

MORGAN STATE UNIVERSITY

***CLASSIFIED EMPLOYEES
MANUAL***

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➤ CONTROLLING DOCUMENTS

THE PROVISIONS OF THIS PUBLICATION SHALL NOT BE REGARDED AS A CONTRACT BETWEEN THE UNIVERSITY AND THE READER OR CLASSIFIED EMPLOYEE. THE POLICIES, RULES, AND DOCUMENTS REPRODUCED OR SUMMARIZED IN THE CLASSIFIED EMPLOYEES MANUAL REPRESENT THE EDITOR'S BEST EFFORTS AT ACCURACY. NEVERTHELESS, ERRORS MAY HAVE OCCURRED, AND IN ALL INSTANCES READERS ARE REFERRED TO THE OFFICIAL DOCUMENTS AS PROMULGATED (AND ANY OFFICIAL AMENDMENT THERETO). SHOULD DIFFERENCES EXIST, THE OFFICIAL DOCUMENTS SHALL BE CONTROLLING. THE UNIVERSITY PERIODICALLY DEVELOPS NEW OR AMENDS EXISTING POLICIES, REGULATIONS, AND PROCEDURES. CLASSIFIED EMPLOYEES AND/OR READERS ARE SUBJECT TO ALL CURRENT OFFICIAL UNIVERSITY POLICIES, PROCEDURES, AND REGULATIONS INCLUDING BUT NOT LIMITED TO THE PERSONNEL PROCEDURES FOR CLASSIFIED EMPLOYEES.

➤ NONDISCRIMINATION POLICY

MORGAN STATE UNIVERSITY IS AN EQUAL OPPORTUNITY INSTITUTION OF HIGHER EDUCATION WITH REGARD TO BOTH EDUCATION AND EMPLOYMENT. THE UNIVERSITY'S POLICIES ARE IN ACCORDANCE WITH PERTINENT FEDERAL AND STATE STATUTES AND REGULATIONS REGARDING PROHIBITED DISCRIMINATION ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE OR HANDICAP.

Compilation of Classified Employees Manual

The Classified Employees Manual is a compilation of University policies and procedures of particular relevance to classified employees. It is intended to serve as a source of information for the convenience of classified employees. The team effort and contributions of the University Council, MCEA, AFSME, and the University administration made this publication possible.

TABLE OF CONTENTS

I.	CONDITIONS AND STATUS OF EMPLOYMENT.....	1
	A.	1
	B. Employment Categories	1
	1. Regular Employees.....	1
	2. Contractual Employees.....	1
	C. Probationary Period.....	1
	D. Performance Evaluation	2
	E. Reassignment.....	2-a
	F. Reinstatement	3
II.	SCHEDULES, HOURS AND OVERTIME	5
	A. Work Schedules	5
	B. Meal Periods.....	5
	C. Overtime	5
	D. Emergency Closings.....	6
	E. Unauthorized Absence	7
	F. Lateness	7
	G. Timekeeping	7
III.	LEAVE WITH PAY	10
	A. In general	10
	B. Annual Leave.....	10
	1. Advance Requests for Annual Leave.....	10
	2. Rates of Earning Annual Leave.....	10
	3. Availability and Use of Annual Leave	11
	4. Carry Over of Accumulated Annual Leave	12
	5. Temporary Employees	12
	6. Separation	12
	C. Sick Leave	12
	D. Advanced Sick Leave	14
	E. Extended Sick Leave	15
	F. Leave Derived from the State Employee's Leave Bank/Leave Donation Program.....	15
	G. Bereavement Leave	16
	H. Leave following the Birth or Adoption.....	16
	I. Accident Leave.....	17
	J. Personal Leave.....	17
	K. Compensatory Leave.....	18
	L. Holidays	18
	M. Jury Duty Leave	20
	N. Leave for Court Appearances	20
	O. Employment Examinations and Interviews	20
	P. Religious Observances	21

Q.	Public Health Leave	21
R.	Disaster Leave.....	21
IV.	LEAVE WITHOUT PAY.....	23
A.	Leave of Absence Without Pay	23
B.	Family/Medical Leave	23
V.	COMPENSATION	26
A.	The Pay Plan.....	26
B.	Increment Increases in Compensation	26
C.	Paydays	27
VI.	PERSONNEL PRACTICES.....	29
A.	Political Activities	29
B.	Conflicts of Interest	29
C.	Conflict of Commitment	29
D.	Smoking.....	29
E.	Substance Abuse Policy	30
F.	Employee Labor Organization Activities	31
G.	Access To Personnel Files.....	31
H.	Use of Equipment and Vehicles.....	31
I.	NONDISCRIMINATION PERSONNEL POLICIES	32
1.	Equal Employment Opportunity.....	32
2.	Sexual Harassment.....	32
3.	Immigration Law Compliance.....	33
VII.	CONDUCT AND/OR PERFORMANCE AND DISCIPLINE	35
A.	Conduct and/or Performance.....	35
B.	Principles of Discipline.....	35
C.	Disciplinary Actions.....	35
1.	Rejection on Probation for New Probationary Employees.....	35
a.	During Probationary Period	36
b.	Other Probationary Employees	36
2.	Removal for Cause of a Classified Employee who has Completed Probation	36
a.	Causes for Removal.....	36
b.	Procedures Associated with Removal for Cause	38
c.	Appeal	39
3.	Suspension Without Pay of a Classified Employee Pending Disposition of a Charge for Removal....	39
4.	Suspension for Disciplinary Purposes	40
5.	Demotion - Involuntary Transfer to a Different Class that has a Lower Maximum Rate of Pay....	42
D.	RESIGNATIONS.....	43

1.	Notice.....	43
2.	Resignation Without Notice - Absence Without Leave	43
3.	Resignation Without Notice - Failure to Give Notice After Unpaid Leave.....	44
VIII.	CLASSIFIED EMPLOYEES GRIEVANCE PROCEDURES.....	46
A.	In General	46
B.	Definitions	46
1.	Grievance	46
2.	Days	47
C.	General Provisions	47
1.	Economy in Processing Grievances.....	47
2.	Copies of Decisions	47
3.	Consolidation.....	47
4.	Representation.....	47
5.	Employee Release from Work	48
6.	Conflicts with Board Policies, or Delegated Authority.....	48
7.	Evidence.....	49
8.	Grievance Not Decided at Any Step.....	49
9.	Failure to Respond or Appeal.....	49
10.	Final Disposition.....	49
D.	Time for Initiating a Grievance Proceeding	49
E.	Informal Discussion.....	50
F.	Formal Grievance Procedure	50
1.	Step One - Vice President or Program Director ..	50
2.	Step Two - President or President's Designee....	50
3.	Step Three - Secretary of Personnel.....	51
IX.	BENEFITS.....	54
A.	In General	54
B.	Health Insurance Programs	54
C.	Other Benefits Available through the State Health Benefit Program	54
D.	Workers' Compensation Insurance	55
E.	Uemployment Compensation.....	55
F.	Credit Union.....	55
G.	Tuition Waiver Program.....	56
H.	Tax Deferred Annuities.....	56
I.	Retirement Programs.....	56

I. CONDITIONS AND STATUS OF EMPLOYMENT

Classified Employees Manual

I. CONDITIONS AND STATUS OF EMPLOYMENT

A. Employment Application

Morgan State University relies upon the accuracy of information provided in the employment application and throughout the hiring process. Such information is critical to the proper assessment of the candidate's or employee's experience and qualifications for employment. Any misrepresentations, falsifications, or omissions in any of the provided information may result in an individual being excluded from further consideration for employment or terminated from University employment.

B. Employment Categories

1. **Regular Employees** - A regular employee is one who has been appointed to a position that is on-going in nature and/or is expected to have a duration of at least one fiscal or academic year. A regular employee is entitled to certain benefits, the nature and availability of which vary from year to year, such as: health insurance benefits, retirements benefits, cost of living adjustments, etc. In general, a regular employee employed full-time is entitled to the full range of available University benefits. Regular employees employed at least 50% or more of full-time are entitled to receive benefits proportional to the percentage of full-time of the persons employment. Regular employees employed less than 50% of full time are not eligible for University benefits.
2. **Contractual Employees** - The University employs contractual employees to meet fluctuating work force requirements. Contractual employees are not members of the regular University work force. Persons employed as contractual employee are employed pursuant to an employment contract for a specified period of time (term) and the compensation set forth in the contract represents full compensation. Contractual employees are not eligible for health benefits or any other benefits beyond those set forth in the contract. The grievance procedure is not applicable to contractul employees.

C. Probationary Period

Classified Employees Manual

1. Except as otherwise provided in the Personnel Procedures for Classified Employees, any person appointed to a position in the classified service with permanent appointment status, or by an action of horizontal change, demotion, promotion, transfer, reemployment or reinstatement shall serve a probation period. The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance. The probationary period is used to evaluate employee capabilities, work habits, and overall performance.
2. The length of the probationary period varies according to the employee's classification. The probationary period may be extended if it is determined that an additional period of time is necessary to thoroughly evaluate an employee's performance.
3. During the probationary period, employees are eligible for benefits dictated by law, such as workers' compensation insurance and Social Security. They may also be eligible for other benefits provided by the University, subject to the terms and conditions of each benefits program. Employees should read available information of each specific benefit program for details on health benefits eligibility requirements. Information on all benefit programs can be obtained from the Office of Human Resources.

D. Performance Evaluation

1. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted to provide both supervisors and employees with the opportunity to discuss job tasks, identify and correct performance weaknesses, encourage and recognize performance strengths, and discuss positive, purposeful approaches for reaching performance goals.
2. All supervisors are required to conduct a formal performance evaluation at the end of the probationary period and annually for regular employees.

E. Reassignment

1. The University reserves the right to direct its affairs and work force in order to ensure the efficient and effective fulfillment of its

Classified Employees Manual

mission. The University may reassign an employee to another position in the same or a different classification if the change does not affect the employee's salary grade. The employee can be reassigned only if the employee meets the minimum qualifications of the new position or classification.

2. Employees can also request reassignment. The requests are subject to review and approval and the disposition of the request is within the sole discretion of the University.

F. Reinstatement

1. ***Persons who have been previously employed as permanent employees in the University's classified service may apply to the University for reinstatement to classifications in which they have satisfactory work records if they return to University service within two (2) years from the time of separation from active duty. An individual eligible for reinstatement may be considered for, but is not guaranteed, employment for future job vacancies.***

2. A former permanent University employee who returns to University employment with an authorized status of reinstatement:
 - a. shall receive credit for time employed before separation for the purpose of determining the employee's:
 - b. step in the pay grade applicable to the employees classification;
 - c. rate of annual leave accrual; and
 - d. seniority rights; and
 - e. shall have unused accumulated sick leave restored.

University policies concerning the reinstatement of returning veterans and reservists conform to State and federal laws.

II. SCHEDULES, HOURS AND OVERTIME

Classified Employees Manual

II. SCHEDULES, HOURS AND OVERTIME

A. Work Schedules

1. The normal work schedule for University employees is eight hours per day, five days per week. Supervisors shall determine the work day schedule, upon the approval of their Vice President, including the beginning and ending of the work day and any breaks during the work day within established University guidelines. The normal work day shall have a starting time between the hours of 8:00 - 9:00 a.m. Employees having work schedules which anticipate a starting time after 9:00 a.m. must receive prior approval from their Vice President.
2. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Offices must be staffed at all times during the established University work day.

B. Meal Periods

1. All full-time employees are entitled to one meal period per workday. Supervisors will schedule meal periods to accommodate operating requirements. An employee shall be relieved of all active responsibilities and restrictions during the meal period and shall not be compensated for that time.
2. Employees shall not omit a meal period in order to shorten or lengthen the work day. The minimum duration of the meal period shall be 30 minutes and the maximum duration shall be 60 minutes, as designated by the supervisor.

C. Overtime

1. When operating requirements or other needs cannot be met during regular working hours, overtime work can be scheduled by the supervisor. Employees will be given the opportunity to volunteer for overtime work assignments, but may be required to work overtime in emergency situations. Overtime assignments will be distributed as equitably as practical to all employees who are qualified to perform

Classified Employees Manual

the required work. All overtime work must receive the supervisor's prior authorization.

2. If an employee fails to work scheduled or emergency overtime or works overtime without prior authorization from the supervisor, the employee may be subject to disciplinary action, including but not limited to suspension and termination.
3. The Federal Fair Labor Standards Act (FLSA) requires that certain employees receive cash overtime compensation for time worked in excess of the employee's normal 40-hour work week. An employee's normal work week includes all hours for which the employee receives pay. In accordance with State and federal laws, the University designates employees as either FLSA nonexempt or FLSA exempt. FLSA nonexempt employees are covered by the federal law and, therefore, are entitled to compensation for overtime work. FLSA exempt employees are not covered by the provisions of the federal law, but may receive compensatory time for overtime work as provided in Section VIII-J of this Manual.

D. Emergency Closings

1. Certain conditions such as severe weather, fires, power failures, earthquakes, etc. can disrupt University operations and may necessitate the closing of the work facility. When operations are officially closed due to emergency conditions, regular employees who are not designated as emergency essential are paid for the time they were scheduled to work.
2. Local radio and/or television stations will be asked to broadcast notification of closings or delayed openings.
3. At times, conditions may exist that do not warrant the closing of the University, but may cause the administration to impose a liberal leave allowance. The imposition of this allowance permits non-essential, non-emergency, regular employees to use annual or personal leave without prior approval from their supervisor.

E. Unauthorized Absence

1. An employee is absent from work without authorization when the employee fails to report to work and has not requested and been

Classified Employees Manual

approved for leave by the employee's supervisor.

2. Employees who are absent from work without authorization from their supervisor are subject to discipline including, but not limited to, suspension and termination.
3. An unauthorized absence may also be treated as resignation without notice.

F. Lateness

1. University employees who are late in reporting to work detrimentally affect the efficiency and effectiveness of University operations.
2. Employees who engage in a pattern of tardiness in reporting to work or in returning to work after a break are subject to discipline, including but not limited to suspension and termination.

G. Timekeeping

1. University employees are required to maintain accurate records of the time they have worked using approved time-keeping documents. The time-keeping records shall reflect actual time worked and any leave, breaks, absences and/or time not devoted to the performance of work-related duties. Employee's whose time-keeping records do not reflect actual time worked and who are compensated for the time inaccurately reflected on the time-keeping record shall be required to reimburse the University for the time inaccurately reflected on the time-keeping record. Employees who alter, falsify, and/or tamper with time-keeping records are subject to discipline, including but not limited to termination. The submission of inaccurate time-keeping records may constitute a criminal offense subject to criminal prosecution.
2. Employees are responsible for signing their time-keeping records in the section of the record designated for the employee's signature. By signing the time-sheet, the employee is representing that the time noted on the record is accurate.
3. Employee time-keeping records shall be reviewed for accuracy by a supervisor and executed by a supervisor in the section of the

Classified Employees Manual

records designated for a supervisor's signature. The time-keeping record shall bear a supervisor's signature prior to its submission to payroll for payroll processing. **UNDER NO CONDITION SHALL AN EMPLOYEE EXECUTE THEIR OWN TIME-KEEPING RECORD ON BEHALF OF A SUPERVISOR.**

4. Employees shall sign or execute only their own time-keeping records. The execution of an employee's time-keeping record by any person other than the employee is strictly prohibited.
5. Time-keeping records shall be submitted for payroll processing in accordance with established guidelines. The failure to submit the records in accordance with established guidelines is likely to result in the employee not receiving compensation for time worked within a timeframe expected by the employee.

III. LEAVE WITH PAY

Classified Employees Manual

III. LEAVE WITH PAY

A. In general - Full-time regular classified employees are entitled to earn paid leave. Paid leave is prorated for part-time employees who work 50 percent or more of a full-time schedule. Part-time employees who work less than 50 percent of a full-time schedule, temporary employees, and contractual employees are not entitled to paid leave. An employee's compensation for any paid leave is based on the employee's base rate of compensation at the time the leave is taken and does not include any other forms of compensation such as overtime earnings, shift differentials, etc. Employees shall submit all requests for leave to their supervisor prior to the anticipated leave date(s). The failure to request leave in advance is grounds for denial of the request. In general, employees who fail to obtain approval for leave prior to being absent from work are absent without authorization and are subject to disciplinary action, with the exception of certain requests for leave discussed later in this section III.

B. Annual Leave

1. Advance Requests for Annual Leave - Employees are required to submit requests for annual leave to their supervisor prior to the date of the anticipated leave. Supervisors are encouraged to approve annual leave. However, at times, work exigencies may necessitate the denial of the requested annual leave.
2. Rates of Earning Annual Leave

Annual Leave Earnings Schedule		
Period of Employee's University Service	Biweekly Leave Earning Rate	Yearly Leave Earning Rate
0-5 years*	3.08 hours	10 days
6-10 years	4.62 hours	15 days
11-20 years	6.15 hours	20 days
21 years and thereafter	7.69 hours	25 days

*From the commencement of employment through the sixth month of service, annual leave is earned but not credited to the employee's

Classified Employees Manual

annual leave balance. After the completion of the sixth month of service, annual leave earned during the first six (6) months is credited to the employee's leave balance and is available for use.

The length of eligible service is calculated on the basis of a "benefit year." A benefit year is the twelve (12) month period that begins when the employee starts to earn leave. An employee's benefit year may be extended for any significant leave of absence without pay except military leave of absence. Military leave has no effect on this calculation.

3. Availability and Use of Annual Leave

a. Annual leave may be taken only with advance approval of the supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

b. As an exception, the University allows an employee to use 2 days of annual leave at any time after notice to the employee's supervisor. A request for leave on these two (2) days may be denied only if the denial is necessary because of a critical shortage of staff. If the request is made to observe a religious holiday, the request can only be denied if all of the following three conditions exist:

- (1) the employee's unit provides a service continuously on a 7-day per week basis, and
- (2) the denial is necessary because of a critical shortage of staff, and
- (3) no reasonable accommodation to the employee's request can be made.

However, an employee who is scheduled to work on a holiday must obtain approval to use leave on that day. An employee in a unit that provides service continuously every day of the week must also obtain approval for the leave.

4. Carry Over of Accumulated Annual Leave - A maximum of 45 days of annual leave may be carried over into the next calendar year. Any accumulated leave earnings exceeding the 45 days

Classified Employees Manual

shall be forfeited at the beginning of the first full-pay period of the next calendar year.

5. Temporary Employees - A temporary employee who is appointed to a permanent position, without a break in service earns annual and sick leave from the commencement date of their employment in the temporary status.

6. Separation

- a. An employee who has served less than six (6) months from the date of the employee's original appointment to the classified service shall not be entitled to earn or be compensated for annual leave. Except as otherwise provided by University policy, a regular classified employee who is terminated from University service shall receive a sum equal to one-tenth of the employee's biweekly compensation at the time of termination multiplied by the number of days of the employee's accumulated annual leave through the date of severance from University service:

$$\frac{1}{10} \text{ biweekly pay } \times \text{ \# of days of Accumulated Annual Leave } = \text{ Severance Pay}$$

C. Sick Leave

1. Regular classified employees are eligible to earn sick leave in the amount of 4.66 hours per pay period for a maximum of 15 days of sick leave per year. Sick leave may not be earned for hours worked in excess of the employee's standard workweek. Unused sick leave may be accumulated and is available at any time. There is no limit on the maximum accumulation of sick leave.
2. Use of Sick Leave - An employee may use sick leave for the following purposes:
 - a. The disability or illness of the employee;
 - b. A medical appointment for the employee with a practitioner or provider listed in the University's regulations.
 - c. The illness of a member of the employee's

Classified Employees Manual

immediate family.

d. A medical appointment for a member of the employee's immediate family by an approved practitioner or provider.

e. The adoption or birth of a child as provided in Section H

f. The death of a member of the employee's immediate family.

3. Employees who are unable to report to work due to illness or injury shall notify their immediate supervisor prior to the commencement of the workday . The employee shall also contact the immediate supervisor prior to each additional day of absence.
4. Employees who become ill during the work day who determine that they are unable to continue to work shall notify their employer prior to leaving the work site.
5. An employee who is absent from work for five (5) or more consecutive days due to illness or injury shall provide their supervisor with a statement from the employee's health practitioner or provider verifying the disability and its beginning and expected ending dates. Within the supervisor's discretion,

Classified Employees Manual

medical documentation may be required for sick leave absences of less than five (5) days in duration and may be a required condition to the granting of sick leave and being compensated for such leave.

6. Before returning to work from an absence due to illness with a duration of five (5) or more consecutive days, an employee shall provide medical documentation from the employee's health practitioner or provider of the employee's fitness for work.
7. Each period of sick leave used, regardless of duration, shall be considered as an occurrence of sick leave with the exception of sick leave used in accordance with Sections G and H if the leave is used for any of the following reasons: illness of the employee; medical appointment of the employee; illness of a member of the employee's immediate family; or medical appointment of a member of the employee's immediate family. When calculating the number of occurrences of sick leave used for any of the reasons listed, each occurrence shall be considered as distinct from another occurrence unless periodically updated medical certification establishes that a condition is continuing in nature.
8. Sick leave benefits are calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as shift differentials.
9. Employees shall not be paid for accumulated unused sick leave.

D. Advanced Sick Leave

1. Within the sole discretion of the University, sick leave can be advanced up to a maximum of sixty (60) days if an employee has a serious illness or disability.
2. Prior to granting advanced sick leave, the University may require an assessment of the employee's medical condition by the State Medical Director or another physician selected by the University concerning the necessity for and extent of advanced sick leave that may be warranted by nature of the employee's medical condition.
3. Advanced sick leave must be repaid by the employee.

Classified Employees Manual

4. Advanced sick leave may not be granted to an employee for a death or illness in the employee's immediate family.

E. Extended Sick Leave

1. Extended sick leave is leave with pay that is granted by the University to an employee for a disability, illness or injury which causes the employee to be absent from work, if the employee has been in State service for at least 5 years and, at the time of a request for extended sick leave, has used all available sick, advanced sick leave, annual leave, personal leave, and compensatory leave.
2. Extended sick leave may be used by an employee throughout the employee's University service until the employee has reached a cumulative total of 12 work months.
3. An employee's continuous absence while using earned leave, advanced sick leave, and extended sick leave in combination may not exceed a cumulative total of 15 months. Therefore, the amount of extended sick leave that may be used in combination with other paid leave may not be in excess of the 15-month cumulative total.

F. Leave Derived from the State Employee's Leave Bank/Leave Donation Program

1. An employee who is unable to work for two (2) weeks or more and has exhausted all available annual, personal, sick and compensatory leave because of a serious and prolonged medical condition may be granted additional sick leave from the State Employees' Leave Bank.
2. University employees may, as an option, join the State Employees Leave Bank which is administered by the State Personnel Management System. Participating employees may donate annual, sick, or personal leave to the bank or directly to another employee who has exhausted all available annual, personal, sick and compensatory leave because of a serious and

Classified Employees Manual

prolonged medical condition. Regulations regarding the donation to and leave from the bank will be adopted by the Secretary of Personnel. The Office of Human Resources can advise employees of mechanisms to be used to allow Morgan State University employees to participate in the leave bank and the leave donation program.

G. Bereavement Leave

1. Employees may request leave from their supervisor for the death of an immediate family member .
2. Death of an Immediate Family Member - A maximum of three (3) working days may be charged to sick leave in the event of death of one of the following immediate family members of the employee or of the employee's spouse: spouse, children, parents, brothers or sisters, grandparents, and grandchildren. When travel outside of the state of Maryland is required, a maximum of five (5) days may be deducted from the employee's accumulated sick leave.
3. A maximum of 1 day may be charged to sick leave in the event of the death of one of the following relatives of the employee or the employee's spouse: aunts and uncles, nephews and nieces, brothers-in-law and sisters-in-law, sons-in-law and daughters-in-law. Additional time may **not** be authorized for travel.

H. Leave following the Birth or Adoption

1. An employee may use accumulated sick leave to care for the employee's child immediately following the birth or placement of the child with the employee for adoption.
2. An employee who is the person primarily responsible for providing the care and nurture of the child may request approval of the President or the President's designee to use up to 30 days of earned sick leave for this purpose. An employee who has secondary responsibility for providing the care and nurture of the child may request approval of the President or the President's designee to use up to 10 days of earned sick leave for this purpose. Medical documentation is not required for this use of leave. The President may grant the employee's request for adoption leave if the employee has furnished satisfactory documentation concerning the birth or an agreement of placement for adoption.

Classified Employees Manual

I. Accident Leave

1. Accident leave is leave with pay that is granted to an employee who, in the actual performance of the employee's job duties, sustains an injury which is determined to be compensable according to the Maryland Workers' Compensation Law. Accident leave is paid at the rate of two-thirds of the employee's regular rate of pay.
2. Accident leave must be documented by a physician's certification for each day of use. The President or President's designee may grant accident leave to an employee beginning on the first day of absence from work because of the accidental personal injury. The accident leave ends when a physician certifies, in writing, that the employee is able to return to work. Accident leave shall not extend beyond one (1) year from the date of injury.

J. Personal Leave

1. Each calendar year, full-time regular employees earn three (3) days of personal leave and part-time employee is entitled to the percentage of three (3) days of personal leave equal to the percentage of full-time that the part-time employee works.
2. An employee may not accumulate personal leave beyond the calendar year in which it is earned. Any personal leave that is unused at the end of a calendar year is forfeited.
3. With the exception of an employee below, an employee may use personal leave in increments of at least one-half day without obtaining prior approval, provided that the employee notifies the employee's immediate supervisor not later than 15 minutes after the employee's normal reporting or starting time of the employee's intended use of personal leave.
4. An employee who renders a service that is provided continuously every day of the week, may not use personal leave without obtaining prior approval from the employee's immediate supervisor. However, approval may be denied only if the immediate supervisor determines that denial is necessary as a result of a critical shortage of staff.

Classified Employees Manual

5. An employee's request for personal leave to observe a religious holiday may only be denied if: (1) the employee's unit provides a service continuously on a 7-day-a-week basis; (2) the denial is necessary because of a critical shortage of staff; and (3) no reasonable accommodation to the employee's request can be made.

K. Compensatory Leave

1. Regular classified employees who are exempt from the provisions of the Fair Labor Standards Act (not eligible for cash overtime) can earn compensatory leave for overtime worked, provided the employee has worked forty hours in a work week and a minimum of one hour beyond the qualifying work day. Compensatory leave is earned at the rate of an hour for an hour.
2. Contractual employees and temporary employees shall not be eligible to earn compensatory leave.
3. Compensatory leave not used shall be forfeited one (1) year from the date earned.

L. Holidays

1. Except as otherwise noted, classified employees receive leave for the following holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	January 15
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Maryland Day	March 25
Good Friday	Friday before Easter
Memorial Day	May 30
Independence Day	July 4
Labor Day	First Monday in September
Defender's Day	September 12
Columbus Day	October 12
Veterans' Day	November 11
Thanksgiving	Fourth Thursday in November
Christmas Day	December 25
General and congressional elections days (not primary elections) throughout the State.	

Classified Employees Manual

The dates of observance are subject to change.

2. The dates of observance of holidays for employees of the Heating Plant and Police Department may differ from the schedule noted earlier. Such employees receive 14 days per year (except for an election year when 15 days are granted) which are observed according to the schedule established by the respective units.
3. Miscellaneous Provisions
 - a. A holiday that falls on a Saturday will be observed on the preceding Friday. A holiday that falls on a Sunday will be observed on the following Monday.
 - b. When a holiday occurs during an eligible employee's paid absence (such as annual or sick leave), holiday pay will be provided instead of the paid leave that would otherwise have been applied.
 - c. Regular employees earn compensatory leave for working on a holiday. Cash payment for work on a holiday is not authorized.
 - d. For the purpose of calculating overtime compensation, paid holiday leave is counted as hours actually works.

M. Jury Duty Leave

1. University employees are encouraged to fulfill their civic responsibilities by serving jury duty without loss of pay and without charge against any leave.
2. With proper documentation of their jury service, classified employees may be granted leave for jury duty.
3. Jury duty pay will be calculated using the employee's base pay rate multiplied by the number of hours the employee was scheduled to work on the day of absence.

Classified Employees Manual

4. Employees who have received a jury duty summons are required to notify their supervisor immediately of their anticipated absence and to provide their supervisor with a copy of the summons.

N. Leave for Court Appearances

An employee who is summoned to appear in a court action, before a grand jury, before an administrative agency, or for a deposition, and is neither a party to the action nor a paid witness, may be absent from work without loss of pay or charge to any leave. The employee is required to notify the employee's supervisor prior to the anticipated leave.

O. Employment Examinations and Interviews

Employees may be allowed up to 4 hours of leave without loss of pay and without charge to other leave to take competitive employment examinations and attend interviews for State positions. The University can request verification of examinations taken or interviews attended and may within its sole discretion limit the frequency of attendance at interviews and examinations.

P. Religious Observances

1. Employees may use annual, personal and/or compensatory leave for religious observances. The University shall make reasonable accommodations for employees who need to use leave for these reasons.
2. When possible, the University will allow an employee to work additional hours to compensate for the time the employee was absent for religious purposes.

Q. Public Health Leave

Morgan State University does not normally require tuberculosis skin tests. However, should the University require that a skin test be taken and the employee tests positive, the employee is entitled to up to 90 days of leave to attain appropriate medical care if the Secretary of Health and Mental Hygiene determines that the employee should not work.

R. Disaster Leave

Classified Employees Manual

An employee can request up to 15 days of disaster leave in any 12 month period if the employee is certified by the American Red Cross as a disaster service volunteer and the American Red Cross requests the services of the employee during a disaster. The disaster must: (1) occur in the State, or in a state that is contiguous to Maryland and (2) be designated as a Level II disaster by Red Cross Regulations and procedures.

IV. LEAVE WITHOUT PAY

Classified Employees Manual

IV. LEAVE WITHOUT PAY

A. Leave of Absence Without Pay

1. Employees who have satisfactorily completed a probationary period may apply for a leave of absence without pay (LWOP) . Employees who return to work from a LWOP of less than 30 days are restored to the positions they held prior to their absence.
2. Except for family or medical leave, employees on LWOP for 30 days or more are not assured of being restored to the employee's last position or to service upon expiration of the leave.

B. Family/Medical Leave

1. The University provides for family/medical leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.
2. A regular classified employee is eligible to request family leave if the employee has completed at least 180 calendar days of service.
3. Eligible employees shall make written requests for family leave to their supervisors at least 30 days in advance of the anticipated leave for foreseeable events and as soon as possible for unforeseeable events.
4. Employees requesting family/medical leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for family/medical leave to provide care, and the commencement and expected ending dates of that leave.
5. Eligible employees may request up to a maximum of 12 weeks of

Classified Employees Manual

family/medical leave within any 12 month period. Any combination of family leave and medical leave may not exceed this maximum limit.

6. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 60 calendar days. Employees will be required to first use any accumulated leave they may have before taking unpaid family/medical leave. Married employee couples may be restricted to a combined total of 12 weeks leave within any 12 month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition.
7. Benefit accruals, such as annual leave, sick leave, or holidays, will be suspended during the leave and will resume upon return to active employment. However, the employee may continue to participate in the State Employee's Health and Welfare benefits program at the same rate as an active employee.
8. So that an employee's return to work can be properly scheduled, an employee on family/medical leave is requested to provide the employee's supervisor with at least two weeks advance notice of the date the employee intends to return to work. When family/medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.
9. If an employee fails to report to work promptly at the end of the approved leave period, the employee shall be deemed to have resigned.

V. COMPENSATION

Classified Employees Manual

V. COMPENSATION

A. The Pay Plan

The University Pay Plan consists of the Table of Standard Salary Grades and Biweekly Rates and of policies, rules and procedures issued by the Board of Regents. The plan shall apply to all regular classified employees of the University.

B. Increment Increases in Compensation

1. Within the sole discretion of the University, incremental increases in employee compensation may be granted. When such increases are granted, they are granted to regular classified employees who are deemed by their supervisor to have consistently met the performance standards for their positions. Incremental adjustments are ordinarily made annually. The amount of each increment and the number of increments within each salary grade are specified in the University Pay Plan. An incremental increase in compensation may not be granted when an employee's work performance is deemed by the employee's supervisor to be deficient or is at a level less than established performance standards.
2. New employees, hired January 1 through and including June 30 who receive an incremental increase in compensation, receive the adjustment to their entry rate of pay as of the January 1 following the employee's entrance into University service, and any subsequent incremental increases in pay shall be effective on January 1. New employees hired July 1 through and including December 31, who receive incremental increases in pay receive the adjustment to their rate of pay as of the July 1 following the employee's entrance into University service, and subsequent incremental increases shall be effective on July 1.

C. Paydays

1. University employees are paid biweekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period. The work week for payroll purposes begins on Wednesday of week one of the payroll period and ends

Classified Employees Manual

on Tuesday of week two of the payroll period.

2. In the event that a regularly scheduled payday falls on a day when the University is officially closed, paychecks are issued on alternative dates as identified by the Bursar's Office.
3. If a regular payday falls during an employee's leave, the employee's paycheck will be available when the employee returns from leave.
4. Direct deposit of payroll checks is available to University employees. Employees who are interested in direct deposit are encouraged to obtain the necessary forms from the OHR.

VI. PERSONNEL PRACTICES

Classified Employees Manual

VI. PERSONNEL PRACTICES

A. Political Activities

A Morgan State University employee may freely participate in any political activity and express any political opinion as long as the employee does not engage in political activities while on the job during working hours or advocate the overthrow of the government by unconstitutional or violent means.

B. Conflicts of Interest

Public confidence and trust is eroded when State and University business is subject to improper influence. University employees have a continuing obligation to adhere to University policies and the Maryland Public Ethics Law regarding conflicts of interest, including but not limited to restrictions relating to prohibited gifts, misuse of position, and prohibited representation for contingent fees.

C. Conflict of Commitment

With the acceptance of employment with Morgan State University, one makes a commitment requiring the devotion of a large part of one's energies to the goals and mission of the University. External, cultural, civil and other activities, as well as services to government, industry and other institutions, are important to the mission of the University, to one's personal development and to society at large. Although external employee involvements enhance the University, they also bring with them the potential for conflicts of interest and conflicts of commitment. A conflict of interest situation is one in which an employee influences or is in the position to influence University decisions for personal financial gain or benefit. A conflict of commitment situation is one in which outside activities substantially interfere with the employee's obligations to students, colleagues, or the University.

D. Smoking

Classified Employees Manual

To provide a healthful environment for all State employees, smoking is prohibited in all State owned and operated buildings and vehicles. Supervisors have the responsibility for the enforcement of this policy. State policy dictates that disciplinary action be taken against all State employees who violate the policy. The policy applies equally to employees, visitors, patrons and students.

E. Substance Abuse Policy

1. The Governor's Executive Order 01.01.1991.16, "State of Maryland Substance Abuse Policy", sets forth the State's commitment to making good faith efforts to insure a safe, secure, and drug-free workplace for its employees consistent with the Drug-Free Workplace Act as enacted by Congress. The University is prohibited from hiring anyone whom it knows currently abuses drugs or alcohol. It indicates that State employees are prohibited from abusing alcohol or drugs, committing a controlled dangerous substance offense; or committing an alcohol driving offense. It provides guidelines for disciplinary action and referral to law enforcement agencies necessitated by violations of the policy.
2. While on University premises and while conducting business-related activities off the University's premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of legally prescribed drugs is permitted on the job only when their use does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner.
3. Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. Employees and eligible family members with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may participate in a rehabilitation or treatment program through their health insurance benefits.
4. Under the Drug-Free Workplace Act, an employee must notify the University of a criminal conviction for drug-related

Classified Employees Manual

activity. The report must be made within 5 days of the conviction.

F. Employee Labor Organization Activities

Upon approval by the President or designees, an employee may be granted administrative leave in order to participate in official labor organization activities. In order to be eligible for administrative leave, the employee must:

1. Be a member, officer, or delegate of an employee labor organization; the labor organization must be one whose membership dues are paid through the University payroll deduction, and
2. The employee must submit a request for leave to the employee's supervisor, and
3. The request for leave must have attached to it a statement from an officer of the labor organization requesting that the employee be released from duty in order to participate in an approved labor organization activity.

G. Access To Personnel Files

The University maintains a personnel file for each University employee. The employee's personnel file contains employment related documents. Access to University personnel files is governed by the Maryland Public Information Act.

H. Use of Equipment and Vehicles

Employees having the responsibility of operating University equipment, machinery and vehicles as assigned by their supervisors, have a duty to exercise reasonable care in the operation of the University property. Employees are required to obtain all necessary and relevant information regarding the correct and safe operation of such property. Supervisors who authorize the operation of University property and employees who operate University property without the necessary training are subject to disciplinary action, including but not limited to termination. Employees shall notify their supervisor of any damage or defect in equipment, machines, tools, or State vehicles.

I. NONDISCRIMINATION PERSONNEL POLICIES

Classified Employees Manual

1. Equal Employment Opportunity

a. Employment decisions at Morgan State University shall be based on merit, qualifications, and abilities. The University does not discriminate in employment or educational opportunities on the basis of race, color, religion, sex, national origin, age, or disability.

b. The University has established an affirmative action program to promote opportunities for persons in protected classes. Reasonable accommodations shall be made for persons with known disabilities.

2. Sexual Harassment

a. Morgan State University is committed to maintaining the best possible environment for the pursuit of excellence on the part of faculty, staff and students. Our goal is to provide a working and learning environment which promotes professional, personal, intellectual and social growth. Such an environment must be free from intimidation, fear, coercion and reprisal. Harassment of any kind which interferes with a person's work performance or education is prohibited. Sexual harassment and discrimination on the basis of sex is illegal and does constitute violations of State and Federal law. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship and of the teacher/student relationship. No student or employee should be subjected to unwanted, unwelcome sexual advances or conduct, either verbal or physical. .

b. Any employee who experiences an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee must immediately contact the Office of Human Resources or office of the General Counsel.

Classified Employees Manual

- c. Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Office of Human Resources or the office of the General Counsel.
-
3. Immigration Law Compliance
 - a. The University does not discriminate on the basis of a person's citizenship or national origin. The University is committed to employing United States citizens and aliens who are authorized to work in the United States.
 - b. In compliance with the Immigration Reform and Control Act of 1986, as a condition of employment, new employees must complete the Employment Eligibility Verification Form I-9 and present to their prospective employer documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the University within the past three years, or if their previous I-9 is no longer retained or valid.

***VII. CONDUCT
AND/OR PERFORMANCE
AND DISCIPLINE***

Classified Employees Manual

VII. CONDUCT AND/OR PERFORMANCE AND DISCIPLINE

A. Conduct and/or Performance

Employees are expected to meet the standards of conduct and/or performance established to enable the University's work force to work well together to achieve the University's mission of teaching, research, and public service. All University employees are expected to perform their work responsibilities efficiently and effectively and to be mindful of the public expectations of the University and of University employees. Supervisors are expected to provide leadership for the employees they supervise, to respect the dignity and rights of employees as individuals, and to set a positive example by their own conduct, attitude, and work habits.

B. Principles of Discipline

Occasionally, a University staff member does not meet standards of conduct and/or performance. Discipline is training that corrects or improves and seeks to achieve a positive change in performance and/or conduct. Generally, discipline is to be progressive in nature so that it uses the least severe measures only if the problem is not corrected. These steps can include but are not limited to: counseling or verbal warning, written reprimand, rejection on probation, involuntary demotion, suspension, and termination. With the exception of termination, the primary objective of discipline is to correct, not punish, the staff member. Progressive discipline identifies deficiencies, sets a course of action, warns of consequences of noncompliance; assures predictable and equitable treatment; and promotes fair decisions.

C. Disciplinary Actions

1. Rejection on Probation for New Probationary Employees

a. During Probationary Period - A Vice President or Program Director may reject a classified employee at any time during probation by notifying the President and the Director of the Office of Human Resources in writing of the rejection and the reason for it. When rejected, the classified employee is permanently separated from the position. There is no appeal of this decision

Classified Employees Manual

b. Other Probationary Employees - If a classified employee is on probation as a result of a promotion, demotion, horizontal change, transfer, or reinstatement, the employee:

- (1) May be rejected only with the consent of the President; and
- (2) May appeal the rejection to the Office of Administrative Hearings.¹

2. Removal for Cause of a Classified Employee who has Completed Probation

An employee in the classified service who has completed a probationary period may be removed from service for cause. A vice president or program director may remove a classified employee for cause, as enumerated below, in accordance with the procedures set forth below.

a. Causes for Removal

The following actions and/or inactions by a classified employee shall be sufficient cause for removal though removal may be for causes other than those enumerated:

¹The President has delegated to the Office of Administrative Hearings the authority to conduct a hearing and issue a proposed decision for approval by the Secretary of Personnel.

Classified Employees Manual

- (1) Incompetence or inefficiency in the performance of job duties;
- (2) Insubordination;
- (3) Careless or negligent performance of job duties;
- (4) Bribery or extortion in the performance of job duties;
- (5) Physical or mental impairment which prevents the employee from performing the essential functions of the job;
- (6) Violation of a statute , regulation, executive order, written policy, written direction, or written rule;
- (7) Failure to obey a lawful and reasonable direction given by a supervisor or superior;
- (8) Commission an act of misconduct or a serious breach of discipline;
- (9) Unauthorized absence;
- (10) Use of unwarranted or excessive force in the treatment of other employees, supervisors, or members of the public;
- (11) Use of wantonly offensive conduct toward other employees, supervisors, or members of the public;
- (12) Action or inaction has caused or reasonably could be expected to result in loss or injury to the University, the State or members of the public;
- (13) Damage to or waste of State property, State resources or property of a member of the public.
- (14) Theft or attempted theft of University or State resources or property of the University, the State and/or a member of the public;

Classified Employees Manual

- (15) Misappropriation or mishandling of University or State funds, revenues, resources or property;
- (16) Willful making of a false official statement or report;
- (17) Conviction of a felony or a job-related misdemeanor;
- (18) Violation of Executive Order 01.01.1991.16 on Substance Abuse;
- (19) Taking for personal use, a fee, gift, or other valuable thing in the course of work or in connection with it when the fee, gift, or other valuable thing is given to the employee by any person in the hope or expectation of receiving a favor or better treatment than that accorded other persons;
- (20) Submission of fraudulent or irregular information in application for employment and/or documentation and materials submitted in support of application for employment;
- (21) Conduct that has brought the University into public disrepute.

b. Procedures Associated with Removal for Cause

- (1) Written Charges - Written charges for removal are submitted to the President, with a copy provided to the employee:
- (2) By the Vice President or Program Director; or
- (3) Subject to the approval of the President, by any resident of the State.

c. Appeal - If the employee wishes to appeal the charges for removal, the employee shall file, within ten (10) days after receiving the charges, a written appeal with the Office of Administrative Hearings.² If the classified employee fails to

² The President has delegated to the Office of Administrative Hearings the

Classified Employees Manual

appeal within ten (10) days of receipt of the charges for removal, the removal is final.

3. Suspension Without Pay of a Classified Employee Pending Disposition of a Charge for Removal
 - a. A vice president or program director may suspend a classified employee without pay pending final disposition of charges for removal.
 - b. The vice president or program director shall notify the employee in writing of the suspension, its duration, and the reasons for the suspension.
 - c. Appeal - Within five (5) workdays after receiving a notice of suspension, a classified employee may request in writing that the Office of Administrative Hearings³ conduct a preliminary hearing to determine whether the employee may continue to work with pay pending disposition of the charge. The preliminary hearing is limited to the issues of :

authority to conduct a hearing and issue a proposed decision for approval by the Secretary of Personnel.

³The President has delegated to the Office of Administrative Hearings the authority to conduct a hearing and issue a proposed decision for approval by the Secretary of Personnel.

Classified Employees Manual

- (1) Whether suspension without pay is necessary to protect the interests of Morgan State University or the employee pending final disposition of the charges; and
 - (2) Whether other employment and status alternatives should be considered.
 - d. At the preliminary hearing, the employee may:
 - (1) Rebut the reasons given for the suspension;
 - (2) Assert mitigating circumstances; and
 - (3) Offer alternatives to the suspension, including:
 - (a) a return to the employee's position with pay;
 - (b) a transfer to another position with pay; or
 - (c) a suspension with pay.
4. Suspension for Disciplinary Purposes (does not apply to a suspension pending the disposition of charges for removal.)
 - a. A vice president or program director may suspend a classified employee for disciplinary purposes.
 - b. The vice president or program director shall notify the classified employee in writing of the suspension and the reasons for it.
 - c. A suspension for disciplinary purposes under this section shall be without pay.
 - d. A suspension for disciplinary purposes :
 - (1) shall be served on consecutive work days; and
 - (2) shall begin within two (2) days from the close of the employee's next shift after:
 - (a) the alleged infraction occurred; or

Classified Employees Manual

(b) the vice president or program director learned of the alleged infraction.

e. The time limits in paragraph d. of this subsection do not apply to a classified employee whose duties include mandatory appearances before a court, regulatory unit or administrative body if the limits:

- (1) would conflict with a scheduled appearance of the employee before a court, regulatory unit, or administrative body; and
- (2) would thereby hamper the effective administration of the University's business.

f. Appeals

- (1) The vice president or program director may authorize a designee to receive appeals under this subsection.
- (2) A suspended classified employee or a representative of the employee may submit a written appeal of a disciplinary suspension:
 - (a) Within three (3) workdays after receipt of a notice or suspension, to the vice president or program director, or
 - (b) Within five (5) workdays after receipt of a notice of suspension, to the Office of Administrative Hearings.⁴
- (3) If the employee submits a written appeal to the vice president or program director, the vice president or program director may authorize a designee to hear the appeal. If an appeal is made to the vice

⁴The President has delegated to the Office of Administrative Hearings the authority to conduct a hearing and issue a proposed decision for approval by the Secretary of Personnel.

Classified Employees Manual

president or program director, the vice president or program director shall:

- (a) Hold a hearing within three (3) workdays after receiving the appeal; and
 - (b) Issue a written decision within the time established in policies adopted by the Board of Regents
 - (c) If, as a result of management delay, the appeal to the vice president or program director, or their respective designee, is not heard and decided within the times established in policies adopted by the Board of Regents, the vice president or program director shall reinstate the suspended classified employee with full back pay.
 - (d) A classified employee who appeals to the vice president or program director may not further appeal the suspension except in accordance with Step Three of the Classified Employee Grievance Procedure.
5. Demotion - Involuntary Transfer to a Different Class that has a Lower Maximum Rate of Pay
- a. A transfer that is a demotion under this Section 5 may be made only for cause, on written charges to the President.
 - b. The classified employee may appeal the proposed demotion to the Office of Administrative Hearings.⁵

D. RESIGNATIONS

1. Notice - A classified employee who wishes to resign in good standing shall give the employee's supervisor written notice of

⁵***The President has delegated to the Office of Administrative Hearings the authority to conduct a hearing and issue a proposed decision for approval by the Secretary of Personnel.***

Classified Employees Manual

resignation at least two weeks before the effective date of the resignation. The supervisor or program director may require a longer notice period which does not exceed 30 days. Any employee who leaves the classified service without giving the required notice may be denied future University employment.

2. Resignation Without Notice - Absence Without Leave

An employee shall be considered to be absent without leave if the employee is absent from work other than on approved leave and the employee does not notify the supervisor of the reasons for the absence and of the employee's intention to return. Within five (5) working days after the first day of an employee's absence without leave, the University shall send the employee a notice by certified mail to the employee's last known address. The notice shall advise the employee: (1) that the employee is absent without leave and (2) that unless the employee mails or delivers a written response to the University within 3 working days after receiving the notice, the University shall consider the employee to have resigned effective the last day that the employee worked. An employee who fails to respond as required in the notice is separated from employment at the University. The employee's separation form shall report that the employee resigned from the University without notice.

3. Resignation Without Notice - Failure to Give Notice After Unpaid Leave

An employee who does not return to work on the expiration of a leave of absence without pay and fails to notify the University within five (5) days after the expiration of the leave that the employee intends to report back to work shall be considered to have resigned effective the last day of the approved leave period. The employee's separation form shall report that the employee resigned from the University without notice.

**VIII. GRIEVANCE
PROCEDURE**

Classified Employees Manual

VIII. CLASSIFIED EMPLOYEES GRIEVANCE PROCEDURES

A. In General - Morgan State University recognizes that legitimate problems, differences of opinion, complaints, and grievances may exist in the daily relationship between the University as an employer and its employees. It is the responsibility of all supervisors, administrators, managers, faculty, and employees to establish and maintain a work climate within which an employee's problem or complaint may be promptly identified, presented, discussed, and given fair and timely consideration. Each supervisor, administrator, and employee has an obligation to make every effort to resolve employee relations problems as they arise. An employee with a grievance may present that grievance in accordance with the grievance procedures free from coercion, discrimination, interference, reprisal, or restraint. A grievant may be represented at any time by any person that the grievant chooses.

B. Definitions

1. Grievance

a. A grievance is a dispute between an employee and the employee's employer about the interpretation of and application to the employee of :

- (1) A personnel policy or procedure adopted by the University; or
- (2) Any other policy or procedure over which the University management has control.

b. Even if a complaint otherwise meets the definition of grievance, the Classified Employees Grievance Procedures shall not apply to the following:

- (1) A student employee,
- (2) An employee, including a member of a faculty, who is subject to a contract or regulations governing teacher tenure, or
- (3) A member of the faculty , an executive staff

Classified Employees Manual

member, or a professional administrative staff member of the University.

2. Days - Days shall mean calendar days, excluding Saturday, Sunday and days on which the University is officially closed.

C. General Provisions

1. Economy in Processing Grievances - Each step of the grievance procedure shall be processed as quickly as practicable within the specified time limitations. The full time limits should not be used if the grievance can be adequately processed in a shorter period. By mutual agreement of the parties, any time limitations and/or steps specified in the grievance procedure may be waived. Each party to a grievance shall make every effort to resolve the grievance at the lowest possible level. Failure of the University to answer is a denial to which an appeal can be made.
2. Copies of Decisions - On conclusion of each step of a grievance proceeding, a copy of the grievance and its disposition shall be given to the parties and their representatives.
3. Consolidation - Similar grievances may be consolidated and processed in a single proceeding.
4. Representation
 - a. An employee may be represented at every step of the grievance procedure. A grievant may be represented at any time by any person that the grievant chooses. On the informal presentation of a grievance or the initiation of a grievance proceeding, an employee designated as a grievant's representative may not lose pay for investigating, processing, or testifying at any stage of the grievance proceeding. At any point in the grievance procedure, the employee may elect to obtain, change, or dismiss a representative by providing a written notice of same to the person hearing the grievance. However, such action in no way allows the grievant to return to previous steps in the procedure.
 - b. The President, a Vice President, or a Program Director may be represented at any time by an individual

Classified Employees Manual

designated for that purpose. The President, each Program Director, and each Vice President shall submit to the Secretary of Personnel a list of individuals designated to represent the President, Program Director, or Vice President at each stage of the grievance proceeding.

5. Employee Release from Work - An employee shall be granted release time from the employee's normal work schedule to attend a grievance conference or hearing as a witness. No employee shall leave the employee's post of duty to engage in grievance activity without the knowledge of and permission from the designated supervisor. Within the sole discretion of the University, reasonable expenses incurred in connection with attendance by a University employee at grievance conferences or hearings, whether as a grievant, as a grievant's representative, or as a witness, shall be borne by that employee's unit.
6. Conflicts with Board Policies, or Delegated Authority - Statutes, regulations and decision may not be made at any step of the grievance procedure that conflicts with or modifies a policy approved by the Board of Regents of the University, with any applicable statute, with any administrative regulation issued under appropriate statutory authority, or that otherwise delimits the lawfully delegated authority of University officials unless prior approval has been obtained from the responsible official.
7. Evidence - The formal rules of evidence shall not apply to this grievance procedure. The hearing officer may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence or witnesses.
8. Grievance Not Decided at Any Step - If a grievance is not decided at any step in the grievance proceeding, the grievance is considered as denied and the grievant may appeal to the next step.
9. Failure to Respond or Appeal - Failure of the University to respond to a grievance appeal within the time limits set forth in F constitutes a denial which the employee may appeal. Failure of the employee to appeal a decision within the time limits set forth in F constitutes acceptance. Failure of a party to appear at a scheduled conference or hearing may be grounds for a decision adverse to that party. The employee shall assure that an appeal

Classified Employees Manual

is presented in writing and shall forward the original written appeal signed by the employee, to the next step. If a grievant fails to appeal a decision in accordance with the grievance procedure to the next step in the grievance proceeding, the grievant is considered to have accepted the decision.

10. Final Disposition - Any party who elects to use this procedure for resolution of a problem shall agree to abide by the final disposition.

D. Time for Initiating a Grievance Proceeding

A grievance proceeding must be initiated by a classified employee within 30 days after:

The occurrence of the alleged act that is the basis for grievance, or

The employee first knew or reasonably should have known of the alleged act that is the basis for the grievance.

The grievance shall be filed with the Office of Human Resources using forms available from that office.

A. Informal Discussion

Before initiating a grievance proceeding, a classified employee shall present the matter orally to the employee's supervisor for informal discussion.

F. Formal Grievance Procedure

1. Step One - Vice President or Program Director

a. Within the time specified above in D. Time for Initiating a Grievance Proceeding, the grievant may initiate a grievance proceeding by filing a written grievance with the Vice President or Program Director.

b. Within 10 days after the grievance is received, the Vice President or Program Director shall hold a conference with the grievant.

c. The Vice President or Program Director shall issue

Classified Employees Manual

a written decision to the grievant within 15 days after the conference.

2. Step Two - President or President's Designee

a. Within 10 days after receiving a decision under Step One of this Formal Grievance Procedure, a grievant or a grievant's representative may appeal in writing to the President or the President's designee.

b. Within 10 days after the appeal is received. The President or the President's designee shall hold a conference with the grievant.

c. The President or the President's designee shall issue a written decision to the grievant within 15 days after the conference.

3. Step Three - Secretary of Personnel

a. Within 15 days after receiving a decision under Step Two of the Formal Grievance Procedure, a grievant or a grievant's representative may appeal in writing to the Secretary of Personnel. The appeal shall designate whether the grievant elects the appeal to be heard by the Secretary of Personnel or submitted to arbitration. In a reclassification grievance proceeding, the Secretary of Personnel shall order an audit of the position if it has not been audited within the last year.

(1) Appeal Heard by the Secretary of Personnel.

The Secretary of Personnel shall issue a decision in writing within 45 days after the later of:

- (a) The conclusion of the hearing, or
- (b) The day when all briefs or memoranda have been submitted.

(2) Appeal Heard by an Arbitrator

If the grievant elects arbitration, the parties shall mutually select an arbitrator.

Classified Employees Manual

If the parties are unable to agree on an arbitrator, an arbitrator shall be selected through the American Arbitration Association in accordance with its procedures.

The arbitrator shall assess all fees that result from the arbitration equally between the parties.

The arbitrator shall issue an advisory decision to the Secretary of Personnel and additional appeals or hearings may not be considered or held.

Within 15 days after the decision of the arbitrator is received, the Secretary of Personnel shall issue a decision in writing.

A decision of the Secretary of Personnel is final and binding on all parties.

If an initial determination is rescinded by the Secretary of Personnel, further action may not be taken against the grievant with respect to any charge that was considered at the hearing.

Back Pay

The Secretary of Personnel may order the University to grant back pay to a classified employee in any grievance proceeding.

In a reclassification grievance proceeding in which the Secretary of Personnel determines that the grievant is working outside of classification or in a position that is improperly classified, the Secretary of Personnel, in the Secretary's discretion, may order back pay for a period not exceeding 1 year before the grievance proceeding was initiated,

The University shall carry out a back pay order issued under this section.

IX. BENEFITS

Classified Employees Manual

I. BENEFITS

In General - Full-time regular classified employees are entitled to the full range of benefits. Classified employees employed at least 50% of full-time are eligible to receive benefits proportional to the percentage of full-time employment. Classified employees who work less than 50% of full-time are entitled only to benefits mandated by federal and state law.

Health Insurance Programs

Health insurance is available to eligible University employees through the State of Maryland Health Benefit Program. The Health Benefit Program provides for a variety of medical insurance plans with a number of health carriers which are available through the Health Benefit Program. Services provided through those medical insurance plans vary and are set forth in the contract between the medical insurance carrier and the State of Maryland. New employees are encouraged to enroll in the State Health Benefit Program immediately after beginning employment but no later than sixty (60) days after starting employment. Insurance premiums are paid through automatic payroll deduction.

Employees who take a leave of absence without pay, leave State service, or have dependent(s) who become ineligible to continue coverage may be able to continue health benefits coverage under a variety of regulations. Employees are encouraged to contact the Office of Human Resources for additional information.

Other Benefits Available through the State Health Benefit Program

The State provides other benefits through its Health Benefit Program. The available benefits vary from year to year. They have included: prescription drug plan, vision plan, dental plan, personal accidental death and dismemberment plan, flexible spending accounts, and term life insurance. **The Office of Human Resources is available to provide current information regarding benefits available through the State Health Benefit Program.**

Workers' Compensation Insurance

Morgan State University provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the actual performance of job duties that is determined to be compensable according to the

Classified Employees Manual

Maryland Workers' Compensation Law. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. Neither Morgan State University nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Morgan State University.

Unemployment Compensation

The purpose of the Maryland Unemployment Insurance Program is to establish reserves, through employer contributions, from which payments can be made for a limited period to persons who have lost employment. Eligibility guidelines can be obtained from the local office of the Department of Employment and Social Services (DESS). Persons who do not meet these qualifications are not entitled to payments from the Unemployment Insurance Fund. Any University employee whose service with the University has been terminated and believes that he is entitled to unemployment compensation should file a claim with the local office of DESS.

Credit Union

The State Employee Credit Union (SECU) is a private entity owned by State employees. Permanent University employees are eligible to become members. SECU has a variety of services available to its members including, but not limited to, checking accounts, savings accounts, loans, certificates of deposit, travelers checks, and discount passes to attractions and theme parks. Loan privileges (auto, personal,) require permanent status and at least one year of service.

Brochures describing the many services provided can be obtained from the Office of Human Resources's display area or from the SECU Offices.

Tuition Waiver Program

Pursuant to the Tuition Waiver Policy, employees and their dependents

Classified Employees Manual

may be eligible to take classes at the University free of tuition costs. Fees and other appropriate costs are borne by the student.

Tax Deferred Annuities

Tax deferred annuities are available to classified employees. The Maryland State Employee's Deferred Compensation Plan allows all classified employees who are paid through the Central Payroll Bureau of the State of Maryland to enroll in tax sheltered programs. Employees can invest as little as \$5.00 per pay period (per option chosen) and can direct that their savings be invested in accordance with available investment options.

Withdrawal of investment monies is limited and must conform to IRS regulations which allow for deferred compensation programs. Funds can be withdrawn upon retirement, termination of service or in cases of extreme financial hardship.

Retirement Programs

Defined benefits retirement/pension programs are available to classified employees of the University and are designed to guarantee the employee an income upon retirement, to help the employee provide for dependents when the employee dies after retirement, and/or to provide disability or death benefits if the employee becomes disabled or dies before retiring. The program provides several disbursement options to the employee upon retirement.

Permanent full-time and part-time classified employees with an original employment date of January 1, 1980, or later are eligible to participate in the Maryland State Employee's Pension program. Enrollment in the program occurs at the time of employment. University employees who began their employment prior to January 1, 1980, were participants in the Old Maryland State Employee's Retirement System and could elect to transfer out of the old retirement system into the new pension system.

TIAA/CREF Supplemental Retirement Annuity (SRA)

Full-time and part-time employees of the University are eligible to participate in the Teacher's Insurance and Annuity Association (TIAA) and/or the College Retirement Equities Fund (CREF) supplemental retirement annuity plan. Both options are sheltered annuities with

Classified Employees Manual

differing investment strategies and different disbursement plans.

TIAA invests in fixed dollar obligations such as diversified bonds and mortgages. The retiree receives a fixed monthly annuity that remains the same from year to year except for dividends that may be declared.

CREF buys accumulation units in a diversified stock fund. When an enrolled employee retires, his monthly annuity check will vary from year to year reflecting changes in the market prices and dividends of common stocks owned by the fund.