups, and Other Organizations affiliated with the university, and that the duly appointed and/or elected officer (e.g., Treasurer) of said organizations who are not employees of the university are solely responsible for the receipt, deposit, and/or expenditure of organization funds.

The university's policy and procedure for this subject is provided in Section VII-5 of the University Fiscal Policy and Procedure Manual.

#### **Appointments**

In accordance with Article X, Part I, Section 1.(A), of the Constitution of the State of Louisiana and civil Service Rules 4.1(a) through 4.1.(e), State Civil Service "...includes all persons holding offices and positions of trust or employment in the employment of the state, or any instrumentality thereof, and any joint state and federal agency, a joint state and parochial agency, or a joint state and municipal agency, regardless of the source of funds used to pay for the employment."

In accordance with Section 2. (A), Classified Service, "Persons not included in the unclassified service are in the classified service" and in accordance with Section 2. (B), Unclassified Service, "The unclassified service shall include. . .

- (1) one private secretary to the president of each college or university; . . .
- (2) teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial or a municipal agency.”

All employment contractors are issued on official university forms and are contingent upon availability of funds. No offer of employment is valid and binding on the university until approved by the President and the University Of Louisiana Board Of Supervisors for the University of Louisiana System in accordance with prescribed university policy and procedure found in the University Fiscal Policy and Procedure Manual.

Caution should be taken in the course of participating in the hiring process. It should be clearly understood, in accord with Louisiana Revised Statute 17:3305(a) and subject to applicable rules and regulations, that only the President, with the final approval of the Board of Supervisors, has the authority to appoint and fix the salaries and the duties of the members of the faculty and administrative and professional staff employees. No other university employee or official has the authority to contract with a prospective employee. It should be made clear to all applicants that their appointment and the description of duties must be determined by the President and is contingent upon Board approval. Failure to act in accord with the above exposes the individual participating in the hiring process to some personal liability.

Vacant positions must be correctly allocated before being filled through any normal method of appointment, as required by Civil Service Rule 5.2 which states in part that “no person shall be appointed to any position until it has been allocated by the Department of State Civil Service.”

### **Unclassified Staff Appointments**

Policies and procedures given in this handbook are explicit conditions of employment. Nevertheless, the status of an unclassified staff member also carries with it certain implicit standards and criteria for conduct that are commonly accepted in the university community but may not be explicitly stated here.

Northwestern State University’s policies and regulations shall operate under the aegis of express authority concepts only and apparent authority shall not be deemed an acceptable criterion. Consequently, the professional practices for all unclassified personnel shall include but not limited to:

1. Participating at all official Northwestern State University functions as determined by the President, Vice Presidents, Dean, Department Head or Supervisor.
2. Maintaining required work hours as determined by the unit head.
3. Performing all job functions to an optimal degree to create a positive, caring, student-orientated campus.
4. Participating in university development, promotion, and other professional endeavors germane to the mission of the unit within the university.
5. Acknowledging and agreeing to comply with the Board of Supervisors for the University of Louisiana System Compensatory Time Policy, for unclassified annual leave earning employees.
6. Acknowledging and agreeing to comply with those mandates of the Constitution and laws of the State of Louisiana which regulates the activity and employment of state employees including but not limited to the “Code of Governmental Ethics,” LA R.S. 42:1101 et seq,” and “Dual Office Holding and Dual Employment LA R.S. 42:61 et seq.”

Mandatory participation in certain Employment Benefit programs is included in the conditions of employment. Information concerning these programs may be obtained from the Business Affairs - Human Resource Section.

All unclassified administrative staff shall hold their administrative appointments at the pleasure or will of the Board of Supervisors. The annual approval of the university budget and personnel documents designating the salary and other personnel benefits for administrative personnel shall not constitute an implied nor expressed agreement for continued employment throughout that fiscal year, but are executed or approved solely for the purpose of budgeting and associated fiscal and administrative matters. Appointment letters shall include the following information:

- a. designation of title
- b. designation of program/unit area(s)
- c. effective date of appointment
- d. budgeted salary
- e. designation of academic rank, academic title, or special academic status
- f. special conditions, if any
- g. professional practices expected of unclassified staff personnel.

### **Types of Unclassified Staff Appointments**

All university personnel are given appointments of specific working agreements with the university. The appointments are at the pleasure or will of the Board of Supervisors.

### **Definitions of Appointment Terms**

For the purposes of the policies contained in this chapter:

An academic year shall mean that period of time encompassed by fall and spring semesters.

A fiscal year shall mean July 1 to the following June 30.

A calendar year shall mean January 1 through December 31.

Working day shall mean any Monday, Tuesday, Wednesday, Thursday, or Friday during the calendar year that the university is officially open; however, in accord with university guidelines, "working day" may also include the other days of the week (as pertaining to the university Library, for instance).

Class day shall mean any day during which classes are scheduled.

Appointment Letter shall mean the letter of an assignment or contract letter which each employee receives at least annually describing his/her employment for the following designated period.

### **Duration of Appointments**

Unless otherwise specifically defined in an individual appointment letter, appointments for the "academic year" shall normally commence not more than seven (7) working days prior to the scheduled beginning of classes and end no later than three (3) working days after spring commencement. Unless otherwise specifically defined in an individual appointment of employment, appointments for the fiscal year shall commence on July 1.

### **Term Contracts**

A full-time or part-time term contract is for a designated period and automatically expires at the end of that period. Re-employment of the unclassified staff member after expiration of a term contract is solely within the discretion of the university.

### **Extra Services Contracts**

Extra Services contracts are term contracts used to provide compensation for unclassified staff who perform compensable duties not covered by contracts.

### **Administrative Contracts**

All contracts or appointments for administrative positions or jobs are for a term not to exceed one year, subject to renewal. Appointments are made by the appropriate university official based upon recommendations of the budget unit head of the employing unit. No individual shall be appointed on a temporary ("acting" or "interim") basis for more than 12 months. After that period, should the position not be filled by someone on a continuing basis, the temporary incumbent can only be reappointed if a truly compelling need exists. The reappointment of the temporary incumbent must be submitted for Board of Supervisor's approval. Any request for

reappointment must include full justification.

### **Unclassified Staff Position Changes**

In accordance with the Board of Supervisors Rules, Chapter III, Section II and Section III, all personnel actions shall be brought before the Board for ratification based on recommendations of the System President. No employment of an administrative position (unclassified staff) is to begin prior to Board approval. For administrative personnel (unclassified staff) other than vice presidents, deans and athletic directors, emergency authorization may be granted on a temporary basis by the System Office to precede pending Board action. No individual shall be appointed on a temporary (“acting” or “interim”) basis for more than 12 months. After that period, should the position not be filled by someone on a continuing basis, the temporary incumbent can only be reappointed if a truly compelling need exists. The reappointment of the temporary incumbent must be submitted for Board approval. Any request for reappointment must include full justification.

Unclassified staff personnel whose employment is being changed from a nine-month to a twelve-month basis may be offered a salary consistent with similar positions at the institution or at similar Southern Regional Education Board (SREB) institutions. Any employee whose status changes from a twelve-month to a nine-month salary basis shall be offered a salary consistent with similar positions at the institution, at similar SREB institutions, or as approved by the Board. This policy applies to administrative (unclassified staff) position changes only.

### **Classified Staff Appointments**

If you are a classified employee, your title and pay are determined in accordance with a statewide classification and pay plan established by the Louisiana Department of Civil Service. Your title is a reflection of the duties and responsibilities described in the position description forwarded by NSU to Civil Service. The level of pay for each job title is determined by Civil Service on the basis of education and experience required, supervisory responsibility, job contacts, job impact and complexity, work environment, and physical demands. The basic authority for appointments into the classified service is contained in Article X, Part 1, Section 7 of the Constitution and in Chapter 8 of the Civil Service Rules. Civil Service Rules are available on-line at [www.dscs.state.la.us](http://www.dscs.state.la.us).

Vacant positions must be correctly allocated before being filled through any normal method of appointment, as required by Civil Service Rule 5.2 which states in part that “no person shall be appointed to any position until it has been officially allocated by the Department of State Civil Service.”

### **Types of Classified Staff Appointments**

Employees are appointed to positions in the state classified service in several ways. The most common types of civil service appointments are probational appointments, provisional appointments, job appointments, and restricted appointments. Details of appointment types can be provided by the Human Resource Office or you can get the information on-line at [www.dscs.state.la.us](http://www.dscs.state.la.us).

#### **Probationary Appointment:**

Probationary appointments constitute the most basic method of filling classified positions on a permanent basis. Applicants are hired from a certificate of eligible applicants (register) or the applicants are hired based on having a certifiable score for competitive positions. Each person appointed to a probational appointment serves a minimum six (6) month probation period. During the probation period, the employee’s supervisor determines whether or not the employee can satisfactorily perform the duties of the position. The probationary period may be extended an additional six (6) months upon the recommendation of the employee’s supervisor. If during the probationary period, the employee’s performance does not meet the required standards, the employee may be removed at any time during the probationary period.

While on probation the employee is eligible to earn and take annual and sick leave, and is eligible for insurance. If the employee satisfactorily completes the probationary period, they attain permanent status. To attain permanent status is very important, as permanent classified employees have many rights under Civil Service that are limited to permanent employees, such as, eligible for promotions, noncompetitive re-employment rights, preference in layoffs, and the right to appeal disciplinary actions.

### **Provisional Appointment:**

Any qualified applicant may be provisionally appointed to a permanent position whenever the Department of Civil Service is unable to furnish the university a certificate containing the names of five or more available eligibles. Such appointees must possess the qualifications specified in the appropriate standard as required for admission to the examination. The provisional appointee does not serve a probationary period, does not attain permanent status, and may be separated by the employing agency at any time.

A provisional appointment shall terminate six (6) months after its effective date or will convert to probational as soon as the employee appointed takes and passes the appropriate examination with a score that allows the employee to be appointed.

An employee on a provisional appointment is eligible to earn and take sick and annual leave, and is eligible for insurance.

### **Job Appointment:**

A job appointment may be made to accomplish work of a temporary nature or to substitute for an employee who is absent from a permanent position. Persons given job appointments do not attain permanent status and may be separated by the employing agency at any time. They are eligible to earn and take sick and annual leave and may be eligible for insurance if they are appointed for 120 days or more with a regular tour of duty.

A job appointment may be made for a period not to exceed one year depending upon the expected duration of the job as determined by the employing agency. Job appointments of less than one year may be extended with the approval of the Director of Civil Service for additional periods not to exceed a total of one year.

A person given a job appointment must meet the minimum qualification requirements for the position in which hired.

### **Restricted Appointment:**

A restricted appointment may be made, subject to the approval of the Director of Civil Service, with proper justification from the appropriate Vice President or President, that such appointment is essential to the efficiency of the agency. This applies to either established positions or positions required on a temporary basis.

Employees hired on a restricted appointment are temporary employees. The appointment cannot exceed six (6) months. An individual serving a restricted appointment cannot gain permanent status, and cannot earn or take leave. They are only paid for the hours they work. They may be required to work overtime and shall be compensated at the appropriate overtime rate.

### **Noncompetitive Re-employment**

Subject to the following, a former employee who has noncompetitive re-employment eligibility as provided in Civil Service Rule 8.18 may be given a noncompetitive appointment to any position for which he/she is qualified having the same or lower entrance salary as the position in which he/she had permanent status, regardless of whether or not an eligible list has been established for the position.

For competitive positions, a former permanent employee who has been separated from the classified service and was in good standing at the time of separation, within ten years from separation, be noncompetitively re-employed to any competitive position for which they are qualified and which has the same or lower entrance salary as the current minimum for the classification in which they had permanent status. This is considered a probationary appointment. Re-employment must occur within five years of separation to receive the unused sick and annual leave for which the employee was not paid at the time of separation. The employee will be given credit for years of prior state service and be placed in the

appropriate leave-earning category.

### **Classified Staff Position Changes**

The main types of position changes are: Promotion, Reassignment, Transfer, Temporary Interdepartmental Assignment, Demotion, and Detail to Special Duty. Other changes are covered elsewhere in this Handbook.

The basic authority for position changes is contained in Article X, Part I, Section 10, Paragraph (A) (1) of the Constitution and in Chapters 5,7,8 and 12 of the Civil Service Rules.

When vacancies occur on the university campus, a Notice of Vacancy is posted for at least ten (10) days on bulletin boards campus wide by the Budget Unit Heads, to notify employees of a job vacancy. Vacancy announcement for classified positions are also posted on the Department of Civil Service Job Search web site [www.dscs.state.la.us/job](http://www.dscs.state.la.us/job) search.

#### **Promotion**

The policies and procedures applicable to promotion actions are outlines below.

A promotion results in a change of a permanent employee to a higher position without change in status. No new probationary period is involved. A promotion may be handled on a competitive or noncompetitive basis depending upon the level of the position to be filled, whether or not the proposed action is normal line, whether or not a competitive situation exists, and other factors.

#### **Testing Requirements for Noncompetitive and Competitive Promotion**

**An employee is promoted through the university's hiring procedure. Employees apply for positions as do other interested individuals.** For information concerning Civil Service requirements for promotions please contact the Business Affairs - Human Resource Section or you can obtain information on the Civil Service web site [www.dscs.state.la.us](http://www.dscs.state.la.us).

#### **Reassignment**

The reassignment of employees is an important placement function in human resource administration. Actions to fill vacancies through the reassignment procedure are effective in meeting changes in workloads and in fully utilizing the skills of employees who are regularly employed by the university.

Employees must meet the minimum requirements for the positions before the changes can be approved. Employee qualifications should be carefully compared to the position qualifications before a reassignment is recommended.

A reassignment to certain classes will not be approved unless the employee's examination grade would qualify him for appointment from the open-competitive eligible list or a recognized departmental promotional list.

**Classified employees cannot be transferred/reassigned to unclassified positions. A classified employee may apply for an unclassified position as can other interested individuals.**

#### **Transfer To Northwestern from another State Agency**

Transfer means the changing of an employee from a position in another agency without a change in probational or permanent status and without a break in service of one or more working days. When transfers from another State Agency to the university is contemplated, it is necessary to ascertain in advance that the person whose transfer is being considered has permanent or probationary status, is willing to transfer, and is qualified to fill the university's position.

When an employee transfers with a demotion to the university from another state agency, his pay will be reduced by a minimum of 7% provided that it is not less than minimum of the range (Civil Service Level).

## **Demotion**

The demotion of an employee may result from inefficiency, the employee's own request, or from other causes. In case of a layoff of a permanent employee in the university, the employee being laid off must be offered a position in the same, equivalent, or lower class if there exists such a position for which he is qualified and which is occupied by a provisional or probational employee. If he accepts a position in a lower class, this would constitute a demotion.

For certain classes, demotions will not be approved unless the employee's examination grade would qualify him for appointment from the open competitive eligible list, or unless he would be eligible for noncompetitive re-employment to the class if he were to resign from his present position.

## **Detail to Special Duty**

Whenever there is a temporary need for the services of an employee in a position other than that to which he is regularly assigned, he may be detailed to the position for a period not to exceed 30 days without change in title or status. Such action is generally used to fill a position important to university operations until a regular replacement can be found, or to fill an urgent need created by an emergency situation. This action is also utilized whenever it is desired to fill a temporary vacancy until the regular employee returns, or to fill a vacancy until a regular promotional action can be accomplished. The Director of Civil Service's approval is required for all details of more than one year. Extensions can be requested with adequate justification. Approval for the extension must be granted by the Director of Civil Service.

## **Relocations**

An appeal for a change in the official allocation of a position may be made by the employee assigned to a position or by the university. If the duties of a position change significantly or if additional duties are added to a position through changes in the organization and distribution of work assignments and responsibility, a position may require a change of its allocation. Position classification appeals should be submitted on the **Request for Change in Personnel/Position Status Non-Classified and/or Classified** form, or see **Section X-6 in the University Fiscal Policy and Procedure Manual**. The employee must also complete Standard Form 3 (Job Description) to be submitted to the Department of Civil Service for approval. An employee can appeal the allocation of his position even though his supervisor does not agree with the allocation requested by the employee. When an appeal is forwarded to the Director of Civil Service, the university's Director of Human Resources has the responsibility of determining if a position by an employee can be picked up at Business Affairs - Human Resource Section or downloaded from the Civil Service web site [www.dscs.state.la.us](http://www.dscs.state.la.us). When a position is reallocated, the incumbent can serve therein without change in status provided they meet the minimum qualifications for the class to which the position is reallocated and passes any testing requirements. When a position is reallocated upward, the incumbent's pay is fixed according to the same rules governing pay upon promotion.

The reallocation of a position from one class to another results from a determination by the Department of Civil Service that a different official allocation must be made for a position. Changes in the organization and distribution of work assignment and responsibility may significantly alter the duties and responsibilities in a position and require a change in its allocation. Changes in classes by revision of the definition of them, establishment of new classes, or deletion of classes from the classification plan may also require changes in the allocation of positions.

The effect of a reallocation of a position is the same as promotion, demotion or reassignments; however, it differs from these personnel actions in that only one position is involved which has undergone a change in composition of duties and responsibilities. In personnel actions of promotion, demotion or reassignment the employee is being changed from one position to another having a different allocation.

Upward, downward, and lateral Relocations will be approved subject to the same general policies concerning promotions, demotions, and reassignments, respectively.

Reallocation does not apply to situations involving the assignment of new duties and responsibilities to an employee which have the effect of creating a new position.

## **Employee Reallocation Appeals**

An appeal for a change in the official allocation of a position may be made by the employee assigned to the position or by the supervisor/budget unit head through the appropriate Vice President levels. Position classification appeals must be made in writing to clearly identify the appellant and the position.

An employee's right to appeal the allocation of his position is covered in Chapters 5 and 13 of the Civil Service Rules ([www.dscs.state.la.us](http://www.dscs.state.la.us)) This right of appeal must be recognized even though the university's supervisory officials do not agree with the allocation requested by the employee and are in agreement with the assigned allocation of the position. However, opportunity and a plan for discussion of job assignments and other personnel matters by employees with their supervisor can assist in resolving employee questions on the allocation of positions and minimize classification appeals.

### **Title Changes**

Changes in the title of a class with no change in the class concept and no change in the duties and responsibilities in positions are title changes. Whenever a revision is made in classes to change the concept of the class and a change in the class title, is also made the personnel action is reallocation. Although similar, these two personnel actions provide for different treatment insofar as qualification requirements and pay eligibilities are concerned.

### **Unclassified Seasonal, Temporary, Intermittent or Part-time (Wages of Labor) Appointments**

Procedure for employment of Unclassified Temporary, Intermittent or Part-Time (Wages of Labor) employees can be found in the University Fiscal Policy and Procedure Manual, Section X-4 or on line at [Employment Procedures for Non-Classified Seasonal, Temporary, Intermittent or Part-Time \(Wages of Labor\)](#).

## **Compensation**

### **Pay Schedule**

Classified and unclassified (annual leave earning) employees will receive their salaries in biweekly payments in accordance with the State Uniform Payroll System schedule. Faculty (non-annual leave earning) members, unless otherwise instructed, shall receive their salaries in equal monthly payments.

### **Additional Compensation through the University**

Occasionally, unclassified staff members are asked to assume responsibility for additional duties relatively unrelated to, or independent of, their normal work. When such assignments are clearly not a part of the unclassified staff normal assignments, additional compensation may be permitted. Such additional compensation must be justified on a case-by-case basis and approved prior to the beginning of the assignment. It is the unclassified staff member's responsibility to monitor the allowable compensation and not to exceed the limit.

Total compensation from all NSU sources between July 1, and June 30, inclusive, may not exceed the employee's twelve-month equivalent salary times 1.25.

Academic-year employees using this computation should first multiply their regular academic-year salaries by 12/9 to obtain a twelve-month equivalent salary, then multiply this base by 1.25.

These limitations apply to all income covered by any check issued by NSU for any compensation purpose.

An employee must be certified by the department head as working a full loan in addition to the activity for which extra compensation is being recommended. The work for extra compensation shall not in any way interfere with the regular duties of the individual, as certified by the department head.

The individual seeking extra compensation must enter into and sign a "contract for extra services" in advance of performance of the work. A copy of a "contract for extra services" is available through the individual's budget unit head. By signing the "contract for extra services," the department head and appropriate Vice President

or equivalent are certifying or assuring that (a) normal operations are not being jeopardized; (b) quality of work is not affected by personnel substitution; (c) the individual is not abusing the privilege; and (d) record of leave for the university employee is maintained. A full description of the procedure which must be followed is found on-line at Employee Involved in University [Extra Services Employment Activities](#) or Section X-24 of the University Fiscal Policy and Procedure Manual.

Unclassified and classified staff cannot take leave from regularly assigned duties to perform duties for extra compensation.

Federal funds may not be used to pay extra compensation unless specifically authorized by the sponsoring agency. The extra compensation must be authorized to be paid at the regular payroll period for the time period in which it is earned.

Extra compensation or extra services contracts will not be allowed if a conflict of interest is involved or if it is in any way in violation of law. See the Governmental Code of Ethics, the Louisiana Constitution, and other statutory law.

### **Unclassified Staff Compensatory Time**

Unclassified (annual leave earning) employees/professional staff are hired on an annual basis and are not compensated for extra work beyond the normal forty (40) hour work week. The normal business on a university or college campus is not restricted to the forty (40) hour work week observed by state agencies. On the contrary, many functions and activities occur in the evening hours and weekends when many unclassified employees are required to attend.

In order to more appropriately compensate unclassified (annual leave earning) professional staff for work performed, the following policy is established regarding the accrual and uses of compensatory leave.

1. Compensatory leave may be granted an employee for extra hours worked outside then regularly assigned forty (40) hours due to holidays or leave taken, on an hour for hour basis in half hour increments. Earning of compensatory leave must have prior approval of the immediate Supervisor, Dean, Department Head (approving agent), Appropriate Vice President, President, or the President's Designee.
2. Not more than forty (40) days, or the equivalent thereof, in hours (320 hours) can be earned during any fiscal year. Not more than thirty (30) working days or the equivalent thereof in hours (240 hours) of accrued compensatory leave shall be carried forward into any fiscal year. Any balance of leave in excess of thirty (30) days (240 hours) remaining on June 30 of each fiscal year shall be liquidated.
3. Employees may be required to use their earned compensatory leave at any time as required by the Appropriate Vice President or President of the university, otherwise, use of earned compensatory leave must have prior approval before use by the employee.
4. Employee shall not be paid the value of their accrued unused compensatory leave upon separation from his/her position.
5. While on official travel on a regular university work day, an employee can earn a maximum of five (5) hours of compensatory leave for hours after 4:30 p.m. or after employee's regular scheduled work day. During weekend official travel, an employee can earn a maximum of eight (8) hours of compensatory leave per day.

Compensatory leave should not be confused with a flexible time policy. Employees cannot arbitrarily determine their own schedules. In addition, work undertaken while at home does not constitute the earning of compensatory leave.

### **Classified Staff Overtime**

Overtime is defined in Civil Service Rules as any time worked at the direction of the university as follows:

1. Any time worked in excess of the number of hours in an employee's scheduled work day;
2. Any time worked on a day not scheduled as a work day;
3. Any time worked on a holiday observed by the university which falls on an employee's regular workday; or an employee's designated holiday granted in lieu of a regular holiday observed by the university.

Under the Fair Labor Standards Act (FLSA), overtime is generally considered to be any hour actually worked over forty in an established seven-day work period. (Exceptions include law enforcement and fire protection personnel, correctional security officers and staff of 24-hour direct care institutions. Civil Service authority to utilize these special provisions allowed under FLSA can be found in Civil Service Rule 6.24.) Holidays, leave, and any time not actually worked by employees are not counted. However, there are circumstances under which on-call duty and/or travel time are considered hours worked for purposes of FLSA compliance.

**Overtime cannot be projected and recorded on the NSU Daily Attendance and Leave Report. Overtime earned and not reported on the attendance report must be reported in writing, signed and approved by the employee and supervisor.**

### **Methods of Compensation**

Classified nonexempt employees shall be compensated for all overtime hours worked as follows:

1. Crediting the employee with compensatory leave equal to the number of overtime hours worked at the payment rate for overtime payment.
2. Payment for each overtime hour worked at the employee's eligible payment rate.
3. Employees elect the compensation method, earned compensatory time or payment, when the overtime is approved. Election is made when the **Request for Approval for Overtime Work** form is completed. A full description of the procedure which must be followed for overtime approval is found on-line [Request for Approval for Overtime Work](#) and in Section X-15 of the University Fiscal Policy and Procedure Manual.
4. At the end of each fiscal year classified employees may elect to be paid for all or part of their earned compensatory time or carry forward the earned compensatory time in accordance with applicable Civil Service Rules.

### **Caps on Accumulation of Classified Compensatory Leave**

- (a) Employees who accrue compensatory leave at the time and one-half rate shall accumulate no more of such compensatory leave than allowed under the Fair Labor Standards Act.
- (b) Once the maximum balance of compensatory leave earned at the time and one-half rate is reached, any additional overtime work in excess of forty hours per week must be paid to an eligible employee in cash at the time and one-half rate.
- (c) Compensatory leave earned hour for hour may be accrued up to a maximum of 360 hours in any calendar year. Transfer, cancellation and crediting of compensatory leave is provided for under the provisions of Civil Service Rule 11.29.

### **FLSA Exemption Status**

An employee, based on their employment duties and salary is assigned status as an exempt or nonexempt employee in accordance with the Fair Labor Standards Act. This status can change as a result of promotion,

transfer, or demotion.

### **Nonexempt Employees**

Employees are required to be paid overtime at the rate of time and one-half their regular rate of pay for all hours physically worked over forty hours in a workweek in accordance with the Fair Labor Standards Act.

### **Exempt Employees**

Employees are not required to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. Executives, professional employees, teaching faculty, and certain employees in administrative positions are typically exempt.

## **Employee Benefits**

Northwestern State University offers a variety of employee benefit programs designed to assist employees and their eligible dependents in meeting the financial burdens that can result from illness, disability, and death, and to help you plan for retirement. This section of the Handbook serves as a highlight of some features of our benefit programs. More detailed information provided in summary plan documents, copies of which are available in the Business Affairs - Human Resource Section. Employees are responsible for seeking necessary information and choosing appropriate benefit plans in accordance with required time lines. In the event of any contradiction between information appearing in this Handbook and the official plan documents; the plan documents/contracts shall govern in all cases. Northwestern reserves the right to amend or terminate any of these programs at its discretion.

### **Retirement and Other Statutory Benefits**

The university provides statutory benefits to employees, including but not necessarily limited to, workers' compensation, unemployment insurance, Teachers' Retirement System of Louisiana, Louisiana State Employee Retirement System, and Medicare. The Business Affairs - Human Resource Section has annual publications available that explain statutory benefits. Employees will be informed of any modifications in coverage or options for enrollment.

### **Louisiana State Employee Retirement System (LASERS)**

LASERS was first established by act of the Louisiana Legislative in 1946. LASERS is a qualified pension and retirement plan under section 401(a) of the Internal Revenue Code. LASERS is a trust fund created to provide retirement allowances and other benefits for state officers and employees and their beneficiaries. Funding for the System comes from your employees' contributions, your employer's contributions, and earnings from investments.

Classified employees or unclassified employees who were members of LASERS prior to 7/1/91 are eligible for membership in LASERS. Employees contribute 7.5% of their gross salary. Effective July 1, 2004, the University contributes 17.8% of the employee's gross salary. Certain employees are not eligible for membership in LASERS: part-time (20 hours or less per week) and temporary employees (restricted or job appointments). Persons who are age 60 or older at the time of employment have the option to join LASERS, if they meet all other eligibility requirements. If employment is terminated prior to retirement, the employee can request a refund of retirement contributions. The refunded amount is equal to the employee's contribution only and is without interest or investment earnings. LASERS processes most refunds within 45 days after your date of termination. When you accept a refund of your contributions, you automatically forfeit all service credit and accrued rights in LASERS. Refunds are subject to income and other federal taxes, unless the entire refund amount is rolled over into another qualified retirement plan or an Individual Retirement Account. For more information about Louisiana State Employees Retirement System (LASERS) please visit their home page at [lasers.state.la.us](http://lasers.state.la.us).

### **Teachers' Retirement System (TRSL)**

The Teacher's Retirement System of Louisiana (TRSL) was established on August 1, 1936. In general, full-time employees of institutions of higher education, except for classified employees, part-time employees, temporary and seasonal employees, are required to become TRSL members. TRSL is a defined benefit plan. As of July 1, 2004, employee contributions of 8% of gross salary are required and the University contributes 15.5% of employees' gross salary. The amount of retirement benefit is determined by the employee's years of service and the employee's average salary for the 36 highest successive months of employment. The TRSL has provisions for disability and survivor benefits. If you terminate employment prior to retirement, you are entitled to a refund of the employees' contributions only (without employer contributions, interest or investment earnings). The University must hold the Application for Refund for 90 days. At the end of 90 days, the application is sent to TRSL for refund of contributions. Partial refund withdrawals and borrowing against member contributions are not allowed. When you accept your contributions, you terminate membership and cancel all service credit. Refunds are subject to income and other federal taxes. A refund of tax-sheltered contributions is eligible for rollover to an IRA or another employer retirement plan that accepts rollovers. For more information about the Teachers' Retirement System of Louisiana (TRSL) please visit their home page at [www.trsl.state.la.us](http://www.trsl.state.la.us).

### **Louisiana Optional Retirement Program (ORP)**

**The "Optional Retirement Program" (ORP) is a retirement plan offered to employees in Louisiana Public Higher Education as an alternative to the "Teachers' Retirement System (TRSL).** The ORP is provided by a private carrier for academic and unclassified employees of Louisiana colleges and universities. Eligibility to participate in the ORP is determined by your job classification. It is not based on years of service or salary level. Academic or unclassified employees who are part-time, seasonal, or temporary may choose to participate in the ORP, but will not be permitted to become members of TRSL. The decision to participate in the ORP is irrevocable; employees who choose the ORP can never change their minds and join TRSL. Eligible employees have sixty days from their date to hire to elect to participate in the ORP. The ORP, currently offers the following providers: ING Financial Advisers (formerly Aetna), Teachers Insurance and Annuity Association - College Retirement Equity Fund (TIAA-CREF), and the Variable Annuity Life Insurance Company (VALIC).

With the ORP, retirement contributions are portable because the retirement benefit plan is provided by a private carrier. Employees who choose to participate in the ORP and not contribute to TRSL and waive all rights to TRSL retirement, survivor, and disability benefits not otherwise provided by LAS-R.S. 11:726 and 11:926(b). Active contributing members of TRSL's Regular Plan who are academic or unclassified employees of public institutions of higher education and who have less than five years of creditable service in TRSL, may elect to participate in the ORP and transfer accumulated employee contributions to the ORP.

The ORP handbook is available from the Human Resource Office. Detailed information on an ORP must be provided by a representative of each company. The staff of the Human Resources Office is not authorized to advise you in this decision. Representatives are:

ING (formally Aetna)	-	Jean Holliday	877-857-7967
TIAA-CREF	-	Company	800-842-2733
VALIC	-	Charles Duff	800-892-5558

### **Annuity Options**

Tax-sheltered annuities such as 403B plans are available through the Business Affairs - Human Resource Section and form a number of carriers.

### **Other Deductions and Benefits**

The university provides for health and insurance deductions including, but not necessarily limited to, medical insurance plans, liability insurance, and selected health care services. The actual terms of all policies with carriers control the specific benefits. Provisions for payroll deductions for employee payments may be arranged through Business Affairs - Human Resource Section.

### **Workers' Compensation**

Employees of the university are covered under workers' compensation insurance through the Division of Administration, Office of Risk Management, a self-insured program for the State of Louisiana.

In the event the employee is injured on the job, this self-insured program provides financial and medical aid that continues as long as the employee is disabled.

Employees may elect to use sick leave, annual leave, a combination of both, or leave without pay while off work due to the work related injury (lost time accident). The university will work with the employee to buy back as much of the sick and annual leave as possible when workers' compensation benefits are received.

The group hospitalization insurance should not be used for a work related injury as the injury is covered under the workers' compensation insurance.

## **Insurance**

This section covers the different insurance programs available to employees. This material is intended to provide an employee with only general information concerning each program provided by the State of Louisiana and/or Northwestern State University. For more specific and detailed information on any insurance program you should contact Business Affairs - Human Resource Section.

## **Medical Benefits-General Information**

All full-time employees whose appointments are for more than 120 days and retired employees and their eligible dependents who qualify under the eligibility rules may participate in either the medical program, the life insurance program, or both. Northwestern State University contributes a portion of the premiums as state share of the cost of the medical program and the life insurance program, with the exception of the optional coverage for catastrophic illness and dependent life. The employee pays the full cost of the above exceptions.

## **Medical Insurance**

The University offers medical insurance for its full-time employees and eligible dependents. In no event shall any person appointed on a temporary basis be considered an employee eligible for insurance purposes. There are several plans to choose from, some offered by the State and some offered by private firms. Insurance is optional for the employee. Premium rates are effective July 1 of each fiscal year and are based upon the health plan type (PPO, EPO, HMO, etc), health plan provider selected, and the level of participation (single, employee with children, employee and spouse or family coverage). Business Affairs - Human Resource Office has information that provides details/premium information on the insurance plans offered.

## **Insurance and HMO Plans**

### **State Employee's Office of Group Benefits Health Insurance**

This is a comprehensive Major Medical Plan - Indemnity Plan: Preferred Provider Organization (PPO) and Exclusive Provider Organization (EPO). Coverage and deductible vary with type of treatment received.

### **Health Maintenance Organizations (HMOs)**

These are managed health plans that provide an alternative to traditional health coverage.

### **Effective Dates of Coverage**

Employee coverage begins on the first day of the coinciding month with, or next following the completion of one calendar month's service. The effective date of the coverage as a **Late Applicant** is established when approved by the Office of Group Benefits.

**IT IS THE EMPLOYEE'S RESPONSIBILITY TO CONTACT THE BUSINESS AFFAIRS - HUMAN RESOURCE SECTION TO COMPLETE ENROLLMENT FORMS FOR COVERAGE WITHIN 30 DAYS AFTER THE DATE OF EMPLOYMENT.**

Employees may select from several insurance plans: State Employee Group Benefits Program (an indemnity plan), or one of the Health Maintenance Options (HMOs).

There is an **Annual Enrollment** period each year during the month of April. During this period, employees can make changes in their coverage. These changes become effective on July 1 of each year. July 1 of each year is also when any changes in premiums, as determined by the Board of Supervisors State Employee Group Benefits Program, will become effective.

An employee can cancel coverage at any time provided they are not in the pretax program (Cafeteria Plan).

Group insurance for any employee who terminates employment can be continued under the **COBRA** provisions for a period of eighteen (18) months.

When an employee is eligible for retirement, the hospitalization and life insurance may be continued under the same conditions as during his/her employment.

When an employee or retiree reaches age 70, all Accidental Death & Dismemberment benefits are terminated.

If an employee is allowed an approved absence by his employer, the employee may retain coverage for a period up to but not to exceed one year, provided the full premium (employee and employer's share) is paid.

#### **Cafeteria Plan - IRS Section 125**

Employees may elect to participate in the Cafeteria Plan. Cafeteria Plan enrollment is conducted the beginning of each Fall Semester. This is a plan that allows employees to have qualified insurance premiums deducted before taxes are deducted. This allows the employee to pay for qualified premiums with pretax dollars, thereby reducing their taxable income and in turn the amount of income taxes withheld. If an employee enrolls in the Cafeteria Plan, the employee signs a salary reduction agreement for the plan year, which is normally a one-year period of time. The employee is locked into plans sheltered under the cafeteria plan for the plan year. The plan year runs from October 1 through September 30. The University does not participate in Cafeteria Plan program selection premium payments. The premium for the selected programs is the sole responsibility of the employee.

#### **Other Insurance and Deductions**

There are various types of additional insurance available to a full-time employee. These consist of cancer, intensive care, disability and annuities. The employee pay 100% of the cost for all of these policies.

#### **Shared Sick Leave Program**

The Shared Sick Leave Program is available for use by and/or unclassified employees. This program can be used by faculty and unclassified staff who are suffering from their own serious health condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment. This sick leave pool is maintained through limited donations of sick leave. For detailed information, contact the Human Resource Section or see [Shared Sick Leave Program](#).

#### **Crisis Leave Program**

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to them or eligible family members. The intent of the program is to provide assistance to employees who, through no fault of their own, have insufficient appropriate accrued leave to cover the crisis leave period. This Crisis Leave pool is maintained through limited donations of annual leave by permanent classified and unclassified employees. For detailed information, contact the Human Resource Section or see [Crisis Leave Program](#).

## **Educational Opportunities**

Employees can take a maximum of three (3) credit hours of instruction during normal work hours for each semester and the summer session which is defined as all 3 week session of the summer session). Exceptions to the number of credit hours an employee may take during normal work hours may be granted by the employee's appropriate Vice President on a case by case basis. All work must be scheduled to be completed daily. Each supervisor, budget unit head, dean and Vice President must approve and certify that time taken to attend classes is scheduled to be worked through an adjusted work schedule. An employee cannot simply have an approved work schedule change. Each employee must take appropriate leave for each hour taken for class time and work appropriate classified and unclassified compensatory time for each hour taken for class time to complete a full work week. Class taken at other institutions during normal work hours, including traveling time, is to be reported the same as on-campus classes. An adjusted work schedule must be approved, leave must be taken, assignments must be completed and appropriate classified and unclassified compensatory time earned for each hour taken for travel and class time.

## **Fee Exemption for Faculty, Staff and Dependents**

A faculty or staff member who has been employed full-time at a Board of Supervisors institution or System Office at least two years may enroll for undergraduate or graduate instruction at a reduced fee schedule which shall annually be set by the Board of Supervisors.

A spouse and children of full-time faculty and staff members employed at a Supervisors institution for five years may attend that institution at a reduced fee schedule, for undergraduate instruction only, which shall be set by the Board of Supervisors, plus any student assessed fees at the institution. Generally, children who qualify will be limited to those who are eligible dependents for tax purposes during the calendar year in which the fee exemption is issued.

Dependents of deceased faculty and staff shall be eligible for the tuition exemption provided for herein provided the faculty or staff was in service to the institution and eligible for the exemption when death occurred. Dependents of disabled faculty and staff, as determined by the Teachers' or State Employee's Retirement Systems but otherwise eligible for the tuition exemption provided for herein, shall maintain eligibility for the tuition exemption.

Faculty and staff are granted the tuition exemption to include self-assessed fees, but dependents shall not be exempted from self-assessed fees.

Individuals must follow the procedure found on-line at [Request for Reduced Tuition](#) or Section X-17 of the University Fiscal Policy and Procedure Manual.

## **Unemployment Compensation**

Faculty and staff are covered by the Louisiana Employment Security Law. This entitles employees who lose jobs due to non-disqualifying reasons (layoff, etc.) to receive unemployment compensation benefits, if the monetary requirements established by the Employment Security Law are satisfied. Faculty members on continuing academic-year appointment are not eligible for unemployment compensation benefits between the academic years.

## **Season Tickets for Athletic Events**

Full-time employees of Northwestern State University shall have reduced prices on the purchases of season tickets for athletic events.

## **Staff Evaluation**

### **Unclassified Staff Evaluation**

University Vice President to their equivalent(s) may require an annual evaluation of each unclassified staff member under their jurisdiction. The purpose of the evaluation is to maintain a system for the performance evaluation of staff through use of a formal evaluation device and consultation between employee and immediate supervisor. In addition to providing assistance to unclassified staff members in performing professional duties, this evaluation process forms the basis for decisions concerning salary increases, retention, and promotion.

If so requested each unclassified staff member under the jurisdiction of the requesting Vice President or their equivalent, shall be evaluated by the staff member's immediate supervisor. The evaluation shall be conducted according to the procedures included herein, using the "Unclassified Staff Evaluation" and "Unclassified Staff Evaluation Rating" forms. The completed forms shall be reviewed by the appropriate supervisor(s) and sent to the Vice President or equivalent for filing. The respective Vice President or equivalent is responsible for filing the completed (original) rating form in a CONFIDENTIAL (non-public) file in their office.

### **Procedures**

1. During the first sixty days of each fiscal year, each unclassified staff employee and the employee's immediate supervisor shall mutually develop goals and objectives by which the employee's job performance will be evaluated for that year.
2. During the final sixty days of the fiscal year, each staff employee will be evaluated by the employee's immediate supervisor. Upon completion of the evaluation, the supervisor shall review the evaluation with the employee and provide the employee with a copy of the completed "Unclassified Staff Evaluation" and "Unclassified Staff Evaluation Rating" forms that follow. If the employee disagrees with any part of the evaluation, the employee may attach a statement to the evaluation within three working days following receipt of the completed forms citing reasons for dissatisfaction with the evaluation or evaluation process.
3. The supervisor will forward the evaluation with any attachments to the department head and/or Vice President 15 days prior to the end of the fiscal year.
4. Completed evaluations (original) shall be filed in the respective Vice President's or equivalent's office in a CONFIDENTIAL (non-public) file.
5. Employees who do not concur with their evaluation may file a grievance using the staff employee Grievance Procedure.

### **Evaluation Criteria**

1. **Concept of Job:** Consider the employee's perception of the position in comparison with the job description and the employee's understanding of job requirements in relationship to the department's operation.
2. **Goals and Objectives:** Consider appropriateness of employees developed goals and objectives toward which the employee is working or has accomplished.
3. **Job knowledge:** Consider how well the employee demonstrates the appropriate knowledge and expertise to perform tasks described in goals, objectives, and job descriptions.
4. **Quality of Work:** Consider the employee's work product and its relative merit. How good is the product, tangible or intangible, and what are its relative merit compared with generally accepted standards of criteria.
5. **Quantity of Work:** Consider the volume of work the employee can manage effectively and produce results.
6. **Ability to Evaluate:** Consider the employee's capacity to review completed tasks, to determine output quality and review methods and procedures utilized to determine their effectiveness and efficiency.
7. **Management Effectiveness:** Consider the employee's capacity to motivate, challenge, and develop others. Does the employee supervise an efficiently operated department where employees have an opportunity to be creative as well as productive in a cooperative environment. Consideration should also be given to the

employee's effectiveness in providing direction to subordinates and ability to delegate.

8. **Planning and Implementation:** Consider the employee's skills in planning personal and departmental work and the employee's success in implementing those plans. Does the employee demonstrate the ability to formulate both short and long term plans and execute those plans.
9. **Dependability and Punctuality:** Consider the manner in which the employee meets deadlines and completes assigned tasks. Does employee report to work on time, make appointments on time, complete assigned tasks in a timely manner and respond to critical situations.
10. **Personal Relationships:** Consider the employee's capacity to work effectively and efficiently with subordinates, peers, superordinate, other faculty and staff.
11. **Meeting Public:** Consider the manner in which the employee meets the clientele the office serves, responds to their questions, and addresses their problems.
12. **Initiative and Creativeness:** Consider the employees willingness to take responsibility, develop original solutions and offer practical suggestions.
13. **Receptivity to Change:** Consider the employee's attitude to suggestions and acceptance of change.
14. **Professional Improvement:** Consider the employee's participation in activities designed to improve the employee's job related knowledge and skills.
15. **University Service:** Consider the employee's service to the university in areas other than those normally associated with the employee's job description, i.e. committee service, organization sponsorship, hosting special events, etc.

### Explanation of Rating Scale

Each evaluation criteria will be scored as follows:

- |   |                                     |  |
|---|-------------------------------------|--|
| 0 | <i>Not Applicable:</i>              | does not apply or there is insufficient information available to evaluate.   |
| 1 | <i>Performance is unacceptable:</i> | consistently performs assigned task at the minimally accepted standards required for the position. Improvement in performance is necessary for continuation of employment. |
| 2 | <i>Performance is acceptable:</i>   | consistently performs assigned task at the minimally accepted standards required for the position.   |
| 3 | <i>Performance is exceptional:</i>  | consistently exceeds the accepted standards for performance of assigned task required for the position.  |
| 4 | <i>Performance is excellent:</i>    | always exceeds the accepted standards for performance of assigned task required for the position.  |
| 5 | <i>Performance is superior:</i>     | always exceeds the accepted standards for performance of assigned task in an exemplary manner.   |

#### Job Performance:

1. Concept of Job	Realistic	5	4	3	2	1	0	Unrealistic	
2. Goals and Objectives	Appropriate	5	4	3	2	1	0	Inappropriate	
3. Job Knowledge	Appropriate	5	4	3	2	1	0	Inappropriate	
4. Quality of Work	High Quality	5	4	3	2	1	0	Low Quality	
5. Quantity of Work	High Productivity	5	4	3	2	1	0	Low Productivity	
TOTAL SCORE		_____ / 5 x 3.0 = AVERAGE RATING						_____	

#### Leadership:

6. Ability to Evaluate	Realistic	5	4	3	2	1	0	Unrealistic	
7. Management of Effectiveness	Effective	5	4	3	2	1	0	Ineffective	
8. Planning and Implementation	Superior	5	4	3	2	1	0	Inferior	
TOTAL SCORE		_____ / 3 X 3.0 = AVERAGE RATING						_____	

#### Attitude - Work Habits:

9. Dependability and Punctuality	Reliable	5	4	3	2	1	0	Unreliable
----------------------------------	----------	---	---	---	---	---	---	------------

10. Personal Relationships Effective	5	4	3	2	1	0	Ineffective		
11. Meeting Public	Satisfactory	5	4	3	2	1	0	Unsatisfactory	
12. Initiative and Creativeness	Assertive	5	4	3	2	1	0	Tentative	
13. Receptive to Change	Open	5	4	3	2	1	0	Closed	
		TOTAL SCORE _____ / 5 X 3.0 = AVERAGE RATING _____							

**Professional Improvements**

14. Professional Improvement	Active	5	4	3	2	1	0	Inactive	
		TOTAL SCORE _____ / X 1.5 = AVERAGE RATING _____							

**University Service:**

15. University Service	Active	5	4	3	2	1	0	Inactive	
		TOTAL SCORE _____ / X 1.5 = AVERAGE RATING _____							

OVERALL RATING COMPUTED TO NEAREST HUNDREDTH \_\_\_\_\_

Final rating is based on an overall rating computed to the nearest hundredth earned.

(See **Attachment #4** for copy of evaluation form)

**Classified Staff Performance Planning and Review**

**Authority**

The provisions of this Part are based on the authority contained in Article X, Part 1, Section 10, paragraph (A) (1) of the State Constitution and in Chapter 10 of the Civil Service Rules.

**Background**

The Civil Service Law provides for a Performance Planning and Review System for the purpose of recognizing merit of employees and their contributions to efficiency and economy in state service. The rating is an over-all evaluation of the performance factors and their specific goals, objectives, etc. in effect during the rating period.

Each classified employee must have a planning session no later than 30 days after the anniversary date of a current employee, after the appointment of a new classified employee, or the movement of an employee into a position having a different position number and significantly different duties. A planning session may be conducted when an employee gets a new Rating Supervisor or when performance expectations change. Additional performance planning sessions may also be conducted as the Rating Supervisor deems appropriate. The review/rating session shall take place within 45 calendar days before the employee's anniversary date or in the case of a new classified employee, 45 calendar days prior to becoming eligible for a merit increase.

Annual Performance Ratings are to be given important considerations in effecting pay increases, promotions, and layoffs, and particular emphasis is given to training all employees who supervisor classified employees, in the proper procedure and utilization of the Performance Planning and Review System.

The official rating form, Civil Service Standard Form No. 15, is available on-line at Classified Staff Performance Planning and Review or can be accessed at [www.dscs.state.la.us](http://www.dscs.state.la.us). Business Affairs - Human Resource Section is responsible for the distribution of this form and issuance of instructions to rating supervisors. The original copy of the employee's Performance Planning and Review form is returned to the Human Resource Section and placed in a non-public access file. The rating supervisor should provide a copy to the respective employee.

**Rating Supervisor**

The responsibility for Performance Planning and Review should normally be delegated to the supervisor who assigns and is responsible for the work of the employee being reviewed. However, Civil Service Rule 10.2 permits the university the discretion to designate the supervisory personnel who will conduct the Planning and Review Sessions. In some instances where there have been more than one

supervisor over the employee being reviewed, the supervisors should cooperate in order to obtain the proper rating for the rating period.

### **Performance Factors to be Rated**

Each employee shall be rated on the following performance factors (or their) equivalents): Work Product; Dependability; Cooperativeness; Adaptability; Communication; and Daily Decision Making/Problem Solving. Additionally, each classified supervisory employee shall be rated on the following performance factors (or their equivalents): Work Group Management and Leadership; and Performance Planning and Review. An employee may be rated on any additional performance factor(s) that the Appointing Authority considers applicable to the employee's job.

### **Ratings**

The Civil Service Rules established 5 ratings and corresponding point values. The Rating Supervisor shall rate the employee on each applicable performance factor, using the following ratings (or their equivalents) and points:

Outstanding -	5 points
Exceeds Requirements -	4 points
Meets Requirements -	3 points
Needs Improvement -	2 points
Poor -	1 point

The performance factor ratings shall be averaged and the employee's overall rating or re-rating shall be assigned based upon the following scale:

Outstanding =	4.50 - 5.00
Very Good =	3.50 - 4.49
Satisfactory =	2.50 - 3.49
Needs Improvement =	1.50 - 2.49
Poor =	1.00 - 1.49

### **Performance Planning**

The Rating Supervisor shall conduct a performance planning session at least once per rating period, during which the Rating Supervisor shall discuss with the employee: the factors upon which the employee will be rated; and the performance that will be expected during the coming rating period. The rating Supervisor shall provide written expectations for all factors upon which the employee will be rated. Rating Supervisor and the employee shall sign and date the performance planning form to document the session and the employee shall be given a copy.

### **Rating Session**

To create an official rating, the Rating Supervisor shall: sign and date the completed document; discuss the rating with the employee; provide documentation to support any factor rated "Needs Improvement" or "Poor"; present the form to the employee to be signed and dated; and give the employee a copy of the completed form with his/her official overall rating noted. When an employee is not availing for rating session, the rating session will be considered official by mailing the completed document to the employee on or before the employee's anniversary date.

### **Re-rating**

An employee whose official overall rating is "Needs Improvement" or "Poor" shall be re-rated. The re-rating shall be due on the date that is 6 months after the employee's anniversary date. The re-rating may be given up to 60 calendar days prior to or on the re-rating due date. Employees who are re-rated as "Meets Requirements" or better may be considered for a merit increase, promotion, upward detail, or permanent status as of the date of the official re-rating. Employees may receive unofficial reviews as the

supervisor deems necessary to provide feedback. Re-rating become official when a copy of the performance planning and review form is given or mailed to the employee.

### **Employees Refusal to Sign Form**

An employee cannot prevent a planning session, rating or re-rating from becoming official by refusing to sign the performance planning and review form. If an employee refuses to sign any part of the form, the Rating Supervisor shall note on the form that the employee refused to sign, and the date of the Planning or Rating session.

### **Effects of Needs Improvement or Poor Rating**

A rating or re-rating of "Needs Improvement" or "Poor" is not a disciplinary action. Any employee whose official rating or re-rating is "Needs Improvement" or "Poor" shall not receive a merit increase, a promotion or permanent status. An employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" shall not be detailed to a higher level position except as approved in advance by the director of Civil Service. An employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" may be separated or disciplined in accordance with the rules applicable to the employee's status.

### **Effects of Absence of Official Rating or Re-rating**

An employee who is not rated in accordance with the provision of Chapter 10 of Civil Service Rules shall have an official rating of "Un-rated" on the day after the employee's anniversary date. An employee who is not re-rated in an official re-rating of "un-rated" on the date that falls 6 months after the employee's anniversary date.

### **Record Keeping and Reporting Requirements**

Each completed performance planning and review form shall be kept in the University Business Affairs - Human Resource Section in a secure location not accessible to the public. Completed forms must be available to the Department of Civil Service for auditing purposes, to other agencies of the State of Louisiana for purposes of checking employment references and to the employee upon request. For each employee with an official overall rating and re-rating of "Needs Improvement" or "Poor", the Business Affairs - Human Resource Section shall promptly provide a copy of page one of the performance planning and review form to the Director of Civil Service. By July 31 of each year, the University shall report to the Director of Civil Service information about ratings given during the previous year ending June 30.

### **Review of Ratings**

A permanent employee who disagrees with any official rating or re-rating has a right to have the rating reviewed by the Appointing Authority or his/her designee. The designated Reviewer is the only person within the employing agency who may change an official rating. The designated reviewer shall not be the Rating Supervisor who conducted the rating.

A written request for review must be postmarked or received in the employing agency's Human Resource Office no later than 15 calendar days after the employee's anniversary date or, for a re-rating, no later than 15 calendar days after the day that falls six months after the employee's anniversary date. In the request for review, the employee must explain why he/she believes a higher rating is warranted and must attach whatever supporting documentation he or she wants the Reviewer to consider.

If the request for review is timely, the Reviewer must review the rating, the request for review, and any documentation supporting either. The Reviewer must also discuss the contested rating(s) with the employee and the Rating Supervisor. The Reviewer shall notify the employee and the Rating Supervisor, in writing, of the results of the review. Insofar as practicable, this notification shall be provided within 30 calendar days following the date the request for review was received in the Human Resource Office. Any change in rating shall be retroactive to the anniversary date or in the vase of a contested re-rating, on the day that falls six months after the employee's anniversary date.

The initial PPR form, the request for review, the Reviewers response, and all supporting documentation shall be maintained in the employee's PPR file.

### **Appeal to the Director of Civil Service**

A permanent employee who disagrees with the Reviewer's decision has a right to have his/her PPR file reviewed by the Director or the Director's designee. An appeal must be postmarked or received by the Director within 30 calendar days following the date the employee received a copy of the Reviewer's decision. In the appeal, the employee must explain why there was no basis for the contested rating. If the appeal is timely, the Director or his designee shall obtain and review the employee's PPR file. When the Director or his designee finds that the agency violated any rule of Chapter 10 or that there was not documented, rational basis for a rating, the Director may order any contested rating changed as he deems appropriate. Insofar as practicable, the Director shall provide a written decision to the employee, the Rating Supervisor, and the Reviewer within 30 calendar days following the date the appeal was filed.

### **Grievance Process**

The agency's grievance process shall not be used to review or reconsider ratings or a procedural violation of the Civil Service Chapter 10, Performance Planning and Review rules.

### **Classified Staff Merit Increases**

When a new classified employee has been continuously employed, without a break in service of one or more working days for a period of six months, they become eligible for and may be granted a merit increase provided that the appointing authority has determined their performance merits such an award. At the end of each subsequent 12 month period of continuous employment, the employee may be granted an additional merit increase if the appointing authority has determined that the employee's performance merits such an award. This date of eligibility shall be known as an anniversary date and shall not change through continuous employment within the classified service. The amount of each increase shall be 4 percent of the employee's individual pay rate. All merit increases are subject to the requirement that no employee's pay shall exceed the maximum rate of pay established for the employee's job, or the highest rate within the base supplement authorized for the position occupied.

Any classified employee who has a current official overall Performance Planning and Review rating of "Poor" or "Needs Improvement" shall not be eligible for any merit increases under Civil Service Rules. An employee on detail to a position in a higher grade may be eligible for a merit increase in the higher job calculated on the employee's pay rate in the higher job.

### **Evaluation of Administrators and Supervisors**

Administrators and supervisors, unclassified and classified, may be evaluated annually by staff within the reporting unit. If requested, the unclassified and classified staff shall complete an annual questionnaire which provides an opportunity to anonymously express views of the effectiveness of management and leadership skills of the administrator. The evaluation instrument, Evaluation of Academic Administrative Personnel, is found in **Attachment #5** of this Handbook.

### **Classified Staff Disciplinary Actions**

Certain standards of performance and conduct must be maintained in any work group. Generally, these standards are recognized and observed by individual members of the work group without any need for action by the supervisor. When an employee does not observe these standards, counseling or an oral reminder by a supervisor normally results in his doing so in the future. When an employee does not respond to oral reminders, more formal discipline may be necessary. Discipline should be designed to correct performance, not punish. It should be fair, firm, and consistent. What is appropriate discipline cannot be decided in advance or with precision. The immediate supervisor must decide, based upon the circumstances in each case, what is appropriate discipline. No two cases are identical. On the other hand, fairness and consistency require that certain general principles of administering discipline be followed by all supervisors.

## **Authority for Disciplinary Actions**

Authority for disciplinary action derives from Chapter 12 of the Civil Service Rules ([www.dscs.state.la.us](http://www.dscs.state.la.us)) and Article X, Section 8 of the State Constitution.

Discipline is adverse action taken to punish the employee and to correct, improve, prevent or stop unacceptable employee job performance or behavior. It should normally be progressive in nature, moving from a reduction in pay for the first offense to dismissal as the ultimate action, if justified.

The State Constitution states that no permanent classified employee " . . . shall be subjected to disciplinary action except for cause expressed in writing." The employee ". . . shall have the right to appeal" for such action.

"Cause" for disciplinary actions has been repeatedly defined by the courts as "conduct which impairs the efficiency of the public service which conduct bears a real substantial relationship to the efficiency and orderly operation of the public service in which the employee is engaged."

The burden of proof as to the facts in support of a disciplinary action is on the appointing authority to show by a preponderance (superiority in weight, quantity, power, importance, etc.) of evidence that cause for the disciplinary action existed.

However, in appeals charging discrimination on the basis of political or religious beliefs, sex or race, or other non-merit factors, the burden of proof on appeal, as to the facts, is on the employee.

## **Alternatives to Discipline**

There are many ways to attempt to correct an employee's performance or behavior which do not adversely affect the employee and therefore are not disciplinary actions. Counseling sessions and/or warnings are among the methods available. The purposes of these types of methods are to alert the employee that his/her behavior or performance is not acceptable, to tell the employee what is acceptable, and to help the employee improve in an effort to reach an acceptable level.

The purpose of a counseling session or a warning is not to punish the employee. Counseling sessions should be documented in an employee's productivity file maintained by the employee's immediate supervisor so that the supervisor will have a basis on which to gauge whether the employee is improving. Also, if he/she does not improve and disciplinary action has to be taken later, if the employee claims he/she did not know better, the supervisor will have a record by which he can counter the employee's claim.

A letter or memorandum of counseling, warning and/or reprimand is not a disciplinary action and shall not be included in any personnel record which is accessible to the public. Such a letter is appealable to the Department of Civil Service only if the basis for the appeal is discrimination or a violation of the Civil Service rules.

The employee may submit a written response to any letter or memorandum of counseling, warning and/or reprimand issued to him/her. The response shall be attached to each copy of the letter or memorandum of counseling, warning and/or reprimand that is maintained by the employee's immediate supervisor.

If the purpose of the action is only to improve the employee's behavior or performance, an alternative to disciplinary action should be considered. However, if the purpose of the action is to punish the employee as well as to improve his behavior or performance, disciplinary action should be considered.

## **Disciplinary Actions**

The extent or severity of a disciplinary action should fit the severity of the situation that prompted the action. Discipline should normally be progressive in nature, starting with a less severe action and progressing to more severe action. However, progressive steps are not mandatory because the first

disciplinary action taken against an employee may be for an extreme offense. Various disciplinary actions are listed below:

1. A suspension (Civil Service Rules 1.40, 12.4 and 12.5) is the temporary exclusion from employment **without pay** of an employee for disciplinary reasons or while criminal proceedings are pending. Suspension pending investigation (Civil Service Rule 12.10) is the exclusion from employment **with** pay and shall not exceed 30 calendar days with prior approval of the Director of Civil Service.
2. A reduction in pay (Civil Service Rules 1.33.02 and 12.3(b)) is an action taken for disciplinary reasons whereby an employee's individual pay is reduced but the employee remains in the same job. A reduction in pay may be for a set period of time or may be established indefinitely.  
  
No reduction in pay for disciplinary reasons may bring an employee's pay below the minimum of his pay range.
3. A reassignment (Civil Service Rules 1.33 and 12.2(b)), another type of disciplinary action, is a change in the employee's classification from a position in one class to a position in another class, when both classes have the same minimum rate of pay. A reassignment can be coupled with a reduction in pay.
4. An involuntary demotion (Civil Service Rule 1.11 and 12.2(b)) is a change in the employee's classification from a position in one class to a position in another class having a lower minimum rate of pay. The employee's pay will be reduced in accordance with Civil Service Rule 6.10.
5. Removal or dismissals (Civil Service Rule 12.2(b)) is the ultimate disciplinary action. Every reasonable step should be taken to correct an employee's infractions before resorting to dismissal.

### **Classified Employee Discipline**

No permanent employee may be removed/dismissed or subjected to any disciplinary action, other than an emergency suspension, until he has been given oral or written notice of the proposed action and the reasons for the action, a description of the evidence supporting the proposed action and a reasonable opportunity to respond in accordance with Civil Service Rule 12.7.

A few of the more serious and common reasons for disciplinary action to be taken against an employee are:

- A. Insubordination - Persons who give physical or mental resistance to authority and work direction. Those who are unruly and disobedient and are considered insubordinate. Insubordination is a very serious violation of Civil Service Rules and university policies and shall be dealt with accordingly.
- B. Alcohol or Narcotics - An employee who reports to work under the influence of alcoholic beverages or narcotics or an employee who possesses such on university property shall be subject to disciplinary action.
- C. Theft or Misrepresentation of Facts - The theft of state-owned property or dishonest action, i.e., falsification of records.
- D. Property Damage - Willful damage to university property.
- E. Disorderly Conduct - Employees engaged in fights or similar disturbances.
- F. Unauthorized Absences - An employee who is absent from his work station without the approval of his supervisor.
- G. Lateness - Tardiness is a very poor work habit which affects the smooth functioning of a staff member's work unit. A record of excessive lateness will, like absenteeism, be a factor in appraising

dependability.

- H. Others - It is impossible to detail all other potential reasons for disciplinary action. Among them include unheeded reprimands, gross neglect of work or duty, indecent conduct, or other acts that jeopardize the safety of others.

When work performance, work habits, overall behavior, conduct or demeanor become unsatisfactory in the judgment of the University, based on violations of the above or any other Northwestern State University policies, rules or regulations, the employee will be subject to disciplinary action, up to and including dismissal.

## **Personnel Records**

The records necessary to support personnel management are important and should be accurately maintained. Maintenance includes systematic and timely placement of the necessary records into the files, systematic exclusion of the necessary records into the files, systematic exclusion of extraneous records from the file, and constant monitoring of necessary changes to keep all files current. The University maintains various files on each employee. Public employment records contain documentation regarding selected aspects of the employee's service with the University, such as Employee Notification Forms, certifications and license, DD214's letters commendation, letters of recommendation, I-9, forms acknowledging being informed of policies, etc. Confidential employment records contains garnishments, tax withholding forms, official college transcripts, payroll deduction information, retirement membership forms, etc. A separate confidential medical file is maintained on each employee. The confidential file is not accessible by the public. To ensure that your employment records are up to date, notify your supervisor and the Human Resource Office of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designation, additional education or training completed, and emergency contact person. The records and the appropriate office of domicile are as follows:

### **Business Affairs - Human Resource Section**

(a) original approved request to advertise position; (b) original approved request to appoint (c) job description, (d) Personnel Record; (e) letter of appointment; (f) original annual contracts; (g) employment status changes, if any; (h) required payroll related documents; (I) Employee Notification Form; (j) resume and/or Civil Service job application; (k) copy of transcripts, if applicable.

### **Appropriate Vice President (or equivalent)**

(a) copy of approved request to appoint; (b) resume; (c) official transcript; (d) copy of annual contracts; (e) appropriate pages of Personnel Record.

### **Director, Department Head**

(a) work assignments; (b) employee activity reports and evaluations; (c) documentation of formal and informal conferences, if any, relating to employment; (d) documentation, if any, of employee's activities, laudatory and derogatory; (e) signed derogatory or accusatory letters, if any; (f) any refutation by the employee of derogatory or accusatory documents.

### **EEO/AA Officer**

(a) copy of approved request to advertise positions; (b) job description; (c) job advertisement; (d) copy of approved request to appoint; (e) distribution plan for advertising position; (f) analysis of efforts to fill position; (g) applicant profile chart; (h) letter of application, resume, letters of recommendation and copy of transcripts for the successful candidate.

The application files, including letter of application, resume, letters of recommendation, and transcripts, for unsuccessful candidates will be kept for three years.

Temporary appointments require a written justification and beginning and ending dates.

Prior to placing a signed derogatory or accusatory letter into a departmental personnel file, notice should be given to the employee and an opportunity to respond in writing if so desired. In all cases, the responses will be attached to the derogatory and accusatory letter.

Employees are responsible for providing pertinent documents for their personnel files. Records are to be maintained in the official locations under the supervision and maintenance of appropriate designated employees.

### **Access to Records**

Personnel files are to be used only by appropriate university officials in the execution of the business of the university. Each individual employee shall have the right to inspect and duplicate the file pertaining to that individual during normal business hours of the university but the presence of the appropriate official or the designee. At no time shall the individual be permitted to remove materials from the file or alter the file. Statements by the individual relative to the contents of the file may be added to the file.

## **Attendance and Leave**

### **Daily Attendance Report**

To comply with provisions of the Board of Supervisors for the University of Louisiana System and the Department of Civil Service, the University has developed the NSU Daily Attendance and Leave Report. This is the daily report of hours spent on and/or off duty for each employee. Instructions for completion of the Daily Attendance Record is available on-line at [NSU Daily Attendance and Leave Report for Unclassified Employees](#) and [NSU Daily Attendance and Leave for Classified Employees](#).

### **Request for Leave**

The Request for Leave form was developed for employees to use in making application for any type leave. Instructions for completion of the Request for Leave form is available on-line [Request for Leave](#).

### **Annual Leave**

Annual leave is leave with pay that an employee is granted for the purpose of rehabilitation, restoration, maintenance of work efficiency, or transaction of personal affairs. Annual leave may be used for any personal purpose at any time after it is credited, if approved by your supervisor. Annual leave is earned by each eligible employee who has a regular tour of duty. Annual leave earned is based on the equivalent of years of full-time state service and is creditable at the end of each pay period. Annual leave shall be applied for in advance and may be taken only when approved by the appointing authority. Annual leave shall be charged on a half-hour basis. Accrued unused annual leave earned by an employee shall be carried forward to the succeeding years without limitation.

Upon resignation, death, removal, or other termination of employment, annual leave amounting up to 300 hours and accrued to the employee's credit shall be computed and the value thereof shall be paid to the employee or their heirs, provided that the annual leave has been accrued under established leave regulations and attendance records have been maintained for the employee. Such pay shall be computed at the employee's base rate of pay at the time of termination.

### **Sick Leave**

Sick leave is leave with pay that an employee may be granted if you are disabled as a result of accident or illness and the employee is unable to perform their usual duties and responsibilities. Employees cannot use their earned sick leave when attending to or assisting with illness and/or medical related conditions for any immediate family member. Sick leave is also used for childbirth and for medical, dental or optical consultation or treatment.

Sick leave is earned by each eligible employee who has a regular tour of duty. Personnel not employed on a continuing basis (temporary employee) shall not earn sick leave. Sick leave earned is based on the equivalent of years of full-time state service and is creditable at the end of each pay period. Prior approval for use of accrued sick leave is not required, but it is requested that the affected employee notify their supervisor immediately upon discovery of such need for use of leave and/or provide notification immediately upon return to work if advance notice of such illness, treatment, etc., was not known in advance. An employee who has taken sick leave shall file with his budget unit head/supervisor, a Request for Leave from stating the cause of absence and the amount of leave time taken or to be taken. There is no minimum charge for sick leave, and it is to be charged on an hourly basis. Supervisors may require written proof of an illness. Disciplinary action may be taken against an employee if the sick leave privilege is abused.

Upon death or retirement of an employee, sick leave accrued to the employee's credit shall be computed and the value thereof shall be paid to the employee or heirs, provided that the sick leave has been accrued under the established leave regulations and the daily attendance record has been maintained for the employee, except that such payment shall not exceed the value of 25 working days computed on the basis of a five-day week. The rate of pay shall be computed using the base rate the employee is receiving at the time of termination.

### **Sick Leave/Bereavement Leave During University Closures**

The University will allow sick leave during a closure period (Thanksgiving and Christmas) if an employee had prior knowledge and had submitted a leave request that had been approved for the sick leave prior to the starting of a closure period. If an employee is on approved annual leave, compensatory leave or leave without pay, and has to see a physician or has emergency treatment by a hospital or some other medical facility, the employee can substitute sick leave for annual, compensatory, or leave without pay. For approval of the sick leave substitution, the employee must present their supervisor a note from the doctor (original signature, signature stamp not acceptable) and/or the medical facility where treatment was received, immediately upon return to work. It is the employee's supervisor, supervisor's approving agent and Vice President or President's responsibility to approve/disapprove such a substitution of leave.

Also during University closures (Thanksgiving and Christmas) employees may substitute bereavement (funeral) leave for annual or compensatory leave if they have attended the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent or grandchild, provided such time off shall not exceed two days on any one occasion. Notification of such leave substitution must be presented to the employee's supervisor immediately upon return to work after a closure period.

The above substitution are only allowed for periods of University closures (Thanksgiving and Christmas) and does not apply to holidays observed by the University.

### **Leave Earning Schedule**

There is no limit on total annual and sick leave accumulation. Equivalent earning rates are based on full-time employment. If you are a part-time employee, you will accrue leave in proportion to the employee's assigned percent of effort.

The following schedule applies to annual and sick leave earning rates for all full-time unclassified and classified University employees:

<b>Years of Service</b>	<b>Amount of Annual/Sick Leave Accrued</b>
Less than 3 years	8 hours or 1 work day per month
3 years but less than 5 years	10 hours or 1.25 work days per month
5 years but less than 10 years	12 hours or 1.50 work days per month
10 years but less than 15 years	14 hours or 1.75 work days per month
15 or more years of service	16 hours or 2.00 work days per month

### **Civil, Emergency and Special Leave**

An employee may be granted leave with pay for the following reasons. An employee may be required to provide documentation upon request.

- If employee is performing jury duty;
- If employee is subpoenaed to appear as a witness before a court, public body or commission, provided that, for these purposes, a plaintiff or defendant shall not be considered a witness;
- If employee takes a state Civil Service examination or takes any other examination pertinent to the employee's work at the University. Scheduling of such examinations is subject to supervisor approval;
- If employee is required to perform emergency civil duties in connection with national defense or other civil emergencies;
- For voting in a primary, general, or special election which falls on the employee's scheduled work day, provided that not more than two hours of leave shall be allowed an employee to vote in the parish where they are employed, and not more than one day in a parish other than the one where they are employed;
- When the appointing authority determines that employees are prevented from performing their duties by an act of God; and
- When the appointing authority shall determine that local conditions or celebrations make it impracticable for employees to work.

### **Military Leave**

If an employee is ordered to duty for training with troops, at field exercises, or for instruction with any branch of the Armed Forces (including the National Guard and Reserves), for a period not to exceed 15 working days in any one calendar year, the employee is entitled to a leave of absence without loss of pay, service, annual leave, or efficiency rating. When employee is relieved from duty, the employee shall be restored to the position held when ordered to duty. Any portion of military leave that an employee must take in excess of 15 work days during any calendar year is to be taken as annual leave, compensatory leave, or leave without pay.

### **Other Leave**

#### **Workmen's Compensation Leave**

When an employee is absent from work due to disabilities for which they are entitled to workmen's compensation, they may, at their option, use sick or annual leave or any appropriate combination of sick and annual leave (not to exceed the amount necessary) to receive total payment for leave and workmen's compensation in accordance with law.

#### **Bereavement (Funeral Leave)**

Employees may be given time off without loss of pay, annual leave or sick leave when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, step-grandparent, or grandchild, provided such time off shall not exceed two days on any one occasion. The employee may request use of accrued annual leave to attend the funeral of relative/friend not mentioned above.

#### **Family and Medical Leave**

The Family and Medical Leave Act of 1993 (FMLA) gives eligible employees who work for the covered employers the right to take job-protected unpaid leave, or to substitute appropriate accrued paid leave. FMLA provides that the University grant an employee a total of twelve (12) weeks of unpaid leave (or applicable paid leave) in any 12 month period. Employees are eligible if they have worked for at least twelve (12) months and at least 1,250 hours over the previous twelve (12) months. Employees seeking to use FMLA leave are required to provide 30-days advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If that is not possible, notice should be given as soon as possible. The use of paid leave (annual or sick) may be denied if the notification/certification

requirements are not met.

Family and Medical Leave Act (FMLA) must be granted for any of the following reasons:

1. To care for a child after birth or placement for adoption or foster care;
2. To care for employee's spouse, child, or parent who has a serious health condition;
3. For a serious health condition that makes the employee unable to perform the duties of their position.

Also two new military family leave entitlements are included in the FMLA amendments enacted as part of the National Defense Authorization Act for fiscal year 2008. The new entitlements are:

1. Eligible employees of covered employers who provide care for covered service members will be able to take up to 26 work weeks of leave in a single 12-month period to care for a covered service member with a serious injury or illness incurred in the line of duty or on active duty; and
2. Makes the normal 12 work weeks of FMLA leave available to eligible employees with a covered military member serving in the National Guard or Reserves to use for certain "qualifying exigencies" arising out of the fact that a covered military member is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation

Among the many other areas addressed in the regulations are the definition of a serious health condition, the use of unscheduled intermittent leave and the medical certification process. Additional information on the latest FMLA regulations can be obtained for the Department of Labor's Wage and Hour Division Website at <http://www.wagehour.dol.gov>.

Employees can use their annual and/or sick leave balances as the paid leave. The leave used is declared to be used under the provisions of the Family Medical Leave Act. Use of paid accrued sick leave as FMLA may be used for the sickness/illness of the employee only, not for the care of other family members. The University also has the right to declare paid leave usage to be used under provisions of the FMLA. Any employee who takes leave under the provisions of the FMLA will be entitled upon return from such leave to be restored to the same position of employment as held when the leave began or to be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

Employees who are contemplating the use of FMLA leave under the conditions listed above should contact the Human Resources Department prior to submitting any request for the FMLA leave. It is the intent of the University to comply fully with FMLA. Some definitions under FMLA may be complex and, as with any new law or regulation, there may be some gray areas that may arise. Employees are encouraged to question and discuss any determinations that are made that they disagree with so that the University can get any clarifications that are necessary.

### **Leave Without Pay**

Leave without pay must be requested in writing in advance and may be granted to the employee for personal reasons. The duration of this leave may not extend beyond the period of the employee's present appointment. While on approved leave without pay, the employee may continue membership in the insurance plan, but the employee will be responsible for both the employee and employer contributions. Leave without pay may be granted for a period of one year or more, subject to approval of the Board of Supervisors, for unclassified employees. For classified employees, leave without pay may be granted for a period up to, but not exceeding one year. Any extension beyond this time is subject to the joint approval of the University and the Department of Civil Service. Unauthorized leave without pay is used to reflect tardiness and other non-approved absences from work. Unauthorized leave can result in disciplinary action being taken against the employee.

### **Unclassified Employee Compensatory Leave**

The earning of and use of compensatory leave must have prior approval of the employee's supervisor. Compensatory leave may be granted an unclassified employee for extra hours worked outside the regularly scheduled assigned forty (40) hour work week on an hour for hour basis in half hour increments. Compensatory leave shall be promptly credited to the employee and may be used at a future time, with the approval of the immediate supervisor. Not more than forty (40) days or the equivalent thereof in hours (320 hours) can be earned during any fiscal year. Not more than thirty (30) working days or the equivalent therefor in hours (240 hours) of accrued unused compensatory leave shall be carried forward into any fiscal year. Any balance of leave in excess of thirty (30) days (240 hours) remaining on June 30 of each fiscal year shall be liquidated. Employees may be required to use their earned compensatory leave at any time as required by the appropriate Vice President or President. When an employee has earned a total of forty (40) working days or the equivalent thereof in hours (320 hours) of compensatory leave during any fiscal year, further approval of compensatory leave during any fiscal year, further approval of compensatory leave shall cease. Compensatory leave should not be confused with a flexible time policy. Employees cannot arbitrarily determine their own work schedule. In addition, work undertaken while at home does not constitute the earning of compensatory time. Unclassified employees shall not be paid the value of their accrued unused compensatory leave upon separation from employment.

### **Classified Employee Compensatory Leave**

The earning and use of compensatory leave must have prior approval of the employee's supervisor. A classified employee may, at the option of the appropriate Vice President, be credited with compensatory leave for the overtime hours the classified employee was required to work. Compensatory leave shall be promptly credited to the employee and may be used at the future time, with the approval of the immediate supervisor. A classified employee who has been credited with compensatory leave may be required by the appropriate Vice President, to take all or part of such leave at any time. Caps on accumulation of classified employee compensatory leave are found in Chapter 21 of the Civil Service Rules ([www.dscs.state.la.us](http://www.dscs.state.la.us)). Upon separation or transfer from the University, the following shall apply to classified employee's compensatory leave balances:

1. All unused compensatory leave earned at the time and one-half rate and credited to an employee shall be paid upon separation or transfer from the University, at the final regular rate received by the employee.
2. All unused compensatory leave earned hour for hour and credited to an employee may be paid upon separation or transfer from the University at the final regular rate received by the employee.
3. All unused compensatory leave earned hour for hour, if not paid to the employee upon separation shall be canceled upon separation. Such leave shall not be re-credited to the employee upon re-employment.

### **Emergency Absences**

In the event of an emergency, the absent staff member is responsible for notifying the supervisor and/or budget unit head immediately when able.

### **Unclassified Staff Leave of Absence**

An unclassified employee requesting a leave of absence must make application to their appropriate supervisor/applicable Vice President and with the approval of the President it shall be forwarded to the System President for Board consideration. An employee who is not a member of the faculty or administration is not governed under the Board of Supervisor's policy on leaves of absence for faculty members. Leaves of absence, other than military leave, shall not exceed one year at a time.

### **Sabbatical Leave**

Provisions for leave with pay for the purpose of professional and cultural improvement, or for the purpose of renewal, is a well-established administrative device intended to improve the quality of higher education professional service. The Board of Supervisors recognizes that such policy is justifiable and desirable and therefore provides for leaves of absence for full-time members of the faculty. The head of

each university and its academic officers shall be members of the faculty.

### **Classified Staff Leave of Absence**

The classified employee's appropriate supervisor/applicable Vice President, with the concurrence of the President may extend a leave of absence without pay to an employee for a period not to exceed one year, provided that such leave shall not prolong the period of the employee's appointment. A permanent classified employee who has been extended a leave of absence without pay shall be restored to duty in pay status on or before the first working day following the expiration of such leave. If the employee fails to report for or refuses to be restored to duty in pay status on the first eligible date, or an earlier date upon reasonable and proper notice from the appropriate Vice President, the employee will be considered as having deserted their position and shall be separated in accordance with the provisions of Chapter 12 of the Civil Service Rules.

### **General Compliant Policy**

All informal complaints submitted, in writing, to the University are forwarded to the appropriate Vice President. The Vice President will disperse the information to the individual who directly supervises the identified area in the written complaint. This individual will review the complaint and take appropriate action for resolution in a prompt and professional manner (typically within a two week period). Northwestern State University is well-known as a "responsive" university and seeks to address all issues in a professional manner with both internal and external constituents.

### **Grievance Procedures**

#### **Unclassified Staff Grievance Procedures**

In the interest of the individual unclassified staff member and the university community, problems and concerns should be brought into the open and resolved. A grievance must be initiated within 30 days of the occurrence or the matter shall no longer be eligible for consideration. An effort will be made by the university to process these concerns in a timely fashion, not to exceed 45 days.

Complaints of any nature pertaining to working conditions, lack of a policy or procedure, allegedly unfair application of policy or procedure, and alleged deviation from a policy or procedure as published by the Board of Supervisors for the University System of Louisiana and Northwestern State University may be heard.

In most instances, in the interest of collegial relationships, complaints or concerns should be initially expressed to the individual(s) involved. If a satisfactory resolution is not reached, the complainant may follow the grievance procedures given below.

An unclassified member shall orally present and discuss a grievance with the department head. If the issue is not thus resolved, the unclassified staff member shall pursue the complaint with the appropriate vice President or equivalent. Problems should be resolved whenever possible through open communication between administrators and unclassified staff. Each unclassified staff member should feel secure in pursuing the complaint without fear, coercion or retaliation.

If the discussions with the department head and appropriate Vice President or equivalent, who have primary responsibility for finding solutions to most unclassified staff problems, do not yield results, the unclassified staff member may file a written grievance form. This form may be obtained from the EEO/AA Officer.

The unclassified staff member must state the specific problem, the specific evidence in support of it, and the specific redress requested to resolve it. The unclassified staff member must date and sign the form.

Once stated, the content of the subject matter cannot be expanded. No attorneys will be permitted to be present for either party at any point in the process except during the hearing with the Grievance Committee, at which level attorneys may be present serving in an advisory role only.

Upon completion, the original grievance form is submitted to the EEO/AA Officer. The EEO/AA Officer will send a copy, via certified mail and/or by personal delivery, to the appropriate Vice President or equivalent, the department head, and to the individual(s) against whom the complaint is filed, when appropriate.

Each party should file a response to the complaint/grievance with the EEO/AA Officer within 5 days of receipt. After the grievance form and responses thereto have been filed, the EEO/AA Officer will counsel the complainant and attempt to reach an amicable resolution. If not satisfactorily resolved within 10 days, the EEO/AA Officer will call the Grievance Committee.

### **The Unclassified Staff Grievance Committee**

The Unclassified Staff Grievance Committee shall be convened through the EEO/AA Officer only after the complainant has complied with the steps required in the grievance process. The Unclassified Grievance Committee serves as a hearing and recommending body, reporting its findings to the President of the university. The Unclassified Grievance Committee shall conduct the hearing in accordance with the "Script" found in **Attachment #6** of this Handbook.

- a. All hearings shall be conducted with the full committee present. If any member of the committee is unavailable, the President has the authority to appoint substitute members for the specific purpose of acting at the hearing.
- b. In advance of the hearing, committee members shall informally meet to review submitted materials and determine whether to request additional material and/or evidence to be presented at the hearing.
- c. The committee chairperson will then notify the complainant and other affected parties named in the grievance at least 7 days in advance of the hearing. Notice shall be in writing and transmitted by certified U.S. mail detailing date, time and place of hearing.
- d. Non-appearance of complainant after notice may cause the grievance to be abandoned.
- e. All Committee proceedings are closed and private. Committee members are bound by strict confidentiality. There is no right to a public hearing.
- f. All Committee proceedings are recorded. Complete transcripts may be provided upon request. The exception to this rule are those discussions conducted in executive session by the Committee to arrive at its final decisions. No other recording will be allowed.
- g. If the complainant is represented by counsel, Committee proceedings shall not go forward without the presence and assistance of legal counsel to the Committee.
- h. Witnesses, when summoned to hearings, should be sequestered.
- i. The chairperson of the Committee (after consultation with counsel) rules on the relevancy of questions.
- j. No one shall approach individual committee members on the complainant's behalf.
- k. The Committee shall submit a written statement of findings to the President within a reasonable time, not to exceed 5 working days.

- l. The findings of the Committee are recommendations for action.
- m. After recommendations from the Grievance Committee have been received by the President, all information pertinent to the grievance will be reviewed by the President and the EEO/AA Officer. A determination will be made as to the disposition of the grievance.
- n. All parties will be notified of the disposition in writing by the President.
- o. All records of complaints and responses shall be kept in the EEO/AA Office for EEO/AA review only. All other copies shall be destroyed.

The EEO/AA Office is always open and available for informal discussions regarding complaints and concerns. The EEO/AA Officer is available to provide the unclassified and classified staff member with information concerning grievance policies and procedures.

### **Appeals to Board of Supervisors of the University System of Louisiana**

In the case of an adverse decision by the President and after all administrative procedures of the university have been exhausted, the employee may appeal the decision to the Board of Supervisors. The Board will review the administrative proceedings and determine whether or not the evidence warrants a hearing. Should the Board decide the evidence does not warrant a hearing, the grievant shall be notified that the hearing has been denied and the decision of the institution affirmed.

The Board may grant the grievant a hearing and provide a fixed time for each party to present their case and all arguments shall be confined to the record of the administrative proceedings from Northwestern State University. However, after the review of the administrative proceedings from Northwestern, the Board may allow additional evidence to be presented. The Board will notify both parties of the type of additional evidence it seeks and the procedure to be used in its presentation.

The Board of Supervisors and Northwestern State University recognize the necessity and desirability of providing employees a method and forum in which to resolve, in an orderly fashion, problems in the work place. However, by the adoption of this policy, it is not the intention of the Board or Northwestern State University to confer upon college and university employees any additional rights of substantive or procedural due process not mandated by law.

### **Classified Staff Grievance Procedure**

This section deals with establishment of grievance procedures for Civil Service employees and provides a method to settle employee problems in an equitable manner in accordance with applicable Civil Service Rules and regulations. The university in effect, therefore, is presenting to employees in this Staff Handbook the procedure prescribed by the State Department of Civil Service.

#### **Authority**

The provisions of this Part are based on the authority contained in Article X, Part I, Section 10, Paragraph (a)(1) of the State Constitution and in Rule 3.1(m) of the Civil Service Rules (Part 20). Civil Service Rule 3.1(m) is cited as follows:

“It shall be the duty of the (State Civil Service) Director of Personnel to establish mandatory grievance procedures within each department to provide the means to resolve employee complaints and other personnel problems not appealable to the Director or the Commission under the Civil Service Article.”

### **Nature of a Grievance and Purpose of Grievance Procedure**

In any organization it may be expected that conditions leading to dissatisfaction and misunderstanding may arise among employees. When employees believe they have been treated unfairly, their attitude and their work may be affected. Through the establishment of a grievance procedure such as outlined in this Section, the University has provided a means to resolve these problems so employee morale and efficiency may be maintained at the highest level possible.

It is the university's policy to treat employees fairly and to assure each one full attention in settling his grievance through established procedures.

Employees should become thoroughly familiar with this procedure, and if they have any questions concerning it, their supervisors, or the Director of Human Resources will be glad to answer them and assist in any way possible.

Each employee is assured that the initiation of a grievance in good faith will not cast any reflection on his standing with his supervisor or the university, and he will not be subjected to any coercion or reprisal from any one because of a sincere effort on his part to have a problem resolved through this procedure.

Every effort will be made to settle all grievances as quickly and as equitably as possible at the earliest stage, after the matter is discussed with the supervisor. It is incumbent upon Northwestern and every supervisor to provide employees with an opportunity to be heard in accordance with the grievance procedures.

### **Applicability**

A grievance procedure is a method of determining the specific cause for a grievance, and finding the best way to remove it. Such a procedure is intended for use when dissatisfaction arises in day-to-day relationship between employees or between an employee and his employer. Only those grievances which are not appealable to the Civil Service Commission or to the Director of Personnel for the Department of Civil Service should be processed through the university grievance procedure.

It is extremely important that employees differentiate between the grievance procedure on the one hand and appeals to the Director of Civil Service of the Civil Service Commission on the other hand. The reason for this is the fact that time limits have been set within which either a grievance or an appeal may be filed. If an employee chooses the wrong forum, he/she may find that his/her time limit for the other forum has expired by the time he discovers his mistake.

It is not possible to determine in advance all of the types of grievances which should be referred to the grievance procedure and all of the matters which should be appealed to the Director of Civil Service or to the Civil Service Commission. As a general (but not all-inclusive) guide, it can be said that the Commission has in the past assumed jurisdiction over the following types of grievances:

- a. Removal of a permanent employee for cause.
- b. Demotion of a permanent employees a disciplinary action.
- c. Political, religious, or racial discrimination.
- d. Suspension without pay as disciplinary action.
- e. Discrimination practiced by the violation of the Civil Service Law of a Civil Service Rule.
- f. Assignment of "Unsatisfactory" service ratings.

Grievance of the above-listed types and others which are described in Civil Service Rule 13.10 should be filed with the Civil Service Commission as appeals in the manner shown in Civil Service Rule 13.11 and within the time limits indicated in Civil Service Rule 13.12. Other types of grievances, not including those appealable to the Director of Civil Service (see, for example, Civil Service Rule 13.10(d)

having to do with classification appeal(s), should be referred to the university grievance procedure.

The mechanics of the grievance as outlined below are prescribed so employees who are dissatisfied or have a personal employment problem may discuss their complaints freely with appropriate personnel and may expect to receive consideration. In many instances, employees reason that if they must bring a complaint to a supervisor with the possibility of incurring his displeasure-pleasure, more than good may result; and that under such circumstances the risk of bringing the unpleasant matters to the attention of the supervisor would be great. Without an established procedure, supervisor in some instances may resort to reprisal actions; and many of them are in a position to do serious injury to an employee's career if they are not properly guided in the human relations approach through an established procedure supported by top management.

## **The Grievance Procedure:**

### **General Provisions**

- a. If any past or present practice, policy, or procedure conflicts with any provisions of this Part, the provision of this Part shall be controlling.
- b. This procedure may be made available to unclassified employees upon authorization by their appointing authority.
- c. Nothing herein shall be so construed as to deprive a classified employee of the right of appeal to the Director of Civil Service or the Civil Service Commission in appropriate cases, or to alter or extend the time within which an appeal is required to be filed with the Civil Service Commission, or to alter in any way the Rules of the Commission.
- d. The President's decision shall be final in all cases properly subject to processing through this Grievance Procedure.
- e. Any classified employee who takes reprisal action of any kind against any employee who makes use of this Grievance procedure shall be subject to administrative disciplinary action.
- f. Any classified employee who used his official position to coerce, attempt to coerce, or influence in any improper manner any Hearing Officer or member of a Grievance Committee shall be subject to administrative disciplinary action.
- g. If a grievance hearing is conducted under this procedure, the party against whom the grievance complaint is made shall have the right to appear and testify at the hearing.
- h. The decision to utilize this grievance procedure shall be the voluntary decision of the individual employee.
- I. A classified employee selected by a grievant to represent him in the processing of a grievance through this procedure shall at such times as his supervisor may approve, be granted necessary time off during his/her working hours to investigate the grievance and represent such other employee without loss of pay and without charge to annual or compensatory leave credits.
- j. Each classified employee shall be furnished a copy of the currently approved grievance procedure by the university. **A copy of this Handbook is satisfactory delivery of the approved grievance procedure to the employee.**

### **Definitions**

As used in connection with this Grievance Procedure, the following words and terms shall have the meanings indicated:

- (1) "Abandonment of Grievance" means the voluntary failure of an employee to pursue his/her grievance through the Grievance Procedure.
- (2) "Affidavit" means a signed and sworn statement offered for consideration in connection with a Grievance Procedure hearing.
- (3) "Appointing Authority" means the agency, department, board, or commission, and the officers and employees thereof authorized by statute or by lawfully delegated authority to make appointments to positions in the state service.
- (4) "Books" means pamphlets or bound volumes which are not held to be confidential by state statute, public law, or Constitutional law.
- (5) "Consolidation" means the combining of two or more grievances involving the same controversy for purposes of a joint hearing.
- (6) "Cross-examination" means the questioning of a witness by an adverse party after his/her direct examination by the party calling him/her.
- (7) "Director" means the Director of Personnel for the Department of Civil Service.
- (8) "Employee" means any person legally appointed to and serving in a position in the state agency with which a grievance is filed.
- (9) "Employer" means the appointing authority for the state agency in which the employee who files a grievance through the Grievance Procedure is employed.
- (10) "Employee Group" means an affiliated group made up of employees of the state agency with which a grievance is filed.
- (11) "Examination" means the questioning of a witness during a Grievance Procedure hearing.
- (12) "Ex-parte Statement" means a written statement made by one person, offered for consideration in connection with a Grievance Procedure hearing.
- (13) "Grievance" means an employee complaint or personnel problem not appealable to the Director of Civil Service or to the Civil Service Commission.
- (14) "Grievance Committee" means a committee designated by an appointing authority (President) to conduct grievance hearings and provide him/her with resulting recommendations.
- (15) "Grievance Hearing" means a hearing conducted by a section, division, or unit head; by a personnel (Human Resources) officer or other representative of an appointing authority (President); by grievance committee; or by an appointing authority (President), at which any employee may have a reasonable opportunity to be heard in accordance with the provisions of this Part.
- (16) "Grievance Procedure" means the procedure prescribed in this Part for the processing of employee grievance.
- (17) "Hearing Officer" means an appointing authority (President) or any person designated by him/her to conduct a hearing provided for in the Grievance Procedure.
- (18) "Joint Hearing" means a uniting of one or more grievance involving similar or related circumstances for the purpose of hearing.
- (19) "Jurisdiction" means the right to make decisions concerning the subject in a given case.
- (20) "Notice" means advance notification to all parties involved in a Grievance Procedure hearing,

setting forth the date, time and place of the hearing.

- (21) "Papers" means documents and writings which are not held to be confidential by state statute, public law, or Constitutional Law.
- (22) "Records" means official records of the state which are not held to be confidential by state statute, public law, or Constitutional Law.
- (23) "Representative" means a person authorized by an aggrieved employee to represent him/her in the processing of a grievance.
- (24) "Reprisal" means an act of retaliation taken against an employee because he/she utilized the Grievance Procedure.
- (25) "Withdraw" means to recall or retract a grievance from consideration under the Grievance Procedure.
- (26) "Witness" means one who sees, or otherwise has personal knowledge of anything relevant to the subject matter of a grievance with respect to which a grievance hearing is being held.

### **Processing the Grievance**

The plan at Northwestern to resolve employee problems is intended to be uncomplicated, and employees will be given the assistance and cooperation in presenting the matter which is giving them concern.

#### **First Step**

All grievances should be presented within 14 calendar days from the date the grievant first becomes aware of, or should have become aware of, the cause of such grievance. The aggrieved employee should present his/her grievance to his immediate supervisor, and if possible, it should be settled at that level through discussion. The immediate supervisor should render a decision to the employee on the complaint as soon as possible, and must render an oral decision within seven calendar days. Since the grievance is being processed informally at this state, neither the supervisor nor the employee shall have representation.

#### **Second Step**

If the employee is not satisfied with the decision of his/her immediate supervisor in the First Step, or if a decision is not rendered within the prescribed time limit, he/she may within seven (7) calendar days present his/her grievance in writing to the appropriate Vice President. The Grievance Form in **Attachment #7** of this Handbook should be used. The latter shall investigate; afford the employee an opportunity to present his/her viewpoint; and furnish the President, the employee, and the Director of Civil Service a written statement of his/her findings and recommendations through the Director of Human Resources. Such statement shall be furnished within fourteen calendar days of the receipt of the written grievance. The aggrieved employee shall have the right, but shall not be required, to be represented by one individual of his/her choice during this step of the procedure.

#### **Third Step**

In the event that the decision of the section, division, unit head, or appropriate Vice President does not satisfy the employee, he may present his/her grievance to the President, through the appropriate Vice President and Director of Human Resources, in writing, within five calendar days. A hearing shall then be held before (a) the President; or (b) other representative designated by the President; or (c) an agency grievance committee designated by the President or designated representative. In either of the latter two instances, a written recommendation shall be given to the President, who shall be given to the President, who shall evaluate the case and shall issue a written

decision notifying all interested parties, including the Director of Civil Service through the Director of Human Resources, within twenty-one calendar days following the date the grievance entered the Third Step. If the hearing is conducted by the President himself, he shall issue a written decision, through the Director of Human Resources, to all interested parties within fourteen calendar days following the hearing.

The employee shall be present at Steps One, Two and Three of the Grievance Procedure.

Nothing contained herein shall deprive any employee of his right to appeal to the Civil Service Commission or the board of Supervisors for the University System of Louisiana.

### **Summary Disposition of Grievance**

At any time after the filing of a grievance in writing, the President may summarily dispose of the grievance on any of the following grounds:

- a) That the President lacks jurisdiction of the subject matter, or of the person against whom relief is sought.
- b) That the aggrieved has no legal right to grievance consideration.
- c) That the grievance has not been made in the required manner or within the prescribed period of delay.
- d) That a decision on the grievance would be ineffective.
- e) That the aggrieved has failed to appear at the time and place fixed for the hearing of his grievance.
- f) That the aggrieved has withdrawn or abandoned his/her request for grievance consideration.

Then the President summarily disposes of a written grievance, he shall notify, through the Director of Human Resources, all interested parties, including the Director of Civil Service, in writing.

### **Hearing Officer and Grievance Committee**

1. Hearing Officers shall be designated by the President.
2. Grievance Committees shall be appointed by the President.
3. Grievance Committees may be designated as ad hoc or continuing in nature.
4. Each Grievance Committee shall be composed of an odd number of three or more members.
5. The Chairman of each Grievance Committee shall be designated by election from within its membership.
6. An employee designated as a member of a Grievance Committee shall, at such times as his President may approve, be granted necessary time off during his/her working hours to prepare for hearing appeals and preparing recommendations, without loss of pay and without charge to annual or compensatory leave credit.

### **Notice of Hearing**

The aggrieved employee shall be given notice at least five calendar days in advance of the hearing, provided that by consent of the Grievance Committee or Hearing Officer and the aggrieved employee, such notice and delay may be waived.

## **Time and Place of Hearing**

The place of the grievance hearing shall be specified by the President or his/her designated representative and shall be in a convenient place accessible to the aggrieved employee. All such hearings shall be held on the employer's premises or on other premises mutually agreeable to the parties and within regular working hours; provided, that with the approval of the President, or his/her designated representative, any such hearing may continue beyond normal working hours.

## **Conduct of Hearing - Third Step**

- a) The aggrieved employee and the employing agency shall have the right to call, examine, and cross-examine witnesses who are employees of the agency against which the grievance is lodged and who have knowledge of the facts at issue.
- b) Both parties may produce witnesses other than employees of the agency against which the grievance is lodged, and such witnesses shall be subject to examination and cross-examination.
- c) Necessary travel expenses of witnesses called under Section (a) above shall be paid by the university.
- d) The aggrieved employee shall have the right to require the production of books, papers, records, and other items which are within the control of the university against which the grievance is lodged; which are pertinent to the facts at issue; and which are not held to be confidential by provision of state statute, public law, or Constitutional law.
- e) The aggrieved employee shall have the right, but shall not be required, to be represented by an individual of his choice.
- f) Affidavits and ex-parte statements, offered during the course of a grievance hearing, may be receiving and considered by the Hearing Officer of Grievance Committee.
- g) The Hearing Officer or Grievance Committee shall have the right to examine and cross-examine any witness.
- h) The Hearing Officer or Grievance Committee shall have the right to limit corroborative evidence.
- I) When a pending case involves substantially the same question of law of fact as presented in a prior case, the Hearing Officer or Grievance Committee may consider any part of the record in such previous case as he or it may deem relevant; provided, that in the application of this provision no party shall be deprived of the right to cross-examine any witness.
- j) The testimony of all witnesses may be received under oath.
- k) The Hearing Officer of the Grievance Committee, on request of the aggrieved employee or on his/her or its own motion may order that the witnesses in any hearing be separated so as to preclude any witness, other than the parties and their representatives, from hearing the testimony of any other witness.
- l) If the aggrieved employee, in preparing his written appeal, omits facts which he considers pertinent to the grievance under consideration, the Hearing Officer or Grievance Committee shall permit the employee, prior to the conclusion of the hearing, to enlarge his original statement to include such facts.
- m) When two or more grievance petitions involve similar or related circumstances, the Hearing Officer or the Grievance Committee may order a joint hearing of any or all the matters at issue, or may order that all such petitions be consolidated.

- n) Any officer or employee required to testify shall not be subject to any disciplinary action by any level of supervision because he/testifies, but may be held accountable for actions on his part revealed by his/her testimony.

### **Standards in Prescribed Grievance Procedures**

Adherence to the letter and spirit of the grievance procedure serves to improve morale, working conditions, and efficiency in the entire Civil Service. In implementing the grievance procedure as required in civil Service Rule 3.1(m) in each agency, the following standards will be observed:

1. Management officials, supervisors, and employees shall be encouraged to review the procedure and to become fully cognizant of its mechanics and purpose to facilitate the settlement of any employee problem.
2. The Director of Human Resources shall coordinate and have full and definite responsibility for the administration of this procedure and they should permit and encourage employees to consult with him/her freely and informally. Before making any recommendations, he/she should consult with appropriate supervisors.
3. The establishment of the Grievance Procedure outlined above or of a modified one affords an orderly method to present the employee grievance within the university to the immediate supervisor and if necessary to those higher in the supervisory administrative line. The employee will have the assurance that if a satisfactory settlement is not made at a lower level, he may submit the matter to the head of the agency for review and final administrative decision.
4. The Grievance Procedure recognizes the operating administrative responsibility of supervisors at all levels to receive and act promptly and fairly on the grievance of their subordinates, and provides for the delegation of appropriate authority to carry out this responsibility.
5. When a grievance is processed beyond the First Step in the procedure, it must be presented in writing by the employee. The statement should indicate clearly who is aggrieved and the specific nature of the grievance. In such cases, provisions are made for a written decision.
6. Before the final decision is made on the grievance appeal, the employee shall be provided an opportunity to present the matter at a hearing before the President or other designated representative, or a Grievance Committee. The recommendation of the other designated representative or Grievance Committee should be advisory and designed to guide the President in reaching a decision.
7. In presenting a grievance, an employee shall be assured freedom from restraint, interference, coercion discrimination or reprisals of any type.
8. Provision is made for the dissemination of information on the grievance plan to all employees so they will be fully informed of their rights as to the presentation of their grievances and the procedures by which these rights may be exercised.

### **Forms**

The official Grievance Procedure form, the university version of Civil Service Standard Form 16, the Grievance Form, is reproduced in **Attachment #7** of this Handbook. The Director of Human Resources is responsible for the necessary duplication of the grievance form and the issuance of instructions to the employees on its proper use. The form will be used for recording the employee's grievance and the action taken by officials at appropriate steps of the Grievance Procedure. The original copy shall be returned to the employee for his personal use and a copy to the university's EEO Officer. A duplicate copy of Step Three grievance shall be maintained in the employees's personnel file in Business Affairs - Human Resource Section and one copy of each initiated employee grievance furnished to the Director of the Department of Civil Service. The Department of Civil Service will make an analysis of the information and will furnish all agencies reports on a periodic basis to assist them on employee relations

matters. Additional copies may be prepared to meet the needs of the university.

### **Grievance Analysis**

An analysis of all grievances help the university discover the causes of grievances and indicate to him the steps he should take to prevent a repetition of the same grievances. Successful analysis, in turn, depends upon a simple system of keeping abreast of the various steps in the handling of each grievance.

A good program of grievance analysis provides the university with the following information:

1. Number and nature of grievances handled under the established procedure.
2. Number and nature of grievances settled at each step of the procedure.

On the basis of this factual background, the analyst can then draw definite conclusions, such as:

1. Which phases of the university's policies cause the most misunderstandings.
2. The reasons why these misunderstandings arose.
3. The relative seriousness of the difficulties, based on the frequency with which these misunderstandings recur and the level of the grievance procedure at which they were settled.

This analysis may then be used to revise university policy to eliminate the difficulties shown to exist. Grievances which eventually go to the head of the agency for final decision should be given the most serious attention. Grievances which reach that level usually concern agency policies which are least clear.

If grievance analysis is to operate successfully, a method should be devised to provide a written record of all grievances at designated steps of the Grievance Procedure. The minor grievances settled at the lower steps in the procedure should not be overlooked. A minor misunderstanding which recurs frequently can have a more serious effect on the employee-employer relationship than a single grievance taken to the final step. The grievance prepared from completed Standard Form 16 can provide a complete record of all steps of the procedure.

On the regular Personnel Management audits conducted by the Department of Civil Service, an evaluation will be made of the operations of the grievance procedures in all agencies. This evaluation will include a review of the following factors:

1. Method used to distribute the Grievance Procedure to all employees of the agency.
2. Those means used to inform employees at all levels of the purpose of the procedure.
3. The frequency and types of grievances experienced in the agency.

With this information the Civil Service representative will be able to give advice and assistance to the university concerning the administration of the Grievance Procedure. The initiated grievance forms (Civil Service Standard Form 16) are to be made available to the representatives in addition to any other report of grievance analysis prepared in the university.

### **Inquires**

Information regarding this subject matter of this part of the Staff Handbook should be directed to the Director of Human Resources and/or EEO Officer.

### **Appeals To The Civil Service Commission**

Basic information an employee needs to know when making an appeal to the Civil Service Commission and the method used in making an appeal is outlined below. Chapter 13 of the Civil Service Rules, Appeals and Hearings, governs appeals to the Civil Service Commission.

**1. An appeal may be made to the Civil Service Commission by:**

- a. Any person in the Classified Service who alleges that he has been discriminated against or subjected to any disciplinary action because of his political or religious beliefs, sex, or race.
- b. Any person in the Classified Service who, having gained permanent status, alleges that he/she has been subjected to any disciplinary action or removal in violation of provision of Chapter 12 of the Civil Service Rules.
- c. Any person in the Classified Service who alleges that he/she has been deprived of any right, discriminated against, or adversely affected by the violation of any provision of the Article or of any Rule of this Commission.
- d. Any person in the Classified Service who shall have failed to obtain relief from an allocation or reallocation of a position to a class or by the Classification Plan or any change thereof after a written request for review thereof by the Director of State Civil Service or his representative as provided in Civil Service Rule 5.3 and who alleges that the Director's decision has been discriminatory.
- e. Any person in the Classified Service who alleges that he/she has been discriminated against by the application of the Pay Plan or by the application of any change thereof.
- f. Any person who shall have applied for or been examined for the Classified Service, without having acquired permanent status therein, and who alleges discrimination in the review of his application, admission to an examination, scoring of examinations, the establishment of an eligible list or certification therefrom, or in the Director's decision under Civil Service Rule 7.5(d).
- g. By any person expressly granted the right to appeal to this Commission by the Article or by any Rule of the Civil Service Commission.
- h. Any person who alleges that he/she has been the subject of discrimination as defined in Civil Service Rule 1.14.1.
- I. Any person who alleges that he/she has been discriminated against by any official action taken by the Director of State Civil Service.
- j. Any person seeking a review of a decision made by an appointing authority under the provisions of Civil Service Rule 10.4.
- k. Any person in the Classified Service who alleges that he/she has been demoted, dismissed, discriminated against, or subjected to any disciplinary action based solely on the grounds assigned for an unsatisfactory service rating.
- l. Any applicant for employment in the Classified Service and any employee in the Classified who alleges that he has been discriminated against because of his membership or nonmembership in any private organization.
- m. Any person in the Classified Service who alleges that he/she has been subjected to any layoff or layoff avoidance action in violation of any provision of Chapter 17 of the Civil Service Rules.

**2. Request for Appeal**

A notice of appeal must:

- a. Be in writing;
- b. Be signed by the appellant, or on his/her behalf by an attorney duly licensed to practice law in the Courts of the State of Louisiana, or on his behalf by a senior student of law designated under the provisions of Civil Service Rule 13.19(b) 2;
- c. Give the name and mailing address of the appellant, and of his attorney or designated senior law student, if any and
- d. Contain a clear and concise statement of the actions complained against and a clear and concise statement of the basis of the appeal. Where discrimination is alleged to be a basis for appeal, specific facts supporting the conclusion of discrimination must be alleged in detail. The specific facts required will vary depending on the nature of the appeal; however, the facts must be alleged in sufficient detail to enable the agency to prepare a defense. A conclusion of discrimination is not sufficient. The types of facts which must be included are:
  1. the date, time and place the discriminatory action took place;
  2. the name of the person or agency alleged to have taken the discriminatory action;
  3. a description of how appellant's action, conduct or performance was the same as that of other persons who were treated differently;
  4. the names of other persons treated differently and the dates the different treatment occurred;
  5. a description of events, including the dates and circumstances thereof, which led appellant to believe that the adverse decision was based on his religious or political beliefs, sex, race, or any other non-merit factor.

Where a violation of the Article or a Civil Service Rule is alleged to be a basis for appeal, specific facts supporting the conclusion that a violation has occurred must be alleged in sufficient detail to enable the agency to prepare a defense.

- e. give the date on which the action appealed from occurred, or that the appellant learned thereof;
- f. state the date that the appellant received written notice of the action complained against, if written notice was given; and
- g. state the relief the appellant seeks.

### **3. Delay In Making Appeal**

- a. No appeal shall be effective unless a written notice complying with the requirements of Civil Service Rule 13.11. Is either (1) received in the office of the Director of the State Department of Civil Service at Baton Rouge, Louisiana, or (2) is addressed to the Director of the State Department of Civil Service at Baton Rouge, Louisiana, with proper postage affixed, and is dated by the United States Post Office.
  1. Within thirty (30) calendar days after the date on which appellant received written notice of the action on which the appeal is based when written notice before or after the action is required by these Rules; or
  2. Within thirty (30) calendar days after the date when appellant learned or was aware

that the action complained of had occurred when no written notice is required by these Rules or, if required, was given tardily or not at all.

- b. Legal holidays and days on which the office of the Department of State Civil Service is closed shall not serve to extend the delay period specified in Sub-section (a) hereof.
- c. No appeal shall lie against any action following the expiration of three hundred sixty-five (365) calendar days from the date on which it occurred.
- d. No appeal shall be supplemented or amended following the expiration of the delay period stipulated by Sub-section (a) hereof.
- e. Proof of the timeliness of mailing a request for appeal shall be shown only by a legible official United States postmark or by official receipt or certificate from the United States Postal Service made at the time of mailing which indicates the date thereof. In the event that the postmark is absent or illegible, the date that the request is received in the Director's Office shall determine whether the appeal was timely filed.

Additional information concerning appeals may be obtained from the Director of Human Resources. This section is provided to provide guidance to employees making an appeal to the Civil Service Commission. Additional rules concerning the appeals process can be found in Chapter 13 of Civil Service Rules. Copy of the applicable Civil Service Rules for appeals are available upon written request.

## **Financial Exigency**

### **Staff Reduction**

The Board recognizes circumstances that may indicate a need for staff reduction such as financial exigency. Financial exigency exists at the institution level and shall be verified by the System staff after the institution has declared a state of emergency.

### **Board Policy on Financial Exigency**

Anything in the Rules of the Board of Supervisors to the contrary notwithstanding, if the Board determines that a condition of financial exigency exists at an institution, or in the University of Louisiana System generally, then the furlough, layoff, or termination of tenured faculty, non-tenured faculty, or other contract employees before the end of their contract term will be handled in accordance with the financial exigency policy set forth below.

**Definition of Financial Exigency.** A condition of financial exigency shall exist whenever the financial resources of an institution are not sufficient to support the existing programs and personnel of the institution without substantial impairment of the ability of the institution to maintain the quality of its programs services. Financial exigency may result from a substantial reduction in financial resources or from the failure to receive increases in financial resources sufficient to maintain quality. Evidence of financial exigency may include, among other factors, reduction of state appropriations, faculty and staff salary levels substantially below national and regional averages, significant loss of personnel, or inability to attract new personnel apparently due to inadequate salary and other support, and substantial threat of deterioration of facilities due to lack of resources for maintenance.

**Board of Supervisors for the University System of Louisiana Action.** The Board, in the exercise of fiscal responsibility, may decide to declare financial exigency with respect to the System as a whole or to one or more institutions of the System. Reasonable efforts shall be made to endure that students affected will be allowed to complete their programs, within the limits of budgetary restraints, at the institution or by transfer to another institution.

A declaration of financial exigency shall represent a determination by the Board, upon recommendation of the institution president and System President, that the financial condition of an

institution, or System has reached a crisis in which the entity must carefully reexamine its priorities and reduce programs or personnel or both to effect a cost savings sufficient to alleviate the financial exigency.