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ABOUT THIS HANDBOOK

Welcome to Willamette University.

By accepting employment at Willamette, you have chosen to work at one of the finest small universities in the nation. As “The First University in the West,” Willamette University has provided quality educational opportunities for more than 150 years and is committed to intellectual exploration, critical thinking, and creative expression in an environment that values diversity and respect for the rights of others. Willamette University values greatly the significant contributions made by Classified, Administrative, and Professional staff to this exceptional legacy and the quality of students’ educational and personal experiences now and in the future.

The purpose of this handbook is to provide a summary of employment policies, practices and benefit programs of Willamette University that apply to staff. This handbook applies to all Administrators, Professional, and Classified staff members and supersedes all prior employee handbooks. Each employee is expected to read this handbook to learn the policies governing the workplace. Upon hire, it is expected that all new staff will be provided with at least one hour of time during the workday for review of this handbook. Appointments for a handbook consult with Human Resources can be made through the University’s Manager of Training and Development by calling extension 6631. Through a consult, Human Resources will provide a structured overview of this policy manual.

Willamette’s policies are subject to change at any time, with or without advance notice, at the discretion of the University. Like any other compilation of information collected at a specific moment in time, certain portions of the handbook may become outdated. This handbook is updated periodically with any policy changes of import. More timely updates to policies may be available on the “web-version” of this handbook, or may be obtained through the Human Resources office. It is the responsibility of employees to make certain they have the most current policy before taking any action of substance based on policies in this handbook.

University management reserves the right to interpret the terms of this handbook, which is intended as a set of general guidelines and is not all inclusive or detailed procedurally. It does not represent an employment contract, express or implied, nor does it guarantee that any employee will be employed for any specific or definite period of time. In addition, as circumstances change, the benefits and practices described in this handbook may also change from time to time. The University reserves the right to change, add to or discontinue any of the policies in this handbook, as it deems appropriate.

Should you wish further explanation of the information contained in this handbook, your supervisor, Vice President/Dean, or the Human Resources Office can provide assistance.
SECTION 1: INTRODUCTION TO WILLAMETTE UNIVERSITY

1.1 MISSION STATEMENT (Adopted by the Board of Trustees 1/31/93)

Willamette University is an independent, nonsectarian institution of higher learning founded in 1842, which educates men and women in the liberal arts and in selected professional fields. The University’s mission now extends far from the Oregon Territory and the Pacific Northwest to encompass the larger world beyond. In its pursuits, Willamette University

- Cherishes the dignity and worth of all individuals and strives to reflect the diversity of our world.
- Encourages close relationships among faculty, students, and staff to enhance learning and foster community.
- Provides a lively and challenging education in a small university setting where teaching and learning are strengthened by ongoing scholarship and research.
- Embraces a commitment to service and leadership in our various communities and professions.
- Honors its historic roots in The United Methodist Church and values the ethical and spiritual dimension of education.
- Believes that education is a lifelong process of discovery, delight, and growth, the hallmark of a humane life.

1.2 HISTORY OF THE UNIVERSITY

In 1834 missionary Jason Lee came to the Oregon Territory to establish a Methodist mission for Native Americans living in the Willamette Valley. One of the mission’s primary operations was a school designed to “educate and civilize” the Native children.

When the missionaries arrived, they encountered communities ravaged by deadly diseases that had been introduced only a few generations earlier by the first white traders who had come to the region. These diseases shattered communities that had flourished for millennia in the fertile Willamette Valley. Deeply moved by the misery of the Indians they encountered, the missionaries offered health care, food and shelter to several Indian children who had been orphaned when their parents, grandparents, aunts and uncles succumbed to these deadly diseases.

As was standard with most missionaries of the times, Lee and his followers failed to acknowledge that the Native American tribes of the Pacific Northwest had settled the area thousands of years prior and that these advanced societies had been successfully hunting, fishing and trading for generations. This lack of cultural understanding on the part of the missionaries contributed significantly to the failure of the mission school. While a few Indians took advantage of the education offered by the missionaries to learn English and hence become more effective treaty negotiators in the years that followed, most Indians found little of value in what the missionaries
had to offer. In the early 1840s, the missionaries began to shift their focus from serving the Native Americans of the Pacific Northwest to serving the rapidly increasing number of white settlers.

As the first Protestant mission in the Pacific Northwest, Lee’s work was followed closely by church members who remained in New England. After two “reinforcements” of missionaries and supplies were sent west, the mission expanded. Some early missionaries traveled west to teach. Others came for reasons of commerce. In 1841 construction of the Indian Manual Labor Training School began on what is now the Willamette University campus.

Because of its failure to thrive, in 1844 the Methodist Mission Board closed the mission, and the building that had previously housed the Manual Labor School was sold to the trustees of the Oregon Institute to be used as a school for the children of missionaries and settlers. The building that remained on the University campus was renamed the Oregon Institute. It housed the first session of the legislature to meet in Salem and sheltered the first court in the territory under the auspices of the United States. It is this institute that finally became Willamette University. At a mission meeting, Jason Lee and his followers determined to use Feb. 1, 1842, as the founding date for Willamette University.

Willamette University is closely associated with the beginning of law and government in the historical Oregon Territory, which now comprises Oregon, Washington, Idaho and parts of Montana and Wyoming. It educated many of the Northwest’s first leaders, artists and business people. Willamette established the first law school (1883) and the first school of medicine (1866) in the Pacific Northwest, which later merged with the medical school of the University of Oregon.

During the University’s first half-century, its land holdings were gradually sold to meet other needs, with the result that much of the present Salem downtown is built on former University land.

Willamette was one of the earliest coeducational institutions in the United States, and its first graduate was a woman. Women were attending the School of Medicine as early as 1877.

Today, Willamette University continues to push the frontier of higher education, aware of the influence of the first peoples of the Pacific Northwest. In its efforts to strengthen relationships with regional Native American tribes, the University has placed new energy in renewed partnerships.

Chemawa Indian School and Willamette University have begun a collaborative partnership with the support of the Lilly Project. In 2005 Chemawa administrators invited Willamette to assist in its long-term process of transitioning to a college preparatory curriculum. Willamette students now volunteer as tutors and mentors at Chemawa study hall. They in turn learn from the relationships they are building with Chemawa students and the teaching staff at Chemawa.

The Native American Enlightenment Association, a student organization, has worked with tribal elders to rekindle the annual campus Powwow. Funds have also been made available to bring Native American artists and speakers to campus. On Founders Day 2005, Willamette held a Ceremony of Renewal with regional tribes to acknowledge its Indian mission legacy and begin a new chapter in the mutual history of Oregon’s tribal communities and the University. At the ceremony, President M. Lee Pelton announced the establishment of a lecture series to bring guests from Indian country to the campus and the broader Willamette Valley for dialogue, teaching and learning. The Indian Country Conversations Series is coordinated in consultation with the University’s community-based Native American Advisory Council.
Willamette University has a responsibility to speak honestly about its earliest beginnings. Today Willamette University is committed to building a more inclusive and tolerant community.

1.3 GOVERNANCE AND ADMINISTRATION

Willamette University is a non-profit institution of higher education, which operates under its Articles of Incorporation and Bylaws. It is governed by a self-perpetuating Board of Trustees that has the responsibility of establishing basic institutional policies and overseeing the affairs of the University. The full Board normally meets three times each year.

The President of the University is appointed by the Board of Trustees and is the Chief Executive Officer of the institution. Administrative Council is made up of Deans and Vice Presidents and is the committee through which the administrative affairs of the institution are coordinated and employment policies are established.

Organizational charts detailing the administrative structure of the University are available through the Human Resources office and/or online at www.willamette.edu/dept/hr/.
SECTION 2: UNIVERSITY-WIDE EMPLOYMENT POLICIES

2.1 EQUAL OPPORTUNITY

Willamette University is a diverse community that provides equal opportunity in employment, activities, and its academic programs. The University shall not discriminate on the basis of race, color, religion, sex, national origin, disability, age, marital status, veteran status and sexual orientation. Willamette is firmly committed to adhere to the letter and spirit of all federal and state equal opportunity and civil rights laws, including but not limited to Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), the Age Discrimination Act of 1975, the Americans with Disabilities Act (ADA) of 1990, and their implementing regulations. Willamette University complies with the Student-Right-to-Know Act, the Campus Security Act and Clery Act, the Equity in Athletics Disclosure Act (EADA), and the Family Educational Rights and Privacy Act (FERPA).

For information on who to contact with questions regarding the University’s compliance with these laws, contact the Office of Human Resources, Willamette University, 900 State Street, Salem, OR 97301, 503-370-6210.

2.2 GENDER EQUITY

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on gender in educational programs which receive federal financial assistance. Areas of the institution where Title IX may have application include athletics, student recruitment and admissions, financial aid, scholarships, course offerings and access, employment, and housing and residential services. Title IX also protects students and employees, both male and female, from unlawful sexual harassment in school programs and activities. Willamette has established a committee of Title IX Coordinators to respond to concerns in these areas.

Questions related to this policy can be directed to the Vice President and Executive Assistant to the President, who serves as chair of this committee and is the University’s central Title IX Coordinator.

2.3 GENETIC INFORMATION NON-DISCRIMINATION

It is the policy of Willamette University to prohibit discrimination on the basis of genetic information. As required under Title II of the Genetic Information Non-Discrimination Act, effective November 21, 2009, the University and its representatives may not request, require, or purchase genetic information about an individual, subject to limited exceptions described below.

The University prohibits using genetic information, including information obtained inadvertently, to discriminate against any employee or applicant in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment.

This prohibition extends to making employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals on the basis of genetic information. For purposes of this policy, the term “genetic information” means information about: an individual’s genetic tests; the genetic tests of that individual’s family members; and the manifestation of disease or disorder in family members of the individual (family medical history).
Even the inadvertent acquisition of genetic information (i.e., if an employee casually mentions that a family member has cancer) cannot be disclosed, nor can it be considered when making employment-related decisions.

2.4 DIVERSITY

Willamette University seeks to be a diverse community that reflects the geographic, racial and cultural variety inherent in the world in which we live. Specific efforts are made to attract and retain a diverse faculty, staff and student body in order to strengthen academic excellence and ensure an intellectual atmosphere in which diverse viewpoints are freely expressed and respected, and diverse backgrounds are honored.

2.5 NURSING ACCOMMODATION

It is the policy of Willamette University to make reasonable efforts to provide private space and time for nursing mothers who request a place to express milk for their newborns 18 months of age and younger. The location provided will be in reasonably close proximity to the employee’s work area, and cannot be a toilet stall or restroom.

This policy, as with Oregon Law concerning the provision of such accommodation, should not be construed to require provision of a dedicated lactation room. A vacant office or conference room is sufficient so long as it is private. A cubicle is not considered private. An employee must provide reasonable written or verbal notice to her supervisor that she intends to express breast milk at work. Questions concerning this policy, or requests for assistance in determining appropriate accommodations, should be addressed to the Director of Human Resources, or his/her designate.

2.6 DISABILITY ACCOMMODATION

Willamette University provides reasonable accommodation to otherwise qualified employees who are disabled and need assistance to perform the essential functions of their positions. The employee is responsible for requesting accommodation and for providing medical documentation to assist in understanding the nature of the employee’s functional limitations. This documentation may be subject to confirmation by a University-appointed healthcare provider. For more information, contact the University’s Director of Human Resources.

Initial requests for employment-related disability accommodation should be directed to the Director of Human Resources, who will work with the department in which an employee works or where a prospective employee will be working to determine reasonableness of requested accommodations, as well as actions to be taken in making accommodations. Initial requests may also be made directly to a supervisor, Dean or Vice President responsible for a unit, but is not required. The Director of Human Resources will limit the dissemination of medical information provided in medical documentation submitted pursuant to a request for disability accommodation to only those individuals who have a need to know, and only in order to implement an accommodation.

Appeals regarding disability-related decisions should be directed to the Vice President and Executive Assistant to the President who has been designated as the University’s ADA Appeals Officer. Formal appeals presented to the ADA Appeals Officer will follow the University’s grievance procedure described in Section 9 of this handbook, starting at the second level of review. An
employee has the right to contact the Equal Employment Opportunity Commission (EEOC) at any stage of a perceived disability complaint. However, the appeal procedure is an attempt to resolve complaints internally.

2.7 HARASSMENT POLICY

This policy addresses harassment involving staff and/or faculty of Willamette University only. Policies related to student-student harassment may be found in the Selected Policies Manual issued by the Office of Campus Life.

Prohibition of Harassment Including Sexual Harassment
Willamette University will not tolerate harassment of any individual. Tolerance and respect for dignity and worth should be the guiding principles for our relations with each other. The University strives to provide a community where students, faculty, staff and others work and live together in an environment free of all forms of harassment, exploitation, intimidation and discrimination. Harassment is demeaning to all persons involved, and subverts the mission of the University.

The University can fulfill its distinctive mission only in an arena where ideas are vigorously debated, including those which some find offensive, and in an arena where staff, students, and faculty respect one another's dignity in their common membership in a community of inquiry. We must take great care neither to stifle discussion nor to make it dangerous to speak one's mind. However, harassment compromises academic freedom and damages the trust that we must all repose in one another and will not be tolerated. Furthermore, harassment is a violation of state and federal law.

(a) Harassment

Harassment is verbal or physical conduct that demeans or shows hostility toward an individual because of his/her race, color, religion, gender, national origin, age, disability, sexual orientation, or that of his/her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual’s employment opportunities.

Harassing conduct includes, but is not limited to, the following: (1) epithets, slurs, negative stereotyping, demeaning comments or labels, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age, disability, or sexual orientation and (2) written or graphic material that demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, disability or sexual orientation and that is placed on walls, bulletin boards, or elsewhere on the University’s premises, or circulated in the workplace.

(b) Sexual Harassment

Sexual harassment is a form of gender (sex) discrimination. The Equal Employment Opportunity Commission has defined sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to sexual conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic advancement, (2) submission to or rejection of sexual conduct influences employment or academic decisions affecting the individual, or (3) sexual conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive work or academic environment.
Prohibited sexual harassment may include, but is not limited to sexual jokes, calendars, posters, cartoons, magazines; derogatory or physically descriptive comments about or towards another individual; sexually suggestive comments; inappropriate use of University communications including e-mail and telephone, unwelcome touching or physical contact; punishment or favoritism on the basis of an individual’s sex; sexual slurs; negative sexual stereotyping.

Harassment will not be tolerated at Willamette University. It is against the policies of the University for any individual to harass another individual. This includes acts between supervisors and employees, between fellow employees or between employees and students, and between third parties such as vendors or visitors and employees or students.

Where one party is in a position to extend academic or employment benefits to another, even a completely welcome, consensual, romantic or sexual relationship raises at least the appearance of impropriety and can create an unwelcome appearance of favoritism and bias. Such a relationship can lead to sexual harassment allegations if it later becomes unwelcome. Sexual harassment is not limited to situations where there is an unequal power relationship between parties, but such a relationship may make sexual harassment more likely.

Any staff member, faculty member or student who believes he or she has been the subject of harassment by an employee of the University should report the circumstances immediately to his/her supervisor, the supervisor of the person with whom he/she is having difficulty, or the Director of Human Resources. A staff member, faculty member or student may contact the Director of Human Resources without first contacting his/her supervisor. The University will not tolerate any retaliatory treatment or adverse consequences as a result of acting in good faith to report harassment or participating in an investigation.

Reports of harassment or retaliation will be promptly, thoroughly and impartially investigated. Consistent with the University's need to conduct an adequate investigation and, where a reasonable person would consider an action to be in violation of this policy, prompt corrective action to rectify any harassment or retaliation will take place. Confidentiality will be maintained to the extent possible. Inquiries will proceed pursuant to the Procedural Guidelines for Addressing Claims of Harassment Involving Staff or Faculty at Willamette University, provided as appendix to this policy manual.

Any supervisor who sees or hears about conduct that may constitute harassment under this policy must immediately report such conduct to the Office of Human Resources.

Any staff or faculty member found in violation of this policy will be subject to discipline up to and including discharge.

2.8 DRUG-FREE WORKPLACE POLICY

Willamette University is committed to maintaining a safe, healthful and drug-free professional and educational environment for all faculty, staff and students. While few at the University are involved with illegal drugs, those who are involved in usage or trafficking at the University adversely affect the University’s professional and educational environment. Such individuals impair our ability to maintain a safe campus that is free from the effects of drugs.

To carry out this commitment, and to comply with our obligation under the Drug-Free Workplace Act of 1988, the unlawful use, sale, possession, manufacture, distribution, dispensation, or being under the
influence of illegal drugs or controlled substances while on the job, on University property or at University-sponsored activities is strictly prohibited, and will be subject to immediate disciplinary action. The type of disciplinary action taken will depend on the situation. However, it might include termination, suspension, probationary conditions, required rehabilitation, referral for prosecution or a combination of these measures.

As a condition of employment on government contracts (Federal grants), employees must abide by the terms of this statement and must notify the employer of any criminal drug conviction within five days of the conviction.

Recognizing that there may be employees who have a drug problem, the University stands willing to assist in the resolution of that problem and encourages anyone to seek help. The University's employee medical insurance plans may include coverage for treatment of chemical dependencies. Additionally, the University's employee assistance program (EAP) provides free, confidential alcohol and drug assessment and counseling services for employees and their family members.

See the complete text of the University's Drug and Alcohol Policy in Section 11.2, APPENDIX.

2.9 SMOKE FREE CAMPUS POLICY

Purpose
The University holds interest in protecting employees and residents from any secondhand smoke exposure, and in eliminating potential for the use of Willamette University property to support the generation of negative health consequences that may come from smoking. A smoke free campus protects members of its community from any secondhand smoke exposure. A smoke free campus limits our exposure to negative health consequences.

Policy
Effective January 1, 2016, Willamette University prohibits smoking at all University controlled properties and in university vehicles. Smoking of any substance, including via any electronic smoking devices, (e.g., e-cigarettes) is strictly prohibited in all indoor and outdoor spaces, including parking lots or areas owned, regulated, or controlled by the university.

Procedures
• This policy applies to all members of the community. This includes academic appointees, staff, students, alumni, volunteers, contractors, visitors, and anyone entering onto University controlled properties. All are expected to adhere to this policy and the applicable procedures.

• Event organizers are responsible for communicating this policy to event attendees.

• The policy applies to all facilities and all vehicles, whether owned, leased, or rented by the University.

• An ongoing effort to develop awareness and encourage a culture of compliance is important to this policy’s effective implementation. This effort calls for respect and cooperation by all members of the University community. Members of the campus community are encouraged to respectfully inform each other about the policy.

• It is also the responsibility of vice presidents, deans, directors, department heads, and managers to communicate this policy to employees and volunteers.
• Visitors, guests, volunteers, trainees, vendors, contractors, and supplemental staff employed through contract agencies, must be made aware of, and are expected to adhere to, this smoke free policy. Notice of this policy should be included in contracts when applicable.

• Human Resources will incorporate the policy into new employee orientation training programs. A comprehensive education and outreach campaign, including resources and referrals related to cessation, will be made available.

• The sale and advertising of tobacco, tobacco-related products, electronic smoking devices, and products related to electronic smoking devices are prohibited at all controlled properties except for advertising included in newspapers, magazines, or other written materials not authored by Willamette community members that are sold, bought, or distributed on our property (e.g., The Statesman Journal).

• Enforcement will first be educational, and include an emphasis on providing referrals to cessation resources. Non-compliance will be handled through our established personnel policies, the Standards of Conduct, and enforcement protocol prescribed in this policy.

• There will be no reprisal against anyone seeking assistance in enforcing this policy.

• Smoking may be permitted for traditional ceremonial activities of recognized cultural and/or religious groups.

• Research involving smoking, for educational or clinical purposes, may proceed upon review and written approval by appropriate research protocol committees.

• For property acquired or received by gift, or bequest after the effective date of this policy, the provision of this policy shall apply (i) 30 days following the date of such acquisition or receipt, if the property is then unoccupied; or (ii) if the property is occupied at the time of acquisition or receipt, 30 days following the expiration of such preexisting occupancy agreement.

Enforcement
Violations of this policy in most instances will be first addressed using standard educational methods, and thereafter by the following corrective measures.

• Community members who encounter an individual who is violating the policy, but do not feel comfortable approaching the person in violation, should contact Campus Safety.

• Unless there is an egregious act, Campus Safety enforcement of the Smoke-Free Policy will result in a warning, providing information about the policy benefit to the community, access to information about smoking cessation resources. Further non-compliance may be addressed by actions progressing into personnel action and fines.

2.10 FIREARMS/WEAPONS POLICY
Willamette University has a zero tolerance policy regarding firearms and weapons on campus. Firearms and other types of weapons are not allowed on University property, in University vehicles, or at any University-sponsored event off-campus.
This policy prohibits the possession, use or threatened use of firearms, ammunition, explosives, or other objects as weapons. Persons who possess a concealed-weapons permit are NOT allowed to carry weapons on the private property of Willamette University’s campus. Possessing a weapon for the purpose of sport, hunting, personal protection, or any benign reason will not exempt a person from this policy.

Anyone who observes or has knowledge of someone on the Willamette University campus violating this policy should immediately report the incident to the Campus Safety office by dialing x6911. The complainant should be prepared to provide the Campus Safety office with any relevant information that caused them to observe or suspect the violation.

Campus Safety officers have the right to confiscate weapons from persons in violation of this policy. These weapons will be secured in the Campus Safety office while a thorough investigation of the incident is conducted.

Failure to adhere to the University’s firearms/weapons policy or failure to cooperate in an investigation is grounds for disciplinary action, which, depending on the circumstances, may include termination of employment.

2.11 WORKPLACE VIOLENCE POLICY

Willamette University is committed to maintaining a safe environment for all faculty, staff and students, and will not tolerate any form of workplace violence committed by or against its employees. Any observed or reported form of workplace violence will be taken seriously and thoroughly investigated. Any confirmed offenders will be dealt with through the current Willamette University disciplinary process, and local law enforcement procedures, as appropriate.

Workplace violence includes, but is not limited to, the following: harassment; stalking; physical violence; the use of weapons of any kind; the direct or implied threat of physical violence toward any member of the student body, staff or faculty of Willamette University.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited by this policy:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Any potentially dangerous situations must be reported immediately to a supervisor, the Campus Safety office, or the Director of Human Resources. Reports or incidents warranting confidentiality will be handled appropriately and confidentiality will be maintained to the extent possible.

2.12 OREGON FAMILY LEAVE ACT (OFLA)

Employees may be eligible for family leave of up to 12 weeks in a 12-month period under the Oregon Family Leave Act ("OFLA").
OFLA leave may be used for any of the following purposes:

- serious health condition of the employee or of a family member;
- an employee's disability due to pregnancy or period of absence for prenatal care;
- birth, adoption or foster placement of a child under the age of 18; or adoption or foster placement of an adult child who is incapable of self-care because of a physical or mental impairment (includes leave to effectuate legal process for adoption or foster placement); or
- illness or injury of a child necessitating home care, other than a serious health condition, for a minor child or an adult child substantially limited by a physical or mental impairment.

A "serious health condition" is one that requires inpatient care or that poses an imminent danger of death in the near future or that requires constant care. An employee who is unsure whether a medical condition qualifies for family leave should contact the Human Resources Office for more information.

For purposes of OFLA leave, "family members" consist only of a child (biological, step, adopted or foster) under the age of 18 or adult child substantially limited by a physical or mental impairment, spouse, parent, parent-in-law or person acting "in loco parentis" (such as guardian or another relative caring for a child).

Normally an employee must have been employed with the University for at least 180 days and worked an average of at least 25 hours per week during the 180 days. (The 25-hour limit does not apply for leave for birth, adoption or foster placement of a child under age 18.)

The maximum amount of leave an employee may use at any one time is determined by the 12-month period beginning the first day the employee takes leave. If more than one family member employed at the University requests family leave at the same time, the University may require that the leave be taken at different times depending upon the reason leave is requested and the needs of the University.

An employee who wishes to take family leave should contact the Human Resources Office to obtain a leave application form as well as a medical certification form, if applicable. As alternate provisions for leave are available to faculty members, faculty members are encouraged to consult with their Dean's office prior to applying for leave through Human Resources, however, such consultation is not required if the employee intends to take leave on terms as described herein.

An employee on family leave may continue group medical benefits during any period of family leave at the employee’s expense, up to a maximum of 12 weeks, by making arrangements through the Human Resource Office. All leaves of absence are unpaid. However, an employee must use available sick leave and vacation during the otherwise unpaid portion of the leave. At the time a leave is approved, an employee should receive information about what paid leave may be used during the family leave. No vacation or sick time will accrue during the unpaid portion of the leave.
At the end of the leave, normally the employee will return to his/her former position. If the former position does not exist for some business reason, the employee may return to an available equivalent position.

2.13 FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)

In addition to the leave benefits provided under other leave policies, under certain circumstances, employees may have the right to take leave under the federal Family and Medical Leave Act ("FMLA") for the following purposes:

- for birth, adoption or foster placement of a child under the age of 18; or adoption or foster placement of a disabled child 18 years or older who is incapable of self-care;
- due to the serious health condition of a family member;
- due to the employee's own serious health condition.

A serious health condition is one that requires inpatient care of any duration, continuing treatment by a health care provider for more than three days, or which, if left untreated, would result in more than three-day work absence or long term chronic condition requiring any length of absence. An employee who is unsure whether a medical condition qualifies for family leave should contact the Human Resources Office for more information.

For purposes of family leave, "family members" consists only of a child (biological, step, adopted or foster) under the age of 18, "in loco parentis" relationship or disabled child 18 years or older not capable of self-care; spouse (common law partners, but not domestic partners); or parent (biological or individual acting "in loco parentis").

Employees who have been employed at least 12 months and have worked at least 1,250 hours during the previous 12-month period may be entitled to up to 12 weeks in any 12-month period beginning with the first date the employee must take leave.

Under 2008 amendments, FMLA also makes special provision for family-medical leave related to service of a family member in the Armed Forces of the United States, including the National Guard or Reserves. The following provisions are subject to the same eligibility guidelines above in that employees must have been employed at least 12 months and have worked at least 1,250 hours during the previous 12-month period. FMLA provides for family-medical leave for the following circumstances:

- to permit a spouse, son, daughter, parent, or next of kin to take up to 26 workweeks of leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- for any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. Qualifying exigencies may include, but are not limited to short notice deployment, military events and related activities, childcare and related activities, financial and legal arrangements, counseling, rest and recuperation leave, post deployment activities, or any other event that arises from a spouse's active deployment.
An employee who wishes to take family leave should contact the Human Resources Office to obtain a leave application form as well as a medical certification form, if applicable. As alternate provisions for leave are available to faculty, faculty members should consult with their Dean's office prior to applying for leave through Human Resources.

If applying for leave under this policy, an employee must give written notice of at least 30 days before the requested leave date in the case of the employee's own illness or the illness of a family member, if foreseeable, and in the case of birth or adoption of a child or the placement of a foster child. If the need for leave is unexpected, the employee must give notice (normally in writing unless the employee's own serious health condition prevents it) as soon as possible. The Office of Human Resources will determine whether the employee’s leave of absence should be designated as FMLA-qualifying. It may so designate such leave whether the employee specifically requests FMLA leave or not.

A leave of absence for a serious health condition of an employee or a family member that will extend beyond five workdays will require a doctor's certificate of the need for leave. A doctor's certificate also may be required for the employee returning to work after his/her own serious health condition is resolved.

An employee will be allowed to continue group health insurance coverage during the period of leave. An employee must use available accrued sick leave and vacation, during the otherwise unpaid portion of any leave. No vacation or sick time will accrue during the unpaid portion of the leave. No other accruals based on time worked will be counted during the unpaid portion of the leave.

At the end of the FMLA leave, an employee will be reinstated to his/her former position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

2.14 DOMESTIC VIOLENCE LEAVE POLICY

It is the policy of Willamette University to provide for leave to assist employees who encounter acts of domestic violence, or are otherwise the victim of violent crime. This policy provides for leave pursuant to the Oregon Victims of Certain Crimes Leave Act (OVCCA) of 2007. OVCCA requires leave for victims of domestic violence, sexual assault or stalking and prohibits discrimination against employees using leave under OVCCA.

Eligibility

To be eligible, employees have to have worked an average of 25 hours or more per week for at least 180 days immediately before taking leave, and must be demonstrable victims of domestic violence, sexual assault or stalking, or are parents of victims.

Willamette reserves the right to provide leave to employees who have not met these standardized eligibility requirements of the law if the circumstances and severity of the situation dictates that provision of such leave is in the best interests of the employee and/or the University.

Provisions

Pursuant to the requirements under the law, Willamette will grant an eligible employee a “reasonable” leave of absence if the employee or the employee’s minor child or dependent needs time off to deal with issues of domestic violence, sexual assault, or stalking. These arrangements
might include such things as seeking medical treatment, obtaining counseling, relocating, getting legal advice or contacting law enforcement personnel.

Willamette may require the employee to give reasonable notice of the need for leave, unless that is not feasible, and may also require that the events leading to the need for leave be documented. This documentation could include police reports, medical and/or counseling documentation, attorney records, etc. Willamette University will maintain confidentiality of all submitted materials. There is no fixed time period for this leave.

Willamette may limit the length if the employee’s absence creates an “undue hardship,” causing significant difficulty or expense for the University. Like the Oregon Family Leave Act (OFLA) and the Federal Family and Medical Leave Act (FMLA), crime victims’ leave is unpaid. However, as with OFLA and FMLA protected leave, Willamette allows eligible employees to utilize vacation time or other paid leave for this purpose. As with FMLA and OFLA leave, and due to the potential of medically related hardship as a result of domestic violence, Willamette will permit the use of accrued sick leave for those that accrue such leave.

Performance Impact and Non-Retaliation
As with all other kinds of protected leave, Willamette is committed to provision of this leave without it counting against the employee relative to conditions of employment such as performance evaluation or disciplinary action. Further, Willamette prohibits retaliation against an employee for using leave under OVCCLA, or any other type of protected leave.

Application Procedure
To apply, employees should put their request for leave in writing, and submit with any supporting documentation that may be appropriate, to the Director of Human Resources. The Director of Human Resources will coordinate with the supervisor and the Dean or Vice President with responsibility for the unit in which the employee works and provide a written response as quickly as possible, and in no less than two business days.

2.15 MILITARY LEAVE/MILITARY FAMILY LEAVE

Employees who enter or serve in the Armed Forces of the United States (including the military reserves), who are called to active duty or mandatory training will be granted a leave of absence without pay in accordance with Federal and State laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), and Oregon law providing for same (HB 3256). In addition, employees whose spouse, or domestic partner is called to active duty are eligible for leave under the Oregon Military Family Leave Act (OMFLA), as well as 2008 amendments of FMLA providing for such leave.

The length of the leave will be for the period of time in which their employment status is protected by law. Upon their return, they will be reinstated as provided under federal and state law.

An employee who is called, or whose spouse or domestic partner is called, to military duty, or returns from active duty military service, should provide a written notice of need for leave and a copy of the military orders, when available, to their immediate supervisor, or in the case of faculty, the Dean’s office, as soon as he/she learns of the assignment or other military exigency (or leave). These documents should also be copied to the Human Resources office for assessment and application of benefit and compensation continuity provisions, if applicable.
During Military Leave related to the employee’s own military service, employees have the right to health and dental benefit continuation for up to 31 days as if they had not taken leave. After 31 days, employees on Military Leave may continue benefits on the same terms as other employees for as long as compensation continues to be paid by the University, or through COBRA continuation. See Policy governing “Statutory Benefits” under the “Benefits” section of your applicable policy manual for information concerning COBRA continuation. See policies concerning “Leaves of Absence” in your applicable policy manual for information concerning salary continuation provisions that may be available during Military Leaves of Absence.

2.16 JURY DUTY/COURT APPEARANCE LEAVE

Full-time benefit-eligible employees may be excused from work for compulsory jury duty when they present their jury summons to their supervisor or, in the case of faculty, the Dean’s office. Notification should be provided at least two weeks prior to the first day the employee is requested to report to the courthouse, or as soon as the employee receives the jury summons. An employee may be asked to request deferral of jury duty to another acceptable time if the University is unable to release the employee due to business necessity.

Employees will be paid their regular wages while on jury duty. Employees subpoenaed as witnesses in criminal or civil proceedings where they are not a litigant or participant will be paid their regular wages.

2.17 CONFIDENTIALITY OF STUDENT RECORDS (FERPA)

The Family Educational Rights and Privacy Act, the federal law popularly known as FERPA, is intended to ensure a student’s right to inspect and review his/her educational records and to protect the student’s right to privacy by limiting the transferability and disclosure of information in his/her records without prior consent. Disclosure of student information to any unauthorized person could subject an employee to criminal and civil penalties imposed by the FERPA law.

Willamette University’s education records policy is intended to comply with the requirements of the Family Education Rights and Privacy Act (FERPA). All school officials are expected to manage student records in their custody in accordance with FERPA regulations. For more information, please call the Registrar’s Office.
SECTION 3: STAFF EMPLOYMENT POLICIES

3.1 EMPLOYMENT “AT-WILL” (Effective June 1, 2011)

Employment of staff at Willamette University, whether Classified, Administrative, or Professional in classification, is “at-will.” Just as a staff member may sever the employment relationship at any time with or without cause or notice, the University may sever the employment relationship at any time with or without cause or notice. While the University generally adheres to progressive discipline where policy violations are involved, and also may provide for periods of notice prior to other types of involuntary separation, it is not bound or obligated to do so. This “at-will” status also permits the University to alter employment status, classification, hours, schedule or position assignment at its own discretion with or without notice or cause.

Staff members are not guaranteed, in any manner, that they will be employed for any set period of time. No one in the University, except the President, in a written, signed contract, may make any representation or promise to the contrary.

3.2 HIRE DATE AND INTRODUCTORY PERIOD

Generally, an employee's initial date of hire is to be used in establishing length of service and benefit eligibility. All new and rehired employees work on an introductory basis for the first six (6) months after their date of hire. During this time, the new employee and the University will have an opportunity to evaluate one another and the employee's compatibility, ability and interest in the job. The transition from the introductory period does not alter the at-will relationship in any way.

Generally, an oral evaluation will be made at the end of three (3) months and a written evaluation at the end of six (6) months. However, evaluations may be conducted more or less frequently.

3.3 JOB POSTING

The University seeks to hire the person best qualified and best suited for employment within the context of the University's mission, philosophy, and the position description and function.

It is the University's practice to hire personnel through a process that reflects openness and integrity. Generally, openings for administrative and classified positions will be publicized both internally and externally at the same time. The announcement will contain a description of the job and the required qualifications. Internal applicants may apply for the positions. However, supervisors may decide to open the position internally and screen internal applicants prior to advertising externally based on legitimate business and operational needs and the likelihood of achieving an appropriately sized applicant pool.

Affirmative efforts will be made to select an internal applicant where such an applicant meets the qualifications of the position and has the ability and experience necessary for success in the announced position. When considering candidates, the hiring manager will be authorized to review existing employment records, including the employee's original application and performance-related documents in the personnel file as part of the applicant evaluation and screening process.
3.4 PROMOTIONS AND TRANSFERS

The University encourages employees to apply for transfers or promotions to positions for which they are qualified. Promotions and transfers shall be based on the ability, qualifications, and performance in the present position and potential performance in the position considered. Some positions require lifting and/or other physical strengths or abilities; these positions require a pre-placement physical paid for by the University.

Current employees who seek promotion or transfer into a position that has been identified as a sensitive position will be subject to an employee background check if one wasn’t conducted upon original hire. A promotion or transfer to another classified position does not alter the at-will relationship.

Generally, employees promoted or transferred to a position will be evaluated at the end of six (6) months; however, evaluations may be conducted more or less frequently. At that time, if the supervisor has concerns about the employee’s ability to perform in the new position, they may recommend a transfer to another position if one is available, or termination. If the employee is dissatisfied with the new position, they will have the option of applying for other position openings posted on campus.

While a promotion generally provides for an increase in salary, there is no guarantee. For transfers and promotions, compensation will be determined based on the grade and/or classification of the new position relative to the old position, and/or market rates if the position is unclassified. The employee’s pre-hire experience and education, as well as tenure and experience with Willamette, will also be considered.

If after a promotion or transfer, an employee is transferred back to their former position, the employee’s salary will not be lower than that received in the position held prior to the initial promotion or transfer.

3.5 LEAVES OF ABSENCE

This policy describes the types of leave the University provides for employees in its discretion and in accordance with applicable state and federal law. When an employee qualifies for more than one form of leave at a time, the leave periods will run concurrently.

Because leave requirements can be complicated, please contact the Human Resources Office for more detailed information more than 30 days in advance of your leave, or as soon as possible in the case of an emergency or unexpected need for leave.

Please note, the University normally will not consider absences of five (5) or less consecutive days as requiring a request for a leave of absence. These absences should be reported to the employee’s supervisor as any other short absence and recorded on the employee’s time card as vacation, sick time or unpaid time, as appropriate.

Medical Leave
Medical Leave is defined as any leave of absence related to the employee’s own serious health condition and is more than five work-days in duration. Staff of Willamette University that have been employed for at least 180 days may be eligible for Medical Leave under terms described in policy 2.12 pertaining to the Oregon Family Leave Act (OFLA). Staff employed at least 12 months
may be eligible for Medical Leave under terms described in policy 2.13 pertaining to the Federal Family and Medical Leave Act (FMLA). Please see these two policies for further information, including how to apply for Medical Leave.

Employees who do not qualify for leave under FMLA/OFLA may apply for Personal Leave to accommodate personal medical needs, as described below.

Family-Medical Leave
Family-Medical Leave is defined as any leave of absence related to the serious health condition of an employee’s qualifying family member. Staff of Willamette University that have been employed for at least 180 days may be eligible for Family-Medical Leave under terms described in policy 2.12 pertaining to the Oregon Family Leave Act (OFLA). Staff employed at least 12 months may be eligible for Family-Medical Leave under terms described in policy 2.13 pertaining to the Federal Family and Medical Leave Act (FMLA). Please see these two policies for further information, including how to apply for Family-Medical Leave.

Employees who do not qualify for leave under FMLA/OFLA may apply for Personal Leave to accommodate family medical needs, as described below.

Parental Leave
Parental Leave is defined as any leave of absence that is related to the birth or adoption of a child of the employee. Staff of Willamette University that have been employed for at least 180 days may be eligible for Parental Leave under terms described in policy 2.12 pertaining to the Oregon Family Leave Act (OFLA). Staff employed at least 12 months may be eligible for Parental Leave under terms described in policy 2.13 pertaining to the Federal Family and Medical Leave Act (FMLA). Please see these two policies for further information, including how to apply for Parental Leave.

Employees who do not qualify for leave under FMLA/OFLA may apply for Personal Leave to accommodate needs related to the birth or adoption of a child, as described below.

Personal Leave
Personal Leave is defined as leave granted for any reason not covered under other policies and/or law. Full and part-time benefit-eligible staff may request up to one (1) year of unpaid Personal Leave. Personal Leave will be granted automatically if the employee continues to be medically disabled following exhaustion of FMLA and/or OFLA. In some circumstances, the University may also require the use of Personal Leave due to personal circumstances of a serious nature that are resulting in documented and serious employment-related concerns.

Employees must use any accrued vacation time while on unpaid Personal Leave, and if Personal Leave is due to medical reasons, sick leave must also be used. This leave may not be combined with any other leave, paid or unpaid, to equal more than a total of a one (1) year leave of absence.

Employees requesting Personal Leave will give the University at least thirty (30) days notice in writing in advance of the desired date the leave would begin. The University may waive the thirty-day notification in an emergency situation. Eligible employees may request a personal leave by submitting a written request to their supervisor indicating the necessity for the leave and the anticipated dates and duration of leave, including return date. Except in the case of Medical Leave continuation, Personal Leave is subject to approval by the employee's supervisor and/or director of the department, as well as the appropriate vice president or dean of the division, and will be granted at the sole discretion of the University. The University may request supporting
documentation of the need for leave as well. Personal Leave will not be granted under this section for the employee to assume other employment unless such leave is judged by the University to be of benefit to the University.

If the employee fails to return on the agreed date and has not communicated with the University regarding their inability to return, it will be considered a voluntary resignation. An employee returning from Personal Leave will be restored to his/her prior position, unless it has become necessary, due to unforeseen circumstances, for the University to either fill the position on a regular basis or eliminate the position. In the event that this becomes necessary, the University will provide at least two-weeks of notice of the impending change in status, and an opportunity for the employee to return earlier from leave to assume his/her original position, if possible. If the position is filled or eliminated, the University will evaluate other opportunities to determine if there is a suitable position for the employee to return to at the conclusion of Personal Leave.

An employee on unpaid Personal Leave does not accrue seniority, vacation or sick leave benefits, or receive paid holidays or other fringe benefits. Continuation coverage for health and dental benefits on unpaid Personal Leave is available through COBRA continuation, which requires payment of full premiums as paid by the University.

Military Leave
Military Leave is defined as a leave of absence that enables an employee to respond to a call to active duty military service or training, or to take leave for the purpose of a spouse or domestic partner being called to or on leave from active duty military service. Staff who are called to duty are entitled to reinstatement to their same job with the same benefits and seniority as if they had not been called to service. Staff whose spouse or domestic partner has been called to active duty military service are also eligible for protected leave based on provisions of both FMLA, per 2008 amendments, and the Oregon Military Family Leave Act (OMFLA). Benefit continuation may be afforded. See Policy 2.15, or the policy concerning Statutory Benefit Provisions. Staff may use accrued vacation and personal leave during approved Military Leave, but are not required to.

Other Leave
Other types of leave may be available, including Jury Duty/Court Appearance Leave (see Policy 2.16), and Domestic Violence Leave (see Policy 2.14). For leave not specifically defined in policy, refer to Personal Leave.

Payment of Premiums During Leave
FMLA provides for continuation of health and dental insurance on the same cost-sharing level as would have been the case had leave not commenced. When on approved FMLA Leave, employees who miss paychecks (ie. following exhaustion of accrued leave) must make arrangements with payroll and/or HR to pay missed premium payments that would have otherwise been withheld from paychecks. Once FMLA is exhausted, assuming compensation doesn’t continue through use of accrued leave, employees are required to commence full-premium responsibility effective with the next first of the month following the end of FMLA protections.

In addition to provisions under FMLA, Willamette provides for continued health insurance contributions during leave on the same cost-sharing level as would have been the case had leave not commenced for any period that continues to be compensated through use of accrued leave, and also during protected OFLA leave (OFLA does not require employers to extend such protections). In no case will such continuation be longer than 12 months as the maximum period of combined leave at Willamette is 12 months.
Use of Accrued Sick, Vacation, and Personal Leave
Employees are required to use accrued leave during all periods of a leave of absence, with the exception that it need not be used during any type of military leave. Use of accrued leave must be in accordance with normal scheduled hours per week. Employees may not spread out use of accrued leave over a longer period of time in order to extend benefit continuation beyond FMLA and other provisions of health continuation.

3.6 BREAKS IN SERVICE

Employees who separate from employment and are subsequently re-hired within six months of their termination date will not be considered to have a break in service.

Employees who voluntarily resign and are re-hired after six months of their termination date will be considered new employees and will be required to serve the introductory period and any applicable waiting periods in order to receive benefits. In the case of lay-off, employees separated who are subsequently rehired within one year will not be considered to have had a break in service.

3.7 EMPLOYEE BACKGROUND CHECKS

Willamette University desires to provide to the students, faculty and staff a reasonably safe and secure environment and to provide reasonable protection for the financial and material assets of the University.

As a condition of employment, all staff hires are subject to an criminal conviction record check. In addition, current employees transferring into sensitive positions who have not had a background check within the past seven (7) years are required to sign release of information forms authorizing the University to conduct a criminal conviction record check. This information is necessary to determine that the applicant or employee has the required skills or competencies, has a history of safe driving and/or has no relevant criminal history or offenses that may jeopardize the safety or welfare of the University’s operations, employees or students.

3.8 USE OF UNIVERSITY EQUIPMENT

During the course of employment, employees may have the use of university-owned equipment, such as offices, desks, chairs, computers, computer software, telephones, fax machines, copy machines, e-mail, Internet access, network accounts, etc. The University has the right of access to all of its assets, equipment, offices, buildings, machines, etc. Employees do not have a privacy interest in University material, equipment or assets. Employees have a responsibility to use University equipment in a careful, professional manner for work-related purposes. Inappropriate, careless, wrongful or improper use of university equipment, materials or assets, as well as an employee’s failure to assist in an investigation of wrongful use will result in disciplinary action, up to and including discharge.

3.9 UNIVERSITY ASSETS AND PROPERTY

University assets and property, including equipment, supplies, and facilities, are to be used in a reasonable and prudent manner for conducting University business. Excessive, unnecessary, or unauthorized use of University equipment, supplies or facilities is not permitted.
Use of University equipment and supplies for personal reasons should be avoided. Instances of personal use of University equipment should be rare, and employees are responsible for reimbursing the University for the cost of using University equipment or supplies in those cases.

Misuse or damage of University property because of recklessness or gross or negligent indifference on the part of the employee may subject the employee to personal liability for damage, loss or injuries to the person or property of third parties. It may also result in disciplinary action up to and including discharge.

3.10 CONFLICTS OF INTEREST/COMMITMENT

Staff members throughout the University have important fiduciary responsibilities in the work they perform. In support of these significant obligations, it is essential that staff perform their duties in a manner that will ensure no conflict, nor any appearance of conflict, between their personal interests and those of Willamette University. To that end, the University subscribes to the broad principles outlined in the following policy statements.

**Conflict of Interest**
A conflict of interest exists when individual commitment to the University may be compromised by personal benefit. Staff is expected to avoid situations or activities that could interfere with their unencumbered exercise of judgment in the best interests of Willamette University.

In addition, it is considered inappropriate for staff to make use of University property or other resources, including time, to advance personal interests or activities during the course of their employment at Willamette.

**Conflict of Commitment**
This policy statement is not intended to limit reasonable participation in professional and community activities which benefit and reflect positively on the University, by mutual agreement of the staff member and his or her supervisor. Paid outside activities which primarily advantage or benefit the staff member are to be performed on the staff member’s personal time. In some circumstances, accrued vacation time may be used to cover such absences.

Paid personal consulting activities or other outside pursuits are not to occur on University time, nor is it permissible to use, in the course of outside consulting, University resources including, but not limited to, office equipment, supplies or support staff. Such activities must not divert staff attention from their University duties or consume so much time or creative energy that they interfere, or appear to interfere, with staff responsibilities to the University.

3.11 POLITICAL ACTIVITIES

Willamette University holds a federal income tax exemption under section 501(c)(3) of the Internal Revenue Code of 1986. As a 501(c)(3) organization, the University is prohibited from directly or indirectly participating in, or intervening in (including the publishing or distribution of statements or campaign literature), any political campaign on behalf of (or in opposition to) any candidate for public office, political issue or ballot measure. The University prohibits any employee from engaging in any activity that would cause the University to violate this restriction.
SECTION 4:  TERMS AND CONDITIONS OF EMPLOYMENT

4.1 WORKWEEK/HOURS OF WORK

During the academic year, Willamette office hours begin at 8:00 a.m. and end at 5:00 p.m. Generally, unless scheduled for an alternative shift, employees are expected to adhere to this schedule.

It is recognized that the nature of administrative responsibilities may demand work outside normal working hours or in locations other than a campus office. In all cases it is expected that each employee’s work hours, when considered in the aggregate, will reflect concern for the diligent performance of his or her job.

Generally, administrators and professional staff are expected to work those hours. The University also permits flexible work hour scheduling, which may alter expected hours of administrators, but which should not result in a change in office hour service for the department (unless extending hours of service outside University standard office hours).

For Classified staff, the workweek is defined as a fixed and regularly recurring period of 168 hours consisting of seven (7) consecutive 24-hour periods. The workweek is the base period for purposes of computing overtime.

For Classified staff whose normal work schedule falls within the 8:00 a.m. to 5:00 p.m. hours, Monday through Friday, the workweek begins at 12:01 a.m. on Monday morning and ends at 12:00 midnight on Sunday. Other workweeks may be designated for employees whose shifts are other than 8:00 a.m. to 5:00 p.m. or whose workdays are other than Monday through Friday.

An employee is not permitted to exchange shifts with another employee without prior authorization of the supervisor. Any shift change should be accomplished without interference with University operation, and the implications of overtime should be considered by the supervisor in approving such changes.

4.2 SUMMER HOURS SCHEDULE

Every summer, the University institutes a scheduling change that shortens the work day during summer break. University offices close for business at 4:30 pm instead of 5:00 pm starting the Monday following commencement. This schedule continues through the second Friday in August, with regular office hours resuming the following Monday. Classified employees should continue to indicate actual time in and actual time out on the time sheet. Pay will be adjusted in payroll to reflect an 8 hour day. During the “summer hours” period, compensation does not change for salaried Classified and Administrative staff, despite the early closure of offices.

As always, only time worked over 40 hours in a work week will be compensated at the overtime rate. Additional hours over the standard summer schedule, but less than 40 hours, will be compensated at an employee’s regular pay rate. Any vacation, sick leave or personal preference time taken during the summer should be counted as occurring in a normal 8-hour work day, unless the employee works more than four hours in a day, in which case the half-hour summer hours release will be included as work time (for example, only 3 hours of accrued leave should be counted if 4 ½ hours are worked).
Only employees who are regularly scheduled to work a minimum of 8-hour days are eligible for this scheduling benefit. The Meal and Rest Periods policy for Classified staff is unchanged during the period of summer hours.

4.3 MEAL AND REST PERIODS

Meal and rest periods are a requirement of law for non-exempt staff. The meal period is not included as paid work time. Each employee who is scheduled to work a minimum of six (6) hours will have a scheduled meal period which is not less than 30 minutes and no more than one hour long. The meal period should fall approximately midway in the employee’s daily work schedule.

Rest periods are included as paid work time and should be provided for every segment of four (4) hours, or major portion thereof, and be no less than ten (10) minutes. Rest periods should not exceed twenty (20) minutes, including travel time to and from the break location. Rest periods should be scheduled in the middle of the work period. The scheduling of meal and rest periods may, on occasion, be altered due to work and service requirements of the department, but must generally be consistent with the above.

Rest periods may not be forgone to cover a staff member's late arrival or early departure or to extend a meal period. In addition, rest period time cannot be accumulated to provide for a prolonged rest period later or in the same day.

Exempt Administrative/Professional employees are not required to take lunch or rest breaks, however, for reasons of health and wellness, Willamette encourages periodic breaks. A one hour lunch period is assumed for all Administrators working 8am to 5pm office hours.

4.4 FLEXIBLE WORK OPTIONS

In some areas of the University it may be possible for staff members to work a flexible schedule. This is generally defined as a work schedule different from the standard 8 a.m. to 5 p.m. Monday through Friday. We believe that allowing flexibility will yield the most satisfied employees and the most productive workforce. Such alternatives are bound by factors such as productivity, federal and state legislation, restricted funding sources, task interdependence, and operational needs of the department. A flexible work schedule requires the approval of the staff member’s supervisor.

Possible flexible work options include flextime, telecommuting, job sharing and compressed work weeks. The Human Resource Office can provide assistance to supervisors and employees in exploring these options.

4.5 ADDITIONAL COMPENSATION FOR ADMINISTRATORS

In general, Administrators may not be paid additional wages for engaging in activities at Willamette that aren’t typical of the Administrator’s job. This includes Administrative employees who teach or lecture for Willamette University.

Salaried Administrators earn a salary that is intended as compensation for all activities undertaken on behalf of the University, and part of the expectations of all Administrators is to make contributions to the University that go beyond the job description. It is anticipated that all full-time exempt positions will be designed to have sufficient responsibilities to demand the full energy, attention, and contribution of the employee.
4.6 PERFORMANCE EVALUATION PROCESS

Annual evaluations are an important part of on-going communications between managers and employees, and Willamette University believes strongly in performance evaluation and feedback as a means to improve both job satisfaction and performance.

The University's process for the evaluation of employees is based on written job descriptions, competencies, as well as the setting of expectations and goals. Evaluations of each employee are conducted annually by the employee's immediate supervisor.

Annual reviews are performed on a "uniform-date" basis for all employees who have been employed at least 10 months as of the end of the performance focus period, which is June 1 to May 31. For those employees who have been employed less than 10 months, supervisors may choose to provide a short-year evaluation. Administrators should receive a "feedback circle" evaluation once every three years.

New employees receive a six-month review in the last month of the six-month "initial employment period". The six-month review can simply be provided in summary format in a letter or memo to the employee and copied to Human Resources. If performance expectations are not being met, supervisors may extend the initial employment period. If such an action is taken, it should be communicated prior to the end of the first six months of employment.

The University maintains standardized performance evaluation forms for both Classified and Administrative/Professional staff. Where the structure of either form isn't appropriate to the task of evaluating a particular class of jobs, supervisors may consult with Human Resources to evaluate the potential of developing and establishing a specialized evaluation form. Upon delivery of a review to the employee, the supervisor and employee sign the form, as does the VP/Dean of the department. Human Resources will also review the evaluation. It is important to note that the signature of the employee on the evaluation form acknowledges receipt of the evaluation only. It does not imply agreement with the content of the evaluation. The employee is free to attach his/her own interpretation of the evaluation to the evaluation form and/or submit a summary response to the evaluation to be attached independently.

In addition to the above identified objectives of the performance management program, evaluations may also be used as the basis for employment actions including promotion, merit increases, sanctions or termination. Evaluation of an individual employee is based on the shared expectations that have been developed in an open process and discussed throughout the year. It is often said that nothing in a performance review should come as a surprise to the person being evaluated. The annual review should not be considered the only opportunity to provide feedback. Feedback should be continuous throughout the year.

4.7 JOB DESCRIPTIONS

A job description should be prepared and maintained that includes a broad statement of expectations, responsibilities, qualifications, including job-specific competencies, and lines of authority, among other descriptive information. Such a description has use in recruitment as well as evaluation and reflects shared expectations among the employee, supervisor and others in the institution. Job descriptions are not static and require updating based on changing institutional
requirements. Job descriptions should always reflect actual functions being performed, not those that are aspirational.

Upon hire, and whenever job descriptions are changed or edited, incumbents in the jobs should be provided with a copy of the job description. A copy of the job description should also be signed and dated by the employee and supervisor and forwarded to Human Resources for placement in the employee’s personnel file.

4.8 PERSONNEL FILES

The Human Resources Office maintains files that contain a copy of employment documents as well as paperwork relating to employee benefits. It is the employee’s responsibility to advise the Human Resource Office on changes in name, address, telephone number, marital status, dependents, beneficiaries of insurance benefits, persons to notify in case of emergency, etc.

All information in personnel files is confidential and used only for employment-related purposes. The University intends to maintain employee records in accordance with applicable state and federal requirements. Employees may review their personnel file by notifying the Human Resource Office during business hours.

With regard to information in personnel files, the Human Resource Office intends to respect the privacy of all employees. Requests for personal and payroll information are considered confidential and proprietary and handled appropriately. Generally, without specific written authorization and release from an employee, only his/her job title, verification of employment dates and job duties will be released outside the University. Human Resources will seek validating information before providing any information pursuant to employment verification calls.

4.9 EMPLOYMENT OF MEMBERS OF IMMEDIATE FAMILY OR HOUSEHOLD

The University does not prohibit or limit the simultaneous employment of more than one member of the same family or household except in those situations where there is a potential conflict of interest. Members of the same family or household will not be so placed organizationally that one is in a position of having direct supervision over the other’s position. Current employees who marry or become household members may continue to work provided they do not work in a direct supervisory relationship with one another.

Family members include: wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild, grandparent or grandchild of the individual. Household members include individuals regularly sharing the employee’s residence.

While the University does not prohibit such relationships, it reserves the right to take corrective employment action should such relationships lead to issues of conflict that are pervasively disruptive to the workplace.

4.10 KEYS

All keys issued to employees must be returned to the Physical Plant office on or before the employee’s last day of work. Keys are University property and must be returned upon termination.
Keys issued to an employee are not to be loaned to other employees or non-employees. If another employee needs access to a building for which he/she does not have a key, contact Campus Safety.

Loss or theft of University keys must be reported immediately to the Campus Safety office. Depending on the circumstances, employees may be charged for replacements.

4.11 IDENTIFICATION CARDS

Identification cards (aka Compass Cards) are issued to all employees. They are used for identification purposes including check cashing privileges, building access, admission to University events, use of University facilities, and purchases throughout the campus. The Human Resources Office provides information on obtaining an ID card. The Campus Safety office can provide information on all the ways Compass Cards can be used. Your first card is provided at no charge. Replacement cards may come at cost to the employee as determined by Campus Safety. Cards should be returned to Campus Safety or the Human Resources Office upon termination of employment.

4.12 SAFETY AND SECURITY

In order to provide a safe and secure environment for all members of the Willamette community, the University employs Campus Safety personnel. Safety Officers are generally available and patrol the campus 24 hours a day. A Safety Officer can be reached by dialing 6911 from campus phones and 503-370-6911 from off-campus telephones. In spite of extensive efforts, the campus is not free from the risks associated with its surroundings. Consequently, at all times, safety and security is the responsibility of each of the Willamette community.

Community members can help enhance the safety and security of the campus by taking the following measures:

A. Reporting all unsafe conditions to their immediate supervisor or the Campus Safety Office.
B. Observing all safety regulations.
C. Utilizing all safety equipment and wearing all protective devices provided.
D. Being alert and reporting all conditions that may jeopardize the safety and security of individuals and property.
E. Observing all precautions to prevent unsafe or unsecured conditions from occurring.
F. Observing established security procedures and securing property and facilities when possible.

With every member's individual effort, this cooperative and preventive approach will achieve our objective of maintaining a safe and secure environment.

A. Do not assume someone else will take responsibility.
B. Do not treat safety and security issues lightly.
C. Do your part and take appropriate steps to correct problems.

4.13 ACCIDENTS

Accidents involving employees must be reported immediately to the employee's supervisor. Should medical attention be necessary, assistance should be sought from the employee's personal physician, Salem Hospital Occupational Medicine, or the Salem Hospital which is located one block south of the campus on Winter Street. In the case of serious injury requiring immediate
emergency treatment, Campus Safety must be called at 6911. DO NOT MOVE AN INJURED
PERSON. An injured or potentially injured person should be transported by an ambulance not by a
private vehicle.

4.14 EMERGENCY CONTACT AND EMERGENCY ALERT INFORMATION

All employees are requested to complete an Emergency Contact Information form to be placed in
the employee’s personnel file in the Human Resources office. The information contained on the
form will enable the University to respond to a medical or other emergency that involves the
employee. In addition, the University maintains Emergency Alert contact information to be used in
the event of a campus emergency. It is the employee’s responsibility to keep the information for
both of these purposes current.

4.15 CONTACT INFORMATION

It is the responsibility of each employee to immediately advise the Human Resources Office of any
change in name, address, telephone number, or marital status. Failure to provide timely notice of
these changes can result in important communications not reaching the employee in a timely
manner, as well as inability to contact the employee for employment related matters. Changes in
marital status are important to ensure benefit and/or tax changes are appropriately applied.

4.16 APPROPRIATE APPEARANCE & PERSONAL HYGIENE

The University’s commitment to excellence and its position in the community require standards of
personal appearance from staff that are consistent with departmental needs and with the
expectations of those whom the department serves. Some areas of the University in which staff
members have limited contact with persons outside the department may be flexible in terms of
dress standards. Departments may set reasonable standards that reflect departmental needs,
including the wearing of standardized uniforms provided by the University at no expense to the
staff member.

In addition to appropriate attire, good personal hygiene and modesty in dress are expected of all
employees. If a supervisor believes an employee is not dressing appropriately and/or practicing
good personal hygiene, his or her decision regarding either of these issues will prevail, and the
employee is expected to cooperate in making the necessary changes to meet expectations.

Occasionally, the situation arises in which an employee has an allergic reaction to the fragrance
another employee is wearing. In these instances, it is expected that the employee wearing the
fragment will discontinue doing so in the interest of other co-worker’s comfort and health.
SECTION 5: PAYROLL, CLASSIFICATION, COMPENSATION

5.1 STAFF CLASSIFICATIONS AND STATUS DESIGNATIONS

In order to effectively manage policies and the laws that govern pay, benefits, and other provisions of employment, the University must maintain appropriate classification and status designation definitions for staff. The following definitions constitute classifications and statuses used for staff of the University:

FLSA Status
All Willamette staff positions are designated as either “Exempt” or “Non-Exempt” from the provisions of the Federal Fair Labor Standards Act (FLSA). FLSA status designations are defined as follows:

- Exempt: An employee is classified as “Exempt” if his/her position satisfies one of the duties tests defined by FLSA, and is paid on a salaried basis an amount which is at least $455 per week for all weeks worked. Exempt employees do not receive overtime compensation, nor are they required to take meal and rest periods proscribed under Oregon law.
- Non-Exempt: An employee is classified as “Non-Exempt” if his/her position does not satisfy one of the duties test, or if compensation does not provide for at least $455 a week in salary for all weeks worked. Non-Exempt employees must be paid for all hours worked and receive time and one half pay for any hours worked in excess of 40 hours in a work week. In addition, employees classified as “Non-Exempt” must be provided with appropriate meal and rest periods.

Position Classification
All positions are defined into one of three possible Position Classification definitions, as follows:

Classified: In general, positions that are Non-Exempt based on the duties test of FLSA alone are defined as “Classified” positions. As the name implies, these positions also have the characteristic of being defined by a standardized classification specification and included on the University's salary grade system for Classified staff. Examples include maintenance workers, administrative assistants, and groundskeepers.

Administrative: "Administrative" positions are generally those that meet either the Administrative, Computer or Executive exemption duties tests under the FLSA, and are, in fact, usually “Exempt” status. This is not always the case as positions that would qualify for exemption under the duties tests, but do not meet the minimum salary requirements of the FLSA of $455 a week for all weeks worked, can still be considered "Administrative" positions. Examples include directors, managers, accountants, and business or financial analysts.

Professional: Positions defined as “Professional” are generally Exempt from provisions of the FLSA, but meet the duties test of one of the “professional” exemptions under the FLSA, including the Creative Professional, Learned Professional, and Teaching Professional exemptions. Examples include nurses, coaches, and librarians.
Pay Classification
All positions are further classified as either “Hourly” or “Salaried” which identifies the schedule on which wages are paid each month.

Salaried: All full-time year-round staff are paid current to the pay date on a “salaried” basis. This means that the same monthly salary is paid each month and current to the last day of the month. Adjustments for overtime and leave utilization are based on the period from the 15th of the previous month to the 14th of the current month for which pay is being processed for Classified staff, and the full month prior to the month of pay for Administrative and Professional staff who are salaried.

Hourly: Part-year non-exempt employees must be paid on an hourly basis in order for the University to comply with wage and hour law. Employees paid hourly are paid on the last day of the month for hours worked during the period starting on the 15th of the previous month to the 14th of the month in which the payday occurs.

5.2 PAYDAY
All employees are paid on the last day of each month. Should the last day of the month fall on a Saturday, Sunday, or University holiday, payment will be made on the last working day of the month.

The vast majority of employees elect to have their paychecks direct deposited to their bank account. For those that don’t, paychecks may be picked up in the Payroll office during normal business hours.

5.3 PAYROLL DEDUCTIONS
Every payday an employee receives a statement of earnings. This statement provides current and year-to-date earnings and withholdings.

Compulsory deductions are those withholdings that Willamette is required by law to make from an employee’s earnings. Compulsory deductions include Social Security and Medicare, Federal Income Tax, and State Income Tax.

Voluntary deductions are those deductions Willamette is authorized by the employee to make from his or her pay, which may include supplemental retirement, medical, dental and other insurance premiums, flexible spending account, tax sheltered annuity, and United Way. Requests for voluntary deductions must be made in writing.

In January of each year, all employees will receive a Wage and Tax Statement, Form W-2.

5.4 PAY ADVANCES
Requests for salary advances may be made in person through the Payroll Office or through the Office of Human Resources. Requests are granted if the employee obtains the approval of their supervisor and the vice-president or dean of the division in which the employee works.

Salary advances are generally limited to net earnings since previous payroll, and only three advances are allowed within a 12 month period.
5.5 DIRECT DEPOSIT

All employees are encouraged to utilize the benefit of Direct Deposit. Direct Deposit saves time and effort by depositing the monthly paycheck directly into the employee’s designated bank account. Forms are available through Payroll or Human Resources. More than one Direct Deposit may be set up and employees may commence or discontinue Direct Deposit at any time.

5.6 CLASSIFIED STAFF TIME SUBMISSION

All classified employees must complete a timesheet and submit it to their supervisor at the close of the pay period, the 14th of each month. Timesheets are electronic and available through Jason on the “Internal Web.” Paper timesheets are also available, but their use should be limited to unusual circumstances.

For any regularly scheduled work period during which the employee has not worked, the explanation for the employee’s absence should be recorded on the time sheet with notations as to whether vacation leave, sick leave, holiday, leave without pay, personal preference, or appointment leave is being used.

The supervisor is responsible for reviewing the employee’s reported hours of work, authorizing pay for any holidays worked, the hours of leave without pay, and the hours of overtime worked that are to be compensated during the pay period in question. The supervisor approves the timesheet online, or if paper, signs and forwards the completed time sheet to the Payroll Department where the reports are processed, audited and filed.

Employees are strictly forbidden from completing another employee’s time sheet.

5.7 ADMINISTRATIVE/PROFESSIONAL STAFF LEAVE REPORTING

Administrators are not required to keep track of their hours worked on a time card and, in fact, should not. However, they are required to report leave utilization. Submission of leave utilization can be made after the first day of each month and must be completed by the 15th. It is submitted through the “Internal Web” portion of the University’s web site. A report should be submitted even if no leave is taken.

The immediate supervisor of the Administrative or Professional staff member must approve leave submitted.

5.8 OVERTIME

All employees are expected to work overtime when the needs of the University require it.

Employees whose jobs are classified as non-exempt positions will be compensated for their overtime hours at a rate of time-and-one-half for any work performed in excess of 40 hours in a given week. Compensated overtime is reserved for peak periods, special projects, and emergencies. Employees working unauthorized compensated overtime may be subject to disciplinary action up to and including termination.

Exempt staff, whether Administrative or Professional in classification, do not receive compensation for working in excess of expected office hours.
A workday is defined as a period of 24-consecutive hours, commencing with the beginning of the employee's regularly scheduled work shift.

1. Time and one-half, where applicable, will be paid for all hours worked over 40 hours in one workweek. If an employee is absent during the workweek using earned paid time, i.e. sick time, vacation time, jury duty, bereavement leave, appointment time or a holiday, this time will be considered as time worked for the purposes of calculating overtime compensation.

2. During summer hours, Monday through Friday, if any classified employee is required to work after the 7 1/2 hours workday, the first half-hour will be considered part of the regular workweek and will be paid at straight time in addition to their normal pay.

3. If Classified employees are required to work Saturday and/or Sunday anytime during the year and those days are not a holiday and not part of their normal work schedule, then time and one-half will be paid.

4. If a non-exempt staff member has worked extra hours on one day of the workweek, the supervisor may give an equal amount of time off on another day within the same workweek to prevent use of overtime for the workweek. However, non-exempt staff may not be provided with “comp time” in a separate workweek to offset overtime worked in a prior week.

5.9 EMERGENCY CALL BACKS

Classified employees who have completed their regular shift, left the University premises, and without prior notice are required to return to the institution and work, other than a continuation of their regular work shift, will receive a minimum of two (2) hours pay at time and one-half. In addition, travel time of one (1) hour at straight time will be paid for emergency callbacks.

5.10 HOLIDAY PREMIUM PAY

Classified employees who are required to work on any day designated and observed as a holiday by the University will receive holiday premium pay for the actual time worked. Holiday premium pay is hourly pay at one and one-half times the normal hourly rate, and is in addition to the compensation for designated holidays. For purposes of this policy, designated holidays include Memorial Day, Independence Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day. In years in which the University is officially closed on Labor Day, that day is also a holiday.

5.11 SHIFT DIFFERENTIAL

Classified staff who work regularly assigned shifts in which 50% or more of the hours are worked other than Monday through Friday from 7:00 a.m. to 4:00 p.m., receive an additional shift differential. Information concerning the amount of shift differential can be obtained from Human Resources, Payroll, or a supervisor of the department that maintains such shifts.

5.12 ASSIGNMENT OF WAGES AND WAGE GARNISHMENTS

State and federal authorities may cause a legal summons to be served at an employee's work location to garnish the employee's salary to satisfy payment of taxes, delinquencies from creditors,
or child support enforcement. The University shall make the appropriate deductions and arrange for payment to the garnishing agency until the garnishment is satisfied.

5.13 UNIVERSITY OFFICE CLOSURE

From time to time, at the President’s discretion, University offices are officially closed early for special events, prior to holiday breaks, or for other reasons. In such cases, those who would have otherwise been working during the hours that University offices are declared closed will receive their full pay for that day without requirement of submitting accrued leave.

The provision of early closure is not intended to provide a set number of leave hours to which all employees are entitled. Only those who work to the end of the workday will receive additional hours of compensation, otherwise, pay will be for only those hours that are worked.

This policy does not preclude individual divisions or departments from administering an early division or department closure that provides for the similar effect, however, any such closure must be cleared through the division Vice President or Dean who must seek approval from the President.

This policy does not apply to reduced hours during the summer break period. Please see Policy 7.10 for information on reduced summer hours.

5.14 CHANGES IN COMPENSATION

Changes in compensation are made for a variety of reasons, including annual increases, merit increases, promotions, reclassifications, market-related adjustments, demotions, reductions in hours, and other factors.

All salary increases, other than “Annual Salary Increases,” are subject to review and approval by the VP and/or Dean with oversight for the position, as well as Human Resources, and must be initiated by a supervisor. Provision of “Annual Salary Increases” that are approved by the President and the board of trustees, as well as Administrative Council, will be subject to criteria identified at the time of increase.

5.15 JOB EVALUATION AND CLASSIFICATION

Evaluation of University positions, and their classifications where applicable, will take place from time to time to ensure the job description, range, and salary are commensurate with duties, responsibilities, authority, and the market. The office of Human Resources maintains the classification system and schedules the evaluation process on a periodic basis. In addition, job evaluation and classification will also be conducted upon documented significant changes in job duties, or the establishment of a new position.
SECTION 6: EMPLOYEE BENEFITS

6.1 GENERAL INFORMATION CONCERNING BENEFIT PROVISIONS

The University has established a variety of employee benefit plans. The following is a brief summary of those plans. Complete descriptions of the programs are contained in master plan documents and summary plan description booklets, copies of which are maintained by the Human Resource Office. In the event of any contradiction between the information appearing in this handbook and the information that appears in the master plan documents, the master plan documents shall govern in all cases.

The University reserves the right to amend or terminate any of these programs or to require or to increase employee premium contributions toward any benefits at its discretion and for whatever reasons it considers appropriate.

In most instances, benefits will cease upon termination of employment for any reason, except where mandated by state and federal laws. Any benefits described in this handbook apply only so long as the handbook is current. They do not provide vested rights.

For more complete information regarding any benefit programs, please contact the Human Resource Office.

6.2 BENEFIT ELIGIBILITY

ELIGIBILITY FOR FULL BENEFITS

Employees who are employed a minimum of .75 FTE on a continuing basis (calculated on a full fiscal or calendar year) are eligible to receive full benefits, including medical/dental/vision, retirement, disability, life insurance, tuition remission. Full-time Administrative and Classified staff members also receive accrued leave benefits.

ELIGIBILITY FOR MEDICAL/DENTAL/VISION BENEFITS ONLY

Administrators and classified staff who are employed less than .75 FTE but at least .60 FTE on a continuing basis (calculated on a full fiscal or calendar year) are eligible to receive medical/dental/vision and retirement benefits plus pro-rated vacation, sick leave and holiday pay.

Individuals hired on a temporary basis are not eligible for employee benefits.

6.3 MEDICAL/DENTAL/VISION BENEFITS

The University currently provides two options for medical insurance for staff members who are eligible for medical/dental/vision benefits (see above). The University provides the cost of employee-only medical coverage. Coverage for other family members or domestic partners is available through a payroll deduction.

Dental and vision insurance is provided by the University for staff members who are benefit eligible. Details regarding coverage for family members or domestic partners may be obtained from the Human Resources Office.
Medical, dental and vision coverage is effective on the 1st of the month concurrent with or following the date of hire. Additional information, including rates for the various options is available from the Human Resources Office.

6.4 FLEXIBLE SPENDING ACCOUNT

As part of its benefit package, Willamette University offers an Internal Revenue Code (IRC) Section 125 Flexible Spending Account. Section 125 allows employees to pay for certain health related and/or dependent care expenses with pre-tax dollars. These expenses include health, dental and vision premiums, unreimbursed medical costs and child care expenses.

Employees can estimate the amount of their out-of-pocket expenses and authorize the University to withhold that amount from their gross salary before taxes are calculated. As they incur these expenses, they simply submit a request form with receipt(s) and are reimbursed directly without paying tax on the money. Brochures describing the plan in detail are available from the Human Resources Office.

6.5 MEDICAL OPT-OUT

The University recognizes that not every employee is in need of coverage under the University-sponsored health plan. Eligible employees that do not need coverage and provide evidence of their other coverage can choose to receive a $100 per month University-provided contribution into a medical flexible spending account in lieu of being covered on the University health plan. As with other medical flexible spending monies, these funds can be used to pay for out-of-pocket medical expenses.

6.5 EMPLOYEE ASSISTANCE PROGRAM

As a part of the University’s Wellness Program, Willamette offers the services of an Employee Assistance Program (EAP) to all benefit eligible employees who work a minimum of .60 FTE (1248 hours) per year, and their immediate family members.

An Employee Assistance Program provides free, professional counseling services for employees and their dependents to assist when problems or stressful situations interfere with day-to-day activities, and to assist in preventing personal or work-related problems.

Covered employees and their dependents will receive five free counseling visits per incident per year. If there is a need for counseling services beyond the five visits, the EAP counselor will assist in coordinating those services with health insurance providers to take advantage of any insurance benefits available.

In addition to counseling services, the EAP provides many other useful assistance services, as well as wellness-related benefits and resources. The Human Resources Office can provide brochures describing the EAP services in detail, as well as contact information for accessing services.

6.6 WELLNESS PROGRAM

The Willamette University Wellness Program seeks to provide an environment which honors the whole person and encourages employees to explore ways to improve their social, emotional, mental and physical well-being.
The core benefits that provide wellness-related programs and resources are the Employee Assistance Program (see policy 6.5) as well as the University's health plans. Human Resources can assist you in learning more about these valuable benefits. Willamette's wellness-related benefits also include on-campus annual flu shot clinics for employees, access to the University fitness facilities, access to periodic fitness classes offered through the University, on-site stress-relieving massage therapy, smoking cessation reimbursement, and other programs.

In order to provide Willamette employees access to information sources that may help them take charge of their own well-being, HR's wellness website provides a number of links to health and wellness related resources in the immediate community and beyond.

6.7 GROUP LIFE INSURANCE

To assist employees in providing for their families, the University carries a group term life insurance policy for staff members who are eligible for full benefits. This benefit is provided to employees without charge and coverage is effective on the first of the month concurrent with or following the date of hire.

The coverage is equal to two times the annual salary for employees less than 65 years of age. The insurance is reduced by thirty-three percent (33%) at the employees 65th birthday. At age 70 the insurance is reduced to 50% of the pre-65 amount.

A specific policy will be provided each employee soon after enrollment in the group term life insurance program. A master policy is maintained in the Human Resource Office. Premium dollars paid by the University for insurance coverage above $50,000 is considered taxable income for the affected employee.

6.8 VOLUNTARY LIFE INSURANCE

Employees may purchase additional life insurance coverage for themselves and their family members through a voluntary life insurance program. Premiums may be payroll deducted. Provider contact information is available in the Human Resources office. Enrollment may be limited to

6.9 LONG TERM DISABILITY INSURANCE

The University provides full-time benefit eligible faculty and staff members who have been employed for one year with a long-term disability insurance plan that is funded directly by the University. New staff members previously covered by a group long-term disability plan with their immediate prior employer are admitted to the program without the one-year waiting period. The plan protects eligible employees against total or partial loss of income due to a long-term disability caused by illness or injury (unrelated to work). The plan, which provides payments starting at the beginning of the fourth month of disability, is designed to augment the University's medical leave program.

The eligible employee will receive 60 percent of gross monthly salary less the sum of disability benefits from other sources such as Social Security or Workers Compensation. The payment is considered as taxable income. The benefit is provided as long as the employee is disabled or until the employee reaches age 65.
The University effectively self-insures the 90th through the 179th day of disability, making the 60% disability payments based on “Advice to Pay” from the LTD insurance carrier directly through the University payroll. During this period, the employee will continue to have the 1% mandatory retirement contribution withheld from his/her check, and the University will continue retirement contributions of 10% of the amount that is being paid. Assuming disability continues, the LTD insurance carrier commences benefit payments starting with the 180th day of disability. In addition to the 60% salary replacement benefit, the insurance policy provides full replacement of the 10% retirement contribution from the University (based on full salary), but does not withhold 1% from the disability check.

Benefits continue to the limits of the Summary Plan Description (SPD). For a copy of the SPD, contact the human resources office.

6.10 TRAVEL ACCIDENT INSURANCE

Employees of Willamette University are covered for accidental death or dismemberment while traveling on official university-authorized business through a Travel Accident Insurance plan. The plan document provides further information concerning the limits of coverage related to loss of life, limb or sight while traveling on University business. “Travel Assist” benefits, such as emergency repatriation and other services, are also provided through this program. The cost of the plan is paid in full by the University.

6.11 WILLAMETTE UNIVERSITY 403(B) DEFINED CONTRIBUTION RETIREMENT PLAN

Willamette University provides for retirement savings for eligible faculty and staff through the Willamette University 403(b) Defined Contribution Retirement Plan, a plan that is subject to the Employee Retirement Income Security Act (ERISA). Eligibility for the program requires that the employee regularly work a minimum of 1,000 hours per year, or the IRS equivalent as defined in the Plan Document, available through Human Resources. Temporary faculty and staff are not eligible to participate in this plan, but may contribute to the Willamette University Supplemental Retirement Plan. After two consecutive years, otherwise temporary employees are not considered “temporary” for these purposes and hours are evaluated to determine eligibility for participation.

The University contributes an amount equal to ten percent (10%) of the employee's gross base salary. Participation is a condition of employment and the employee is required to contribute one percent (1%) of his or her gross base salary through salary reduction. Enrollment in the plan is effective on the first of the month following the date of hire, with the first paycheck thereafter marking the first contribution.

Employees have the option of allocating contributions between various investment vehicles. All amounts contributed by the University and by the employee are fully vested from the time of enrollment. Human Resources works closely with the retirement plan vendor(s) to provide educational opportunities to employees to assist in determining allocations over time.

Because careful planning can greatly aid the transition to retirement, employees should initiate contact with the Human Resources office and/or the retirement plan representative several months prior to the expected retirement date. We also recommend that employees meet with a representative of the retirement plan vendor at least one time per year to review asset allocation and future allocation plans.
6.12 WILLAMETTE UNIVERSITY SUPPLEMENTAL RETIREMENT PLAN

All faculty and staff members, including those who are not eligible for the retirement plan, may elect to make pre-tax or after-tax contributions to retirement savings through participation in the Willamette University Supplemental Retirement Plan. This plan is not subject to ERISA.

This program provides for both pre-tax and after-tax (Roth) savings for retirement, up to the limits established by the Internal Revenue Service (IRS). Limits are subject to change from year to year.

Please contact the Human Resources Office, or contact a retirement vendor representative, for information concerning these options, and for assistance in establishing an account.

6.13 VOLUNTARY SEVERANCE ARRANGEMENT

In addition to the retirement program, the University has a Voluntary Severance Arrangement. It is available to an employee who has been member of the faculty, staff or administration for at least twenty years, is eligible for full benefits, and has reached 59 years of age.

The voluntary severance arrangement is available for up to three years and is implemented through a special written arrangement between the University and the eligible employee. It provides for the monthly payment of an amount equal to one-third of the base salary the employee received during the last full year of employment. It is adjusted annually to reflect salary increases given to employees in the same classification in the previous year. The University will continue its contributions to the regular retirement for three years, or until full Social Security eligibility is reached, whichever is earlier. Coverage under University medical insurance programs will continue until the individual reaches Medicare eligibility.

A complete statement of the Voluntary Severance Arrangement and its provisions and restrictions can be obtained from the Human Resources office.

6.14 TUITION REMISSION

The basic intent of this benefit program is to provide reasonable educational benefits for employees who are eligible for full benefits, and for the employee's immediate family.

Conditions For All Educational Benefits:

A. An eligible employee must work a minimum of 1560 hours or .75 FTE per year.
B. All tuition remission benefits are based on the employee's continuous employment during the term of the benefit. If employment terminates for any reason (other than retirement or disability) during the term before completion of the course, a proportional tuition charge must be paid.
C. Tuition remission benefits apply only to tuition costs and not to any course-related expenses such as laboratory fees, material fees, travel expenditures, etc.
D. Tuition remission benefits do not apply to individual instruction coursework (e.g. individual music lessons).
E. All individuals (employee, spouse or dependents) must apply for admission through the Office of Admission. Admission will be based on normal admission standards and such admission is not guaranteed because of the tuition benefit.
F. Anyone who is eligible for any type of state or federal grant (including but not limited to Pell Grants, Social Security benefits and Veterans benefits) should apply for such assistance prior to becoming eligible for Willamette tuition remission.

Employee:

A. An eligible employee who has completed six months of service and received the necessary approval, may take one course per semester at Willamette University without tuition charge. If the class is not work-related, the employee is required to make up the work time. Requests for taking coursework are initiated by completing a form available in the Human Resources Office. The employee’s direct supervisor and area Vice-President or Dean must approve this form. (An employee who wishes to attend any regularly scheduled class offered without cost on an informal, no-credit basis must also receive approval of the instructor and register as an academic listener.) If approved, requests shall be returned to the Human Resources Office.

B. An employee who wishes to take additional courses for credit at the
   i. same time must seek approval from those listed above.
   ii. Approval for additional courses is rarely given;
      iii. however, if approved, the employee will be charged half the tuition rate.

C. If space is limited in a particular course, preference will be given to full tuition-paying students.

Employee’s Spouse or Domestic Partner:

A. Subject to admission to the College of Liberal Arts, an employee’s spouse or partner is eligible to take one undergraduate course for credit per semester at Willamette University without tuition charge once the employee has completed six months of service. Requests for taking courses are initiated by completing a form available in the Human Resources Office.

B. An employee’s spouse or partner who wishes to take additional undergraduate courses for credit at the same time may do so for half the tuition rate for the second and subsequent courses.

C. An employee’s spouse or partner may attend any regularly scheduled class offered without cost on an informal, no-credit basis with the approval of the instructor and registration as an academic listener.

D. If space is limited in a particular class, preference will be given to full tuition-paying students.

E. As with other benefits for spouses and domestic partners, the employee must complete the Affidavit of Marriage and Domestic Partnership form to be eligible for this benefit.

Employee’s Dependent Children:

A. A dependent biological, adopted or step-child (one who was claimed as a dependent on the employee’s income tax return for the previous year and will be claimed during the year of attendance) of an employee who has completed five years of full-time service is eligible to take undergraduate coursework at Willamette University without tuition charge for eight (8) semesters or until the calendar year following the year in which they reach the age of 24 years, or the attainment of a baccalaureate degree or its equivalent, whichever comes first. Full-time employment at a higher education institution will count toward the five-year waiting period. Part-time employment with Willamette or another higher education institution will be pro-rated to a full-time equivalency and credited.
B. If an employee-parent who has completed five years of full-time service dies or becomes totally disabled while employed at Willamette and is eligible for tuition remission benefits, then these benefits will be made available to those children who are dependents of the employee at the time of death or disability. Likewise, if an employee-parent retires from Willamette having reached 59 years of age and completed ten years of .75 FTE in a benefit-eligible position, then these tuition remission benefits will be made available to those children who are dependents of the employee at the time of retirement.

6.15 TUITION EXCHANGE PROGRAMS

Willamette University participates in a national tuition exchange program with many colleges and universities. The program offers scholarships covering all or most of the tuition for the children of employees who are eligible for full benefits. The employee and spouse or domestic partner are not eligible for this benefit. Children must meet the same eligibility requirements as for tuition remission. Information regarding the national tuition exchange program is available from the Financial Aid office.

Willamette also participates in a regional tuition exchange program with Lewis & Clark College, Reed College, the University of Puget Sound and Whitman College. This program also offers scholarships covering tuition for the children of employees on the same basis as dependent tuition remission.

Participation in both programs is subject to specific program rules and the admission requirements of the host institution. Application must be made at least six months prior to the anticipated matriculation and should be made through the Human Resources office by submitting the appropriate form. Additional information regarding the tuition exchange program is available through Human Resources.

6.16 STATUTORY BENEFIT PROVISIONS

Unemployment Insurance
The University reimburses the State Employment Division for unemployment benefits paid to former employees in accordance with the laws of the State of Oregon. The State determines eligibility to receive benefits.

Social Security and Medicare
In accordance with Federal law, a percentage of each employee’s salary is deducted to cover Social Security benefits which may include retirement payments, Medicare benefits, death benefits, disability insurance and monthly income payments to certain dependent survivors of covered workers. The percentages are mandated by law and are subject to change from year to year. They are equally matched by a University contribution to the Social Security fund. Benefits are determined by the Social Security Administration.

ERISA Rights
Employees are entitled to certain rights and protection under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all participants in the University’s benefit plan shall be entitled to:
a. Examine, during normal working hours at the Human Resource Office, all plan documents, master copies of insurance contracts, and copies of all documents required by the U.S. Department of Labor, such as detailed annual reports and plan descriptions;

b. Obtain copies of all, or any of the above documents, at a reasonable cost;

c. Receive, upon request, a summary of the plan’s annual financial report. The Human Resources Office will make this summary available to all participating employees upon request.

ERISA imposes certain duties on administrators of the University’s benefit plan, including the duty to administer the plan prudently in the employees’ best interest. Employees shall not be retaliated against for exercising their rights under ERISA.

Continuation Of Group Health Benefits
Employees and/or their dependents who are covered under a group health plan may be eligible for the continuation of those benefits at the time their employment ends. Federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides that employees who lose group benefits coverage due to a "qualifying event" other than termination for "gross misconduct" are eligible to continue the benefits at their own cost. In addition, the Uniformed Services Employment and Reemployment Rights Act (USERRA) provides for continuation during calls to active duty military service.

Some examples of "qualifying events" that result in loss of coverage include:

- termination for any reason other than gross misconduct,
- a reduction in hours (including leave of absence not protected under FMLA, OFLA, or USERRA) so that employee is no longer eligible for coverage under the plan,
- death of the employee,
- divorce or legal separation from the employee’s spouse,
- entitlement of the employee for Medicare benefits, and
- dependent child's attaining maximum age for coverage.

Under COBRA the employer must advise all eligible employees and their beneficiaries of their right to continue health care benefits that would otherwise be lost. COBRA requires that the employee be afforded the opportunity to maintain continuation coverage for 18 months if the loss of group health coverage was because of a termination of employment or reduction in hours, and 36 months for all other reasons listed above. In the case of military leave that is more than 31 days in duration, 24 months of continuation coverage is provided for under USERRA. Under both laws, the level of benefits offered must be the same as what other employees receive under the plan. The former employees or their beneficiaries must pay the full premium, as paid by the employer, for their continued coverage.

Under the law, the employee or a family member has the responsibility to inform the Director of Human Resources of a divorce, legal separation, or a child losing dependent status under the plan.
within 30 days after the qualifying event or within 30 days after loss of coverage due to the qualifying event. In the event of the employee’s death, termination of employment or reduction in hours, or Medicare eligibility, the Director of Human Resources has the responsibility to notify the employee and covered dependents of the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one of the events described above to apply for continuation coverage.

**Workers’ Compensation**
To provide for payment of certain medical expenses and for partial salary continuation in the event of a work-related injury or illness, employees are covered by workers’ compensation insurance as required by state law. An employee injured or becoming ill on the job must report such injury or illness to his/her supervisor or other designated individual in a timely manner. In addition, to protect the rights of recovery from the insurance carrier, a claim form (the state’s 801 Form for First Report of Injury) available from the Human Resources Office should be filed within 24 hours of the illness or accident, or as soon as is possible following the injury. Questions regarding workers’ compensation insurance should be directed to the Human Resource Office.

### 6.17 UNIVERSITY FACILITIES AND SERVICES

**Identification Cards**
A photo ID card is issued to all staff members. In addition to providing card-lock access to authorized buildings on campus, these cards can be used to receive free admission to Sparks Center, to purchase discounted tickets for a variety of selected campus activities, to receive a 10% discount on most purchases from the bookstore, as a debit card at the Cat Cavern and Goudy Commons dining facilities on campus, and as a library card. The Human Resources Office provides information on obtaining an ID card. Cards should be returned to the Human Resources Office upon termination of employment.

**University Libraries**
All employees of the University and their families may avail themselves of the facilities of the Hatfield and College of Law libraries. University ID is required.

**Willamette Store**
All employees of the University may purchase books, supplies, clothing and gift items at the Willamette Store at a 10% discount on most merchandise (excluding textbooks, candies, sundries and computer-related merchandise) and 10% on all in-stock general books. In addition, the Willamette Store provides discounted opportunities for computer and other technology purchases, with possible interest free repayment through payroll deduction. To find out more, contact the Computer Shop in the Willamette Store.

**Credit Union**
All Willamette employees are eligible to become members and receive the services of the Marion and Polk Schools (MAPS) Credit Union. Services available include checking and savings accounts, VISA card, insurance, and loan programs. Mortgage and/or loan payments may be made through payroll deduction. Credit Union information is available from the Human Resources Office. For convenience, MAPS maintains an on-campus branch on the first floor of the University Center. Direct deposit to your account in the Credit Union is available.
Check Cashing
Personal checks may be cashed for employees during normal business hours at the Cashier’s Office located on the first floor of Waller Hall. Willamette ID is required.

Notary Services
Notary services are available in various campus locations at no charge. Check with the Human Resources Office for further information.

Mail Center
The Mail Center offers employees the convenience of routine postal services on campus. You can purchase stamps and send letters and packages via U.S. Mail, Federal Express and UPS. The Mail Center is located on the first floor of the University Center. Use of the campus address for incoming personal mail or packages is limited to temporary or transitional use only.

Food Service Discount
The University provides employees and students a variety of dining and snack options on campus including breakfast, lunch and dinner. Meals and snacks are available in the Goudy Commons dining facility and the Cat Cavern located on the second floor of the University Center and the Kaneko Dining Room. For your convenience, your Willamette ID card can also be used as a debit card, and the food service provider will give a 10% rebate added back to your account for food purchases made during the previous month. Check with the Campus Safety/Campus Card Office for further information.

Financial Planner
For employees eligible for full benefits, the University provides a two hour consultation each year with a certified financial planner. The two-hour consultation fee will be billed to the University; however, under IRS rules, the amount must be considered taxable income to the employee. Check with the Human Resources Office for further information.

Travel Center
The University maintains its own Travel Center to meet the travel needs of the Willamette community. All University-sponsored travel must be arranged through the Travel Center. In addition, the Travel Center is also available for the convenience of the students, faculty and staff to assist with personal travel arrangements. The Travel Center is located on the first floor of the University Center. A nominal service fee will be applied to personal travel arrangements. Please visit the Travel Center's website at www.willamette.edu/dept/travel for more information.

University Recreation and Entertainment
Passes for employees and their families to attend home athletic events are available either at a discount or free of charge from the Athletics ticket office. In addition, employees gain access to Sparks Center facilities with a Willamette University ID card. Family passes for the use of Sparks Center are available by completing an online registration form found on the Athletics website. Human Resources can assist employees with limited computer access to Such passes permit employees, their spouses and children (dependent, still living at home and under age 23), to use Sparks Center athletic, swimming and recreational facilities, including the fitness center. Locker and towel service is available for a nominal charge.

Employees are also eligible to purchase, at a reduced-price, season passes for theater productions from the Theater Department and complimentary passes and reduced-price tickets for many musical performances can be obtained from the Music Department.
**Thetford Lodge**
The University owns a lodge on the Little North Fork of the Santiam River, approximately 25 miles east of Salem. Staff members are eligible to use the Lodge at a modest charge. Questions regarding the use and reservation of the lodge should be directed to the University Center information desk.

**Cone Chapel and Chaplain’s Services**
Cone Chapel is the center for religious worship and expression on campus. Religious groups on campus are encouraged to use the Chapel facilities. Located on the second floor of Waller Hall, Cone Chapel also hosts musical events, special lectures and convocations.

Faculty, staff and students may reserve Cone Chapel for weddings at the current applicable charge. Information is available through the scheduling office located in the Executive Building.

**Campus Parking**
The University attempts to provide adequate, on-campus parking facilities for faculty, staff, students and visitors. In order to regulate the use of the facilities and insure free access by emergency vehicles, parking regulations are enforced at all times. The Campus Safety Office administers the campus-wide parking program. All vehicles parked on campus must display a current Willamette University parking permit. Parking permits are obtainable from the Campus Safety Office, which is located between Doney Hall and Lausanne Hall on the south side (phone extension 6911). An annual fee is charged for access to parking.

Vehicles found in violation are issued citations and assessed fines ranging from $15.00 to $100.00. Violations may also result in towing and storage of a vehicle at the owner’s expense.

The following is a summary intended to familiarize you with the basic requirements of on-campus parking. For detailed information, please contact the Campus Safety Office.

1. Every vehicle parked on campus must display a current parking permit. Parking permits are available from the Campus Safety Office for a fee. All permits must be renewed at the beginning of every academic year.
2. Willamette maintains a guest parking lot that can accommodate guests, whether visiting campus on official business, or otherwise. Reservations can be made through the online guest parking reservation system on the Campus Safety website, or directly by contacting the Campus Safety office.
3. All vehicles must be parked in designated areas. Vehicles parked in areas marked "Reserved," "Handicapped," "No Parking," "Fire Lane," or at a yellow curb are subject to citations and towing without notice.
4. Any vehicle accumulating three or more citations is subject to immediate towing, if found on campus.
5. If you have any questions, please contact the Campus Safety Office (Ext. 6911).

Citations may be contested by completing an appeal form. These forms are available from the Campus Safety Office. Appeals must be filed at the Campus Safety Office within five working days from the date on which the citation was issued. All appeals are initially reviewed by the Director of Campus Safety and ruled upon. The decision of the Director of Campus Safety may be appealed to the Parking Review Board, which is composed of students, faculty and staff members. (The Parking Review Board is not available from May 1 to October 1.)
Bus Pass Discounts
Bus passes for Salem’s Cherriots bus system may be obtained through Campus Safety at a subsidized rate. More information may be obtained by contacting Campus Safety.

Security Escorts
The Office of Campus Safety provides security escorts for students, faculty and staff members. To arrange an escort on campus or within a two-block radius of campus boundaries, call the Campus Safety Office at extension 6911.
SECTION 7: ATTENDANCE AND PAID LEAVE PROVISIONS

7.1 ATTENDANCE POLICY

All staff members are responsible for good attendance and punctuality. Employees must report to work on each scheduled workday unless illness or other unavoidable circumstances make it impossible to do so, or unless prior permission to be absent has been given by the supervisor.

If an employee is unable to report for work, either for the day or on-time, the employee must notify his/her immediate supervisor (or an alternate designated by the supervisor) of such absence or lateness and the reasons for such absence/lateness as soon as possible, but in no case later than thirty (30) minutes after the beginning of the employee's scheduled work day. Supervisors may make alternate arrangements with their employees for reporting protocols that better meet the needs of their department.

Employees are expected to call their supervisor each day they are ill or injured. If an absence related to illness or injury is expected to extend for more than one week, employees are expected to provide their supervisor with a note from the physician indicating a diagnosis and a tentative return-to-work date, along with any physical restrictions or limitations. Willamette reserves the right to disallow a return to work until release by a physician if there is reason to believe that the employee's return may pose a health/safety risk to the employee or others.

If an employee becomes ill during the workday, the supervisor must be notified before the employee leaves the work site. Failure to follow this procedure will result in the absence being recorded as an unexcused absence.

Employees who are absent from work without prior approval or who do not provide a justifiable explanation of their absence may be denied pay for the day(s) involved and may be subject to disciplinary action. Excessive lateness or absenteeism may result in disciplinary action up to and including termination.

If an absence extends three days without proper notification (ie. “no-call, no-show”), the employee may be considered voluntarily terminated.

7.2 WEATHER-RELATED ABSENCE

Because of the largely residential nature of the University and relatively mild winters in Salem, it is unlikely that campus offices will close due to inclement weather. Employees should call the switchboard (503-370-6300) for a recorded message if they are unsure whether offices will be open. Please do not call Campus Safety to find out about University closure as it may tie up phone lines that are needed for emergency calls.

On the rare occasions that the University is closed due to inclement weather, employees are paid as if they had come to work. Those non-exempt employees that are required to work will receive, in addition to their regular pay, straight time pay for actual hours worked.

If offices remain open but an employee determines that weather conditions are such that commuting to work will be hazardous, the employee should contact his/her supervisor as soon as possible or within
the first 30 minutes of the workday and request to make up the time to be missed or to count the time against accumulated vacation leave.

7.3 WINTER BREAK

Willamette University is closed between December 24th and January 1st of each year. Employees who are eligible to receive holiday pay will be paid their regular pay for any day during that period that they are normally scheduled to work. Certain departments may be required to remain open during part of that time. Employees who are required to work any day(s) during that period may select another day(s) during the fiscal year with the approval of the employee's supervisor. These days must be taken before June 1, and cannot be carried over to the following year.

7.4 HOLIDAYS

The University observes the following paid holidays:

- New Year’s Eve & New Year’s Day (2 days)
- Memorial Day (Observed)
- Independence Day (Observed)
- Labor Day (See Exception Below)
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Eve & Christmas Day (2 days)

Labor Day is a University holiday when it does not coincide with the opening of school. When Labor Day coincides with the opening of school, it is not a University holiday but administrative and classified staff will have another day off with pay during the fiscal year. This occurs once every six years.

The Holiday policy also provides for the establishment of one (1) Personal Preference Day for Administrators and two (2) for Classified staff. Personal preference days are intended to provide leave with pay for Holidays not recognized by the University's holiday schedule, but may be used for other reasons as well.

The University, while not closed for Martin Luther King Day, celebrates the legacy of Dr. King through two weeks of events and activities that employees may participate in. A half day of release from work is provided for those wishing to participate in community service projects organized for the University's MLK celebration.

7.5 VACATION LEAVE

Willamette University recognizes the value of rest and relaxation and encourages eligible employees to use vacation leave credits. Vacation Leave is provided to benefit-eligible staff based on the schedules below. Staff who are employed less than 2080 hours per year will accrue a proportional amount of vacation, and must work 50% of his/her regularly assigned work schedule in a given month. Classified employees who work at least 1248 hours per year are eligible to accrue vacation time. While we discourage use of accrued leave during the first six months of employment, Classified and Administrative staff may begin to use accrued vacation time as soon as it has been earned. Employees hired on a temporary basis for less than full-time, full academic year are not eligible to accrue vacation leave.
### Classified Vacation Accrual Schedule:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Hours/Month</th>
<th>Days/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>From the 1st thru 2nd anniversary</td>
<td>6-2/3</td>
<td>10</td>
</tr>
<tr>
<td>From the 2nd thru 3rd anniversary</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>From the 3rd thru 4th anniversary</td>
<td>9</td>
<td>13.5</td>
</tr>
<tr>
<td>From the 4th thru 5th anniversary</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>From the 5th thru 6th anniversary</td>
<td>10-2/3</td>
<td>16</td>
</tr>
<tr>
<td>From the 6th thru 7th anniversary</td>
<td>11-1/3</td>
<td>17</td>
</tr>
<tr>
<td>From the 7th thru 8th anniversary</td>
<td>12</td>
<td>18</td>
</tr>
<tr>
<td>From the 8th thru 9th anniversary</td>
<td>12-2/3</td>
<td>19</td>
</tr>
<tr>
<td>From the 9th thru 15th anniversary</td>
<td>13 1/3</td>
<td>20</td>
</tr>
<tr>
<td>From the 15th thru 20th anniversary</td>
<td>14</td>
<td>21</td>
</tr>
<tr>
<td>From the 20th thru 25th anniversary</td>
<td>14-2/3</td>
<td>22</td>
</tr>
<tr>
<td>From the 25th anniversary on</td>
<td>16-2/3</td>
<td>25</td>
</tr>
</tbody>
</table>

### Administrative Vacation Accrual Schedule:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Days/Month</th>
<th>Days/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Through the 15th anniversary</td>
<td>1.66</td>
<td>20</td>
</tr>
<tr>
<td>From the 15th thru 20th anniversary</td>
<td>1.75</td>
<td>21</td>
</tr>
<tr>
<td>From the 20th thru 25th anniversary</td>
<td>1.83</td>
<td>22</td>
</tr>
<tr>
<td>From the 25th anniversary on</td>
<td>2.08</td>
<td>25</td>
</tr>
</tbody>
</table>

Accrual rates change in the month following an employee's anniversary date.

In general, vacation may be used only when approved in advance by the employee's supervisor at least 2-weeks prior to the requested start date. Vacation leave will not be permitted in advance of being earned. Consideration will be given to all requests for vacation time, and the employee's preference will be respected whenever practical.

Every attempt will be made to grant the use of vacation when requested. However, the University reserves the right to deny requests when the employee's absence would cause hardship or interfere with the operation of the University. If scheduling conflicts arise due to employees requesting the same vacation time off, generally, requests will be granted based on the employees' length of service with the University, or based on prior year vacation schedules if applicable.

Since vacation is intended to provide rest and renewal for employees, all employees are encouraged to take it during the year in which it is earned. The University will permit accumulation up to 240 hours (30 days) of accrued vacation time. At the time of termination, administrative employees will be paid for unused accrued vacation. Employees may not receive pay in lieu of vacation except when terminating from University employment.

Illness or injury occurring during an employee's vacation leave will not be covered by sick leave. If sickness or injury continues after the vacation is over, the employee can use sick leave. If a holiday occurs during an employee's vacation, that day will not be charged as vacation time.

Employees transferring between departments will retain unused vacation.
7.6 SICK LEAVE

Purpose

Willamette University recognizes that employees need days off from work from time to time to address their or family members health needs. This policy complies with Oregon Senate Bill 454.

Accrual of Sick Time

Employees may earn up to 8 hours per month of paid sick leave. Employees who are employed at less than 1.0 FTE will earn paid sick leave on a pro-rated basis. Faculty, student employees and employees working less than .6 FTE will have sick leave capped at 80 hours, such that they will not earn leave in excess of 80 hours. All other employees will accrue sick leave without limit.

Use of Sick Time

Employees may begin using sick time as soon as it is earned. An employee rehired within 6 months of separation may use previously accrued sick time immediately upon reemployment. When using sick time, employees will be paid at the regular rate the employee would have earned had they not been absent. Employees are not required to find coverage when taking sick leave. Employees will not be compensated for unused sick leave upon termination, except at retirement in accordance with the provisions of the policy governing Sick Leave Cash Out for Retirement.

Qualifying absences

Sick leave may be used for the following reasons:

- For an employee’s mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventative medical care;
- For care of a family member with a mental or physical illness, injury or health condition, care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or care of a family member who needs preventative medical care;
- For any Family Medical Leave Act- or Oregon Medical Leave Act-qualifying purpose, including bereavement leave;
- For any purpose allowed under Oregon’s domestic violence, harassment, sexual assault or stalking laws;
- In the event of a public health emergency (including closure of Willamette University) or closure of the employee’s child’s school or daycare by order of a public official due to a public health emergency, to provide self-care or care for a family member if the presence of the employee or family member in the community would jeopardize the health of others as determined by a public health authority or by a health care provider; or if the employee is excluded from work by law due to health reasons.

Sick leave is not intended to be used as vacation or extension of vacation. Sick leave will not be advanced but must be earned before it can be used.

Employee Documentation
If an employee uses more than three consecutive scheduled workdays of sick time, Willamette may request reasonable documentation verifying the employee is out for a qualifying reason.

**Employee Notice**

For planned sick leave, the employee should use best efforts to notify their supervisor of the need to use sick time as soon as practical before the date sick time will commence. If possible, the employee should include the anticipated duration of the sick time requested. The employee must make a reasonable attempt to schedule the use of sick time in a manner that does not unduly disrupt operations, including attempting to avoid scheduling sick time during peak work hours, when work is time-sensitive, or when mandatory meetings are scheduled.

When sick leave is unforeseeable, the employee should follow department procedures to notify their supervisor of the need for sick leave before the start of the scheduled work shift, or as soon as practical, and where possible, provide the duration of the sick leave.

**Definitions**

*Family member* includes the spouse or domestic partner of the employee, the biological, adoptive, or foster parent or child of the employee, the grandparent or grandchild of the employee, a parent-in-law of the employee or a person with whom the employee was or is in a relationship of in loco parentis.

**7.7 SICK LEAVE CASH OUT FOR RETIREMENT**

Administrative and classified staff who work a minimum of .75 FTE per year with the University (calculated on a full fiscal or calendar year) for at least 10 years are eligible for a one-time cash out of a portion of accumulated sick leave benefits based on the formula described below and paid into their retirement plan. To request this payment into the retirement plan, the employee must retire and be over 55 years of age, or have 30 years of service to the University, and inform the institution at least six months prior to retirement of their intentions.

In calculating the credit to be paid to the retirement plan, Human Resources will subtract 520 hours from the total remaining unused sick leave the employee has accumulated, divide that total by three (3) and multiply that by the employee’s hourly rate. That amount, not to exceed $5,000, will be credited as a one-time lump sum payment to the employee's retirement plan.

**7.8 BEREAVEMENT LEAVE**

In the event of the death of a member of an employee's family, the employee will be allowed time off with pay for up to three (3) working days to attend the funeral and/or to make funeral arrangements. The definition of family members shall include: the employee's current spouse, partner, child, parent, current parent-in-law, legal guardian, grandparent, grandchild, brother, sister, foster child, step parent, step child, step brother or sister, or any other person living in the employee's household.

An employee may be granted time off with pay for a maximum of one (1) day to attend the funeral of a person not listed in the definition of the family members above, including other distant relatives, former or retired co-worker, or close personal friend. The employee will be paid for the
scheduled work day(s) missed and may be required to furnish satisfactory evidence to support the leave. Vacation or leave without pay may be requested if additional time off is necessary.

7.9 APPOINTMENT LEAVE

Employees should make every effort to schedule appointments to conduct personal business, including medical/dental appointments, appointments related to finances, or otherwise, at times outside their normal work schedules. When such scheduling is not possible, employees should attempt to schedule appointments during those times when reduced staff will cause the least amount of hardship for the department.

Classified staff are provided with an additional eight (8) hours of leave per fiscal year to be used for appointments. Sick leave may also be used for doctor’s appointments and if Sick Leave is exhausted, Vacation Leave or Personal Leave may be used as well. Requests for time off during the workday must be made in advance. Classified staff must record the time they leave and return if the appointment only takes them away from work for a portion of the day. For new employees in their first year, personal appointment leave will be pro-rated in accordance with their hire date.

Exempt staff, whether Administrative or Professional in status, do not receive additional paid time off to use for appointments. Administrators or Professional staff should follow their department’s practices and/or policy for scheduling appointment time and use of accrued leave, if applicable.
SECTION 8: CONDUCT AND DISCIPLINARY PROCEDURES

8.1 GUIDELINES FOR APPROPRIATE CONDUCT

Employees are expected to follow acceptable business principles in matters of personal and business conduct, to accept responsibility for the appropriateness of their own conduct and to exhibit a high degree of personal and professional integrity at all times. It is impossible to list all forms of conduct that might be considered inappropriate. Certain behavior (such as theft, fighting, falsification of records, breach of confidential information, bribery and threats of violence) is clearly unacceptable at any time in any workplace. Other conduct such as failure to cooperate with other employees, harassing or intimidating others and rudeness to co-workers, students, or visitors, while often more subtle, is equally unacceptable.

The University expects all employees to observe the highest standards of professionalism at all times, to comply with all laws applicable to the University business wherever conducted and to treat others (co-workers, students, vendors, and visitors) with dignity and respect. Unsatisfactory performance, work habits, overall attitude, conduct and demeanor; violation of University policies, procedures or guidelines or practices; or any other behavior or conduct deemed inappropriate by the University may lead to disciplinary action up to and including termination.

8.2 DISCIPLINE

It is the policy of the University that any employee who violates the University's policies, guidelines, rules and/or standards of conduct should be subject to disciplinary action up to and including termination.

In general, the University will look to utilize basic progressive discipline standards and processes in administering disciplinary action for policy and other serious violations. This includes the possibility of verbal counseling, written warnings, final written warnings, suspension, and discharge. It is not always necessary that the disciplinary action process commence with verbal counseling or include every step. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or subsequent offense, including even termination.

Consideration will be given to the seriousness of the offense, the intent and the attitude of the individual, and the environment in which the offense took place. The University expressly reserves the right to determine the severity of the problem and the preferred method of proceeding in each individual case. Nothing in this policy should be construed to change the "at-will" nature of the employment relationship.
SECTION 9: PROBLEM RESOLUTION

9.1 GRIEVANCE PROCEDURE

The University recognizes that in any employee group, personnel problems will occasionally arise. It is usually in the best interest of both the University and the employee to resolve such problems as soon as possible at the lowest possible administrative level. In order that employees may be assured fairness in the consideration of such problem(s), a process of appeal and review, without prejudice, to higher levels of authority has been established. Employee problems or concerns regarding University rules or regulations, working conditions, personnel practices, and the application of personnel policies should be addressed in the following manner.

1. The employee should first attempt to resolve the difficulty informally by discussing it with the employee’s immediate supervisor. It is anticipated that satisfactory resolution can usually be achieved at that level.

2. If the matter is not resolved to the employee’s satisfaction informally, a description of the problem should be submitted in writing to the employee’s immediate supervisor. The written complaint should include an explanation of the problem, a listing of all facts related to it, a summary of any action or attempted resolution undertaken by the employee, and a description of the desired resolution. The complaint must be presented to the immediate supervisor, with a copy to the Director of Human Resources, within thirty (30) days of the occurrence of the problem. The supervisor will respond in writing to the employee within five (5) working days.

3. If the matter is not resolved to the employee’s satisfaction at that level, the employee may take it to a second level of review. The second level of review will be to the Vice President or Dean responsible for the employee’s administrative area and must be made in writing within five (5) working days of the response from the immediate supervisor. The second-level reviewing administrator will respond in writing to the employee within five (5) working days.

4. If the problem is not resolved to the employee’s satisfaction at the second level of review, the employee may take the matter to a third, and final, level of review. The third level of review will be to the President of the University and must be made in writing within five (5) working days of the response from the second level of review. At the time of the appeal to the President, the employee may request that the President review the matter unilaterally, or that the President establish an ad hoc Personnel Advisory Committee to review the matter and make a recommendation to the President. The President may also opt for review by the Personnel Advisory Committee whether or not the employee requests it. The final decision as to how the review will be conducted is at the discretion of the President. If he/she decides not to involve a committee, the President will review the matter and respond in writing to the employee regarding its disposition within ten (10) working days.

5. If the employee requests that the matter be reviewed by the Personnel Advisory Committee and the President concurs that such review is appropriate, the President will
appoint such a committee within five working days of the employee’s request. The committee will be appointed by the President and be composed of three members—one University faculty member, one administrator, and one individual who occupies a position at a level similar to that of the appealing employee. The President will designate one member as the chairperson. The committee will have ten working days in which to hear the matter and make a written recommendation to the President. The hearing will be open only to the appealing employee, the committee members, and the Director of Human Resources (who serves as the Equal Employment Opportunity officer of the University). Other employees who can assist in a fair airing of the factual circumstances will be permitted to contribute in writing or orally to the committee. The proceedings are to be informal; and consequently, legal counsel, rules of evidence, and other trappings of formal judicial process will not be permitted at the committee hearing. The committee will not have the power to impose or retract sanctions of any kind—only to submit a written recommendation, based on its findings of fact and its interest in fairness, to the President.

6. Generally, within five working days of receiving the committee’s recommendation, the President will make and notify the employee of the final disposition of the matter. The President’s decision will be final and binding on all parties.

Due to the nature of some positions, the grievance process may necessitate fewer levels of review. For instance, employees who report directly to a Vice President will have only two levels of review.

9.2 COOPERATION IN AN INVESTIGATION AND NON-RETALIATION

When investigations become necessary, the University takes its responsibility to conduct a full, fair, and complete investigation very seriously. All members of the Willamette community who have involvement with an investigation are expected to cooperate completely.

Failure or refusal to cooperate with or interference with a campus investigation may be grounds for disciplinary action up to and including termination. Retaliation or reprisals against participants in an investigation is particularly egregious and will be treated with seriousness if confirmed, and is likely to result in immediate termination of the person engaging in such acts.
SECTION 10: SEPARATION FROM EMPLOYMENT

10.1 VOLUNTARY RESIGNATION

Willamette staff may choose to terminate their employment with Willamette University at any time and for any reason. While there is no policy requirement for notice, Willamette appreciates the good faith shown by those who choose to provide a period of notice, usually at least two weeks. Adequate notice may also be necessary to retain eligibility for rehire.

In addition to resignation, employees may be considered to have voluntarily terminated when they are absent without notification for three consecutive working days or do not return from a leave of absence or notify the University of intent to return.

In addition to providing the University with sufficient notice of resignation, employees are expected to fulfill all other obligations, such as the return of keys and the payment of outstanding bills prior to the completion of their duties. The employee’s final paycheck, including earned vacation, will normally be available on the last workday.

Employees who plan to retire are encouraged to provide the University with a minimum of three months’ notice. This should allow ample time for the processing of appropriate forms of any retirement benefits to which an employee may be entitled.

Employees who are leaving the employ of Willamette University will be compensated for unused accumulated vacation leave at the time of termination. An employee’s date of termination is the last day worked. Pay for accumulated unused vacation leave does not extend the employee’s length of service with the University.

10.2 EXIT INTERVIEWS

Whenever an administrative or classified staff member gives notice of resignation, he/she is requested to contact the Human Resources Office to schedule an exit interview. During this meeting the employee has an opportunity to share any comments regarding his or her job, the department, or Willamette University. The employee is provided with information regarding the retirement plan and continuation of other employee benefits.

University-sponsored benefits generally end on the last day of the month in which the employee terminates. Questions about the expiration of specific benefits, possible continuation of benefits paid for by the employee, retirement benefits, and any other related questions should be directed to the Human Resources office.

10.3 INVOLUNTARY SEPARATION

The employment relationship between staff and Willamette University is “at-will”; just as an employee has the right to leave employment with the University at any time and for any reason, the University may terminate an employee’s employment at any time, with or without cause, and for any reason not specifically prohibited by law. The University reserves the right to be the sole judge of whether termination is appropriate and the processes that will be followed.

Typically, the following approaches will be followed, but they are not required and the University may elect to handle a separation differently.
**Introductory-Period Separation**
A new employee may be separated during the six-month introductory period (see Policy 3.2). Generally, the University will provide two weeks of pay in lieu of notice in the event that it is decided that the employee has not been successful during the introductory period. Benefit termination will be based on the last day of work.

**Performance-Related Separation**
Employees who have completed their introductory period may be separated for performance-related reasons. Performance-related separations are terminations based on performance of job duties and would not generally include incidents of misconduct or other violations of policy. Such separations will generally be influenced by recent performance evaluations.

Before a performance-related separation, a supervisor may have implemented a performance improvement action plan. Determinations of whether an employee's performance has improved sufficiently to satisfy expectations established in such a plan are made by the employee's supervisor. The implementation of a performance improvement action plan is not guaranteed in all cases. Whether a plan will be implemented is generally based on the supervisor's understanding of the employee's capabilities to be successful as well as the nature of the performance issues at hand.

Where termination does become necessary due to performance, in most circumstances, separation from employment will take place at the end of a fiscal year (May 31). However, termination may occur at any other time during the year if it is deemed necessary to the effective operation of the department and University.

Employees who are terminated for performance-related reasons after completion of the introductory period but during the first two years of employment will be given twenty (20) working-days of notice of termination. Employees who are terminated for performance-related reasons after completion of two years of employment will be given forty-five (45) working-days of notice of termination. Full compensation and benefits will continue during the period of notice.

The University will determine whether continued service is necessary during any portion of this period of notice or whether the employee will receive pay in lieu of notice. In general, the departing employee will be relieved of duties, other than those associated with transition, during the period of notice.

**Misconduct-Related Separation**
The University reserves the right to determine what constitutes employee misconduct or policy violations, and the level of discipline that will be used. Typically the University will make a determination whether discipline short of termination is appropriate given the nature of the violation and the employee’s employment history. Where opportunities for remediation are warranted following an incident of improper conduct, the University will look to Policy 8.2 Discipline to determine appropriate steps for corrective action.

For purposes of this policy, misconduct includes, but is not limited to gross neglect of duties, violation of law, violation of policy, dishonesty, willful failure to comply with supervisor’s direction, fraud, improper use of University funds, harassment, menacing, acts of violence, possession of firearms or drugs on campus, or other such acts that the University considers to be serious. Separation due to misconduct may also be related to acts outside the University.
community, including conviction of felonies. Where a person is formally charged, but not yet tried of a serious crime, the University reserves the right to terminate employment based on the nature and circumstances of such charges.

Separations due to misconduct will generally not include pay continuation of any type unless warranted due to the nature and circumstances of the separation.

Separation Due to Layoff or Re-Organization
In order to effect an orderly and supportive separation of employment when layoff or reorganization is necessary, the University will generally offer separation pay. In such cases an employee will be required to sign a separation agreement which includes a release of claims as a condition of receiving separation pay. The University reserves the right to determine the nature and structure of such agreements on a case by case basis and based on the facts and circumstances of the departure.

In the case of a separation due to layoff or reorganization, the University will offer no less than four weeks of severance for all staff with at least one year of service. For staff with more than one year of service, an additional week of severance would be offered for each year of service over one year. The maximum period of severance offered will be 16 weeks of pay and only health and dental insurance, as well as eligibility for participation in the Section 125 plan.

Accrued Benefits at Termination
Any employee who is terminating employment for any reason will be compensated for unused accumulated vacation leave at the time of termination. Sick leave and any other provision of paid leave will not be paid out because it is intended to be used for periods of illness during employment.

10.4 BENEFITS AT SEPARATION

In most instances, benefits will cease upon separation from employment for any reason, except where mandated by state and federal laws. Any benefits described in this handbook apply only so long as the handbook is current. They do not provide vested rights.

10.5 DEPARTURE RESPONSIBILITIES

All employees are expected to return all University property upon separation from employment, including keys, identification cards, parking permits, credit cards and computer equipment. Human Resources maintains a Separation Clearance Form to ensure all items are returned prior to the employee’s departure. This should be obtained one week prior to the last day of work.

10.6 EMPLOYMENT REFERENCES POLICY

All requests for employment and salary verification and for job references should be referred to the Human Resources Office.

Requests for personal and payroll information are considered confidential and proprietary. Generally, without specific written authorization and release from an employee, only his/her job title, verification of employment dates and job duties will be released outside the University. The Human Resources office will seek to validate all requests for employment verification through information validation practices.
SECTION 11: APPENDIX

11.1 PROCEDURAL GUIDELINES FOR ADDRESSING COMPLAINTS OF HARASSMENT INVOLVING STAFF OR FACULTY AT WILLAMETTE UNIVERSITY

The following are to be used as procedures for addressing complaints that a faculty or staff member has violated Willamette's harassment policy. If you are still unsure of what constitutes "harassment," please consult the University's Human Resources department. These procedures do not apply to allegations of student-student harassment. Student to student harassment is addressed under the standards of conduct for students of Willamette University within the Selected Policies Manual.

If a person believes that they have been harassed by a staff or faculty member, they should ask that staff or faculty member to stop the harassing behavior immediately, if he or she can do so safely. Willamette's harassment policy and these procedures address complaints of harassment based on race, color, sex, religion, age, marital status, national origin, physical or mental disability, veteran status, sexual orientation or any other basis protected by applicable local, state or federal law. "Harassment" as described, is a form of discrimination under Title VII of the Civil Rights Act of 1964 and under Title IX of the Education Amendments of 1972. Failure to respond to written or verbal concerns of sexual discrimination or harassment, or, failure to report incidents of sexual discrimination or harassment, is a violation of University policy.

Duty to Conduct Inquiry
If a harassment complaint is reported to the Director of Human Resources, or any other appropriate University official, the University may proceed to conduct an inquiry, even if that is not consistent with the complainant's wishes. An official inquiry is intended to protect the well being of involved parties, others in the community, and the University at-large.

Willamette may investigate suspected instances of harassment even if individual complaints are not made. If a supervisor or other managerial employee has reason to believe that an environment of harassment exists, or that any other provision of the University's policy prohibiting harassment is being violated, it should be reported immediately to the Director of Human Resources.

Procedures for Reporting Harassment
Any staff member, faculty member or student who believes they have been harassed by an employee of the University is encouraged to report the issue immediately to the Director of Human Resources. Alternatively, a report can be made to the claimant's supervisor, Vice President or Dean responsible for the accused offender's department. You may be asked to provide the information in writing. A staff member, faculty member, or student may contact the Director of Human Resources without first contacting other officials identified above. Any party may have an advisor or advocate in these proceedings, however the advisor or advocate may not participate in, or represent, a complainant in this process. Efforts will be made to ensure the confidentiality of the information received as a part of the process.

Supervisors and other University officials receiving complaints of potential harassment are required to consult with the Director of Human Resources, or a responsible Vice President or Dean, immediately upon receiving a complaint. A supervisor should not attempt to resolve a complaint of harassment without assistance from the Director of Human Resources.
**Preliminary Review**
Upon receiving a complaint, the Director of Human Resources will make a preliminary determination as to whether or not the complaint is appropriately brought under the process for addressing violations of the University's harassment policy. The Director shall convey that preliminary determination to the complainant. The Director of Human Resources may choose to refer the complaint to a designee if warranted. If the complainant disagrees with the determination by the Director of Human Resources, the complainant may appeal this decision under the Procedures for Reconsideration to the Universities Title IX Coordinator within ten (10) working days of the date on the notice received of the determination. The Title IX Coordinator will either affirm the Director's determination, or remand the complaint back to the Director of Human Resources to proceed with further review, which may include direction that a third party conduct a renewed and independent inquiry. The Title IX Coordinator's decision will be delivered within ten (10) working days of receipt of any appeal, and the decision is final.

**Procedures for Informal Complaint Resolution Option**
The parties concerned may request an informal resolution of allegations of harassment. An informal resolution is one in which a satisfactory resolution to the issue is reached, usually without a formal investigation, findings or unilateral disciplinary action. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it.

The person receiving the complaint may explore whether the parties wish to seek an informal resolution or whether they wish to proceed directly to an investigation and subsequent finding.

An informal resolution typically includes the appropriate Dean or Vice President or his/her designee meeting separately with the complainant and the accused, discussing the problem, possible violation(s) of policy and possible solutions, mediating to establish satisfactory conditions for further University-related interactions, and coordinating on-going steps to foster a successful resolution. In all cases, the Director of Human Resources should be consulted before addressing a complaint.

An attempt at a mediated resolution is recommended but not required prior to an investigation of the complaint. In addition, informal resolution may not be appropriate under certain circumstances, even with agreement on the part of the complainant.

**Procedures for Determining if a Violation Has Occurred**
Should a complainant choose not to use informal complaint resolution then the Director of Human Resources will proceed with an inquiry, unless the University chooses to use a third party investigator to perform the inquiry. The investigator will ordinarily start the process by notifying the accused that he or she has been named in a complaint; describe the nature of the complaint, and advising him or her of any restrictions about appropriate contact with the complainant.

The purpose of an investigation is to establish whether there is sufficient evidence to conclude that the alleged harassment policy violation has occurred. In conducting the investigation, the investigator may interview and/or obtain written statements from the complainant, the accused, and other persons believed to have pertinent factual knowledge. An advisor or advocate may not participate, or represent in this investigation process. The specific allegation(s) shall be given to the accused in writing. The accused must be given the opportunity to respond in writing to the allegations.
If investigation identifies inappropriate behaviors, related to the incident, that do not violate the harassment policy, but violate other University policies, these behaviors may result in disciplinary action.

The investigator shall make written summary of their findings. If the Director of Human Resources delegated the investigation to a third party investigator, the summary of the findings will be conveyed in writing to the Director of Human Resources. The Director of Human resources will use a standard of "more likely to have occurred than not" to determine an outcome. The Director of Human Resources shall communicate the outcome to the complainant and respondent in writing.

Possible outcomes of the investigation are a) a determination that a violation of the harassment policy did occur; b) a determination that a violation of the harassment policy has not occurred but inappropriate actions/behaviors have occurred which may warrant other disciplinary action; c) a determination that the allegations cannot be substantiated.

**Procedures for Determination of Sanction**

Any subsequent sanction to be taken shall be appropriate to prevent any recurrence, and shall be reasonably related to the gravity and/or frequency of the violation. Disciplinary action for administrative and classified staff will be considered using the guidelines in the Administrative and Classified Staff Handbook. Determination of the sanction (disciplinary action) will be made through the appropriate Vice President or Dean, in consultation with the Director of Human Resources. Disciplinary action for faculty will be considered with reference to faculty employment policies contained in the appropriate faculty handbook corresponding to the College in which the faculty member teaches. Disciplinary action for faculty will be made through the appropriate Dean in consultation with the Director of Human Resources.

A final determination will be communicated in writing to the complainant and the respondent. An individual who has made a report of sexual harassment may be advised of sanctions imposed against the complaint respondent when the individual needs to be aware of the sanction in order for it to be fully effective (such as restrictions on communication or contact with the individual who made the report). However, information regarding disciplinary action taken against the respondent shall not be disclosed without the complaint respondent’s consent, unless it is necessary to ensure compliance with the action or the safety of individuals. In some cases, the exact nature of disciplinary action may not be completely disclosed to the complainant. From the time the outcome is sent in writing, both parties have seven (7) working days to submit a written request for reconsideration.

**Procedures for Requesting Reconsideration**

A written request for reconsideration of the determination may be made by either party to the University’s central Title IX Coordinator, who is the Vice President and Executive Assistant to the President.

The written request shall set forth the procedures that allegedly were not properly handled in the investigation. Each party will be allowed to review a reconsideration request and respond to the reconsideration request in writing within ten (10) working days of when the information is sent. The Title IX Coordinator will determine whether the procedures outlined in these Guidelines were followed, and based on that assessment, may affirm, revise, reverse, or remand the decision of the Director of Human Resources. The determination concerning the request for reconsideration shall be made within a reasonable amount of time, generally within ten (10) working days. The Title IX
Coordinator may extend the time of response by providing notice to the parties. The Title IX Coordinator’s decision is final.

**Other Considerations**

Following is information intended to support your inquiry and to help you determine if you would like to file a complaint of a violation of the University’s harassment policy.

**Non-Retaliation**

The University will not tolerate any retaliatory treatment or adverse consequences as a result of acting in good faith to report harassment or participating in an investigation. Retaliation may subject the person who retaliates to disciplinary action up to and including termination.

**Counseling**

Filing a complaint can be a difficult and emotional decision. Counseling resources can assist in understanding the implications of coming forward with a complaint, as well as help with the emotional impact before, during, and after an investigation. Counseling resources may also be helpful for those accused of harassment. Students are encouraged to contact the Counseling Center in Bishop Wellness Center at 503-370-6471. Any faculty or staff member who feels a need for counseling assistance is encouraged to contact the University's employee assistance program (EAP) for confidential counseling. Cascade Centers (EAP) can be reached 24 hours a day at (800) 433-2320.

**Timing of the Complaint**

Complaints of harassment should be made as soon as possible after the alleged harassment occurs, or within one year. Prompt reporting provides the best opportunity for the University to conduct an appropriate and complete investigation. Generally speaking, the longer a delay in reporting, the more difficult it is for the university to conduct an investigation. Complaints bought more than one year after the last alleged conduct occurs will not be pursued.

**Contact Information**

Director of Human Resources
Willamette University
900 State Street, Salem, OR  97301
(503) 370-6210
www.willamette.edu/dept/hr
email:  human-resources@willamette.edu

Vice President and Executive Assistant to the President
Title IX Coordinating Officer, Office of the President
900 State Street, Salem, OR  97301
(503) 370-6209
www.willamette.edu/about/president/

**11.2 DRUG AND ALCOHOL POLICY**

The University recognizes that alcohol, illegal drug, and controlled substance abuse in the workplace have become a major concern. The University believes that prohibiting the use or influence of alcohol, illegal drugs and controlled substances in the workplace will improve the safety, health and productivity of our employees. The objective of the University’s policy is to
provide and maintain a safe and healthy workplace for all employees and to protect the students of the University.

Accordingly, the improper use, abuse, possession, distribution, manufacture, dispensation, purchase, transfer or sale of alcohol, controlled substances or illegal drugs by employees when on work time, on duty, on University premises or in other circumstances where an employee could adversely affect the University's reputation is prohibited. Employees must not report for duty, be on University premises or represent the University while under the influence of alcohol, illegal drugs or controlled substances.

On occasions where alcoholic beverages are served in conjunction with certain business or social events related to University business, employees should drink moderately and must be fit to perform their duties and other responsibilities in a safe and efficient manner.

An employee's use of a prescription or over-the-counter medicine can pose a significant risk to the safety of the employee and of others. Employees must report the use of medically authorized drugs or other substances that may impair job performance to their immediate supervisor and may be required to provide properly written medical authorization from a physician to work while using such authorized drug. It is the employee's responsibility to determine from the physician whether or not the prescribed drug would impair his/her job performance.

The University reserves the right to conduct employee drug and alcohol testing. The University has adopted a policy of reasonable suspicion drug and/or alcohol testing.

**Reasonable Suspicion Testing.** Employee drug and/or alcohol testing may be conducted whenever the University has a reasonable suspicion that an employee or a group of employees is under the influence of alcohol, illegal drugs or controlled substances.

**Consent, Cooperation and Consequences.** Individuals taking a drug and/or alcohol test must sign a consent form for the test that allows release of the test results to the University. Any employee who refuses to consent to drug and/or alcohol testing, tampers with a sample, tests positive or otherwise violates this policy may be placed on leave with or without pay until an appropriate disciplinary action is determined, which may be up to and including termination.

**Inspections, Searches and Investigations.** The University also reserves the right to inspect and search all University property for alcohol, controlled substances or illegal drugs or related paraphernalia.

**Rehabilitation.** The University attempts to provide employees the opportunity to deal with drug and alcohol related problems. Any employee who voluntarily requests assistance in dealing with a drug and/or alcohol problem is urged to seek professional counseling for an assessment and, if appropriate, to enter a treatment program. Generally, employees who self-refer to such programs before work performance problems arise will not be disciplined. Professional counseling and treatment programs for drug and/or alcohol problems may be available through University-provided health insurance. Any cost not covered by health insurance is the employee's responsibility. Generally, discontinuation of any involvement with drugs and/or alcohol is an essential requisite for participation in any treatment program.

As a result of disciplinary action arising from a drug and/or alcohol problem or as a condition of continued employment, an employee may be required to participate in a drug and/or alcohol
treatment program. An employee who is so required will first be evaluated for drug and/or alcohol use by an accredited professional. An employee may be required to participate in follow-up care as part of a comprehensive drug and/or alcohol treatment program. Depending upon the nature of the conduct that led to the employee’s mandated participation in a drug and/or alcohol treatment program, the employee may be required to submit to random blood and urine screening for drugs and/or alcohol for a specified period of time and to meet various performance standards that are imposed as a condition of continuing employment.

The University reserves the right to determine whether reasonable suspicion exists, the level of discipline to be applied and whether an employee should be given the opportunity to participate in a drug and/or alcohol treatment program.

Definitions. For the purposes of this policy, the following definition of terms is provided:

A. **Alcohol**: Means ethyl alcohol (ethanol). References to use or possession of alcohol include use or possession of any beverage, mixture or preparation containing alcohol.

B. **Controlled substances**: Means any substance (other than alcohol but including prescription medicine) that has known mind or function-altering effects that may impair or affect the ability to perform work, the access to which is controlled by law.

C. **Illegal drugs**: Any form of drug, narcotic, hallucinogen, depressant, stimulant, cannabis or other substance capable of creating or maintaining impairment or otherwise affecting one’s physical, emotional or mental state; the sale, purchase, transfer, use or possession of which is prohibited by law.

D. **Employee**: Any individual who performs work for the University is subject to the provisions of these guidelines.

E. **University premises**: University premises include all University property, facilities, parking lots, garages, workplaces, storage structures and University-owned vehicles and equipment.

F. **Under the influence**: A detectable level of alcohol, illegal drugs or controlled substances in an employee’s blood or urine reported by the laboratory, or use of alcohol, illegal drugs or controlled substances that results in any noticeable or perceptible impairment of the employee’s mental or physical faculties or job performance.

G. **Reasonable suspicion**: An observation or observations of an employee’s condition or performance that indicates controlled substance, illegal drug or alcohol use that may impair an employee’s faculties. Examples include altered work performance, appearance (including, for example, noticeable odor of an alcoholic beverage or marijuana), behavior or speech or involvement in or relation to an accident or incident or a "near miss" while in the course and scope of employment that results in or has the potential to result in physical injury or property damage.

Any questions about this policy should be referred to the Human Resources Office.
11.3 POLICY AND PROCEDURES FOR EMPLOYEE BACKGROUND CHECKS

Policy

Willamette University desires to provide to the students, faculty and staff a reasonably safe and secure environment and to provide reasonable protection for the financial and material assets of the University. It is appropriate in the employment process to screen persons for positions on the basis of specific criminal conviction records that raise a reasonable doubt as to an individual's fitness for a particular position.

This document outlines the procedure for employee background checks. The procedure is intended to insure the privacy of individuals while meeting the purpose of conviction record checks. This procedure will be followed when filling vacancies with new hires or internal transfers, in positions which are designated as sensitive as defined by access to students and/or financial and material assets of the University. This procedure may also be followed in other situations where its use is reasonable and deemed relevant to a specific employment decision. Employees who may be disciplined or discharged as a result of this procedure may appeal through the appropriate grievance procedure outlined in their respective employee handbook.

All newly hired regular and temporary staff assuming positions identified as sensitive by the University will be subject to an employee background check. Current employees transferring into a position that has been identified as a sensitive position will be subject to such a check.

Guidelines

When the use of criminal conviction records is appropriate, within the scope of the Policy stated above, any such information must be reviewed and evaluated by the Director of Human Resources as to its relevance to the specific employment decision to be made. This evaluation shall consider, but is not necessarily limited to, the following factors:

- Falsification of application; date of conviction; subsequent employment record;
- length of University service and work performance (for transfers and internal promotions); number and gravity of the conviction(s) and the nature of the work to be performed; the potential opportunity, through abuse of work-related functions or situations, to cause loss or harm to students, faculty or staff, or to the financial or material property of the University.

Existence of a conviction record will not automatically disqualify the applicant for employment. However, giving false information or omission of information may be grounds for denial of employment or discharge if hired.

Notification of Applicants

Applicants will be notified by the Human Resources office of the University's policy of checking criminal conviction records at the time initial application or transfer request is made. All internal job postings and external advertisements for staff positions will indicate that the position is subject to a criminal conviction record check. A signed consent form will be obtained by the Human Resource office as part of the application process, but will not be forwarded to the
appropriate agencies until such time as an offer of employment has been extended and accepted by an applicant or employee.

Procedures

1. After a conditional offer of employment has been extended and accepted by an applicant or employee, the Human Resources office will forward a consent form signed by the individual to the appropriate agencies depending on residence in the previous seven (7) years.

2. The employment or internal promotion of an individual can proceed on a temporary basis pending the return and disposition of the criminal conviction record check.

3. The record check information will be returned to the Director of Human Resources for review and recommendation.

4. If the record check indicates a record of conviction(s), the Director of Human Resources will meet with the head of the employing department and/or supervisor to review the information.

5. The Director of Human Resources and/or the supervisor will review the conviction record with the employee. Once the information has been discussed and verified, final determination of the proposed course of action will be made.

6. After consultation with the Director of Human Resources and the Department Head, the VP/Dean will decide what action will be taken. The job requirements and the sensitive nature of the position will carry primary weight in the decision.

7. All information relating to a criminal conviction record check will be treated confidentially. Copies of criminal conviction records and any notes or documentation relating to a conviction record will be maintained separately in a locked file in the Human Resources office, and will not become part of any individual’s personnel file.

8. The University expressly reserves the right to determine the preferred method of proceeding in each individual case.