



UNIVERSITY OF  
MARY WASHINGTON

**ADMINISTRATIVE AND PROFESSIONAL FACULTY  
HANDBOOK**

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March 1, 2006



Welcome to the University of Mary Washington! This handbook is designed to assist you in understanding the various rules, regulations, guidelines and benefits that apply to Administrative and Professional Faculty (A/P Faculty) of the University.

The success of the University of Mary Washington depends upon each A/P Faculty member making an individual contribution to the collective efforts of the University team. I am personally committed to maintaining an environment that enables you to render the best possible services while deriving personal satisfaction from the challenges of the job.

I extend a warm welcome with best wishes for a successful career with the University of Mary Washington. The future success of the University is the result of all of us accomplishing our assigned tasks and maintaining a "can do" attitude.

Sincerely,

A handwritten signature in black ink, appearing to read "Sabrina C. Johnson".

Sabrina C. Johnson  
Assistant Vice President  
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## TABLE OF CONTENTS

KEY WEB SITES.....	vii
INTRODUCTION .....	viii
UNIVERSITY OF MARY WASHINGTON MISSION STATEMENT. ....	ix
HISTORY AND DEVELOPMENT OF THE INSTITUTION.....	x
STATEMENT OF COMMUNITY VALUES .....	xi
UNIVERSITY OF MARY WASHINGTON STATEMENT OF NONDISCRIMINATION .....	xi
TERMS AND CONDITIONS OF EMPLOYMENT	
A. Definitions .....	1
B. Title .....	1
C. A/P Faculty with Teaching Faculty Rank .....	1
D. Graduation .....	1
E. General Faculty Meetings.....	1
F. Appointment and Reappointment .....	2
G. Separation or Nonrenewal of Contract.....	2
GENERAL EMPLOYMENT INFORMATION	
A. Hours of Work .....	4
B. Information about Paychecks .....	4
C. Other Employment.....	4
D. Office Closings .....	5
E. Computer and Telephone Use.....	6
1. Computer Use.....	6
2. Telephone Use.....	7
F. Alcohol and Other Drugs.....	7
G. Safety and Security in the Workplace .....	8
1. Workers' Compensation .....	8
2. Hazard Communications Standard Program.....	8
3. Disability Access .....	9
H. Keys.....	9
I. Exit Procedures .....	9
COMPENSATION .....	11
PERFORMANCE MANAGEMENT AND PROFESSIONAL DEVELOPMENT.....	12
BENEFITS	
A. Insurance Coverage and Income Replacement Programs .....	13

1.	Group Life Insurance.....	13
2.	Health Insurance.....	13
3.	Extended Health Benefits Coverage.....	14
4.	Virginia Employee Assistance Program.....	14
5.	Virginia Sickness and Disability Program.....	14
6.	Disability Insurance - UMW.....	15
7.	Long-Term Care Insurance.....	15
B.	Employee Suggestion Program.....	15
C.	Savings Program.....	16
1.	Premium Conversion and Reimbursement Account Programs.....	16
2.	Deferred Compensation Plan, Supplemental Retirement Annuity Plans and Cash Match.....	16
D.	Wellness Program.....	17
E.	Work/Life Programs.....	17
1.	Educational Assistance Policy.....	17
F.	Retirement Benefits.....	17
G.	Other	
1.	Scholarships for Employees' Children.....	17
2.	Parking.....	17
3.	Identification Card Privileges.....	18
4.	Use of University Facilities.....	18
5.	Use of the Faculty/Staff Dining Room.....	18

#### LEAVE POLICIES

A.	Statement of Public Accountability.....	19
B.	Annual Leave.....	19
C.	Sick Leave.....	20
D.	VSDP Sick Leave.....	21
E.	Leave Share.....	21
F.	Family and Medical Leave Act.....	21
G.	Infant Care and Medical Leave for Childbirth.....	22
H.	Civil Leave.....	22
I.	Leave to Provide Community Service.....	23
J.	Military Leave.....	23
K.	Emergency/Disaster Leave.....	23
L.	Leave to Donate Bone Marrow or Organs.....	23
M.	Holidays.....	24

#### EMPLOYEE RELATIONS

A.	University of Mary Washington Grievance Policy and Procedure for A/P Faculty.....	25
B.	Department of Employment Dispute Resolution.....	25

#### RESPECTFUL WORKPLACE

A.	Equal Employment Opportunity.....	26
B.	University of Mary Washington Statement of Nondiscrimination.....	26
C.	University of Mary Washington Workplace Harassment Policy.....	26

D. University of Mary Washington Sexual Harassment Policy .....	27
E. University of Mary Washington Workplace Violence Policy .....	27
F. Retaliation.....	28
G. Violations and Enforcement .....	28

UNIVERSITY OF MARY WASHINGTON GRIEVANCE POLICY AND PROCEDURE  
FOR ADMINISTRATIVE AND PROFESSIONAL FACULTY

A. Coverage.....	29
B. Definitions of a Grievance.....	29
C. Procedures .....	30
1. Attempt at Informal Resolution.....	30
2. Filing of the Grievance .....	30
3. Panel Hearing .....	30
4. Conduct of the Panel Hearing .....	31
5. Appeal.....	33

MISCELLANEOUS TOPICS

A. Commonwealth of Virginia Campaign .....	34
B. Gifts, Gratuities and Rewards.....	34
C. Intellectual Properties.....	34
1. Intellectual Property .....	34
2. General Statement on Ownership of Intellectual Property .....	34
3. Cases in Which the University Obtains Entire Right, Title and Interest .....	35
D. Nepotism.....	35
E. Dress Code.....	36
F. Political Activity .....	36
G. Privacy of Records .....	36
H. Smoking.....	36
I. Facility Accessibility for the Disabled .....	36
J. Visitors and Children .....	37
K. Freedom of Information Act.....	37
1. General Statement .....	37
2. Office of University Relations and Legislative Affairs .....	37
L. Personal Information.....	37

## KEY WEB SITES

<a href="http://www.dhrm.virginia.gov/">http://www.dhrm.virginia.gov/</a>	Department of Human Resource Management (DHRM) Home Page
<a href="http://www.dhrm.virginia.gov/hrpolicy/policy.html">http://www.dhrm.virginia.gov/hrpolicy/policy.html</a>	<i>DHRM Policies and Procedures Manual</i>
<a href="http://www.dhrm.virginia.gov/compandbenefits.html">http://www.dhrm.virginia.gov/compandbenefits.html</a>	DHRM Compensation and Benefits
<a href="http://www.dhrm.virginia.gov/resources/manuals.html">http://www.dhrm.virginia.gov/resources/manuals.html</a>	DHRM Manuals and Handbooks
<a href="https://secure.doa.virginia.gov/payline/">https://secure.doa.virginia.gov/payline/</a>	Department of Accounts Payable (DOA)
<a href="http://www.edr.virginia.gov/index.htm">http://www.edr.virginia.gov/index.htm</a>	Department of Employment Dispute Resolution (EDR)
<a href="http://www.varetire.org/">http://www.varetire.org/</a>	Virginia Retirement System (VRS)
<a href="http://www.umw.edu/hr">http://www.umw.edu/hr</a>	University of Mary Washington Office of Human Resources and Affirmative Action (Human Resources, AA/EEO)

## INTRODUCTION

Your employee handbook contains statewide and university policies and procedures related to the terms and conditions of your employment with the University of Mary Washington. The University may supplement statewide policy when necessary to accommodate the needs of the University.

The current publication of this handbook and its terms supersedes all previous versions. It should be considered current until such time as it may be updated in whole or in part.

Employees are responsible for complying with all policies and procedures pertaining to their employment with the University and are also responsible for keeping informed of any changes or updates made to these policies and procedures. The Office of Human Resources and Affirmative Action (Human Resources, AA/EEO) maintains the official version of this handbook. Changes in policies and procedures will be communicated through the University's web site at <http://www.umw.edu/hr> and by e-mail.

If you have a question or are in need of information not provided in this handbook, please contact the Office of Human Resources, AA/EEO.



## ***University of Mary Washington Mission Statement***

The University of Mary Washington is one of Virginia's outstanding public liberal arts universities, providing a superior education that inspires and enables our students to make positive changes in the world.

The University is a place where faculty, students, and staff share in the creation and exploration of knowledge through freedom of inquiry, personal responsibility, and service. UMW offers a wide range of undergraduate, graduate, and professional programs, with opportunities for students to engage in disciplinary and interdisciplinary studies, to conduct research, to integrate and apply their knowledge within broad educational experiences, to develop their professional interests, and practice the habits of mind necessary for life-long learning.

UMW's size, dedicated faculty, and historical commitment to fine teaching create an institutional culture where both undergraduate and graduate students benefit from strong connections with their faculty and multiple opportunities for active learning.

Located in Fredericksburg, between our nation's capital and the capital of the Commonwealth of Virginia, the University of Mary Washington is a nexus for engagement among diverse communities and is dedicated to improving the regional quality of life.

We fulfill our mission by immersing students, faculty, and staff in local, regional, national, and international communities, and by inculcating the values of honor and integrity. UMW graduates are models of adaptive learning, personal achievement, responsible leadership, service to others, and engaged citizenship in a global and diverse society.

Approved by the University of Mary Washington

Rector and Board of Visitors, November 20, 2009

## HISTORY AND DEVELOPMENT OF THE INSTITUTION

The institution was founded in 1908 as the State Normal and Industrial School for Women at Fredericksburg. The name was changed in 1924 to the State Teachers College at Fredericksburg, and again in 1938 to Mary Washington College, having transformed over the years to Virginia's public liberal arts college for women. Then in 1944, Mary Washington College became affiliated with the University of Virginia as its women's undergraduate arts and sciences division. In 1970 the entire University became coeducational and in 1972, by action of the General Assembly of Virginia, the College became an independent, state-supported institution for women and men, with its own governing board. On July 1, 2004, the General Assembly named the institution University of Mary Washington.

Through an emphasis on quality, the University attracts students from all areas of Virginia, particularly the urban areas of Northern Virginia, Richmond and Tidewater. Approximately 25 percent of its on-campus resident students are from other states and foreign countries, with the largest population coming from Southern, Middle Atlantic and New England states. Located in the middle of a rapidly growing Washington-Richmond "urban corridor," Mary Washington serves the educational needs of both full-time and part-time commuting students.

To meet the diverse academic goals sought by students in today's society, the college of arts and sciences, Mary Washington College, is organized into academic departments of one or more disciplines and offers more than 30 undergraduate programs in the liberal arts and sciences. Five degrees are awarded at the Fredericksburg campus: Bachelor of Arts, Bachelor of Science, Master of Science in Elementary Education, Bachelor of Liberal Studies, and Master of Arts in Liberal Studies, which will be discontinued as soon as all students remaining in the program have either graduated or have left the program. Emphasis upon excellence in the pursuit of liberal learning has traditionally been at the core of the College's educational philosophy, and commitment to this concept will continue.

In 1999, responding to accelerating demographic changes that increased the demand for educational services within the region, the University opened the Center for Graduate and Professional Studies (formerly called James Monroe Center), located at a new campus in nearby Stafford County. In 2004, this became the University's College of Graduate and Professional Studies. With its own distinctive mission, this College offers programs appropriate to the region's economic development needs and provides educational opportunities for the personal lifelong learning and professional advancement objectives of the citizens of the region.

As the University evaluates its offerings, it will build upon its high-quality liberal arts and sciences programs and propose curricular additions and adjustments specifically designed to meet new and increased demands.

## **STATEMENT OF COMMUNITY VALUES**

The University of Mary Washington is an academic community dedicated to the highest standards of scholarship, personal integrity, responsible conduct and respect for the individual. We hold among our foremost common values the following:

- The importance of personal integrity as reflected in adherence to the honor code
- The right of every individual to be treated with dignity and respect at all times
- The appreciation of, and respect for, cultural diversity in our community and adherence to the University's Statement of Nondiscrimination
- The freedom of intellectual inquiry in the pursuit of truth.

## **UNIVERSITY OF MARY WASHINGTON STATEMENT OF NONDISCRIMINATION**

The University of Mary Washington subscribes to the principles of equal opportunity and affirmative action. The University does not discriminate on the basis of race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, sex, pregnancy or age in recruiting, admitting and enrolling students or in hiring and promoting faculty and staff members. The University will not recognize or condone student, faculty or staff organizations that discriminate in selecting members. Complaints of discrimination or questions should be directed to the University's AA/EEO Officer. (Authority: Board of Visitors, adopted May 10, 1991.)

This statement of nondiscrimination extends to all aspects, terms and conditions of employment and student tenure.

## **TERMS AND CONDITIONS OF EMPLOYMENT**

Together with the annual letter of appointment, this section consists of those matters that are of a contractual nature between A/P Faculty and the University of Mary Washington.

### **A. Definitions**

*Administrative Faculty.* Administrative Faculty perform work directly related to the management of the educational and general activities of the institution, or a department or subdivision thereof. Incumbents in these positions exercise discretion and independent judgment and generally direct the work of others.

*Professional Faculty.* Professional Faculty demonstrate advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category includes such positions as librarians, counselors and other professional positions serving education, research, athletic, medical, student affairs and development functions or activities.

### **B. Title**

A/P Faculty have a functional title fitting the position.

### **C. A/P Faculty with Teaching Faculty Rank**

Any member of the teaching faculty of the University who accepts an administrative appointment at the University for a time and then returns to the teaching faculty retains the rank and tenure s/he had at the time the administrative appointment was accepted. If such a faculty member qualifies by the stated criteria (§5.2.2 and §5.3.2 of the *Faculty Handbook*) for consideration for promotion and/or tenure, s/he may be so considered, and promotion and/or tenure may be awarded prior to the return of the faculty member to the teaching faculty. Academic rank (and tenure) may be awarded upon appointment by the Board of Visitors to an administrator from outside the University whose qualifications and prior experience warrant it.

### **D. Graduation**

All full-time A/P Faculty are welcome to attend graduation ceremonies in appropriate regalia. Plans to attend should be addressed in writing to the President of the University by May 1 to ensure adequate seating. The University does not pay for the purchase or rental of regalia but provides rental information.

### **E. General Faculty Meetings**

A/P Faculty may attend faculty meetings. They are extended the privilege of the floor when recognized by the presiding officer but do not have voting privileges.

**F. Appointment and Reappointment**

*General Information.* A/P Faculty are appointed into nontenure positions and serve at the pleasure of the President of the University. Appointments to all administrative and professional faculty positions are term appointments.

*Initial Appointment.* The President, on the recommendation of the appropriate Vice President, appoints A/P Faculty. Appointments are usually for a contract period of one fiscal year.

*Reappointment.* Reappointment is usually made on an annual basis for a one-year contractual period. Reappointment is not automatic but is based on satisfactory performance, professional development and services to the University.

**G. Separation or Nonrenewal of Contract**

*Reassignment.* A/P Faculty may have their duties reassigned at any time. Reassignment is at the discretion of the President and can involve removal of the administrative title or supervisory responsibilities or reassignment to another department. Neither notice (as defined below) nor action for cause is required to affect reassignment. The University's responsibility under reassignment shall be to make available a substitute position or duties reasonably commensurate with the person's education, experience or performance. Administrative reassignment normally has no effect on the current term of appointment.

*Nonrenewal of Contract.* With the requisite notice set forth below, the employment contract of an A/P Faculty member may not be renewed. Such nonrenewal is at the discretion of the President, as s/he deems proper for the administration and operation of the University.

*Guidelines for Notification of Nonrenewal of Contract*

<u>Years of Service</u>	<u>Notification</u>
Less than 1 year and up to 3 years	3 months prior to expiration of contract
More than 3 years and up to 6 years	6 months prior to expiration of contract
More than 6 years	12 months prior to expiration of contract

*Discharge During Term of Contract.* The President may discharge any A/P Faculty member during the term of a contract as s/he deems proper for the administration and operation of the University. The discharge may be for cause if the President determines such action is warranted.

*Abolition of Position or Financial Exigency.* A/P Faculty may be removed upon reduction or elimination of the specific services for which they are employed or in the

event of financial exigency, when funds from which the salaries of such individuals are paid cease to be available to the University for such purposes.

*Resignation.* A/P Faculty who choose to resign should give notice as far in advance as possible, taking into account the needs of the department. It is expected that at least two-months notice be given.

## GENERAL EMPLOYMENT INFORMATION

### A. Hours of Work

A/P Faculty work a minimum of 40 hours per week. The work week begins Monday and ends Sunday. Regular hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, with one hour per day for lunch.

### B. Information About Paychecks

*Pay Periods.* Standard pay periods for A/P Faculty are the 10th through the 24th of a month and the 25th through the 9th of a month. A/P Faculty are paid twice a month, on the 1st and 16th, following the end of the pay period. When payday falls on weekends or holidays, paychecks normally are distributed and direct deposits are made the last workday before the regular payday.

The paycheck calendar may be found at <http://www.dhrm.virginia.gov/calendar2005.pdf>. Use this calendar for paydates only (and not for the holiday schedule, which the University sets for itself. For the link to this schedule, please refer to the section "Leave Policies/Holidays").

*Direct Deposit.* The University offers direct deposit of paychecks for all A/P Faculty, and new A/P Faculty generally are required to participate in the program. Details regarding direct deposit are provided during orientation and later by the Payroll Office.

*Tax Liens and Garnishments.* Tax liens and garnishments are honored as directed by state and federal law. An A/P Faculty member will be charged a fee for processing certain garnishments. See the *Commonwealth Accounting Policies and Procedures (CAPP) Manual*, Topic 50405, at <http://www.doa.virginia.gov/procedures/AdminServices/capp/summary.htm>.

### C. Other Employment

*Outside Employment and Consulting.* When hiring A/P Faculty in a full-time position, the University presumes that it has full claim upon the working time and professional energies of the individual for his or her administrative duties and for other activities related to the University. Accordingly, outside professional activities must clearly be subordinate to and must not interfere with the individual's obligations to the University.

To protect the A/P Faculty member from possible criticism regarding conflicts of interest, a written request for approval of any outside or other employment (defined as an A/P Faculty member's engagement with financial gain in any job or private business or the conduct of any profession during the period of appointment) must be submitted in advance to and approved by the A/P Faculty member's supervisor and area vice president and executive vice president. If approved, a signed and dated copy of the written request

will be given to the A/P Faculty member. Compensation for outside employment and consulting during a normal work schedule is possible only if annual leave balances are charged for time away from normally scheduled duties.

*Use of University Resources in Connection with Outside Employment and Consulting Activities.* A/P Faculty are not allowed to use University resources in conjunction with consulting or other activities for private gain. Also, when an A/P Faculty member is engaged in authorized consulting activities, the consulting employer may not enter into a parallel agreement to use University resources for any purpose related to the consulting activity. Because library facilities are made available to the public, their use by A/P Faculty engaged in consulting activity is not regarded as being in contravention of this policy.

*Testifying as an Expert Witness.* When an A/P Faculty member testifies as an expert witness, the following conditions apply:

- A disclaimer is given in court indicating that the A/P Faculty member is speaking as a professional and not as a representative of the University
- The University civil leave policies are applied when an A/P Faculty member is under subpoena (please refer to the section "Leave Policies/Civil Leave")
- Testifying in civil suits involving the Commonwealth of Virginia is prohibited, except under subpoena.

*Teaching Policy.* A/P Faculty who do not teach as part of their annually assigned duties may teach credit courses and nondegree courses for the University. Teaching responsibilities require written approval in advance by the individual's supervisor and area vice president.

If teaching outside the normal hours of work, such as in the evening and on weekends, A/P Faculty may be compensated at the adjunct rate of pay or the assigned rate for a nondegree course. Compensation for outside employment and consulting during a normal work schedule is possible only if annual leave balances are charged for time away from normally scheduled duties. Compensation for teaching will not be added to the A/P Faculty member's base pay.

**D. Office Closings - See Policy 1.35, Emergency Closings, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.**

When weather conditions or an emergency situation forces late openings or early or full-day closings of the University, A/P Faculty are paid for these periods. Decisions regarding such closings for the University of Mary Washington are made by the President and normally are announced on local radio and television stations. A/P Faculty may also call the University's hotline at 540/654-2424 for information regarding closings due to



inclement weather or emergencies. Each A/P Faculty is responsible for being aware of closing decisions and acting accordingly.

## **E. Computer and Telephone Use**

1. Computer Use - See Policy 1.75, *Use of Internet and Electronic Communications Systems*, at <http://www.dhrm.virginia.gov.hrpolicy/policy.html> and the UMW Network Policy at <http://www.umw.edu/technology>.

Many jobs provide access to computer equipment and the Internet so that users can perform their work tasks. The University's computer network consists of a campuswide, fiber-optic-based backbone, local area networks and many shared computers, as well as personal desktop computers. In general, the equipment and systems should be used for business purposes, and personal use should be limited to minor occasions.

*User Privileges.* The Department of Information Technologies (DoIT) works to ensure that network privileges are properly maintained for all University users. Users are subject to certain responsibilities and limitations and may have their network privileges suspended or revoked if they fail to meet them. Information regarding these responsibilities and limitations is detailed in the University of Mary Washington Network and Computer Use Policy located on DoIT's web site.

*Of note, certain specified Internet uses, such as transmitting obscene, discriminatory or fraudulent material, are strictly forbidden at all times.*

### **Code of Virginia Restrictions on State Employee Access to Information Infrastructure**

#### **2.2-2827 Definitions.**

A. For the purpose of this section:

*"Agency"* means any agency, authority, board, department, division, commission, institution, public institution of higher education, bureau or like governmental entity of the Commonwealth, except the Department of State Police.

*"Information infrastructure"* means telecommunications, cable and computer networks and includes the Internet, the World Wide Web, Usenet, bulletin board systems, on-line systems and telephone networks.

*"Sexually explicit content"* means (i) any description of or (ii) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity, as nudity is

defined in §18.2-390, sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in §18.2-390, coprophilia, urophilia or fetishism.

B. Except to the intent required in conjunction with a bona fide, agency-approved research project or other agency-approved undertaking, no agency employee shall utilize agency-owned or agency-leased computer equipment to access, download, print or store any information infrastructure files or services having sexually explicit content. Agency approvals shall be given in writing by agency heads, and any such approvals shall be available to the public under the provisions of the Virginia Freedom of Information Act (§2.2-3700).

C. All agencies shall immediately furnish their current employees copies of this section's provisions, and shall furnish all new employees copies of this section concurrent with authorizing them to use agency computers.

(1996, c. 382, §§2.1-804, 2.1-805, 2.1-806; 1999, c. 384; 2001, c. 844)

*User Privacy.* The computer network is owned and operated by the University, an agency of the Commonwealth of Virginia. It should be expected that users will not have complete privacy in their electronic communications. Users must recognize that computer-generated documents (e.g., old e-mail) are public records, subject to provisions of Virginia's Freedom of Information Act statutes. Electronic communications are by no means secure, and users should expect their system use to be monitored.

2. Telephone Use

Telephone use should follow a similar pattern as with computers. The telephone is provided so that employees can conduct state business. Personal use should be limited and does not include long-distance calls. Lengthy or frequent personal phone calls may constitute an abuse of work time and may result in disciplinary action.

*Long-Distance Calls.* Any personal long-distance call may be made with a calling card, prepaid phone card or by collect. Use of the state V-NET/long-distance lines for personal business from a University extension is a violation of federal and state law. All calls made on these lines are a matter of record at the University and are detailed in monthly reports received from the Virginia Department of Information Technology (VITA). Employees using the lines for non-University business may be subject to legal action.

**F. Alcohol and Other Drugs - See Policy 1.05 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.**

The Commonwealth intends to maintain a workplace free from the adverse effects of alcohol and other drugs. A/P Faculty are forbidden to use these substances at the

workplace or to come to the workplace while under the influence of these substances. In addition, A/P Faculty are expected to notify their supervisors within five working days after a conviction if they are convicted of violating 1) any criminal drug law, either within or outside the workplace, 2) any alcohol beverage control law, or 3) any law that governs driving while intoxicated. Violation of policies related to these matters can result in serious disciplinary action including termination.

*Drug Testing.* Because of the nature of the work, some positions require alcohol or drug testing before a final employment offer is made. Some positions may also require ongoing random drug and/or alcohol testing as needed.

## **G. Safety and Security in the Workplace**

As an employer, the Commonwealth of Virginia makes every effort to ensure a safe and healthy workplace for A/P Faculty, as well as for customers, patients, business colleagues and visitors.

1. Workers' Compensation - See *Policies 4.60, Workers' Compensation, and 4.57, Virginia Sickness and Disability Program Leave*, at <http://www.dhrm.virginia.gov/hrpolicy/policy/workcomp.htm>.

All A/P Faculty are covered by the Virginia Workers' Compensation Act.

If an accident or illness arising from, and occurring in, the course of an A/P Faculty member's job causes him or her to miss work, the A/P Faculty member may be entitled to compensation to help offset the loss of wages during the period s/he is unable to work. The A/P Faculty member should report any work-related accident to his or her supervisor immediately. If the A/P Faculty member requires medical attention, a list of participating workers' compensation doctors will be provided by the Office of Human Resources, AA/EEO.

2. Hazard Communications Standard Program

The University has adopted the Virginia Safety and Health Codes Board's "Hazard Communications Standard". The purpose of this standard is to establish uniform requirements to ensure that 1) the hazards produced by certain substances in the workplace are evaluated and 2) Material Safety Data Sheets relating to these hazards are provided to affected employers and employees. All departments of the University are included within the program, and written program guidelines are available for review from the Office of Environmental Safety and Health.

Departments that use and/or store hazardous substances are required to retain Material Safety Data Sheets on the items. A complete set of these sheets is available for review from the Office of the University Police.

### 3. Disability Access

The University of Mary Washington is committed to providing equal access to all of its programs and facilities to persons with disabilities. Any concerns regarding such access should be addressed with the Assistant Vice President for Human Resources, AA/EEO, and AA/EEO Officer.

## H. **Keys**

Some A/P Faculty are issued keys to offices and buildings for purposes of performing their assigned duties. They must sign a receipt in the Office of the University Police when the keys are issued and return them upon termination of employment. The keys are to be used only for the performance of assigned duties and may not be used for unauthorized admittance to a building or office or loaned to others, except as approved by the A/P Faculty member's supervisor. Keys may not be duplicated by A/P Faculty. Unauthorized use or duplication of official keys may result in disciplinary action against the A/P Faculty member, including arrest for trespassing and dismissal from employment. If a University key is lost or stolen, an A/P Faculty member must report it immediately to the Office of the University Police and to his or her immediate supervisor.

## F. **Exit Procedures**

An A/P Faculty member who chooses to terminate employment is expected to notify his or her supervisor in writing at least two months prior to the effective date of resignation.

In order to ensure the proper completion of all paperwork and the return of University property, **an A/P Faculty member must complete the following exit procedures on or before his or her last day of employment:**

- Schedule an exit interview in the Office of Human Resources, AA/EEO, to complete appropriate paperwork and turn in the University ID card. (During the exit interview, information is provided about the continuance or cessation of benefits. In addition, the A/P Faculty is encouraged to share ideas and suggestions regarding his or her job and/or the University and its programs.)
- Clear all accounts with the Office of Business and Finance, Bookstore, University departments, etc.
- Return all library materials to the Fredericksburg and Stafford campus libraries and pay any fines
- Return pager, radio, telephone calling card, credit cards for travel or purchasing, uniforms and any other items or equipment that were issued by the University to his or her supervisor

- Turn in all University keys to the Locksmith in the Office of the University Police
- Provide a forwarding address (if applicable) to both the Payroll Office and the Office of Human Resources, AA/EEO. W-2 forms will be mailed to the current address.

## COMPENSATION

An A/P Faculty member's total compensation includes his or her salary and the state's benefits package (see "Benefits" for more information). In addition to salary, A/P Faculty are eligible to receive several kinds of paid time off, group health insurance (with a state contribution to the premiums for full-time A/P Faculty), state-supported membership in the Virginia Retirement System (VRS), life insurance, short- and long-term disability coverage (for participants in the Virginia Sickness and Disability Program [VSDP]) and more. Many of these benefits are explained in this handbook, and the Benefits Administrator in the Office of Human Resources, AA/EEO, can offer further detailed information.

*Pay Increases.* The state does not guarantee any specific pay increases or a timetable for them. Funds to support employee-pay increases may be provided and earmarked by the Governor or the legislature, or may be identified by the University within its own budgets. General pay increases may be provided by the Governor or legislature in some years and are typically linked to the A/P Faculty member's satisfactory job performance.

*Annual Salary Adjustment.* Annual salary adjustments for A/P Faculty will normally occur on November 25 of each year.

## **PERFORMANCE MANAGEMENT AND PROFESSIONAL DEVELOPMENT**

It is the policy of the University to provide an effective means for managing the work and performance of A/P Faculty. This is achieved through a consistent, well-defined and documented process. The annual performance cycle is from June 25 to June 24.

Performance management is the responsibility of the appropriate supervisor. A performance plan is developed for every A/P Faculty at the beginning of the performance cycle each year. Performance evaluations are conducted on an annual basis and are used for developmental purposes, as well as to provide input for annual salary increases.

The *Administrative and Professional Faculty Performance Management Policy and Procedures* (2005) provides the guidelines for performance management, including establishing performance elements and conducting the annual evaluation. The Office of Human Resources, AA/EEO, administers this policy.

See the following web site for the current *A/P Faculty Performance Management Policy & Procedures* for more information: [http://www.umw.edu/hr/human\\_resource\\_policies/default.php](http://www.umw.edu/hr/human_resource_policies/default.php).

## **BENEFITS**

### **A. Insurance Coverage and Income Replacement Programs**

1. Group Life Insurance - *See the web site for the Virginia Retirement System at <http://www.varetire.org>.*

All A/P Faculty are enrolled in the group life insurance plan administered by the Virginia Retirement System (VRS) at no cost to the A/P Faculty member. This plan provides life insurance, natural death, and accidental death and dismemberment insurance during the A/P Faculty member's employment.

- a. Natural Death

The amount of an A/P Faculty member's life-insurance coverage for death from natural causes is his or her annual salary rounded to the next highest thousand, then doubled.

- b. Accidental Death

The benefit for accidental death is double the natural death benefit.

- c. Optional Life Insurance

Through a plan also administered by VRS, active insured A/P Faculty may purchase optional life insurance for themselves, their spouses and their minor children. Premiums are paid through payroll deduction. In certain cases, some coverage may be continued into retirement. The Benefits Administrator in the Office of Human Resources, AA/EEO, can provide additional information on this type of insurance.

2. Health Insurance - *See <http://www.dhrm.virginia.gov/compandbenefits.html>.*

When an A/P Faculty member is hired, s/he has a specified length of time to decide whether to enroll in the state's health insurance program or to waive coverage. (The Benefits Administrator will inform A/P Faculty of important deadlines.) The state's program, administered by the Department of Human Resource Management (DHRM), includes hospitalization, medical, mental health, dental, surgical, prescription drug and other coverage. An A/P Faculty member may choose 1) membership for the A/P Faculty member only, 2) membership for the A/P Faculty member and one dependent, or 3) family membership for the A/P Faculty member and two or more dependents. The A/P Faculty member's portion of the premium is paid through payroll deduction. The state contributes a monthly



amount toward the cost of this benefit for A/P Faculty in full-time status but not those in part-time status.

3. Extended Health Benefits Coverage - See

<http://www.dhrm.virginia.gov/compandbenefits.html>.

Extended Coverage allows A/P Faculty and covered family members to continue their state health benefits plan in certain situations at their own expense (where coverage would otherwise end). The most common occurrence for choosing Extended Coverage is termination from state employment. However, there are other events that may cause A/P Faculty or their dependents to become eligible for this coverage. See the Benefits Administrator in the Office of Human Resources, AA/EEO, for more information.

4. Virginia Employee Assistance Program

The Virginia Employee Assistance Program (VEAP) offers help to A/P Faculty and their family members who need counseling and treatment referrals for alcohol and substance-abuse problems, as well as various personal difficulties including legal, financial and relationship concerns. The A/P Faculty member may seek these services directly or may be encouraged by his or her supervisor if such issues are adversely affecting work performance. All services are provided under strict guidelines of confidentiality.

VEAP services are available to all A/P Faculty enrolled in the Commonwealth's health care plan and their covered family members. See the Benefits Administrator in the Office of Human Resources, AA/EEO, for more information.

5. Virginia Sickness and Disability Program - See Policy 4.57 at

<http://www.dhrm.virginia.gov/hrpolicy/policy.html>

and the Virginia Sickness and Disability Program Handbook at

<http://www.varetire.org/pdf/VSDPhandbook.pdf>.

**Only A/P Faculty who choose VRS for their retirement plan and then choose Virginia Sickness and Disability Program (VSDP) for their sickness and disability plan are covered by this section.**

The chief purpose of this program is to provide income replacement to employees when they are unable to work because of short-term (up to 180 calendar days) or long-term illness or disability. The program also provides:

- Return-to-work services

- Paid sick-leave time of up to 80 hours per year, based on months of state service, to be used for the A/P Faculty member's own short occasions of sickness/injury or for personal doctor visits
- Paid leave time of up to 40 hours per year, to be used for other family and personal reasons, and
- A long-term-care component.

Eligible A/P Faculty may use up to 33 percent of their available sick-leave balance for absences due to family illness or disability that are covered by the Family and Medical Leave Act (FMLA).

6. Disability Insurance – UMW

If an A/P Faculty member who is not covered by VSDP is absent from work for six continuous months due to a medically disabling condition, the A/P Faculty member is then covered by the University's short-term disability policy\*. The disability policy will pay up to 60 percent of the A/P Faculty member's annual salary and will continue to pay as long as the A/P Faculty member is totally disabled or until the age of 65, whichever comes first. If the disability is deemed to be permanent, those A/P Faculty under traditional VRS can apply for disability retirement.

*\* A/P Faculty who chose VSDP should refer to the corresponding policy. For more information, contact the Office of Human Resources, AA/EEO.*

7. Long-Term Care Insurance

The Commonwealth of Virginia offers long-term care insurance to eligible A/P Faculty, retirees and certain family members under a contract awarded to a third-party vendor. Long-term care typically provides assistance when necessary to accomplish normal activities of daily living, such as eating, dressing and getting in and out of bed. This is an optional benefit, which an A/P Faculty member may choose to purchase through payroll deduction.

**B. Employee Suggestion Program - See**

[http://www.dhrm.virginia.gov/hrpolicy/policy/poll\\_21ESP.doc](http://www.dhrm.virginia.gov/hrpolicy/policy/poll_21ESP.doc).

The Employee Suggestion Program (ESP) was created to recognize and reward employees for ideas that improve the efficiency or effectiveness of the Commonwealth. If an A/P Faculty member makes a suggestion through ESP that 1) saves time, money or resources or 2) improves productivity or safety and that is outside of his or her ability to implement in the normal course of the job, s/he may be eligible for an award. If the suggestion is adopted, the A/P Faculty member may also receive a certificate and either cash or paid leave time. The *ESP Procedures Manual* and Suggestion Evaluation Form

can be found at the web site noted above. The Assistant Vice President for Human Resources, AA/EEO, serves as the ESP Coordinator for the University.

## C. Savings Programs

1. Premium Conversion and Reimbursement Account Programs - See <http://www.dhrm.virginia.gov/genlbenefits/flex/flexiblebenefits.html>.

Premium Conversion and Reimbursement Account programs are subject to regulations established by the Internet Revenue Service (IRS). Detailed information is available from the Benefits Administrator in the Office of Human Resources, AA/EEO, or at the web site noted above.

- a. Premium Conversion

This feature reduces an A/P Faculty member's net cost by allowing him or her to pay the portion of his or her health insurance premium with pretax salary.

- b. Medical and Dependent Reimbursement Accounts

A/P Faculty are eligible to enroll in the Medical and/or Dependent Care Reimbursement program, which allows payment of certain out-of-pocket expenses with pretax dollars. See the Benefits Administrator for more information about waiting periods or eligibility requirements.

2. Deferred Compensation Plan, Supplemental Retirement Annuity Plans and Cash Match - See <http://www.varetire.org/Members/BenefitPlans/DefComp.html>.

Through the Deferred Compensation Plan (DCP), the Supplemental Retirement Annuity Plans (SRA) and Cash Match, an A/P Faculty member may direct a portion of his or her salary into an investment program by payroll deduction **before** state and federal taxes are applied. Typically, A/P Faculty choose to receive the deferred income after retirement when they are likely to be in a lower tax bracket. A/P Faculty can enroll in a Deferred Compensation Plan (457) or a Supplemental Retirement Annuity (403(b), or both. Consult the Benefits Administrator in the Office of Human Resources, AA/EEO, for more information.

The Commonwealth supports employee participation in the DCP or SRA by offering a Cash Match Program. Participants who sign up for Cash Match will receive a contribution to their accounts each pay period of an amount equal to one-half of the A/P Faculty member's own contribution, up to an established maximum. The maximum matching amount is set by the state legislature.

**D. Wellness Program** - See <http://www.chp-online.com/commonhealth/>.

CommonHealth is the state's wellness program for A/P Faculty, families and retirees, offering a range of health-related activities and resources at participating agencies. CommonHealth benefits also include a special program for expectant parents called Baby Benefits.

**E. Work/Life Programs** - See <http://www.dhrm.virginia.gov/worklife/worklifetoc.html>.

Work/Life Programs are designed to improve balance between work and personal life. The state offers a number of these programs, which may vary by agency. Contact the Office of Human Resources, AA/EEO, for more information.

1. **Educational Assistance Policy** - See [http://www.umw.edu/hr/human\\_resource\\_policies/education/default.php](http://www.umw.edu/hr/human_resource_policies/education/default.php).

The Office of Human Resources, AA/EEO, in conjunction with the Office of Business and Finance, administers an educational aid program, which allows administrative, professional, classified and wage employees at the University to complete credit and noncredit courses related to the employee's job duties and responsibilities. **An A/P Faculty member must have been continuously employed by the University for a minimum of one year prior to being eligible to receive educational aid and must remain employed during the term of the course.** In order to be eligible for tuition assistance, an A/P Faculty member must have a job-performance rating of at least "contributor". The courses should fulfill degree requirements if an A/P Faculty member is in a degree-seeking program, or be directly related to the A/P Faculty member's position.

**F. Retirement Benefits** - See <http://www.varetire.org>.

A/P Faculty are allowed to select either VRS, a defined benefit plan, or Optional Retirement Plan (ORP), a defined contribution plan. The University pays the entire cost of either plan.

**G. Other**

1. **Scholarships for Employees' Children** - See <http://www.umw.edu/financialaid/>.

Several scholarships are available to children of University employees. Please visit the Office of Financial Aid's web site, as noted above, for more information.

2. **Parking** - See <http://www.umw.edu/police/>.

All A/P Faculty are issued staff parking decals, which permit them to park in designated areas, Monday through Friday. There is no guarantee of a parking space close to the job site. Parking in unauthorized areas may result in parking

violations, fines or towing. Information regarding the University's parking regulations can be found at the Office of the University Police's web site listed above. Upon receiving a decal, A/P Faculty are expected to become familiar with the regulations.

3. Identification Card Privileges - See <http://www.umw.edu/eagleone>.

A/P Faculty receive an ID card, called an EagleOne Card, which permits them to check out library books, use the recreational facilities and obtain free or discounted admission to theatrical productions, concerts and lectures. An EagleOne Debit account may also be placed on the card. More information is available at the web site listed above.

4. Use of University Facilities - See the following:

<http://library.umw.edu> (Library, Fredericksburg Campus)

<http://cgps.umw.edu/libr> (Library, Stafford Campus)

<http://www.umw.edu/recreation/default.php> (Fitness Center)

<http://athletics.umw.edu/facilities.htm> (Athletic Facilities)

A/P Faculty and their guests are eligible to use most University facilities, including the fitness center, gymnasium, library, swimming pool and more during specified times upon presentation of their EagleOne Card. A/P Faculty must adhere to the rules and guidelines established for use of the various facilities.

5. Use of the Faculty/Staff Dining Room - See

[http://www.umwdining.com/fac\\_staff1.shtml](http://www.umwdining.com/fac_staff1.shtml).

The University has designated one room in Seacobeck Hall as the Faculty/Staff Dining Room. Lunch is provided at a reduced cost to A/P Faculty. Guests of A/P Faculty may also eat here for a reduced fee. Hours are limited. See the web site listed above for more information.

## LEAVE POLICIES

### A. Statement of Public Accountability

State agencies are public institutions supported by the Commonwealth of Virginia, a public employer committed to serving the interests of the taxpayers, to whom they are accountable for using public funds effectively. Therefore, it is the policy of the Commonwealth that A/P Faculty are not paid for time that they do not work, except when using leave time (e.g., annual leave or sick leave) set forth in policy by the Office of Human Resources, AA/EEO.

### B. Annual Leave

- Annual leave with pay is provided for vacations and personal reasons to all A/P Faculty who hold full-time positions with appointments of 12 months. A/P Faculty with contracts of less than 12 months receive a pro-rated amount of annual leave.
- During the first three years of employment, A/P Faculty are granted three weeks (15 workdays) of annual leave. A/P Faculty with four to six years of service receive four weeks (20 workdays) of annual leave, and those who have completed their sixth year receive six weeks (30 workdays) of annual leave. A/P Faculty with contracts beginning during a fiscal year will be granted a pro-rated amount of annual leave.
- Annual leave is granted in a lump sum on June 25 of each year. Any portion of annual leave not used on or before June 24 is forfeited. No annual leave will be carried over from one year to the next.
- A/P Faculty may schedule use of annual leave between June 25 and June 24 at a time convenient to their department. Arrangements for annual leave require the prior approval of the supervisor and should be made well in advance of the dates requested. Once approved, additional or extended leave may not be taken without the express approval of the supervisor.
- Annual-leave balances are maintained by the Payroll Office. The balances are calculated by days not hours. Annual leave charged should be reported in terms of days or portions thereof. A/P Faculty must complete leave slips (available from the Payroll Office) for each half-day or more of annual leave used. These slips must be completed and signed by the supervisor at the time annual leave is requested. The supervisor must then forward the leave slips to the Payroll Office.
- Upon separation or retirement during the contract period (prior to June 24), A/P Faculty will be paid for a pro-rated amount of unused annual leave up to the maximum amount they are eligible to receive at that time. A/P Faculty who

separate during a contract period and have used all annual leave will be required to reimburse the University for the pro-rated amount of leave in excess of that which would have been available. Upon separation or retirement on June 24, all annual leave not used by that date is forfeited.

### C. Sick Leave

*Sick leave for A/P Faculty is provided under either the University sick-leave program or the Virginia Sickness and Disability Plan (VSDP). Only A/P Faculty who choose the Virginia Retirement System (VRS) plan may also choose the VSDP sick leave option. The choice must be made at the time of employment.*

*The following applies to the University's "traditional" sick leave. If VSDP is chosen, refer to the VSDP policy from the Office of Human Resources, AA/EEO, for the sick-leave provisions of that policy, or visit the web site <http://www.varetire.org/pdf/VSDPhandbook.pdf>.*

- Sick leave is available to all A/P Faculty who hold full-time positions (with appointment of 12 months) for the following purposes: doctor appointments, illness, injury to either the A/P Faculty member or a member of his or her immediate family, or a death in the family\*. A/P Faculty with contracts of less than 12 months receive a pro-rated amount of sick leave.

*\*The immediate family (as it relates to the University's sick leave policy) includes the A/P Faculty member's parents, spouse, children, brother or sister. Stepparents, stepchildren and children for whom the A/P Faculty member is the legal guardian are also considered immediate family. The period of time which may be used for leave in case of illness or death in the immediate family may not exceed 10 days in a calendar year.*

- A/P Faculty are granted 15 workdays of sick leave per year. Those with contracts beginning during a fiscal year will be granted a pro-rated amount of leave.
- Sick leave is granted in a lump sum on June 25 of each year. Sick leave can be carried over from one year to the next, up to a maximum of 130 workdays.
- A/P Faculty must follow established departmental call-in procedures for absences due to illness. Normally, an A/P Faculty member's immediate supervisor must be notified by him or her at the beginning of a workday.
- Sick-leave balances are maintained by the Payroll Office. These balances are calculated by days, not hours. Sick leave charged should be reported in terms of days or portions thereof. All time away from work for doctor's appointments, etc. must be charged to sick leave.

- Upon returning to work, A/P Faculty must complete a leave slip (available from the Payroll Office) for each half-day or more of sick leave used. These slips must be completed and signed by the supervisor at the time sick leave is requested. The supervisor must then forward the leave slips to the payroll office. The supervisor must sign this slip and forward it to the Payroll Office for recording.
- A physician's report may be required for an extended absence. If a physician's report is received by the Office of Human Resources, AA/EEO, indicating that the A/P Faculty member must be out for a specified time, another report must be received indicating that the A/P Faculty member is able to return to work.
- There is no compensation made for unused sick leave at the time of separation or retirement.

**D. VSDP Sick Leave - See Policy 4.57 at**

<http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Only A/P Faculty who chose VRS for their retirement plan and then chose VSDP for their sickness and disability plan will have sick leave and family/personal leave under VSDP. A/P Faculty who chose VSDP are not eligible to receive leave share.

**E. Leave Share**

The University of Mary Washington operates a leave share toward sick leave for A/P Faculty. A/P Faculty may donate accumulated sick or annual leave to another A/P Faculty member who is in need of leave to cover an extended absence due to a medical disability condition.

Leave can be donated to an A/P Faculty member who is absent less than six months and who has used all of his or her sick leave. Once an A/P Faculty member has been absent for six continuous months, s/he is covered by his individual disability plan.

The Office of Human Resources, AA/EEO, administers this procedure. A/P Faculty will be notified of such needs arising on a case-by-case basis. For more information on the policy, A/P Faculty may contact the Assistant Vice President for Human Resources, AA/EEO.

**F. Family and Medical Leave Act - See Policy 4.20 at**

<http://www.dhrm.virginia.gov/hrpolicy/policy/fammedlv.htm>.

The Commonwealth complies with the federal Family and Medical Leave Act (FMLA) in providing time away with or without pay to eligible A/P Faculty for situations defined in the Act. State policies and procedures apply to many situations covered by FMLA. Because FMLA is a designation rather than a separate type of leave, A/P Faculty may also use other kinds of leave while in FMLA-leave status. An eligible A/P Faculty member on FMLA leave continues to receive the state contribution to health insurance,



and FMLA provides reemployment rights to A/P Faculty under certain conditions. A/P Faculty may use up to 33 percent of their traditional sick leave (or available VSDP sick leave if enrolled in that program) to cover absences for family illness or disability also covered by FMLA.

The University requires the use of paid leave before unpaid leave is approved for FMLA purposes. Contact the Office of Human Resources, AA/EEO, for more information.

#### **G. Infant Care and Medical Leave for Childbirth\***

To accommodate the medical and/or special family-bonding needs associated with childbirth or adoption, the University makes the following provisions for full-time A/P Faculty. (Infant Care and Medical Leave for Childbirth are subject to the provisions of the FMLA.)

*Medical Leave for Childbirth.* Female, full-time A/P Faculty are provided full salary and benefits (with no leave charged) for up to three weeks for medical disability due to childbirth. This three-week period of leave must be taken upon the birth of the child and is continuous.

*Infant-Care Leave.* Each full-time A/P Faculty member shall be provided three weeks of paid leave with full benefits (with no leave charged) upon the adoption or birth of a child. In the event of birth, this three-week period of leave is available upon the birth of the child, is continuous and must be taken within six weeks of the birth. In case of adoption, whether a newborn or an older child, the infant-care leave is available upon assuming physical custody and is continuous. Infant-care leave is not available on an intermittent basis.

If time off beyond the three weeks for medical leave and the three weeks for infant-care leave as described above is medically necessary for a female, full-time A/P Faculty member, she may charge this time to sick leave. Regardless of the amount of time off, however, the A/P Faculty member must provide a doctor's certificate stating that she is medically able to return to work.

*\*This option is not available to A/P Faculty covered by VSDP. A/P Faculty with VSDP should consult the corresponding policy.*

#### **H. Civil Leave**

It is the policy of the University to provide civil leave to A/P Faculty to serve on a jury, appear in court as a witness under subpoena, and serve on councils, commissions, boards or other committees which are directly related to the individual's employment. A/P Faculty who serve on jury duty may retain fees given by the court as these fees are considered reimbursements.

**I. Leave to Provide Community Service - See Policy 4.40 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.**

As an employer, the Commonwealth supports A/P Faculty's responsibilities to their children and communities through Community Service Leave with up to 16 hours of paid leave per leave year. Parents are encouraged to participate in school activities through the high-school level, and all A/P Faculty are encouraged to volunteer with community organizations, to participate in organized service projects, and to promote child development. A/P Faculty are encouraged to read the policy to learn how this leave type may apply to them.

**J. Military Leave**

A/P Faculty who are members of the Commonwealth's militia (including National Guard) are granted paid military leave for providing military service when called forth by the Governor. A/P Faculty who serve in the National Guard, Naval Militia or in a branch of the military reserve are entitled to as much as 15 days of paid military leave for federally-funded training or active duty per federal fiscal year. A/P Faculty called for more than 15 days of active federal duty in a federal fiscal year may use accrued leave balances in order to remain on the state payroll. A/P Faculty who exhaust their leave balances or who choose not to use them for military duty may be placed on Military Leave Without Pay.

If an A/P Faculty member is a member of the National Guard or a military reserve unit, s/he may want to review his or her benefits under the Uniformed Services Employment and Reemployment Act (USERRA). Some state benefits continue for all or part of a term of military leave.

**K. Emergency/Disaster Leave - See Policy 4.17 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.**

A/P Faculty with specific needed skills may receive up to five days of paid leave to give requested assistance in officially declared disaster areas, typically in cases of large-scale flood, fire, ice storm or a similarly destructive natural event. To qualify for this leave, the services provided must not be within the regular job duties of the called A/P Faculty member. In addition, A/P Faculty who are the *victims* of major disastrous events, such as destruction of their primary residence, are sometimes eligible for paid leave under this policy. A/P Faculty called to provide emergency service through active duty in the military or National Guard are covered by Policy 4.50 for Military Leave.

**L. Leave To Donate Bone Marrow or Organs - See Policy 4.37 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.**

A/P Faculty may use up to 30 workdays in a calendar year to donate their bone marrow or an organ and to recover from the procedure.

**M. Holidays** - See [http://www.umw.edu/hr/calendars/employee\\_holiday\\_calendar.php](http://www.umw.edu/hr/calendars/employee_holiday_calendar.php).

A/P Faculty are notified in January of each year of the days on which holidays will be observed by the University. The schedule for each current year can be found at the web site listed above. Any questions regarding this schedule should be addressed to the Office of Human Resources, AA/EEO.

## EMPLOYEE RELATIONS

- A. University of Mary Washington Grievance Policy and Procedure for Administrative and Professional Faculty** - See "*Grievance Policy and Procedure for A/P Faculty*" in *this handbook* or visit [http://www.umw.edu/hr/docs/grievance\\_policy\\_procedure.doc](http://www.umw.edu/hr/docs/grievance_policy_procedure.doc).

The University of Mary Washington Grievance Policy and Procedure for Administrative and Professional Faculty provides a formal way for A/P Faculty to address work-related concerns. All questions relating to this procedure, substantive questions and/or alleged violations should be brought to the attention of the Assistant Vice President for Human Resources, AA/EEO, and AA/EEO Officer.

- B. Department of Employment Dispute Resolution**

The Department of Employment Dispute Resolution (EDR) provides consultation and advice to all state employees and agency managers on their employment rights and responsibilities, as well as on available options in resolving workplace conflict. The role of the EDR Consultant is to listen, assess and advise. Employees, HR personnel and agency managers may contact a consultant by phone, toll free, by dialing 1-888-23ADVICE, or if they prefer, schedule a meeting at EDR's office.

*Mediation.* Mediation is a process that allows employees and their co-workers to discuss job-related conflicts in a non-threatening setting with trained mediators. Mediation is voluntary and confidential. Contact the Office of Human Resources, AA/EEO, for more information on the mediation process.

For more information on mediation from EDR, visit <http://www.edr.virginia.gov/mediation.htm>.

## RESPECTFUL WORKPLACE

The University aims to maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment and violence.

The following state and University policies aim to promote and ensure a respectful workplace.

**A. Equal Employment Opportunity** - *See Policies 2.05, Equal Employment Opportunity, 2.10, Hiring, and 2.30, Workplace Harassment at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.*

The Commonwealth is committed to providing equal employment opportunity for all employees and job applicants, regardless of their race, color, religion, sex, age, national origin, disability and political affiliation. Employment discrimination based on these traits is unlawful under both state and federal law. Equal opportunity extends to all aspects of employment including hiring, transfers, promotions, training, termination, working conditions, compensation, benefits and other terms and conditions of employment. The Commonwealth complies with federal and state equal-employment-opportunity laws and strives to keep the workplace free from all forms of unlawful discrimination, including harassment and retaliation.

The Department of Human Resource Management (DHRM)'s Office of Equal Employment Services (OEES) is responsible for enforcing policies concerning equal employment opportunity. This office investigates and resolves complaints of unlawful employment discrimination. If an employee wishes to submit a complaint or allegation, s/he may obtain the needed forms from OEES or from the DHRM web site. Employees may also file complaints under the Grievance Procedure or directly with the federal Equal Employment Opportunity Commission.

**B. University of Mary Washington Statement of Nondiscrimination**

The University subscribes to the principles of equal opportunity and affirmative action. The University does not discriminate on the basis of race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, sex, pregnancy or age in recruiting, admitting and enrolling students or in hiring and promoting faculty and staff members. The University will not recognize or condone student, faculty or staff organizations that discriminate in selecting members. Complaints of discrimination or questions should be directed to the University's AA/EEO Officer.

**C. University of Mary Washington Workplace Harassment Policy** - *See the University Workplace Harassment Policy at <http://www.umw.edu/training/edp/state>; the University Workplace Harassment Complaint Procedure at [http://www.umw.edu/hr/docs/grievance\\_policy\\_procedure.doc](http://www.umw.edu/hr/docs/grievance_policy_procedure.doc); and*

*the State Workplace Harassment Policy at  
<http://www.dhrm.virginia.gov/hrpolicy/policy/pol230>  
[WorkplaceHarassment.pdf](#).*

The University strictly forbids harassment of any employee, applicant for employment, vendor, contractor or volunteer on the basis of an individual's race, color, national origin, age, sex, sexual orientation, political affiliation, religion, disability, marital status or pregnancy.

Workplace Harassment can be defined as any unwelcome verbal, written and/or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, color, national origin, age, sex, sexual orientation, political affiliation, religion, disability, marital status, or pregnancy that 1) has the purpose or effect of creating an intimidating, hostile or offensive work environment, 2) has the purpose or effect of unreasonably interfering with an employee's work performance, or 3) affects an employee's employment opportunities or compensation.

- D. University of Mary Washington Sexual Harassment Policy - See**  
*the University Sexual Harassment Complaint Procedure at  
[http://www.umw.edu/hr/human\\_resource\\_policies/harassment/default.php](http://www.umw.edu/hr/human_resource_policies/harassment/default.php)  
and the University Sexual Harassment Policy at  
<http://www.umw.edu/training/edp/state>.*

The University of Mary Washington will not tolerate sexual harassment. Sexual harassment is a form of sexual discrimination and as such is illegal behavior. Moreover, sexual harassment would subvert the mission of the University by undermining the positive working and educational environment the University is committed to providing for all students, University personnel and visitors.

The University's administrators and supervisors are responsible for taking reasonable steps to prevent and remedy sexual harassment. Such steps include educating the University community about the accompanying definitions and procedures, encouraging persons who think they have been sexually harassed to come forward and vigorously pursuing violations of this policy.

- E. University of Mary Washington Workplace Violence Policy - See**  
*the University Workplace Violence Policy at  
<http://www.umw.edu/training/edp/state> and the State Workplace Violence  
Policy at [http://www.dhrm.virginia.gov/hrpolicy/policy/pol180\\_wpviolence.pdf](http://www.dhrm.virginia.gov/hrpolicy/policy/pol180_wpviolence.pdf).*

The University is committed to maintaining a workplace free from threats and acts of intimidation and violence. All reported incidents will be properly investigated. Workplace Violence can be defined as actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger.

**F. Retaliation**

Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under the Commonwealth's EEO policies.

The University prohibits retaliation. If retaliation occurs, the employee(s) should report the retaliation as outlined in the discrimination and harassment complaint procedures.

**G. Violations and Enforcement**

Any employee who engages in inappropriate conduct as outlined in the above policies or who encourages such conduct by others shall be subject to corrective action, which may include discharge from employment.

**UNIVERSITY OF MARY WASHINGTON GRIEVANCE POLICY AND PROCEDURE  
FOR ADMINISTRATIVE AND PROFESSIONAL FACULTY**

*Authority: Board of Visitors, Policy and Procedure for Resolving Grievances,  
adopted June 3, 1990.*

Procedural issues, substantive questions and/or alleged violations and other questions relating to this procedure should be addressed to the Assistant Vice President for Human Resources, AA/EEO, and AA/EEO Officer.

The time frames set forth in this procedure serve as guidelines and should be followed as closely as possible. They are not intended to discourage the filing or resolution of a complaint.

**A. Coverage**

All A/P Faculty are eligible to use this procedure.

**B. Definitions of a Grievance**

*Complaint:* a complaint made by an A/P Faculty member concerning a decision, action, lack of action or the application of a University policy which directly and adversely affects the work activity, professional or personal well-being of the individual and which can be corrected by the University.

OR

*Action:* an action by one or more persons acting in an official capacity for the University or the application of a University policy that directly or indirectly negatively affects the work activity of the individual and that can be corrected by the University and is based on one or more of the following discriminatory factors: race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, pregnancy, age or sex (except where sex or age is a bona fide occupational qualification).

*Exceptions.* Grievance procedure is not applicable to any action related to the following, unless allegedly based on a discriminatory factor:

- The reassignment of duties
- The nonrenewal of a contract
- The evaluation of performance
- The denial of promotion
- Compensation matters and/or benefits, and



- The contents of established personnel policies, rules, procedures, regulations, ordinances and statutes.

## C. Procedures

### 1. Attempt at Informal Resolution

The grievant should meet with the Assistant Vice President for Human Resources, AA/EEO, to discuss his or her complaint as soon as possible, but no later than 30 calendar days following the event or action which is the basis for the grievance. If the allegation is one that is within the purview of these procedures, the Assistant Vice President for Human Resources, AA/EEO, will attempt to resolve the complaint with the appropriate individual. If no resolution is obtained, the employee may continue with the filing of a formal grievance.

### 2. Filing of the Grievance

The first step for the complainant is to complete and sign the University of Mary Washington Form A, which can be secured from the Office of Human Resources, AA/EEO, providing the following information:

- The issue being grieved
- A clear statement of the facts upon which the complaint is based, including an explanation of how the person has been adversely affected (failure to submit such a statement of facts may result in the matter complained of to be declared nongrievable)
- An identification of the person(s) or the University policy or procedure considered responsible for the complaint and an explanation of why the person(s) is considered responsible or why the University policy or procedure is considered improper
- A copy of any pertinent Board of Visitors or University policies or regulations, State statutes, contractual agreements or other documents of custom or practice upon which the complainant relies, and
- A statement of the specific relief sought.

This form should be presented to the vice president over the complainant's department. S/he will meet with the complainant and provide written response to the grievance within 10 working days.

### 3. Panel Hearing

#### a. Request

In the event the complainant is not satisfied with the response of the vice president, the individual may request a panel hearing within five working days after receipt of the step-one decision.

The request for a panel hearing shall be made on University of Mary Washington Form B, which can be obtained from the Office of Human Resources, AA/EEO. The completed form shall be returned to the Assistant Vice President of Human Resources, AA/EEO. The complainant will provide the following information:

- A list of witnesses to be present at the panel hearing, and
- The identification of any counsel, advisor or observer to be present at the hearing.

This form, together with the University of Mary Washington Form A, will constitute formal application for a panel hearing. The Assistant Vice President for Human Resources, AA/EEO, and AA/EEO Officer shall transmit the forms to the President of the University within five working days after receipt of them.

b. Method of Selecting Panel Members

A panel of three shall be selected in the following way: 10 days following the completion of the University of Mary Washington Form B, the complainant shall designate one member, the Executive Assistant to the President shall designate one member, and these two members shall jointly select a third panel member.

4. Conduct of the Panel Hearing

a. Organization of the Panel and the Hearing

The panel shall then select a chairperson and set a date, time and place for the hearing. The hearing shall be held as soon as practicable but no more than 10 working days after the panel has been selected. The complainant shall be notified in writing of the hearing date, time and place. Before the hearing, the Assistant Vice President for Human Resources, AA/EEO, and AA/EEO Officer will supply the panel members with the complaint forms.

With the consent of both parties, the panel may extend any or all of the applicable time periods established in this hearing.

b. Conduct of the Hearing

The panel shall determine the propriety of attendance at the hearing of persons not having direct interest in the hearing.

The panel may, at the beginning of the hearing, ask for statements clarifying the issues involved.

The hearing shall be recorded by tape, and a copy of the tape may be supplied to the complainant at his or her request for the cost of the tape.

Exhibits, when offered by the complainant or the University, may be received in evidence by the panel and, when so received, shall be marked and made part of the record.

First the complainant and then the University official, or their representatives, shall present their claims, proofs and witnesses (who shall submit to questions or other examination). The panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties and witnesses for presentation of any material or relevant proofs.

The parties may offer evidence and shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall judge the relevancy and materiality of the evidence offered. All evidence shall be admitted and received in the presence of the panel and of the third parties.

c. Decision

The panel will operate on the basis of a simple majority vote.

When all claims, evidence and proofs are received from both parties, the panel shall deliberate in private and transmit its recommendations within five working days after the hearing to the President of the University.

The President shall notify all parties of his or her decision within five working days after receipt of the recommendation of the panel.

5. Appeal

If the President's decision is not acceptable to the complainant, the individual may appeal the decision to the Executive Committee of the Board of Visitors.

To accomplish this, the complainant should present to the President, within 10 working days following the receipt of the President's decision, a written request addressed to the Rector for a hearing by the Executive Committee of the Board of Visitors. Within 30 days after receipt of a request from the complainant, the Rector shall have the Executive Committee of the Board of Visitors review the record of the panel hearing, render a decision and notify the complainant.

The decision of the Executive Committee shall be final, with all determinations relating to the University position on the complaint. Failure to comply with the decision of the Executive Committee or reprisals as a result of the decision shall be cause for disciplinary action.

## MISCELLANEOUS TOPICS

### A. Commonwealth of Virginia Campaign

The Commonwealth of Virginia Campaign (CVC) is the voluntary employee-charitable-giving program that raises funds for numerous nonprofit health and humanitarian organizations throughout the state, the nation and the world. Contributions are tax-deductible and can be made in lump sum or by payroll deduction. Each agency has a CVC Coordinator who can provide further information. This is the only charitable giving program authorized by the Commonwealth to operate within the state workplace.

### B. Gifts, Gratuities and Rewards

A/P Faculty are in a position of public trust. Therefore, they may not accept gifts, gratuities, favors or rewards for any services they perform in connection with state employment other than from the agency where they work. Likewise, it is unlawful for A/P Faculty to solicit, offer or accept money or anything of value in exchange for appointment or selection to a position at a higher salary or for special privilege with any state agency. Violation of this policy may result in disciplinary action.

### C. Intellectual Properties

While employed by the state, many A/P Faculty work on projects or develop materials that also have worth outside of state government. The Code of Virginia (§ 2.2-2822) and University policy address these matters. To obtain information and guidance related to intellectual property, contact the Office of Human Resources, AA/EEO.

#### 1. Intellectual Property

(Adopted by the Board of Visitors of the University of Mary Washington on September 19, 1987.)

The policy applies to all University employees, whether their appointments are permanent or temporary, full-time or part-time, salaried, on wages or on contract, or paid by state funds or by outside sponsors. It also applies to students of the University enrolled in programs of study (leading to degrees) and to visitors who may, from time to time, participate in University programs or activities.

#### 2. General Statement on Ownership of Intellectual Property

Intellectual property is understood to be any property to which the owner holds a *patent* or *copyright*, or which may be considered to be patentable or copyrightable. In general, University employees, students and visitors shall retain all rights relating to intellectual property developed on their own initiative without substantial use of University facilities and resources. This provision includes

copyrighting of papers published in journals, articles written for popular publication, books (including textbooks), computer software, film, photographs and videotapes, unless the copyrighted materials were developed as a specific part of a University assignment. It also includes the patenting of inventions, unless the patentable invention was developed as a specific part of a University assignment.

3. Cases in Which the University Obtains Entire Right, Title and Interest

The University shall obtain the entire right, title and interest in all materials subject to copyright or patent when the materials result from an assigned duty of an employee, student or visitor, or when the University provides substantial, specific support for the development of the materials in the form of space, facilities, equipment and/or supplies. The University will not construe the provision of the usual office, library, laboratory, computing facilities, equipment and supplies that are part of its regular instructional program as constituting substantial specific support except for those situations where the copyrightable or patentable material was developed in response to a specific University assignment. An employee's general obligation to maintain a level of professional activity as a scholar does not constitute such a specific University assignment.

Please refer to Section 4.4.2, Intellectual Property, of the *University of Mary Washington Faculty Handbook* or online at [http://www.umw.edu/faculty\\_staff/default.php#24](http://www.umw.edu/faculty_staff/default.php#24) for detailed information.

**D. Nepotism**

The Code of Virginia (§ 2.2-3106) prohibits (as a conflict of interests) supervision by an A/P Faculty member of a member of his or her immediate family. Immediate family includes the spouse and any other person residing in the same household as the A/P Faculty member who is a dependent of the A/P Faculty member or of whom the A/P Faculty member is a dependent. Further, as stated in the Code, "no officer or employee of any governmental agency of state government ... shall have a personal interest in a contract with the governmental agency of which s/he is an officer or employee, other than his or her own contract of employment. The provisions of this section shall not apply to:

The personal interest of an officer or employee of a state institution of higher education in additional contracts of employment with his or her own governmental agency that accrue to him or her because of a member of his or her immediate family, provided (i) the officer or employee and the immediate family member are engaged in teaching, research or administrative support positions at the education institution, (ii) the governing board of the educational institution finds that it is in the best interests of the institution and the Commonwealth for such dual employment to exist, and (iii) after such finding, the governing board of the educational institution ensures that the officer or employee, or the immediate family member, does not have sole authority to supervise, evaluate or make personnel decisions regarding the other."

(See the Conflict of Interests Act in the Code of Virginia, § 2.2-3100, and following.)

**E. Dress Code** - See [http://www.umw.edu/hr/human\\_resource\\_policies/default.php](http://www.umw.edu/hr/human_resource_policies/default.php).

A/P Faculty should come to work dressed and groomed appropriately for their working conditions. See the University policy (at the web site listed above) for more details.

**F. Political Activity**

State employees may not campaign for themselves or for anyone else during work hours, nor can they use state equipment or resources for political activities. Further, no employee is to be rewarded or discriminated against for participating or not participating in political activities outside of the workday or work place. Before beginning any political activity, an A/P Faculty member should determine whether such activity violates the Virginia Conflict of Interests Act.

**G. Privacy of Records** - See Policy 6.05 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

An A/P Faculty member's personnel record, maintained by the University of Mary Washington, is the property of the Commonwealth.

The Privacy Protection Act provides that an employee may have access to information contained in his or her personnel records with the exception of reference letters and mental and medical records when the treating physician has indicated that a review of such records might be injurious to the employee's health. The contents of an employee's personnel file may be disclosed to third parties provided in the Virginia Freedom of Information act, the Privacy Protection Act, and Policy 6.05, Personnel Records Disclosure.

If an A/P Faculty member applies for credit of any kind that will require a credit check or other investigation, s/he must give written authorization to the Office of Human Resources, AA/EEO, to release the needed information.

**H. Smoking** - See the University policy at [http://www.umw.edu/hr/human\\_resource\\_policies/default.php](http://www.umw.edu/hr/human_resource_policies/default.php).

The Commonwealth of Virginia promotes a productive and cooperative working environment. See the University policy (at the web site given above) for more information.

**I. Facility Accessibility for the Disabled**

The University of Mary Washington provides disabled members of the University community an opportunity to participate in campus activities and programs. Special parking is available for the disabled, and ramps and elevators exist in most buildings.

Accessibility problems encountered by the disabled should be brought to the attention of the AA/EEO Officer so that possible solutions can be explored and acted upon.

**J. Visitors and Children**

While visitors are welcome to the campus, those of a personal nature at the work site of the A/P Faculty member are not encouraged and must be approved by the supervisor. This is necessary to limit the liability of the University and disruptions at work. Children, age 12 or younger, must be accompanied by an adult at all times. Children of A/P Faculty are not allowed to stay at the University during working hours. Occasional short visits are allowed if approved by the supervisor.

**K. Freedom of Information Act**

1. General Statement

It is the University's objective to ensure compliance with the Freedom of Information Act (FOIA).

2. Office of University Relations and Legislative Affairs - See

<http://www.umw.edu/policies/foia>.

To protect the institution and assure the privacy of the individuals involved, the University follows a policy of not commenting on personnel matters. All requests for personnel and University-related information utilizing provisions of the Virginia Freedom of Information Act (FOIA) will be directed to the Office of University Relations and Legislative. Requests from the news media or others should be in writing and will be researched and answered by the Office of University Relations. A response will be given to the requestor within five workdays. Under FOIA, the University may charge for the costs of copying and research time.

**L. Personal Information**

A/P Faculty are required to report immediately to the Office of Human Resources, AA/EEO, the following changes affecting their records:

- Change of address (must be in writing and include effective date)
- Name change (must provide copy of new Social Security card)
- Change in family status (for benefits information)
- Change in beneficiary for retirement and/or insurance programs
- Change in insurance coverage or eligibility of dependents



- Other pertinent information for personnel records.