



**University  
of Dayton**

**OFFICE OF HUMAN RESOURCES**

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**POLICIES AND PROCEDURES HANDBOOK  
FOR  
PROFESSIONAL AND SUPPORT STAFF  
EMPLOYEES**

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website: <http://www.udayton.edu/hr>

**September 2020**

# TABLE OF CONTENTS

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|   |           |
|---|-----------|
| <b>GENERAL INFORMATION .....</b>  | <b>1</b>  |
| Historical Background .....   | 2         |
| Mission of the University.....  | 2         |
| Office of Human Resources.....  | 3         |
| <b>EMPLOYMENT .....</b>   | <b>5</b>  |
| The Dignity of Persons Within the University Community and Standards of Behavior..... | 6         |
| Affirmative Action Policy.....  | 6         |
| Equal Employment Opportunity Policy.....  | 6         |
| Pay Transparency Nondiscrimination Provision.....                                     | 7         |
| Employment of Members of the Sponsoring Religious Communities .....                   | 7         |
| Disability Accommodation .....  | 7         |
| Management Prerogatives.....  | 7         |
| Employment Records.....   | 8         |
| Employment Process.....   | 9         |
| General Information about the Employment Process .....                                | 9         |
| Staff Background Check Policy.....  | 13        |
| Identification Cards.....   | 15        |
| Promotion and Transfer Opportunities .....  | 15        |
| Promotion Policy for Professional and Support Staff.....                              | 16        |
| Nepotism.....   | 16        |
| Duration of Employment .....  | 16        |
| Reduction in Workforce Policy .....   | 16        |
| Separation from Service.....  | 17        |
| Voluntary .....   | 17        |
| Involuntary.....  | 18        |
| Exit Procedures, Interview, & Return of University Materials .....                    | 19        |
| Employment After Retirement.....  | 19        |
| Telecommuting .....   | 19        |
| Government Security Program .....   | 19        |
| <b>COMPENSATION MANAGEMENT .....</b>  | <b>20</b> |
| Wage and Salary Administration.....   | 21        |
| Categories of Appointment and Pay Ranges .....  | 21        |
| Wage and Pay Changes.....   | 21        |
| Pay Procedures.....   | 21        |
| Overtime .....  | 22        |
| Payroll Deductions.....   | 22        |
| Taxes.....  | 22        |
| Other Deductions .....  | 23        |
| Hours of Work .....   | 24        |
| Lunch Period.....   | 24        |
| Rest Periods .....  | 24        |
| Procedures for Reporting Illness and Absence .....                                    | 25        |
| <b>PERFORMANCE MANAGEMENT - WORKING FOR THE VISION.....</b>                           | <b>26</b> |
| <b>BENEFITS.....</b>  | <b>28</b> |
| <b>LEARNING AND DEVELOPMENT.....</b>  | <b>30</b> |

TABLE OF CONTENTS

CONTINUED

**CONDUCT AND ETHICS..... 32**

- Prohibited Conduct ..... 33
- Corrective Action..... 33
- Dispute Resolution..... 33
- Nondiscrimination and Anti-Harassment Policy (including Sexual Harassment)..... 33
- Human Resources Advisory Council..... 34
- Personal Appearance and Attire..... 34
  - Name Badges ..... 34
  - Uniforms ..... 34
- Confidentiality and Security of University Property ..... 35
- Conflict of Interest Policy ..... 35
- Conflict of Interest Policy for Sponsored Research Programs ..... 35
  - 1. Introduction..... 35
  - 2. Definitions..... 36
  - 3. Policy Statements..... 38
  - 4. Procedures..... 40
- Intellectual Property Policy..... 42
- Misconduct in Research and Scholarship ..... 43
- Staff Outside Employment and Additional University Services ..... 43
- Policy on Ethical, Legal, and Secure Use of Electronic Resources ..... 44
  - Introduction..... 44
  - Scope..... 44
    - Persons Covered by this Policy..... 44
    - General Principles..... 44
    - Guidelines on Fair, Responsible and Acceptable Use ..... 44
    - Reporting and Response to Violations..... 45
    - Related Policies and Guidelines..... 45
- Responsibilities Associated with Access to Electronic Records and the Administrative Information System..... 45
- University and Personal Property ..... 46

**WORKPLACE ENVIRONMENT ..... 47**

- AIDS - Position Statement and Guidelines..... 48
- Alcohol - Serving Of..... 51
- Distribution or Sale of Materials and Solicitation of or by Employees ..... 51
- Drug-Free Workplace Policy ..... 51
- Environmental Safety, Hazardous Materials Management and Risk Management ..... 52
  - General Safety Rules..... 52
  - Federal, State, and Local Regulations..... 54
  - Employee Information and Training..... 55
- Procedures to Be Observed..... 55
  - Ambulance Service ..... 55
  - Campus Safety ..... 55
  - Emergency Blue Light Phone ..... 56
  - Emergencies ..... 56
    - Automobile Accident ..... 56
    - Facilities Problems..... 56
    - Fire Emergency ..... 56

## TABLE OF CONTENTS

---

|   |                  |
|---|------------------|
|   | <i>CONTINUED</i> |
| Labor Disputes .....                              | 56               |
| Weather Emergency .....                           | 57               |
| Weather-Related Campus Closing .....              | 57               |
| Escort Service .....                              | 59               |
| Illness/Injury during Work Hours .....            | 59               |
| Investigative Services .....                      | 59               |
| Maintenance and Repair of Office Equipment .....  | 59               |
| Reporting Theft, Damage, or Accident/Injury ..... | 59               |
| Use of Offices Before or After Working Hours..... | 60               |
| Parking .....                                     | 60               |
| Public Service .....                              | 60               |
| Tobacco Policy.....                               | 61               |
| Violence in the Workplace Policy .....            | 62               |
| <b>INDEX.....</b>                                 | <b>63</b>        |

## PRESIDENT'S MESSAGE

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Dear Staff Member:

To those of you who are new, I welcome you to the University of Dayton family. I believe you will find that our Marianist heritage, together with the University's strong sense of community, produce an exciting environment in which to work.

Our vision is to be a national leader in Catholic higher education – recognized for distinctive graduates, connected learning and scholarship, and a strong campus community. Each employee has a vital part to play in helping the University of Dayton respond to the demands for change in higher education while strengthening our distinctive comprehensive, Catholic, and Marianist character. It is through the combined best efforts of all that the University can realize its vision for the 21<sup>st</sup> century.

We have prepared this handbook to acquaint you with the range of our services, and our employment policies and procedures. More detailed information is available in the University's Office of Human Resources.

I sincerely hope that you will find your work both pleasant and rewarding, and that your association with the University of Dayton will be a satisfying one.

Sincerely,

*Daniel J. Curran*

Daniel J. Curran, Ph.D.  
President

## **MESSAGE FROM THE VICE PRESIDENT FOR HUMAN RESOURCES**

Dear Staff Member:

This handbook is written for you as a staff employee of the University of Dayton. Staff employees are individuals who are employed in non-faculty positions and are not members of a bargaining unit. The handbook provides information regarding general University policies and administrative procedures. Our current policies and procedures have changed over a period of time and will continue to change in order to meet the needs of the University community. Periodically, we will send campus-wide notices announcing these changes. We will also revise this handbook as it becomes necessary.

Where some material in this handbook is provided in summary form, references are made to detailed information regarding specific policies and procedures. Official University policies and procedures dealing with employment-related issues are held in the Office of Human Resources.

The University of Dayton strives to provide the best possible facilities, services and environment for its students, employees, and the general public. As a University of Dayton staff member, you are an important part of this effort.

I hope your association with the University of Dayton will be positive and personally rewarding.

Sincerely,

*Troy W. Washington*

Troy W. Washington  
Vice President for Human Resources

## **PREFACE**

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This handbook covers all professional and support staff employees of the University of Dayton. While the University of Dayton has carefully considered the plans, policies, procedures and guidelines described herein, the University reserves the right to modify, suspend, revoke, terminate or change any or all of such plans, policies, procedures and guidelines, in whole or in part, at any time, with or without notice. The language set forth in this handbook is not intended to create, nor is it to be construed to create, a contract of any kind between the University of Dayton and any or all of its employees.

In addition to this employee handbook, various departments, units, offices, or divisions within the University community may, with the approval of the Office of Human Resources, periodically issue and/or change guidelines, rules, and/or manuals from time to time which pertain solely to the conduct of their individual area. Employees in that area are subject to such guidelines, rules and/or manuals and are expected and required to understand and abide by them.

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## GENERAL INFORMATION

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# SECTION 1



## Historical Background

The University of Dayton is a private, coeducational school founded and directed by the Society of Mary (the Marianists), a Roman Catholic teaching order. It is among the nation's largest Catholic institutions of higher learning.

The University had its earliest beginnings in 1850 when the Marianists purchased Dewberry Farm, located south of Dayton, from Mr. John Stuart and began St. Mary's School for Boys, a boarding school for young men.

University status was granted in 1920 when enrollment stood at 171 male students. In 1935, female students were admitted on a full-time basis. Enrollment had passed one thousand when World War II broke out. By 1950, with the return of the veterans, it was more than 3,500. Current enrollment figures can be viewed at [http://community.udayton.edu/finadmin/ir/quick\\_facts.php](http://community.udayton.edu/finadmin/ir/quick_facts.php). Sponsored research at the University began in 1949 with a few faculty members and student assistants doing part-time research for industry and government agencies. In 1956, the University of Dayton Research Institute was formed to consolidate the administration of the growing research activities. Annual research volume has increased from \$4,000 in 1949 to over \$90 million at the present time.

The main campus, located at the southern edge of the city of Dayton, covers more than 102 acres and is the location of the majority of academic, housing, and recreational facilities. Other facilities, such as University-owned housing and apartments, as well as the basketball arena are within walking distance of the main campus.

The University of Dayton enrolls students from Dayton, throughout Ohio, other states, and many foreign countries in more than 75 different undergraduate and more than 60 different graduate programs. These students have found the University to be an exciting and rewarding institution in which to attain their academic goals.

## Mission of the University

The following is from the University document "A Vision of Excellence and Focusing the Vision for 20105", dated September 10, 2004.

The University of Dayton is a comprehensive university committed to offering a broad range of programs in liberal arts, the sciences, and the professions at the undergraduate level, to providing selected programs on the graduate level to meet the needs of the community and region, to sponsoring timely continuing education programs. As comprehensive, the University views learning and scholarship as a shared task of discovering, integrating, applying and communicating knowledge at the intersections of liberal and professional education, across the disciplines, and through combining theory with practice.

As Catholic, the University commits itself to a distinctive vision of learning and scholarship that includes: a common search for truth based on the belief that truth can be more fully known and is ultimately one; a respect for the dignity of each human person created in the image and likeness of God; and an appreciation that God is manifested sacramentally through creation and the ordinary things in life. Ultimately, a Catholic vision of the intellectual life is

based upon the acceptance of the revelation of God in Jesus Christ as it has been received and handed on by the Church. This challenge calls for integration of the human and the divine, reason and faith, and promotes true understanding through a person's head and heart. The University welcomes persons of all faiths and persuasions to participate in open and reflective dialogue concerning truth and the ultimate meaning of life.

Founded in the Marianist tradition, the University is committed to a vision of a distinctive educational community. As Marianist, the University focuses on educating the whole person in and through a community that supports and challenges all who become a part of it. The University forms an educational community thriving on collaboration by people from diverse backgrounds with different skills who come together for common purposes. The University as Marianist challenges all its members to become servant-leaders who connect scholarship and learning with leadership and service.

This university community-comprehensive, Catholic and Marianist-exists not for itself, but to render service. The University creates an environment in which its members, working in a scholarly manner, are free to evaluate the strengths and weaknesses of their own work and the work of others. In partnership, through the Research Institute, Campus Ministry, as well as numerous student organizations, the University works with others to improve the human community.

## **Office of Human Resources**

The Office of Human Resources is committed to being a customer-oriented, human resources partner implementing best practices, policies, and programs that contribute to the University's mission. We offer expertise through our work in the functional areas of human resources including employment services and risk, benefits and compensation, employee relations, learning and development, human resources operations, human resources information systems, and more. We contribute to the goal of being a Catholic leader in higher education through these efforts, and by helping to balance the needs of our individual community members and those of the institution as a whole.

The following is our Vision & Mission for the Office of Human Resources.

### **Vision:**

To position the University of Dayton as an employer of choice by attracting, developing, and retaining a diverse, well-qualified, and effective workforce, guided by Catholic and Marianist values and traditions.

### **Mission:**

The Office of Human Resources is a customer-oriented human resources management provider committed to identifying and implementing best practices, policies, and programs that contribute to our being a Catholic leader in higher education.

### **Values & Beliefs:**

- People are the most valuable asset of the University.
- People should be supported in doing a good job.

- People deserve to be treated with dignity and respected for their talents and for who they are.
- People need a work/life balance.
- People need to be recognized and compensated appropriately.
- People should be provided with opportunities to grow professionally, personally, and spiritually.
- Diverse people who come together in community create strong, vital organizations that benefit all.
- Catholic and Marianist values should permeate HR policies and procedures.
- HR must strive for balance in advising supervisors and advocating for employees.

**Vice President:**

Responsible for strategic leadership, policy implementation, and maintenance and development of HR operational effectiveness.

**Employee Relations:**

Responsible for designing, planning, and implementing the University of Dayton's employee relations programs, policies, and procedures. The employee relations staff is expected to develop a strong understanding of specific divisions' business and climate issues and to serve as business partner to those divisions.

The employee relations team members are available to employees and managers to answer questions of a general nature about HR, to serve as a sounding board for issues and concerns, and to interpret UD policy. The team is available to supervisors to assist with employee relations issues and to consult on other HR related issues.

**Learning and Development:**

Responsible for coordinating and delivery of learning opportunities for employees at all levels. The staff in this area serves as a resource to leaders who seek training and development for their units or high-potential individuals. They provide individual coaching and focus group work and work closely with the employee relations managers.

**Staffing:**

Responsible for requisitions, recruiting plans, advertising, resume flow management, job offers, general advice and consultation. Note: The office of compliance, EEO/AA, is in Legal Affairs.

**Compensation and Benefits:**

Responsible for the position classification processes and pay structures for non-faculty, guidelines for salary management and insurance benefits (health, dental, life, disability, worker's compensation, etc.), leaves of absence, tuition remission, retirement/403b accounts, flexible spending accounts, and the Employee Assistance Program.

**Information Management:**

Responsible for management reports, records management, website development and maintenance, department technical support, and data entry for employee information on the system.

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# EMPLOYMENT

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## SECTION 2

## The Dignity of Persons Within the University Community and Standards of Behavior

“The dignity of the human person is rooted in [the person’s] creation in the image and likeness of God; it is fulfilled in [the person’s] vocation to divine beatitude... The divine image is present in every person. It shines forth in the communion of persons, in the likeness of the unity of the divine persons among themselves.” *Catholic Catechism*, 1700, 1701.

A primary assertion of both our religious and civil traditions is the inviolable dignity of each person. Recognition of and respect for the person are central to our life as a Christian and education community and are what allow us to pursue our common mission while being many diverse persons. Thus discrimination, harassment, and any other conduct that diminishes the worth of a person are incompatible with our fundamental commitment as a Catholic university conducted in the Marianist tradition.

Every person regardless of race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, gender identity, age, genetic information, military status, veteran status, familial status or disability shall be treated with respect and dignity. No person shall be subject to any sexual, racial, psychological, physical, verbal or other similar harassment or abuse, or be denied equitable consideration for access to employment and the programs, services and activities of the University.

The quality of our campus life and community is dependent on the conduct of each of its members. The university expects that the behavior of employees will reflect civility, decency and respect for oneself and others. While certain expectations are more fully elaborated in specific policies, overall guidance should be respect for the dignity of each person. Failure to observe these standards of behavior will result in disciplinary action. Such failure is not limited to the regulations specifically listed in this handbook.

### Affirmative Action Policy

The University is committed to policies of affirmative action designed to increase the employment of minorities, women, persons with disabilities, and protected veterans. Please click [here](#) for the University’s official Affirmative Action Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr> .

### Equal Employment Opportunity Policy

In accordance with its Catholic and Marianist mission, the University reaffirms its commitment to providing equal employment opportunities. Please click [here](#) to view the University’s Equal Employment Opportunity Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

### **Pay Transparency Nondiscrimination Provision**

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

### **Employment of Members of the Sponsoring Religious Communities**

To preserve its traditions and to further the achievement of its mission, the University maintains a preference for employing members of its two sponsoring religious communities, the Society of Mary and the Daughters of Mary Immaculate.

### **Disability Accommodation**

The purpose of the Disability Accommodation Policy is to provide guidelines to the University community to assure compliance with the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973 (Revised), the Americans with Disabilities Amendments Act (ADAAA), and any other related state or local laws. Additionally, this policy supports our intentions to increase access and inclusion for disabled persons. Please click [here](#) to view the University's full Disability Accommodation Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

### **Management Prerogatives**

The executives and officers of the University of Dayton have been vested with the exclusive responsibility to operate, manage and direct its assets and employees so as to legally achieve its objectives.

This right to manage, direct and control the operations of the University of Dayton and its employees remains vested exclusively with its executives and officers, notwithstanding that this handbook has been published to reflect the exercise of this exclusive management function.

The rights to manage include, but are not necessarily limited to, the right to establish or change terms and conditions of employment, plan, control, and direct all of our operations, hire, transfer employees, maintain efficiency, and to determine and control the methods, processes and procedures used to meet our objectives.

Management in meeting its responsibilities need not necessarily exercise all of the rights reserved to it, or if it exercises them in a particular way, it shall not be deemed a waiver or relinquishment of its right to exercise such rights from time to time in ways that differ from this handbook. From time to time in the event that changes in this handbook are deemed to be in the best interest of the University of Dayton, such changes will be published as revisions to this

handbook for purposes of informing and communicating such changes to all employees of the University of Dayton.

The employee understands and acknowledges that the University of Dayton, as the employer, from time to time, will make changes in the terms and conditions of employment contained in this handbook just as it will do so, from time to time, in the rate of pay.

The employee, by accepting employment at the University of Dayton and by receiving the wages and benefits attributable to his/her position at the University of Dayton, acknowledges these payments and benefits as consideration for the management prerogatives retained above and for the right inherent in the University of Dayton to make changes in this employees' handbook and the terms and conditions of employment, including the assignment of duties or the reassignment of the employee to a different position, with any appropriate changes in compensation, in the event it deems this to be necessary. By continuing employment after such changes, the employee ratifies and consents to such changes, and the payment of wages and benefits thereafter shall be further consideration for such changes.

## Employment Records

The Office of Human Resources is the primary custodian of the official employment records of all staff members employed at the University both past and present.

Every staff member must report changes in personal status including name and address changes, so that the records properly reflect the current status of every person employed and so that informational bulletins including earning statements can be sent on a timely basis.

As a matter of policy with regard to employee personal privacy, we will collect and use only that information that is necessary or relevant to the operating needs of the University. Internal access will be limited to those who have legitimate business reasons. Information regarding an employee's home address and telephone number will not be released unless there is an obvious "need to know" or in case of an emergency. Employees' home addresses and telephone numbers will not be given to other employees for use in mailings.

The following information is designated as directory information and will be provided and verified: dates of employment, job title or position, and department. All other information maintained in the personnel file for all staff members is considered confidential and is released only after written request and consent of the employee. Information will be released to government agencies when required by federal and state laws. Information may be disclosed in response to summons, judicial order or subpoena.

All reference checks by outside employers requesting information on current or former employees and verification of employment must be referred to the Office of Human Resources. Departments should not release information. The Office of Human Resources is authorized to reply to inquiries by verifying dates of employment and termination and job titles and department.

The employee's personnel file shall be available for examination and review by the employee. Such review or examination shall take place during regular business hours in the Office of Human Resources in the presence of the record's custodian or his/her designee, and only upon prior notice. Employees will be required to sign a written form requesting access to his/her file and present valid identification.

## Employment Process

The following hiring procedures apply for all non-faculty positions at the University of Dayton. Where indicated, the hiring procedures for the Research Institute may differ. In addition, where indicated, certain procedures may only apply for exempt positions (e.g. administrative/professional.)

### **General Information about the Employment Process**

The grade level and job classification should be determined in conjunction with the Office of Human Resources.

No testing should be administered by departments without prior approval and coordination with the Office of Human Resources. Under the law, all testing must be validated to show a correlation between performance on the test and performance on the job.

In selecting a candidate for a position, factors used in evaluating a candidate must be job related and non-discriminatory. Examples of job-related criteria include an evaluation of the candidate's experience, education, skills, abilities and knowledge. Statements that a candidate is "overqualified" or "not a good fit" will not be accepted as job-related criteria. Examples of discriminatory factors include race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, gender identity, age, genetic information, military status, veteran status, familial status or disability. A supervisor should consult with the Office of Compliance and Affirmative Action when she/he believes that age or sex may constitute a bona fide occupational qualification for a position.

It is advisable that reference checks be completed on the final candidate(s). Supervisors must never contact the candidate's current employer/supervisor unless permission is obtained from the candidate. Upon request, reference checks will be made by the Office of Human Resources. In addition, the University has a formal agreement with an investigative agency to perform a pre-employment criminal conviction history investigation (background check) on all new hires and rehires who have been gone 90 days or longer.

### **Personnel Requisition and Essential Position Functions Form**

When a vacancy for a non-faculty position must be filled for at least 90 days (3 months), the position description must be created or modified on the online position management system, PeopleAdmin (<http://jobs.udayton.edu/hr>). Once all the necessary departmental approvals have been obtain, Human Resources will review the position for grade level and job classification before it can be posted. The position must be approved by the Office of Human Resources and posted on the University of Dayton's career website before any recruitment activity is pursued.

### **Posting Requirements**

When the Office of Human Resources approves and posts the position description, the requestor will receive an email with specific written procedures that must be followed in the recruitment process. These instructions serve as an extension of the policy manual and must be followed. Position openings must be posted for a minimum of ten working days. Requests for



exceptions to the normal posting procedure must be made to the Office of Human Resources. A decision will be made after consultation with the Office of Compliance and Affirmative Action. A request to bypass the normal hiring procedure must be accompanied by a detailed written request, a current copy of the job description and the proposed candidate's resume or employment application.

### **Recruitment/Advertising**

As reflected in the University Mission Statement, it is a goal of the University of Dayton to ensure diversity among faculty, staff and students. Thus, it is important that we strive to recruit persons who reflect the diversity of the reasonable recruitment area. For University administrative and professional positions, supervisors are required to discuss their recruitment plan with the Office of Compliance and Affirmative Action. It is the normal practice of the University to advertise in appropriate newspapers and journals as well as on the World Wide Web, and to utilize resources designed to target female and minority populations. The Office of Compliance and Affirmative Action is available to advise and assist supervisors in determining where advertisements should be placed. When ready to place an advertisement, the hiring supervisor must contact the Office of Human Resources. All advertisements will include a brief job description and a list of required and preferred qualifications. In addition, all advertisements must include the following diversity statement: "The University of Dayton, founded in 1850 by the Society of Mary, is a Top Ten Catholic research university. To attain its Catholic and Marianist mission, the University is committed to the principles of diversity, inclusion and affirmative action and to equal opportunity policies and practices. We act affirmatively to recruit and hire women, traditionally under-represented minority groups, persons with disabilities and veterans."

### **Receipt of Resume/Application and Affirmative Action Compliance Form**

Applicants will apply electronically to the posting and submit their application as well as any required documents such as a resume, cover letter, letter of reference, etc. The search committee will access application materials online via PeopleAdmin. For Affirmative Action purposes demographic /compliance information will be voluntarily collected from the applicant as part of the application process online.

By conducting applicant tracking for all positions, the Office of Compliance and Affirmative Action can monitor the success of recruitment efforts and work with supervisors to ensure that a diverse pool of candidates is achieved. Once a posting closes, The Office of Compliance and Affirmative Action will review the diversity of the applicant pool and prepare an Applicant Flow Data Log, which will be kept on file. The Applicant Flow Data Log indicates whether the applicant pool is representative and includes both gender and race diversity. If a department is underutilized in female and/or minority representation and the applicant pool does not reflect gender or racial diversity, the Office of Compliance and Affirmative Action will contact the hiring supervisor to discuss the matter.

### **Pre-interview Process**

The search committee has the responsibility of reviewing all applications and/or resumes received during the application process. Prior to interviewing, the hiring supervisor must assign a rating, status, selection reason (if applicable) and request permission from the Office of Compliance and Affirmative action to begin interviews. This process will assist the Office of Compliance and Affirmative Action in reviewing the qualifications of each applicant and will provide adequate documentation should an applicant challenge why he/she was not offered an interview for the position. If the diversity of the applicant pool for a particular position does not reflect the availability of persons within the reasonable recruitment area, the Office of Compliance and Affirmative Action may contact the hiring supervisor to discuss the next steps.

#### **Interview Process**

Interview questions must be designed to provide fair and objective evaluation of each candidate and should be developed in advance of committee interviews with candidates. A set of identical questions should be asked of all candidates and questions must be job- related.

#### **Hiring Proposal and Job Offer Process**

After a selection has been made and before an employment offer has been extended, the hiring supervisor must recommend the selected applicant for hire and complete a hiring proposal through the online PeopleAdmin system. The hiring proposal should have the narrative interview summary document attached. The narrative interview summary must specify job-related distinctions between candidates and list all relevant and job-related information, which contributed to the selection of one candidate over another. The hiring proposal should be submitted to the Office of Compliance and Affirmative Action through the online system. The hiring supervisor will be notified when the hiring proposal has been approved. After receiving the approval from the Employment Manager, a verbal offer of employment can be made to the candidate. When making the offer, the hiring supervisor must inform the candidate that the offer is contingent upon the successful results of the background check. An offer packet including the contingent offer letter and new hire paperwork will be sent by mail to the new hire. The Office of Human Resources conducts any and all applicable background checks on the final candidate once they have received the signed authorization form.

After the employment offer has been made an ePAF will be initiated within PeopleAdmin by Human Resources. The information completed and approved in the PeopleAdmin system will be used to generate the ePAF that will be reviewed and approved in Human Resources. The new staff member is to be directed to the Office of Human Resources prior to the first day of work with the appropriate form(s) of identification for the I-9 form. The following is a list of new hire paperwork that should be completed before their first day of work.

Employment Eligibility Verification form (I-9);

Federal Withholding Certificate (W-4);

State Withholding Certificate (IT4);

### Employee Data Sheet

Benefits-eligible employees will be contacted to attend a meeting on University benefits. All new staff members are to complete the above documents in the Office of Human Resources, 118 St. Mary's Hall.

It is the responsibility of the immediate supervisor to obtain the appropriate keys and equipment for a new staff member.

### Temporary Employees

The University realizes the need for temporary or seasonal employees. Employment agencies may be utilized to assist in temporary situations. In all cases, the Office of Human Resources should be contacted before any temporary employee is hired. Long term temporary positions (in excess of 90 calendar days) must be posted and the University's hiring procedure must be followed unless an exception is approved by the Office of Human Resources and the Office of Compliance and Affirmative Action. Unless utilizing an employment agency, a Personnel Action Form (PAF) and background check must be completed along with the other necessary documentation (see previous page) before an employee begins work. The PAF should also reflect a beginning and ending employment date for all assignments as approved by the Office of Human Resources.

### Independent Contractors

It is generally assumed that persons providing services to the University will be considered an employee under one of the two types of positions above (exempt and non-exempt) and will be paid through the University payroll as a result of a Personnel Action Form being processed. Occasionally, however, it may be appropriate to pay someone for services as an "independent contractor" on the basis of a "check request" submitted to either the purchasing office, St. Mary's Hall room 403 or to the accounting office, Kettering Laboratories room 508 for the Research Institute.

Federal regulations state that an independent contractor is one who carries on an independent business, contracts to do a piece of work according to his/her own means and methods and is subject to control only as to results. Of particular importance is the intent of the parties. The parties' intent to create an independent contractor relationship must be documented. Factors which are considered, among others, are whether the individual or entity:

- a. Supplies the tools or materials;
- b. Makes services available to the general public;
- c. Works for a number of clients at the same time;
- d. Directs the order or sequence in which the work is to be done;
- e. Determines the hours during which the work is to be done;
- f. Performs different type of work than regular employees;

- g. Is paid by the job as opposed to by the hour, week, or month;
- h. Has the right to delegate work and the right to hire/fire assistants.

The independent contractor designation is possible only where very specific conditions are met. Since the University may be legally liable where this designation is misused, it is very important that the Office of Human Resources be contacted in advance when there is any question in this matter so as to ensure that the activities to be performed qualify for the designation of independent contractor.

### ***Staff Background Check Policy***

#### **Purpose:**

The purpose of this policy is to describe the terms and conditions under which background checks are conducted. The University of Dayton is a comprehensive Catholic university, a diverse community committed, in the Marianist tradition, to educating the whole person and to linking learning and scholarship with leadership and service. The University of Dayton believes that hiring qualified individuals to positions contributes to the University's overall strategic success. Background checks serve as an important part of the selection process.

#### **Policy:**

The University of Dayton conducts background checks on all full-time, part-time and temporary faculty and staff employees post-offer (contingency offer) as well as non-employees who are not on the University's payroll, but are on campus serving in various roles such as, volunteers, contractors, visiting researchers, consultants, etc. The University of Dayton may also use a third party administrator to conduct background checks. The type of information that can be collected by this agency includes, but is not limited to, a criminal background check, education, employment history, credit, and professional and personal references. This process is conducted to verify the accuracy of the information provided by the candidate and determine his/her suitability for employment.

The University of Dayton will ensure that all background checks are held in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act.

All criminal background screens are conducted post-offer (contingency offer). However, as part of Title VII of the Civil Rights Act, this information cannot be used as a basis for denying employment, unless it is determined to be job-related.

The University of Dayton reserves the right to make the sole determination concerning information or any employment decision arising out of the background check.

The University of Dayton requires all non-employees who routinely perform work on campus to be in compliance with this policy.

#### **Offer of Employment Process**

Once a candidate has been identified for hire, the hiring manager submits a hiring proposal to the Office of Affirmative Action. Once the Office of Affirmative Action approves the hiring proposal, they will notify the Office of Human Resources. At that time, the hiring manager will be notified to extend an offer of employment to the finalist.

When verbally making the offer of employment to the successful candidate, the hiring manager must inform the candidate that the offer is **contingent** upon the successful results of the background check. The Office of Human Resources then conducts any and all applicable background checks on the final candidate.

#### **General Guidelines:**

1. **NEW HIRES:** Background checks are required for all new hires. This includes all full-time, part-time and temporary faculty and staff employees. The background check must be completed and results verified **before** any employee begins work. At no time should an employee begin work until the Office of Human Resources has verified results of the background check.
2. **REHIRES:** A background check is required for all rehires that have been separated for longer than 90 days.
3. **NON-EMPLOYEES:** Non-employees who will be working on campus continuously for more than 90 days will be subject to a background check.
4. **EMPLOYMENT CONTINGENCY:** Background checks are to be processed after a **contingent** offer of employment has been extended to the applicant. Note: *The offer of employment is contingent upon the successful results of the background check.*
5. **AUTHORIZATION BY APPLICANT:** The candidate must authorize the background check. This is done by having the applicant complete the [Employment Background Authorization](#) form. This form is available to the applicant on the University of Dayton website and can be sent via e-mail to the candidate as well. To expedite the process, the candidate may fax the completed and signed form to the Office of Human Resources.

Note: *All applicants must complete a Employment Background Authorization form as this is required to be submitted to the third party administrator conducting the background check.*

#### **Verification of Background Checks**

1. The results of the background check will be sent directly to the Office of Human Resources.
2. The Employment Manager will review the report. If any discrepancies or criminal history are noted, the Employment Manager will notify the Vice President of Human Resources and Legal Affairs for final determination. The University reserves the right to consult with the hiring department, or any other pertinent offices such as the Office of the President or the Office of the Provost.
3. If the background check is favorable, the Office of Human Resources will notify the hiring manager that the candidate is approved to begin employment.

**Adverse Action Notifications**

1. If a background check is returned with unfavorable results, the Office of Human Resources will notify the hiring manager.
2. The Office of Human Resources will contact the candidate to inform him/her that the University of Dayton is rescinding its contingent offer of employment. The candidate will then receive written notification and a summary of the candidate's rights under the Fair Credit Reporting Act. The candidate will be given the opportunity to review a copy of the report, which informs him/her of his/her rights to dispute inaccurate information.
3. The candidate may apply for job opportunities at the University of Dayton after one (1) year has passed from the date that the contingent offer of employment was rescinded. This candidate, however, will be subject to a new background check and review process should they be extended a contingent verbal offer of employment after the one (1) year period has passed.

**Identification Cards**

All regular staff members are issued an identification card that enables them to use the various facilities where staff identification is necessary. A new staff member must obtain an authorization card in the Office of Human Resources. Identification cards are issued at the Campus Card Services office, Powerhouse Room 102. For special assistance and additional information call (ext. 92456).

**Promotion and Transfer Opportunities**

It is the policy of the University of Dayton to support the efforts of employees to transfer and/or advance to positions for which they are qualified and which meet their career interests and objectives. All University employees are encouraged to apply for positions for which they are interested on a promotion or transfer basis. Supervisors are encouraged to give serious consideration to internal applicants in the search process. Also, supervisors must allow employees within their department opportunities to seek transfers to other departments. An atmosphere conducive to exploring promotion or transfer must always be maintained.

In determining an employee's qualifications for promotion or transfer, the supervisor should consider but not be limited to the following factors: (a) experience, (b) past performance, (c) training, (d) education, (e) skills and abilities.

Ordinarily, position openings are posted for at least ten (10) working days before being filled. For additional information, see the Promotion Policy below. Position vacancies and opportunities for advancement are announced in the following ways:

1. Job postings are placed on the bulletin boards outside the Office of Human Resources, St. Mary's Hall Room 118.
2. Web site <http://jobs.udayton.edu>

Current University of Dayton employees interested in being considered for a position opening must apply online at the website above prior to the closing date of the posted job.

Persons who wish to discuss promotion or transfer possibilities should call the Office of Human Resources (ext. 2541). In addition, a representative is available to assist all University employees in matters involving career counseling and testing. The representative can be reached by calling the Career Services Center (ext. 2077).

In the event a University of Dayton employee transfers from one department to another, reasonable notice to the immediate supervisor in the current department is expected as defined under the section entitled *Separation from Service—Voluntary*. The last workday in the employee's current department is considered to be the regularly scheduled workday immediately preceding the start date of the position in the new department.

## Promotion Policy for Professional and Support Staff

The purpose of the University of Dayton's promotion policy is to ensure opportunity for internal mobility consistent with the commitment to equal employment opportunity and affirmative action. A further purpose of the policy is to provide a mechanism whereby employees can be recognized and rewarded for their successful performance and professional development at the University. Please click [here](#) to view the University's Promotion Policy for Professional and Support Staff. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Nepotism

Employment opportunities within the University of Dayton are not and should not be based upon or influenced by family relationships. The University will maintain policies designed to guard against employment relationships from which nepotism or charges of nepotism might arise. Please click [here](#) to view the University's policy on Nepotism. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Duration of Employment

Employees are not employed for any definite term and the employment relationship is "at will" and may be terminated at any time by either party for any reason with or without cause except as set forth below:

The provisions of employment or benefits for a fixed term to employees who are not members of the faculty are valid only when a written contract/letter of appointment has been executed by both the President (or Chair of the Board of Trustees) of the University and the individual.

## Reduction in Workforce Policy

The University of Dayton values the contributions of its employees and attempts to provide regular ongoing employment as appropriate. However, in the event of a reduction in force due to substantially decreased workload, discontinued functions, a change in business operations, economic conditions, or other circumstances outside of the employee's control, it is the intent of University to provide an equitable and supportive process to those employees

directly impacted. The determination of when any of these events has occurred rests solely with the administration of the University. To view the entire Staff Reduction in Workforce Policy, please click [here](#). For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Separation from Service

Non-faculty employees of the University of Dayton are employed with an “at will” status. Employees are not employed for any definite term and either party for any reason, with or without cause, may terminate the employment relationship at any time. Only the President of the University (or the board of trustees) has authority to enter into any Agreement for employment for any specified period of time or to make any agreement contrary to the foregoing.

### *Voluntary*

#### Employee Responsibility:

- Upon resignation, all employees are requested to submit a written letter of resignation to their immediate supervisor and the Office of Human Resources prior to their last day of employment.
- Exempt Positions - at least four working weeks of notice prior to the date of separation from service.
- Nonexempt Positions - at least two working weeks of notice prior to the date of separation from service.
- The employee is asked to schedule a personal exit interview with his/her Human Resources Generalist and complete an Exit Interview Questionnaire prior to leaving the University.
  - The terminating employee will need to bring the exit interview questionnaire to the exit interview or mail the form to the following address: Office of Human Resources, University of Dayton, 300 College Park, Dayton, Ohio 45469-1614, Attn: Staffing Department.

#### Supervisor Responsibility:

- Upon receiving written notification that an employee is leaving, the supervisor is responsible for promptly completing the Personnel Action Form (PAF).
  - Personal Action Form (PAF) and resignation letter are forwarded to the Office of Human Resources to start the exit process.
- Before the employee separates from the University, the supervisor is responsible for completing the [Employee Separation Checklist](#) (pdf), which requires collection of University property, identification card, etc., and forwarding the completed form, along with the separating employees ID card, to the Office of Human Resources as the final step in the separation process.

#### Human Resources Responsibility:



- Once the Office of Human Resources receives the Personal Action Form (PAF) stating that an employee is terminating, the Staffing Manager will mail or e-mail an exit interview notification letter to the employee asking that he or she complete an exit interview questionnaire and schedule an exit interview with their Human Resources Generalist.
- The Human Resources Generalist will conduct an exit interview with the separating employee to obtain information regarding various working conditions observed or experienced during the employee's period of employment.
- The Benefits Department will send information related to continuing coverage options for medical and dental benefits; conversion options for life and disability insurance; and, distributions from retirement account plans directly to the terminating employee's home address following the processing of the termination documents.
- The Office of Human Resources Records Department will collect and file all Employee Separation Checklists verifying that the separating employee has no outstanding obligation to the University.

Note: The last day actually worked is considered the last day of employment with the University of Dayton. Vacation may not be taken for the purpose of extending the term of employment. Any accrued vacation as of the last day worked will be paid in a lump sum in the last paycheck. Contact the appropriate Office of Human Resources for additional information.

### *Involuntary*

Involuntary separation is a serious matter for the employee and the University. Supervisors and HR strive to ensure that all involuntary separations are handled in a way that treats the employee with fairness and reduces the University's potential liability.

- Address performance issues as soon as they become apparent.
- If performance issues do not improve with direction and coaching, supervisors should alert their immediate supervisors and their Human Resources Representative. It is important that Human Resources be involved as early as possible to provide assistance to the supervisor and to ensure that the interests of the employee and the University are well served.
- If involuntary separation is due to egregious behavior, the next level of supervision and a Human Resources Representative, at minimum, should be involved immediately. Depending on the behavior, our first consideration is always the safety of people and the second is protection of University resources.
- The supervisor/manager must review an involuntary termination decision with the next level of management and the HR Representative prior to making a decision.
- The supervisor/manager is responsible for conducting the termination meeting and for documenting comments made by the employee during the meeting. The supervisor may request their Human Resources Representative to be present at the meeting.
- Before the employee leaves employment, the supervisor is responsible for completing the Employee Separation Checklist, which requires collection of University property, identification card, etc., and suggests other measures to ensure the protection of the University during separation.

- The supervisor/manager is responsible for promptly completing the Personal Action Forms (PAF) and obtaining all necessary approvals and signatures.
- The Personal Action Form (PAF) must be forwarded to the Office of Human Resources to complete the termination process.

## Exit Procedures, Interview, & Return of University Materials

Many questions that employees have about leaving the University may be answered in the [Termination Q&A](#).

An exit interview with the employee relations representative is optional, and can be scheduled by calling the Office of Human Resources at 9-2541. In the exit interview, the terminating employee and his/her employee relations representative will review the questions in the [Exit Interview Questionnaire](#) (doc) and any other topics the terminating employee wishes to discuss. Terminating employees also have the option of completing the exit interview questionnaire online and should contact the Office of Human Resources for more information.

The [Employee Separation Checklist](#) (pdf) helps to facilitate the conversation between the terminating employee and his/her supervisor regarding the return of any University property (such as university identification, equipment and keys) and for the completion of any obligations (such as payment of fines, payment of loans, return of library books, and completion of expense reports).

## Employment After Retirement

The University of Dayton recognizes and values the considerable experience, knowledge and skills of its workforce. The purpose of this policy is to address employment of retired University faculty and/or staff after the employee has retired from the University. Please click [here](#) to view the University's Employment After Retirement Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Telecommuting

In order to facilitate arrangements under which employees may telecommute as part of their work schedule, the University has adopted the following policy. To view the University's policy on Telecommuting, please click [here](#). For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Government Security Program

The Office of Government Security, located in River Campus Room M5235, administers the University's security program to ensure adherence to the U.S. Government's National Industrial Security Program. This includes applications for personal security clearances when required for a University employee because of the nature of the work performed by that individual.

The contracts and grants office provides assistance to the University community in ensuring regulatory compliance with the U.S. Export Control Laws on contracts and grants.

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# COMPENSATION MANAGEMENT

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# 3

SECTION 3

## Wage and Salary Administration

Each position at the University is defined as exempt or nonexempt based on the duties and responsibilities of that position as stated in the Fair Labor Standards Act (FLSA). Each position is classified and is assigned a specific pay range by the Office of Human Resources. The Office of Human Resources reviews specific positions to ensure that positions are correctly classified and that job descriptions reflect any changes in the duties and responsibilities of the position. The FLSA also requires that employers pay employees a minimum wage for each hour worked and must pay nonexempt employees overtime pay at the rate of one and one-half times the employee's regular rate for each hour worked over forty in a work week. For more information on FLSA work time recordkeeping requirements for non-exempt employees, please click on the [FLSA Time/Recordkeeping FAQ](#) (pdf).

## Categories of Appointment and Pay Ranges

The policy of the University is to attempt to maintain pay rates that are competitive in the appropriate local and national markets, taking into consideration the University's fiscal position and its geographic location. All pay ranges are established and maintained by the Office of Human Resources, St. Mary's Hall Room 118.

## Wage and Pay Changes

Wage and pay recommendations following initial hire are submitted on a fiscal year basis by principal administrators at the time budgets are prepared. Guidelines are established by the Office of Human Resources and are distributed to each office annually along with budget information. Pay increases are generally effective July 1 of each year.

## Pay Procedures

Most employees are paid on a semi-monthly basis. The semi-monthly payment for time worked through the 15th of each month is made on the 25th of that month. Payment for the balance of the month is made on the 10th of the following month. In the event the 10th or 25th falls on a Saturday, Sunday, holiday, or on a day that University is closed for normal business, payment is made on the preceding workday. Employees in certain departments, such as public safety are paid on a bi-weekly basis. They receive payment every other Friday for their services during the two week work period ending on the preceding Sunday.

If you have any questions or problems regarding your paycheck, the check should not be cashed until contact is made with the payroll office, St. Mary's Hall Room 303, (ext. 2949), by the employee and/or the supervisor. Research Institute employees should contact the Research Accounting Office, Kettering Laboratories Room 508, (ext. 3947).

Paychecks are not available before payday.

The University provides direct deposit service for staff members with any bank or credit union in the United States. An authorization form to initiate the process is available in the payroll office, St. Mary's Hall Room 303, or the Office of Human Resources. Day Air Credit Union and Wright Patt Credit Union ask that their account holders sign up for this service at a branch office

and they will forward this information to the University. It is recommended that staff members take advantage of this service as a convenience both for themselves and for the University.

### **Overtime**

Administrative and professional staff members are considered to be exempt employees and thus are not compensated for overtime work. Exempt employees are compensated with a salary and are not subject to federal law governing the regulation of overtime.

All secretarial/clerical staff and technicians including Research technicians are nonexempt employees. Based upon the Fair Labor Standards Act (FLSA), if these employees work extra hours they must be compensated in the following manner: All hours worked up to 40 hours in one workweek are to be paid at the staff member's regular hourly rate. Hours worked in excess of 40 hours in any one workweek must be paid at time and one half the regular hourly rate in accordance with law. In case of nonexempt staff members whose pay rate is quoted on other than an hourly basis, the payroll office will calculate hourly equivalent pays for the above purpose. Any overtime worked is to be approved in advance by the appropriate supervisor.

For the purposes of computing overtime, the University of Dayton workweek begins at 12:01 a.m. Monday, and runs continuously until 12:00 midnight, Sunday. Overtime is computed based on actual hours worked, i.e., if the staff member takes a vacation day or calls in sick during the workweek and then works extra hours during the same workweek, payment will be paid at the regular hourly rate until the actual hours worked reaches 40. Overtime must be reported on the Weekly Overtime Report form that is available in the payroll office. Research Institute employees must submit a separate employee activity report (time card).

The Office of Human Resources must always be contacted prior to an employee working additional services for another University department and account. Any time an employee works additional hours in a department other than the employee's primary department and exceeds a total of 40 hours in a workweek, the secondary department will be responsible for paying the employee in accordance with the law. A special calculation is used for determining the overtime pay. Please contact the Office of Human Resources or the research accounting office, for assistance in determining the actual overtime rate of pay in such cases.

### **Payroll Deductions**

The following is a list of deductions that either must or may be taken through the payroll process.

#### **Taxes**

1. F.I.C.A. (SOCIAL SECURITY/MEDICARE) - The University makes payroll deductions as required by law. The University, as an employer, is required to match employee contributions and to forward the combined amount to the appropriate governmental agency in the employee's name.
2. FEDERAL INCOME TAX is deducted on a regular basis. The amount withheld and forwarded to the Internal Revenue Service is based on the number of exemptions a staff member claimed on the withholding exemption certificate filed at the time of employment or as changed by the staff member subsequent to employment. The rate of

withholding is determined from tables published by the Internal Revenue Service and is based on the gross amount of payment due to an employee on a specific pay date.

3. STATE WITHHOLDING TAX is deducted in accordance with the taxing rate established by the state in which the employee works. A separate withholding exemption certificate must be placed on file through the Office of Human Resources.
4. CITY OF DAYTON PAYROLL TAX is automatically deducted from payroll checks received by staff members who regularly perform services for the University within the Dayton city limits. No deductions are taken from staff members who reside outside of the Dayton city limits and whose services are performed at WPAFB or other facilities outside the Dayton city limits.
5. SCHOOL DISTRICT TAX is deducted from payroll checks of employees who reside in school districts that have passed School District Income Tax (SDIT).
6. TAX ON LIFE INSURANCE - Employer paid life insurance over \$50,000 is considered by the IRS as a taxable benefit. The IRS provides a table based on age, to dictate the cost per \$1,000 of coverage per month, regardless of the actual premium amount the University pays for the insurance benefit. The University is required to report this cost as income to the employee and withhold the appropriate taxes.
7. TAX ON GRADUATE TUITION REMISSION - Tuition remission for graduate classes for children or spouse is a taxable benefit and the appropriate social security, federal, state and city taxes will be withheld on the benefit. Tuition remission for graduate classes for employees may also be a taxable benefit. Tax determination forms are available in the Office of Human Resources and must be completed for each graduate level class taken by an employee. Appropriate taxes may be withheld depending upon the determination of taxability.
8. TAX ON BASKETBALL TICKETS - The value of the discount in excess of 20% is a taxable benefit and the appropriate federal and state tax will be withheld.

### ***Other Deductions***

1. LOAN REPAYMENT - University loans only
2. HEALTH CARE AND DENTAL INSURANCE
3. RETIREMENT - TIAA-CREF Group Retirement Annuity (pre-tax or after tax).
4. TAX DEFERRED ANNUITY SAVINGS PROGRAMS
  - a. TIAA-CREF (gSRA)
  - b. Fidelity
  - c. Lincoln National
5. UNITED WAY - As a member of the Dayton community the University provides staff members with the opportunity of contributing to the annual campaign of the United Way through payroll deduction. Once per year, normally the fall, designated staff members of the University family assist in the University-wide solicitation and have pledge cards and payroll deduction cards available so that pledges can be paid via payroll deductions.

6. UNIVERSITY ANNUAL SUPPORT - Staff members have an opportunity through payroll deduction to contribute to the various fundraising drives sponsored by the University for its continued development.
7. DAY AIR FEDERAL CREDIT UNION, INC.
8. LONG TERM DISABILITY INSURANCE - TIAA at 60% level
9. FLEXIBLE SPENDING ACCOUNTS - Dependent care and medical.
10. PARKING – See Page 60 for more information about parking procedure.
11. ATHLETIC TICKETS
12. CULTURAL WORKS - As a member of the Dayton community the University provides staff members with the opportunity of contributing to the annual campaign of Cultural Works.
13. SUPPLEMENTAL, DEPENDENT, AND ACCIDENTAL DEATH AND DISMEMBERMENT LIFE INSURANCE – MetLife.
14. LONG TERM CARE INSURANCE - CNA

### **Hours of Work**

The normal hours that offices are to be open to provide services to the various publics are 8:30 a.m. to 4:30 p.m. Monday through Friday. Offices under the administrative control of the Research Institute are normally open for services from 8:00 a.m. to 5:00 p.m. Monday through Friday.

### **Lunch Period**

The normal unpaid lunch period provided staff members is one hour and, in general, should be taken between 11:30 a.m. and 2:00 p.m., the actual time to be arranged so as not to unnecessarily inconvenience the effectiveness of the operation in which a staff member is employed. Whenever possible and when practicable offices should remain open during this period, in the event more than one person is assigned to an office operation. To the extent possible, all staff members are encouraged to leave their respective work areas during their lunch period so as to enjoy this opportunity to relax. It is not in the best interest of all concerned for staff members to partake of lunch in business and academic offices that are open and accessible to the publics served. Public dining facilities are available in the Kennedy Union. Non-exempt employees working a shift of 5-1/2 hours or more are entitled to at least a 30 minute unpaid meal break. Non-exempt employees working a shift of 3-1/2 hours but less than 5-1/2 hours are entitled to, when possible, a paid 15 minute rest period.

### **Rest Periods**

When possible, nonexempt employees will be allowed two paid 15-minute rest periods during each regular shift each workday. These rest periods should be scheduled during the middle two hours of each half shift. The time taken should be such as not to disrupt the normal operations or create a situation that might appear discourteous to members of the University

community who might be waiting for service. Employees should bear in mind that most assignments at the University are service oriented to the students and the community.

### **Procedures for Reporting Illness and Absence**

When an employee is unable to report to work as scheduled, the employee's immediate supervisor or another designated person should be notified as early as possible prior to the start of the workday.

Excessive absences or failure to properly notify the employee's supervisor of an absence may be cause for disciplinary action.



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**PERFORMANCE MANAGEMENT -  
WORKING FOR THE VISION**

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**SECTION 4**

The University's performance management program is known as Working for the Vision. Working for the Vision is an annual performance management cycle that directly involves both supervisor or academic administrator and the employee and activities included in the four major components depicted below:

1. Planning performance
2. Managing performance
3. Assessing results
4. Career development

Annual performance development plans are completed for all staff members. For Research Institute employees, the performance development plan is normally completed in March and April. For all other employees, the plan is completed in late January or February. Forms and instructions for the performance development plan are available on the Human Resources Web site (<http://www.udayton.edu/~hr/>). After the plan is completed and signed by the employee and supervisor, it is to be reviewed and signed by the appropriate higher-level supervisor. Copies are then distributed to the staff member, the immediate supervisor, and the Office of Human Resources for placement in the employee's file.

Working for the Vision assumes that employees are in the best position to identify the activities they should perform to support the success of their units. If they are knowledgeable, equipped to meet the challenges of their jobs, motivated, supported, and empowered to perform, their capability to maximize their individual performance is enhanced. If all employees in a unit are successful and maximize their individual performance, the overall performance of the unit is maximized. If they are successful and are recognized and rewarded for their accomplishments, their satisfaction with their job and the University will be higher.

The Working for the Vision program is a human resource process aimed at creating a strong campus community by empowering and equipping all employees of the University to be able to participate in achieving the Vision. It is intended to enable every employee to:

- Be involved in planning the programs and projects of importance to the success of their unit and defining their role in accomplishing them
- Know what is expected of their performance by involving them in defining the criteria that will be used to measure their success,
- Be more self-managed
- Receive feedback and assistance when they can actually use it to make any needed adjustments in performance
- Be more proactive in defining career objectives and involving their supervisor or academic administrator in assisting them in achieving their goals,
- Be confident that their contributions to the University are recognized and rewarded.
- The Working for the Vision program plays a critical role in allowing the University of Dayton, through its employees, to meet its vision of being a national leader in Catholic higher education.

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## **BENEFITS**

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# 5

**SECTION 5**

Refer to the appropriate Benefits Handbook for Faculty, Exempt or Non-exempt staff.

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**LEARNING AND DEVELOPMENT**

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**SECTION 6**

The University recognizes that staff employees are key to achieving its Strategic Plan and objectives. In order to achieve this, the University has established a policy to promote continuing professional development and provide for access to learning & development. Please click [here](#) to view the University's policy on Learning and Development. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

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## CONDUCT AND ETHICS

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# SECTION 7

## Prohibited Conduct

The University of Dayton is committed to upholding the highest standards of honest behavior, ethical conduct and fiduciary responsibility with respect to University funds, resources and property. The University also expects members of the University community to comply with all applicable state, local and federal statutes, rules and regulations. Please click [here](#) to view the University's Policy Prohibiting Illegal, Fraudulent, Dishonest, and Unethical Conduct. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Corrective Action

The purpose of this policy is to address, correct, and/or improve job-related performance or behavior in the workplace. The University is committed to providing staff and management with clear and useful tools for correcting and improving performance problems and addressing instances of unacceptable personal conduct. Please click [here](#) to view the University's Staff Corrective Action Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Dispute Resolution

The University has established a Dispute Resolution procedure to facilitate the timely and objective review of information for the purpose of fact-finding, clarification and determination on matters found to be appropriate for review. To view the University's Staff Dispute Resolution Policy please click [here](#). For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Nondiscrimination and Anti-Harassment Policy (including Sexual Harassment)

The University's Nondiscrimination and Anti-Harassment Policy prohibits unlawful discrimination on the basis of race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, gender identity, age, genetic information, military status, veteran status, familial status or disability. Sexual harassment, which includes but is not limited to sexual violence, is one form of sex/gender discrimination. The full Nondiscrimination and Anti-Harassment Policy can be found on the Nondiscrimination Resources Center website:

<http://www.udayton.edu/finadmin/legalaffairs/nondiscrimination/index.php>

A link to this website is located in the footer of every University of Dayton webpage (including Porches).

The Nondiscrimination Resources Center also serves as the home to additional helpful information regarding discrimination issues, including online report and complaint forms, the Equity Complaint Process, and the Mandatory Reporting Policy.



The Equity Complaint Process describes the process used in resolving complaints brought under the Nondiscrimination and Anti-Harassment Policy. The Nondiscrimination Resource Center also provides “How It Works: A Quick Guide,” which provides a brief, easy to understand explanation of the process.

The Mandatory Reporting Policy imposes a duty on all employees, including student employees, to report promptly any information regarding potential violations of the Nondiscrimination and Anti-Harassment Policy to the Title IX/504 Coordinator and Equity Compliance Officer. The only exceptions to the mandatory reporting requirement involve employees who are clergy, counselors or doctors acting in that capacity when someone tells them of a discrimination/harassment concern. To view the Mandatory Reporting Policy in its entirety, please click [here](#).

The policies and process described above apply to all members of the University community (*i.e.*, staff, faculty, student and visitor), except faculty may use the faculty grievance process for discrimination complaints that do *not* involve sex/gender.

## Human Resources Advisory Council

Members of the Human Resources Committee are appointed by the vice president for human resources from among the faculty and staff. It advises the vice president of human resources on matters related to working conditions and employee benefits. The membership of this committee is listed along with other University committees in the [Campus Report](#) each fall. All employees should feel free to contact committee members regarding their concerns.

## Personal Appearance and Attire

A good personal appearance, of all University employees, is essential to creating and maintaining a favorable public image. Employees are expected to dress in a manner consistent with the nature of work performed and the people served. Employees who have questions concerning what constitutes proper attire should consult with their immediate supervisor. Employees are also expected to observe and maintain proper habits of personal grooming and hygiene at all times.

### **Name Badges**

Wearing of name badges or other forms of identification may be required of certain employees, *e.g.*, those who meet the public or those who need to have access to restricted areas. Questions concerning the wearing of a name badge should be directed to the immediate supervisor with the determination resting with the appropriate vice president.

### **Uniforms**

Uniforms are defined as special garments worn for identification and/or to present a clean, sanitary, consistent appearance or, in some cases, for safety precautions. They may consist of shirts, pants, jackets, dresses, coats (long or short), aprons or head coverings of a prescribed color and tailoring.

Wearing of uniforms may be required when: (a) it is accepted professional practice of a particular occupation; (b) identification is needed for the expeditious performance of one's function or to provide evidence of authority or privilege; (c) there is need for a controlled standard of cleanliness and sanitation of clothing; (d) the performance of job tasks causes abnormal wear or soiling of clothing.

## **Confidentiality and Security of University Property**

It is the policy of the University to maintain strict control over access to work locations, records, computer information, and cash or other items of monetary value. Employees who are assigned keys, given special access or assigned job responsibilities in connection with the safety, security or confidentiality of such records, materials, equipment, or items of monetary or business value will be required to use sound judgment and discretion in carrying out their duties and will be held accountable for any wrongdoing or acts of indiscretion.

Information about the University of Dayton, its students, clients or employees should not be divulged to anyone other than persons who have a right to know and are authorized to receive such information. When in doubt as to whether certain information is or is not confidential, prudence dictates that no disclosures be provided without first clearly establishing that such disclosure has been authorized by appropriate supervisory or management personnel.

This basic policy of caution and discretion in the handling of confidential information extends to both external and internal disclosure. Confidential information obtained as a result of employment with the University of Dayton is not to be used by an employee for the purpose of furthering any private interest or as a means of making personal gains. Use or disclosure of such information can result in civil or criminal penalties, both for individuals involved and for the University of Dayton.

## **Conflict of Interest Policy**

The University of Dayton's Conflict of Interest Policy is intended to provide a framework for recognizing and managing employee conflicts of interest, and whenever possible, to prevent even the appearance of conflicts of interest. Please click [here](#) to view the University's policy on Conflicts of Interest. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr> .

## **Conflict of Interest Policy for Sponsored Research Programs**

### **1. Introduction**

Research is a significant and essential part of the University of Dayton's mission as a nonprofit, private educational institution. The University intends to serve society by converting the results of its research into products, processes, and services that will be available in the marketplace. To secure the resources necessary to support research, the University encourages its employees to seek and participate in externally-sponsored research projects funded by government agencies, foundations, nonprofit organizations, and industry, as well as University-sponsored projects.

In some instances, the most effective means of reducing technology to practice requires active participation by a scientific investigator in a private enterprise as an advisor or consultant. Participation in these activities may pose real or apparent conflicts with the integrity and objectivity of research at the University, and with the investigator's professional commitment to the University. Consequently, the purpose of this Conflict of Interest Policy for all university employees engaged in sponsored research programs is to raise awareness of the duties and responsibilities involved in resolving these potential conflicts.

When a University employee engages in a federally-sponsored project, the employee's conduct is subject to the provisions of various federal statutes and regulations. When he or she consults for a business, non-profit agency, government agency, or other non-University contractor or prospective contractor in the same technical field as the externally sponsored project, care must be taken to avoid biasing the design, conduct, or reporting of the sponsored project. If performing consulting services, the employee must fully disclose such interests to the University and to the contractor insofar as they might appear to relate to the work at the University or for the contractor. A real or apparent conflict of interest could arise, for example, when a University employee participates, on behalf of a government agency or one of its contractors, in the evaluation of the work (or proposed work) of another organization, or a competitor, with which the employee has a consulting or employment relationship, or a significant financial interest.

This policy promotes objectivity in research and other sponsored activities by defining standards of conduct appropriate for each University employee participating in a sponsored project. The intent is to ensure that sponsored research activities are neither compromised nor appear to be compromised by any *other interest* of the responsible University employee.

## **2. Definitions**

### **2.1 Employee**

The term "Employee" refers to any individual who has accepted full- or part-time employment at the University of Dayton and receives compensation for such employment. This includes all faculty and staff positions (including researchers).

### **2.2 Investigator**

The term "investigator" refers to the principal investigator, co-investigator, or any other employee (e.g., technician, post-doctoral research employee, graduate student or undergraduate student) of the University who is responsible, in whole or in part, for the design, conduct, or reporting of externally-funded research or educational activities.

### **2.3 Conflict of Interest**

Conflict of interest means an action, omission, or situation which may appear to compromise the objectivity or integrity of an investigator's design, conduct, or reporting of a sponsored research project. A University employee is considered to have a conflict of interest when the employee or any member of the employee's family (1) has an existing or potential financial or other material interest that impairs or appears to impair the employee's independence

and objectivity in the discharge of responsibilities to the University, or (2) may receive a financial or other material benefit through inappropriate use of knowledge or information confidential to the University, its sponsors, customers or suppliers. (See Section 3.3 for examples.)

#### **2.4 Family**

Family is defined as parent, child, stepchild, grandparent, grandchild, brother, half-brother, stepbrother, sister, half-sister, stepsister, uncle, aunt, nephew, niece, first cousin, husband, wife, stepparent, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, or any other member of a household.

#### **2.5 Conflict of Commitment**

A conflict of commitment exists when an employee undertakes external commitments that burden or interfere with the employee's obligations to the University.

#### **2.6 Significant Financial Interest**

A significant financial interest is anything of monetary value, including but not limited to salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights) from organizations other than the University. The term does not include:

- Salary, royalties or other remuneration from the University;
- Income from service on advisory committees or review panels for public or nonprofit entities; or
- Financial interest in business enterprises or entities if the value of such interests does not exceed more than a five percent ownership interest for any one enterprise or entity when aggregated for the employee and/or the employee's family.

#### **2.7 Supervisor**

- For employees in an academic department, the department chair is considered the supervisor
- For an employee of the Research Institute, the appropriate department head, division head, or group leader is the supervisor.

#### **2.8 Appeal Officer**

- For employees in an academic department, the Appeal Officer is the Dean of the college or school.
- For an employee of the Research Institute, the Appeal Officer is the Director of the Research Institute.

#### **2.9 Gratuity**

Employees shall not offer or give entertainment, gifts or gratuities to representatives or employees of sponsors, other than customary business courtesies that are reasonable in frequency and value. Employees must be aware that customary business courtesies may differ depending on the sponsor. For example, federal sponsors are under very strict requirements regarding gifts and gratuities. Offering or giving any payment, gift, or other thing of value to such a person for the purpose of obtaining or acknowledging favorable treatment (a “kickback”) may be a crime.

### **2.10 Sponsored Research Program**

A sponsored research program is an individual contract or multiple contracts (Various), grants and other purchase orders with defined statements of work, and is identified by the first four digits of the account structure in the IFAS financial system. The first four digits of the program are unique to an individual sponsor, except in the case of a Various program.

## **3. Policy Statements**

### **3.1 Scope**

This policy applies to all University of Dayton employees who apply for, receive, or who are currently working on a grant, contract, cooperative agreement, subgrant, subcontract, or subcooperative agreement which is funded in whole or in part by any internal or external source (federal, state, or private).

### **3.2 General Statement**

The federal government has established technology transfer and economic competitiveness as national priorities and actively encourages the development of relationships between universities, government agencies, and industry to meet these objectives. However, such relationships increase the risk of conflicts between the private interests of individuals and those of the companies with which they are involved, or the public interests that government funding is required to serve.

Each employee is expected to maintain a professional loyalty to the University and to arrange outside obligations and financial interests such that they do not interfere with the basic principles of research integrity, academic freedom, business development ethics, and public interest. When performing research for government or private interest, or engaging in other activities in which a conflict may arise, the employee must protect the integrity of all research done at the University, future development of the University, and the good name of the University. Furthermore, employees must refrain from unauthorized use of the University's name or exploitation of their affiliation with the University for inappropriate purposes or private gain.

University employees charged with the supervision of research, as well as those directly engaged in research, have an obligation to act in an ethical manner. Supervisors of research activities must ensure that employees are not placed in situations that could constitute conflicts of interest or commitment.

### 3.3 Disclosure Requirement

To minimize the occurrence of conflict of interest and identify situations where such conflict might exist, the University requires annual disclosure statements from its employees. The University will disclose all known conflicts of interest to sponsors when it cannot satisfactorily manage an actual or potential conflict of interest.

When an employee engaging in externally sponsored work has a financial interest in a business or with a non-profit agency, it is important to avoid actual or apparent conflicts between obligations to the project sponsor, the University, and these outside interests. A *conflict of interest* occurs when an employee compromises, or appears to compromise, the conduct of a project due to an outside relationship that directly or indirectly affects the financial interests of the employee or the employee's family. Although financial interests are most often the source of conflicts of interest, any situation that would compromise the objectivity or integrity of the employee's performance of duties on a sponsored research project are considered conflicts of interest whether financially motivated or not.

Situations in which conflicts of interest may arise, or may be perceived to arise, include, but are not limited to:

1. Undertaking an externally funded project when the employee has a *significant financial interest* which may, or may be perceived to, bias the design, conduct, or reporting of the research activity;
2. Purchasing items or services using project funds from an organization in which the employee or members of their family have a *significant financial interest*;
3. Using for personal gain, or transmitting to a business or non-profit agency, externally sponsored work products or proprietary information that are not made generally available. This does not preclude appropriate licensing arrangements for inventions, or consulting in the area of an externally sponsored project where there is significant additional work by the staff member independent of the externally sponsored project;
4. Unauthorized use of privileged or confidential information acquired in connection with externally-sponsored activities;
5. Influencing or attempting to influence the negotiation of grants or contracts between the University and private organizations in which the employee or members of their family have a *significant financial interest*;
6. Accepting gratuities or special favors from private firms with which the University does business in connection with an externally-sponsored project, or offering gratuities or special favors to representatives of these external organizations;
7. Entering a consulting arrangement with any organization or individual having a financial interest in the results of an externally-funded project;
8. Proposing an externally-funded project to a sponsor for which the employee serves on the sponsor's board of directors or as an officer with fiscal responsibility.
9. Involvement in any off-campus entrepreneurial venture or business in which the employee is a principal;
10. Accepting employment or engaging in uncompensated activities outside the University that conflicts with University duties and responsibilities;

11. Having any significant financial interests in any firm or entity that supplies or is likely to supply (other than a donation) equipment, materials, or services for work being performed at the University;
12. Having any significant financial interests in, or research support from, any firm that markets, produces, or has in pre-market testing a commercial product or product line that the employee's work is intended either to evaluate or to further develop;
13. Having any significant financial interest with parties whose financial interest would be, or to a reasonable observer familiar with the facts, would seem to be directly and significantly affected by research or other work to be performed by the employee;
14. Having any other significant investment or interest by an employee or members of their family in an external business organization that parallels activities in which the University is currently engaged or prospectively engaged, whether or not the employee has undertaken to perform continuing work or services for them.
15. Having any business development activities whereby the employee is actively working on an initiative with the University, while working on the same initiative with an organization outside the University.
16. Discussing future employment with a person who can influence future funding or sponsorship decisions.

#### **4. Procedures**

##### **4.1 Disclosure Statement**

Employees who are investigators must disclose all significant financial interests [including those of their family of which they are aware] that would reasonably appear to be directly and significantly affected by the research or educational activities funded or proposed for funding.

Employees shall complete, and update (when required or necessary) the Conflict of Interest Disclosure Statement, stating the nature of the potential conflict, the organization(s) involved, including the financial interest of the employees or their families, sponsored research projects that might be affected, and other information that might assist supervisors in making a determination concerning a conflict of interest. A copy of the completed form shall be sent to each employee's supervisor for determination and resolution, and then forwarded to the Director of the Research Institute for additional review and concurrence.

Employees will be prompted to review and if necessary update the Disclosure Statement at the time of each proposal submission. Any potential conflict of interest not previously disclosed shall be brought to the attention of the employees' supervisor by modifying or completing a new Disclosure Statement.

If an employee fails to complete the Disclosure Form, fails to return it, or fails to disclose a *significant financial interest* or other potential conflict of interest, the Director shall notify the Contracts and Grants Office to (a) not submit the proposal, (b) withdraw the proposal if already submitted, (c) decline an award if a disclosure is not made or if a conflict of interest is not resolved, or (d) allow the project to proceed, pending resolution of the conflict.

## 4.2 Initial Determination and Resolution

The supervisor is responsible for the initial determination of whether a conflict of interest exists and noting this on a Supervisor Determination and Resolution form attached to the Disclosure Statement. To make this determination, the supervisor will review and sign all completed Disclosure Statements. Where potential conflicts of interest exist, the supervisor will also review any additional information provided by the employee to make an objective decision. If the supervisor determines that no conflict exists, no further action is required and the package is submitted to the Research Institute Director for concurrence. The supervisor will note the determination of a conflict of interest and one of two possible resolutions: (a) the employee may proceed under specific conditions, or (b) the employee's participation is not approved. A copy of the supervisor's determination will be provided to the employee.

Following resolution of any potential conflicts of interests at the division or department level, the Determination and Resolution form will be forwarded to the Director for review and concurrence. If the Director's review determines that a *significant financial interest*, or any other potential conflict of interest as defined above, may still exist, the Director shall seek additional information to determine whether a *significant financial interest*, or other *conflict of interest*, does indeed, exist. If it is determined that a *significant financial interest* or other potential *conflict of interest* exists, the supervisor and employee, shall determine an acceptable plan of action. This plan shall consist of the conditions or restrictions that shall be required by the University to manage, reduce, or eliminate the actual or apparent conflict of interest. Examples of the conditions or restrictions that might be imposed include:

- public disclosure of the *significant financial interest*;
- monitoring of the project by independent reviewers;
- modification of the project plan;
- disqualification of the employee from participation in all or a portion of the project or business development activity;
- withdrawal of the proposal or declination of an award;
- divestiture of the *significant financial interest*;
- severance of the relationship(s) that creates actual or potential conflicts, or;
- notify the sponsor that a *significant financial interest* exists.

The Director shall notify the employee and the employee's supervisor of the final determination.

The supervisor shall maintain completed Disclosure Forms, Determination and Resolution forms and any supporting documentation related to a potential conflict of interest investigation for at least three years. Employees shall update the Conflict of Interest Statement at least annually. If an employee acquires a new reportable *significant financial interest* or potential conflict of interest, the employee shall submit a revised or new Conflict of Interest Statement to their supervisor, who will submit it to the Director within five (5) working days after acquisition.

## 4.3 Appeal

If the employee is not satisfied with the resolution of a conflict of interest situation, an appeal can be made to the next level of supervision. The findings of the immediate supervisor



will be reviewed and a determination will be made as to whether all pertinent factors were considered. The employee will be allowed to present any facts that might not have been considered or that may have been improperly interpreted in the initial review. The appeal officer will make a determination based on the original review and any new information submitted since the time of the original review. If the employee is still not satisfied, an appeal can be made to the Vice President for Research. While the decision of the Vice President for Research is considered to be final, the employee may elect to utilize the established University grievance procedure.

#### **4.4 Noncompliance**

Any employee who knows of, or could reasonably have been expected to know of, and deliberately fails to respond appropriately to a potential conflict of interest shall be subject to disciplinary action ranging from a written reprimand to discharge. The Vice President for Research, after conferring with the employee's supervisor and other appropriate individuals, shall determine the disciplinary action warranted. The nature and severity of the disciplinary action shall be consistent with the University's established disciplinary procedures.

The Vice President for Research is responsible for ensuring adherence to these rules and principles in this policy. Failure to adhere will result in sanctions that may include:

- special monitoring of future work,
- letter of reprimand,
- removal from the project or activity,
- salary or rank reduction, and
- termination of employment.

#### **4.5 Maintenance of Records**

The Vice President for Research will keep federal agencies appropriately informed if the University finds it is unable to satisfactorily manage an actual or potential conflict of interest case. Furthermore, the University will maintain records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest until at least three years after the latter of either the termination or completion of the award to which they relate, or the resolution of any government action involving those records, whichever is longer.

## **Intellectual Property Policy**

Research is recognized by the University of Dayton as an essential activity to develop new knowledge, encourage the spirit of inquiry, and promote scholarship in all areas of learning. As a result of such research, faculty members, professional and technical staff members, students, and visitors to the University may develop technology with commercial value. This technology could contribute significantly to economic, social, and cultural progress.

The material set forth in the University of Dayton Intellectual Property Policy and Procedures document covers the ownership, management, and commercial development of technology developed by UD faculty, staff, students as well as others participating in UD programs. The term “technology” is broadly defined in this document to include technical

innovations, inventions and discoveries, and writings and other information in various forms including computer software.

The principal rights governing the ownership and disposition of technology, known as “intellectual property” rights, are derived primarily from legislation granting patent, copyright, trademark, and integrated circuit mask work protection. In general, the University of Dayton owns intellectual property created by faculty, staff, students, and others who participate in University programs and use significant UD funds or facilities. When the University commercializes an invention or another form of intellectual property, the net income is shared with the inventor/author.

For additional information or if you have further questions, a complete copy of the University’s Intellectual Property Policy and Procedures document can be obtained by contacting the office of technology partnerships at the Research Institute, located at 1700 S. Patterson Boulevard, Room M5200 or by visiting their Web site (<http://www.udri.udayton.edu>).

## **Misconduct in Research and Scholarship**

It is the policy of the University of Dayton that high legal and ethical standards be maintained in the areas of research and scholarship. Misconduct in research is considered a major breach of the contract between the scholar or researcher and the University. This policy has been designed to maintain high standards that provide (a) mechanisms for dealing with instances of alleged misconduct; (b) a defined chain of responsibility for conducting research; (c) assurance that individuals charged with supervision of other researchers and scholars can realistically execute their responsibilities, particularly when research teams are large; (d) assurance that named authors of papers and abstracts play a genuine role in the research and accept responsibility for the quality of their contributions; (e) assurance that research data are recorded and retained in a clear and appropriate manner; and (f) guidance and direction for scholars and researchers concerning public announcement and publication or research findings.

For questions concerning this policy or to obtain the complete text of this policy, contact the Office of the Provost, St. Mary’s Hall Room 212, or the Office of the Director of the Research Institute, 1700 S. Patterson Boulevard Room S5050.

## **Staff Outside Employment and Additional University Services**

The University of Dayton recognizes that there are opportunities for professional and academic enrichment from the experience and contacts acquired by activities both on and off campus. Many factors, however, should be examined when considering opportunities for outside consulting, outside employment, or additional services inside the University but outside of the employee’s primary work assignment. All such opportunities need to be evaluated as to their appropriateness based on the best interests of the University and its mission, the professional advancement of the individual, and the public service that might be rendered.

To view the Staff Outside Employment and Additional University Services Policy, please click [here](#). For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## Policy on Ethical, Legal, and Secure Use of Electronic Resources

### *Introduction*

The University of Dayton (UD) values technology as a means of communicating information and ideas to the UD community and the world. In keeping with UD's commitment to utilizing technology in teaching and learning, this policy provides direction in the appropriate use of electronic resources on campus, by promoting the ethical, legal, and secure use of computing and electronic communications. All users of UD electronic resources are expected to utilize such resources in a responsible, ethical and legal manner consistent with UD mission and policies.

### *Scope*

For the purposes of this policy, electronic resources include, but are not limited to, all computer-related equipment, computer systems, software/ network applications, interconnecting networks, facsimile machines, voicemail and other telecommunications facilities, as well as all information contained therein (collectively, "electronic resources") owned or managed by UD.

#### Persons Covered by this Policy

This policy applies to all users of electronic resources owned or managed by UD.

#### General Principles

UD cherishes freedom of expression, the diversity of values and perspectives inherent in an academic institution, the right to acknowledgment, and the value of privacy for all members of the UD community. While the use of UD electronic resources may be a requirement for coursework and work, access and use may be restricted or revoked in cases of misuse or repeated abuse. UD reserves the right to limit access to its electronic resources when applicable UD policies, state and/or federal laws or contractual obligations are violated. Although UD does not typically block access to online content, it reserves the right to do so in cases where online content or activity diminishes the capacity of our network, or where there is a threat to UD or its core academic mission.

UD provides reasonable security against intrusion and damage to files stored on the central computing facilities, but does not guarantee that its computer systems are secure. Other users will not hold UD accountable for unauthorized access, nor can UD guarantee protection against media failure, fire, floods, or other natural or man-made disasters.

UD does not, as a rule, monitor the content of materials transported over UD's network or information posted on UD-owned computers and networks, but reserves the right to do so. At the same time, UD may find it necessary to access and disclose information from computer and network user accounts to the extent required by law to uphold contractual obligations or other applicable UD policies or to diagnose and correct technical problems. UD may find it necessary to scan any computer connected to UD networks for purposes of address management, network performance, or investigations of policy violations.

#### Guidelines on Fair, Responsible and Acceptable Use

- a) Use of UD's electronic resources to damage, impair, disrupt or in any way cause purposeful or reckless damage to UD networks or computers or external networks or computers is prohibited.

- b) Use of UD's electronic resources to gain unauthorized access, to reproduce or use the resources of others is prohibited.
- c) Use of UD's electronic resources to interfere with or cause impairment to the activities of other individuals is prohibited.
- d) Use of UD's electronic resources to harass or make threats to specific individuals, or a class of individuals, is prohibited.
- e) Use of UD's electronic resources in pursuit of unauthorized commercial activities is prohibited.
- f) Use of UD's electronic resources to violate city, state, federal or international laws, rules, regulations, rulings or orders, or to otherwise violate any UD rules or policies is prohibited.

### Reporting and Response to Violations

Members of the UD community who believe they have witnessed or been a victim of a violation of UD's Policy on Ethical, Legal, and Secure Use of Electronic Resources should notify or file a complaint with the appropriate UD office as follows: students should report suspected violations to the Dean of Students; faculty members should report suspected violations to their Dean or the Dean's designated contact. Staff should report violations to their supervisor.

If the unit authority determines that a violation likely has occurred, this violation should be reported to the office of the provost (if the violation involves students or faculty) or the Office of Human Resources (if the violation involves staff). Designated persons in the provost and human resources offices are responsible for recording, tracking and reporting violations to the appropriate UD officials.

### Related Policies and Guidelines

Because electronic communications encompass many different forms of communication across many different media, there are several additional UD policies of which members of the campus community should be aware exist. Refer to the appropriate sections of the Student Handbook, Staff Handbook, Faculty Handbook, and the UD Bulletin.

## **Responsibilities Associated with Access to Electronic Records and the Administrative Information System**

The records contained within the Administrative Information System are made available to those employees who demonstrate a need for information consistent with their responsibilities and official functions for the University and consistent with normal professional and legal practices.

Each employee is assigned a unique username and password to access the Administrative Information System and is responsible for the safeguard and security of such. Usernames and passwords may not be shared. Sharing of a username or password with anyone violates the guidelines established for access rights to the Administrative Information Computing System.

Each employee will be held accountable for the use of prospect, applicant, student, alumni, employee or financial data. Any employee found to have misused of the information contained on the Administrative Computing System will be subject to disciplinary action, including termination.

## **University and Personal Property**

While respecting employees' privacy concerning their personal property and effects, the University reserves the right to access and take appropriate action with respect to all University owned or controlled property, facilities, and furnishings (including desks, lockers, file drawers), equipment, records (including mail, computer programs and files) and supplies for administrative, safety and regulatory purposes. These may include, but are not limited to facility inspection and repair, general cleaning and maintenance, safety and law enforcement, disciplinary and/or emergency purposes.

Reasonable care should be given to maintain University property and equipment in a safe working condition. Personal property brought to the University or used for University purposes is the responsibility of the employee. The University does not insure an employee's personal property against loss or damage resulting from any cause, including fire, theft, water, etc. It is each employee's responsibility to obtain insurance for his/her personal property.

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## **WORKPLACE ENVIRONMENT**

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# 8

**SECTION 8**

# **AIDS - Position Statement and Guidelines**

## **Introduction**

The University desires to protect the health and safety of the University community by adopting and observing the following position and guidelines on AIDS in accordance with medical knowledge as it develops.

The University is committed to educating members of the campus community about AIDS, both to help limit the spread of the disease and to protect persons with AIDS from discriminatory actions and breaches of privacy.

The University also seeks to provide competent health and counseling services to students affected by communicable diseases, and to treat them with respect, compassion, and due regard for their privacy. Cases of AIDS or related conditions, and inquiries, complaints, or grievances related to AIDS, will be dealt with by appropriate members of the University staff on an individual basis in accordance with these guidelines and with the best current medical information and legal opinion. These guidelines are subject to revision at any time in the light of new information or opinion.

## **Current Medical Information**

The University recognizes that there is no risk of infection through casual contact. However, there are activities at the University that could expose a person to blood or other risks of infection (i.e. intercollegiate athletics). This is based on the following statements as the current state of understanding concerning AIDS:

### **The U.S. Surgeon General's AIDS Report**

"Everyday living does not present any risk of infection. You cannot get AIDS from casual social contact. Casual social contact should not be confused with casual sexual contact, which is a major cause of the spread of the AIDS virus. Casual social contact such as shaking hands, hugging, social kissing, crying, coughing or sneezing, will not transmit the AIDS virus. Nor has AIDS been contracted from swimming in pools or bathing in hot tubs or from eating in restaurants (even if a restaurant worker has AIDS or carries the AIDS virus). AIDS is not contracted from sharing bed linens, towels, cups, straws, dishes, or any other eating utensils. You cannot get AIDS from toilets, doorknobs, telephones, office machinery or household furniture."

### **NCAA Guideline 2H - Blood borne Pathogens and Intercollegiate Athletics**

".... there is evidence that suggests that HIV has been transmitted in household contact settings without sexual contact or IV needles showing among those household contacts. These rare instances probably occurred through unrecognized wound or mucous membrane exposure."

## **Prevention and Control of AIDS; An Interim Report of the Board of Trustees of the American Medical Association**

"As with prevention and control of all contagious disease, prevention and control of AIDS involves two, sometimes competing, concerns. First, the person who is afflicted with the disease needs compassion and treatment, and both those who have had the disease and those who have been infected with the virus should not be subjected to irrational discrimination based on fear, prejudice or stereotype. Second, and of critical importance, the uninfected must be protected; those individuals who are not infected with the AIDS virus must have every opportunity to avoid transmission of the disease to them."

### **Position and Guidelines**

Any reference to AIDS applies to persons who have AIDS (acquired immune deficiency syndrome) or ARC (AIDS - related complex), and to currently healthy persons with positive tests for an antibody to HIV, the virus that causes AIDS.

### **Non-Discrimination**

No person will be denied admission to or enrollment in the university, excluded from or limited in the use of residential, dining or recreational facilities or denied participation in instructional, cultural, religious, athletic, social or other activities, solely because of a diagnosis or suspicion of AIDS.

No person will be denied employment, dismissed from employment, or restricted as to work assignment or opportunities for job change or promotion, solely because of a diagnosis of AIDS, ARC, or a positive antibody test for HIV.

### **Confidentiality**

A person's health condition is confidential. Every reasonable effort should be made to protect the privacy and confidentiality of persons with AIDS. When requesting information or advice from a source on or off campus regarding a person with AIDS, members of the University community are cautioned against revealing the person's name or giving other identifying information. Members of the University community should not disclose the identity of a person with AIDS except under the following circumstances:

1. Where the law requires disclosure, such as when a physician who has diagnosed a case of AIDS has to report the patient by name to public health authorities.
2. A member of the University community may, unless prohibited by legal privilege, reveal to the vice president in charge of that member's area the identity of an employee under his/her jurisdiction of supervision who has AIDS. The vice president may in turn inform the president of the University.

No member of the University community, except duly designated information officers, should make any statement to representatives of the media about a case or alleged case of AIDS.



When, according to current medical knowledge and legal opinion, the behavior of a person with AIDS poses a danger to that individual or to others, the vice president may reveal such diagnosis and status to other University officials, law enforcement officials, the individual's family, and others, as appropriate. Factors to be considered include the nature of the risk (how AIDS is transmitted), the duration of the risk (how long that person has been infectious), the severity of the risk (what the potential harm is to third parties), and the probabilities that the disease will be transmitted and will cause varying degrees of harm. Such revelation will be made only after consultation with legal and medical authorities. Initial consultation will be with the University's director for legal affairs and University counsel and the medical director of the Gosiger Health Center.

### **University Action**

Unless the vice president determines that this review indicates a danger of exposure to health and safety risks of the person with AIDS, or others, no person will be denied admission to or enrollment to the University, suspended, dismissed, excluded from or limited to the use of University facilities, or denied participation in University activities.

Without such prior determination, likewise no person will be denied employment, dismissed or restricted as to work assignment or opportunities for job change or promotion.

After the vice president's review of any individual case, an evaluation shall be made whether the University can reasonably accommodate the person with AIDS.

If the vice president determines that this review indicates a danger of exposure to health and safety risks of the person with AIDS, or others, the University may take appropriate action, which may include:

1. Interruption of class attendance.
2. Change in living arrangements.
3. Change in academic, athletic or social activities.
4. Change of employment assignment.
5. Medical leave of absence.

### **Counseling and Education**

While not required to do so, any persons with AIDS are urged to make their condition known so they can receive proper services from appropriate University departments, with the full confidence of the University's support as set forth in this statement.

Counseling of a person with AIDS should include advice to avoid activities that may lead to spread of the disease to others, including sexual contact, blood donation, and sharing of needles, razors, and other articles that may become contaminated with blood. The infected person should also be advised to make the condition known to doctors, dentists, and others who may be at special risk of acquiring the AIDS virus.

The University urges all members of its staff to become informed about AIDS. Professional staff members in human resources, health education, health care, and counseling are expected to have sufficient knowledge to provide clear and accurate answers to basic questions about the nature, transmission, and health consequences of AIDS. From time to time the University will plan and sponsor educational programs directed to all segments of the campus community to impact current information and guidance about AIDS.

## **Alcohol - Serving Of**

Attendance at a gathering at which alcohol is served is to be voluntary. Likewise, nonalcoholic beverages and significant amounts of food should always be available. No one should feel pressured to consume alcoholic beverages.

The unit hosting the event should be responsible for seeing that only moderate amounts of alcohol are consumed. This can be done by controlling the amount of alcohol available and the length of time during which it is available for consumption. It is advised that alcoholic beverages be served by the glass rather than simply making it available by the bottle.

It is strongly urged that alcohol not be served at a function to which students are invited as guests. The University has a very serious responsibility to its students, many of whom are minors. Serving an alcoholic beverage to a student who is a minor can expose the server personally and the University corporately to very substantial liability.

Plans for an event at which alcohol is served should be reviewed and approved in advance by the appropriate dean or vice president. This approval should include authorization of any University funds to be expended.

## **Distribution or Sale of Materials and Solicitation of or by Employees**

The purpose of this policy is to establish the University of Dayton's intent to have a work environment that is free from solicitation and distribution efforts that do not relate to University business or interest. To view the University's policy on Distribution and Solicitation, please click [here](#). For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

## **Drug-Free Workplace Policy**

The University of Dayton has, in order to appropriately serve the needs of both employees and students, implemented a drug free workplace and academic environment consistent with federal and state law, including the terms and conditions whereby staff may be disciplined for violation of these policies and tested for suspected use of an illegal drug or alcohol. Please click [here](#) to view the University's Drug-Free Workplace Policy. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

# Environmental Safety, Hazardous Materials Management and Risk Management

The University of Dayton strives to provide facilities, equipment and training that will minimize risk to its employees, the general public, the environment and campus property. To do this, the environmental safety office (ESO) has programs to address the issues of safety, industrial hygiene, security, emergency preparedness, and environmental protection. Therefore, understanding of and adhering to the following safety guidelines will help all employees do their part to ensure a safe work environment.

The environmental safety office (ESO) is available to assist all employees in carrying out their safety responsibilities. The office is located in the College Park Center (1529 Brown Street), ext. 4503. Office hours are 8:30 a.m. 4:30 p.m. Monday through Friday. Emergency notification can be made through public safety at ext. 2121. ESO's Web site lists many safety and health programs and guidelines at <http://campus.udayton.edu/~UDCampusPlanning/EnvironmentalHealth/SafetyHome.html>.

While only present in small quantities, a wide range of hazardous materials may be found at the University including carcinogenic, radioactive, flammable, corrosive, and explosive substances. Improper handling, use, and disposal of these hazardous materials may result in adverse health effects or contamination to the environment.

## *General Safety Rules*

The following general safety rules should be observed by all University employees. Failure to do so may result in disciplinary action as described in this handbook.

- A. All work-related injuries/illnesses must be reported **immediately** to your supervisor and be properly treated.
- B. Good housekeeping is essential to a safe work environment. It is the responsibility of each employee to maintain their work area to reduce the potential for fires, injuries, illnesses, and other unwanted incidents. Clean your work area at the end of each work day. If it is not possible to complete a project before the conclusion of the work day, and the work site that must be left presents a potential hazard, barricade the area and place proper warning signs of the hazard.
- C. Access to the following must not be blocked:
  - 1. Fire alarms
  - 2. Fire equipment
  - 3. Fire doors
  - 4. Exits, stairways, corridors
  - 5. Safety showers
  - 6. Eye wash stations
  - 7. Walkways and roadways
  - 8. Electrical panels

- D. Clothing, shoes, gloves, etc., should be appropriate for the job, so as not to present a hazard to the employee.
- E. Only qualified personnel are to operate or repair machinery and equipment. Appropriate safety equipment (such as eye protection and hearing protection) is to be worn when and wherever it is indicated either by a warning placard or by the nature of the job as instructed by your supervisor.
- G. All guard and safety devices must be in place and operable before any equipment is operated.
- H. Materials such as certain pipe insulation, floor tile and other building materials which contain asbestos should not be disturbed or damaged.
- I. Chemical Spills
  1. Small chemical spills with minimal exposure hazards to occupants may be cleaned up by laboratory personnel - CAUTION: Always evaluate the risk of the material.
  2. Large quantity spills or small quantity highly toxic chemical spills that require special equipment and/or specialized training should be cleaned up by the ESO. Notification should be made to public safety for additional safety and security measures.
  3. Chemical spills may require notification of the incident to State or Federal agencies. An "Incident and Hazard Report Form" must be completed and forwarded to the ESO. Forms may be obtained from the ESO.

If you have any doubt about how a spill should be cared for contact the environmental safety office, (ext. 4503).

- J. Waste Disposal
  1. Chemicals are to be disposed of according to specific procedures found on the Chemicals Material Data Safety Sheet.
  2. Solvents, flammable liquids, toxic materials are not to be poured or flushed down sewers or drains.
  3. Strict EPA regulations prohibit dumping anything into an outdoor storm drain.
  4. Glass is not to be placed in wastebaskets. Broken glass that is contaminated with chemicals cannot be recycled. Put this waste in an appropriately labeled container. Glassware contaminated with a hazardous material (a broken mercury thermometer, for example) must be treated as a hazardous waste.
  5. A "Hazardous Waste Disposal Form" must be submitted to the ESO for approval, prior to pick up by the ESO. These forms may be obtained in the ESO.
- K. When handling chemicals or equipment containing chemicals, safe handling or removal must be considered before use. All persons who handle chemicals must have Hazard Communication Training. In addition, laboratory workers must be trained in the Laboratory Chemical Hygiene Plan. All training is conducted by the ESO. Arrangements for training may be made by contacting the ESO.
- L. Eating and/or drinking is permitted in lunchrooms, food service areas, break rooms and other areas that are free from, and physically isolated from, chemical exposure. No food

or drink may be stored in refrigerators designed for storage of chemicals or laboratory materials.

- M. All containers are required to be labeled. Labels on all containers of potentially hazardous materials should include warning information about these hazards. The environmental safety office can answer any specific questions about property labeling requirements.

### ***Federal, State, and Local Regulations***

The following is a list of federal, state, and local regulations that are adhered to by the University and its employees. Copies of these regulations and/or written safety policies that comply with these regulations may be obtained through ESO.

#### Occupational Safety and Health Administration - OSHA (Federal)

1. Hazard Communication Standard
2. Laboratory Safety Standard
3. General Duty Clause
4. Machine Use and Guarding
5. Electrical Safety - Lock-out/Tag out
6. Welding/Hot Work
7. Compressed Gas
8. Fork Lift Safety
9. Blood borne Pathogens Standard
10. Asbestos Control Program
11. Laser Safety Standard

#### Ohio Department of Health & Nuclear Regulatory Commission

1. Radiation Safety Program

#### Environmental Protection Agency - EPA - (Federal, State)

1. Hazardous Waste Program
2. Storm Water Discharge
3. Asbestos Control Program
4. Clean Air Act
5. RCRA - Resources Conservation Recovery Act

#### Local Regulatory Agencies

1. Dayton Fire Department
2. Dayton Water Authority
3. Miami Valley Regional Conservancy
4. Dayton Wastewater Treatment Department
5. Regional Air Pollution Control Agency - RAPCA

## ***Employee Information and Training***

Federal law guarantees employees the right-to-know what hazardous materials are found in their workplace. The University complies with this law through its environmental safety office (ESO). This office keeps a record of all known hazardous materials on campus and their location. You may come to the ESO to inquire about any hazardous substance on campus and to familiarize yourself with it by reading the Material Safety Data Sheet, or MSDS. The MSDS contains information about the physical characteristics, hazard and health effects of the material, waste disposal guidelines, and personal protective equipment needed to work safely with the material. These MSDS's are routinely available for consultation, Monday through Friday, 8:30 a.m. to 4:30 p.m. Emergency requests for a MSDS during other times can be made through the public safety office (ext. 2121/911) who will contact the environmental safety administrator.

In addition to this general information, the University, through the environmental safety office, will offer specific safety training programs. For certain positions, federal law and/or University policy may require that an employee receive appropriate safety training. Attendance at such training sessions is a serious obligation. Failure to receive mandatory training may require the University to prohibit an employee from reporting to the workplace. In addition to specialized training, sessions of general interest will be advertised to the whole University community. You are encouraged to contact the environmental safety administrator for further information on training available or to request assistance with designing safety training for your workplace. A listing of available training can be found on the ESO webpage: <http://campus.udayton.edu/~UDCampusPlanning/EnvironmentalHealth/SafetyHome.html>.

## **Procedures to Be Observed**

### ***Ambulance Service***

This UD-provided service is operated by Emergency Medical Technicians and is provided 24 hours a day in the event of illness or injury (ext. 2121).

### ***Campus Safety***

The mission of the department of public safety is to provide a safe and secure environment for students, faculty, staff and all visitors and guests on campus. The following numbers may be called for assistance:

|                           |             |
|---------------------------|-------------|
| Emergencies               | 911 or 2121 |
| Calls for service         | 2121        |
| Director of Public Safety | 2131        |
| Parking                   | 2128        |
| Investigator              | 2107        |

Staff members should be familiar with the following services and suggestions for personal safety:

## ***Emergency Blue Light Phone***

The campus is dotted with outdoor emergency phones. Each phone is marked by a blue light on top. These phones have direct contact with public safety. You need only to open the box and press the RED button and public safety personnel will answer. Currently, emergency blue light phones are located in the following locations:

- At the entrance to lot "B".
- Near the west doors of the Photo Lab at the Mechanical Engineering Building.
- The east side of Kettering Engineering Building lot "C".
- In lot "A" near the corner of Alberta and Stewart Streets.
- At 301 Lowes Street in front of the McGinnis Center.
- 101 Woodland Street

## ***Emergencies***

### Automobile Accident

If an accident occurs on campus, a report is to be made as soon as possible to the public safety department (ext. 2121/911).

### Facilities Problems

If problems arise in regard to heat, power or light or other aspects of the maintenance of a building or the campus contact facilities management (ext. 3753) in order to report the nature of the problem so that appropriate repairs can be made.

### Fire Emergency

If you discover a fire:

1. If fire, smoke, or any evidence of fire is present, immediately activate the building alarm system by using the fire/emergency pull station provided.
2. Assist any person in immediate danger to safety, if it can be accomplished without risking injury to yourself.
3. Exit the building in a calm manner, using the stairs if necessary. Remember the elevator cannot be used in a fire emergency.
4. Stay a safe distance from the building to allow emergency personnel access to the building.
5. Remain outside the building, even if the alarm is silenced, until public safety gives the "all clear". No other persons can allow access to the building.

### Labor Disputes

In the event of a labor dispute which may include the setting up of picket lines, staff members are required to continue to come to work and perform their normal activities. The senior vice president for administration shall be responsible for determining whether the situation is of such a nature that the closing of normal operations is required.

## Weather Emergency

If the emergency siren on top of Kettering Laboratories is activated during the work day you should:

1. Take cover inside the building away from windows and things that may fall on you. A hallway is preferred.
2. Stay in your position until an "all clear" is given by public safety or by local emergency broadcast on radio.
3. It is important that you stay inside the building for your protection.

NOTE: Sirens are tested at 12:00 noon on the first Monday of each month.

In the event of a dual emergency, such as the Emergency siren and a fire alarm are activated at the same time, the fire alarm takes priority and exiting the building as quickly as possible to another building is advised.

## Weather-Related Campus Closing

The Provost, in consultation with the Assistant Vice President for Facilities Management, determines the necessity of weather-related campus closings. It is the University's intent to make the decision on closing by 5:30 a.m. so that the appropriate media contacts can be made by 6:00 a.m.

### Class Cancellation:

When classes are cancelled, all administrative, clerical, technical and union employees are expected to report to work as usual. Employees who do not report to work in a weather emergency when the University remains open are permitted to utilize accrued vacation for the hours they were to have worked.

### University Closing:

When the University delays opening (for example, closed until 10 a.m.), essential personnel are to report as usual. All other personnel are encouraged to remain home until campus is open.

When the University is closed, classes are cancelled and offices are closed either for a half or full day except those identified by the respective vice-president as essential to keep open. Employees are not expected to report for work except for essential personnel.\*

If a decision is made in midday to close immediately, the message will be relayed from the Office of Human Resources or the office of the provost to division heads, department chairs, and the director of UDRI for further dissemination. Employees are to be allowed to leave under these circumstances and, in fact, are encouraged to do so for their own safety. Such midday closings are rare, but circumstances may necessitate such action.



Any closing announcement will also include the Children's Center and the on-campus employees of the Research Institute. The Research Institute employees at WPAFB are governed by Base policies. Off-campus UD sites will be closed through a decision by the responsible dean's office that govern academic programming at each site.

### **Compensation Policy in the Event of a Campus Closing**

#### **Non-Exempt (Non-Union)\*\* Employees:**

1. Non-essential employees who do not come to work will be paid for those hours they normally would have worked during the campus closure.
2. Essential employees who work during the closure will receive one and one-half times their regularly hourly rate of pay for each hour worked.
3. Non-essential employees who report to work during a closure will be paid straight time for hours worked during the closing.

#### **Exempt Employees:**

Exempt employees who are designated as essential or non-essential will receive their normal pay when the campus is closed for an emergency. However, those non-essential exempt employees who do not come to work are asked to work from home.

#### **Notes**

1. Essential employees, exempt or non-exempt, are expected to make every effort to come to work on days when the University is closed due to an emergency.
2. Each vice president will be responsible for keeping an updated list of essential personnel for her/his division on file with the Office of Human Resources and for ensuring that each of those individuals are notified of their status as an essential employee.
3. Employees who are on unpaid leave during a weather emergency will not have that leave time reinstated or receive pay.
4. Employees with pre-approved vacation or paid medical leave will not receive additional compensation or vacation/sick leave credit.
5. Employees must have been regularly scheduled to work on the closed day in order to receive pay of any kind during a weather-related campus closing.
6. Employees who are unable to come to work because they reside in a county for which a level 3 snow emergency has been declared may charge vacation or be docked for the work day.

*\*Essential personnel are those employees who are either included in a previously designated list or who are specifically required by their supervisors to work on the day(s) in question.*

*\*\*Union employees wages are determined by a negotiated contract and therefore not subject to this policy.*

## ***Escort Service***

The regular staff of the department of public safety is augmented by a cadre of student police cadets who provide escort service in fully marked department vehicles after dark from any point on campus or within the residential student neighborhood to any other point within these areas. To request an escort, call ext. 2124 or 2125.

## ***Illness/Injury during Work Hours***

In the case of injuries of non-emergency type such as minor burns, lacerations, punctures, abrasions, etc., the Health Center will provide the necessary care and initial treatment. The University Health Center in Gosiger Hall does not provide either primary care to campus employees or care for campus employees who suffer a sudden illness, accident or occupationally incurred injury of a very serious, life-threatening nature requiring immediate attention and treatment. If unable to judge whether it is a very serious, life-threatening emergency or a non-emergency, treatment should be sought at the MedWork Occupational Health Care (449-0800) located at 1435 Cincinnati Street Suite 100. Seriously injured or ill employees should call 911 for transportation to the nearest emergency facility.

Employees must notify their supervisor whenever a work-related injury or occupational illness occurs. The employee must complete the required "Report of Injury", "Medical Release", and "BWC-FROI" forms and submit them to his/her supervisor within 24 hours of injury. Forms are available on-line at <http://campus.udayton.edu/~hr/hrwebsite/Benefits/Workers%20Compensation%20%20Forms.pdf> or from the Office of Human Resources. The supervisor will submit the "Report of Injury", "Medical Release", and "BWC-FROI" (when applicable) to the Office of Human Resources, St. Mary's Hall Room 118, +4 zip 1614 within 48 hours of injury. All bills should be submitted to the Office of Human Resources, St. Mary's Hall Room 118, +4 zip 1614, and not to the University's Anthem insurance plan.

For employees located at Wright-Patterson Air Force Base, care for very serious, life-threatening emergencies may be sought at the Wright-Patterson AFB Hospital by dialing 911 for an ambulance. Treatment for non-emergency type injuries should be cared for at the nearest Industrial Medical Center.

## ***Investigative Services***

Dispatchers are available 24 hours a day to handle complaints, reports of incidents and calls for service from the University community. Investigations are conducted into all allegations of misconduct, theft, and damage to person or University property (ext. 2107).

## ***Maintenance and Repair of Office Equipment***

Should you need maintenance or repair of office equipment, contact the office of purchases (ext. 2641) or the Research Institute purchasing office (ext. 3822).

## ***Reporting Theft, Damage, or Accident/Injury***

1. Call public safety (ext. 2121) IMMEDIATELY.

2. Notify the environmental safety office of a possible insurance claim. This can be done by phone (ext. 4503) and followed with an Incident and Hazard Report Form supplied by the environmental safety office College Park Center Room 112.
3. In cases of theft or damage of UD property, public safety will need detailed information on the items stolen or damaged, the serial and UD barcode numbers, and the replacement cost of each item. Contact property management (ext. 3822) if this information is not available from your office records. If this information is not given when public safety fills out the Offense Report, a Theft/Damage Listing Form will be provided. This form **MUST** be completed and returned to public safety within three (3) working days of the initial Offense Report.  
**Note:** The University does not have insurance coverage for personal property belonging to faculty and staff, students, or visitors.
4. Replacement of property, if any, is subject to delay or denial until all procedures have been properly executed. Reimbursements on insurance, if any, will not be possible unless all offices are properly and timely notified.
5. In cases of injuries that result in medical expenses which are not work related, submit copies of all medical bills to the environmental safety office, College Park Center Room 112, as soon as possible.

### ***Use of Offices Before or After Working Hours***

While working in offices before or after normal working hours employees are encouraged to exercise the following precautions:

- If you are working alone on campus late at night call public safety (ext.2121).
- Be alert. Report any suspicious activity.
- Lock outer office doors.
- Use escort service if needed.
- Park in a well-lighted area.

### **Parking**

All vehicles parked on University property must display either a valid permanent or temporary University parking permit. For further information, please visit the Parking Services website at <http://community.udayton.edu/finadmin/publicsafety/parking/>.

### **Public Service**

The University is pleased when members of its community are able to make a significant contribution to the wider public community. In offering this encouragement for public service, the University understands that the service is to be rendered in such a way that it is compatible with the responsibilities of the person's employment at the University.

Public service can entail a significant commitment of time and effort. Even in those cases where the time required is less extensive, the requirements of office may be such that a person is taken away from campus at a time when his/her employment with the University demands

his/her presence. Likewise, it is possible that one's responsibilities at the University would relate to matters over which the employee would have influence as an office holder, creating the potential for a significant conflict of interest.

Because of the potential for conflict between the expectations of one's employment at the University and the seeking or holding of a public office or performance of other forms of extended community service, an employee in this situation is asked to observe the following:

1. Notify his/her supervisor of the requirements of the position and discuss their compatibility with the requirements of his/her employment. This request should be made in writing, giving particular note to any special work arrangements the person is requesting.
2. If the responsibilities are judged to be compatible, the supervisor will report this fact and any special arrangements or accommodations to be made to the appropriate vice president for final approval.
3. If the responsibilities are judged to be incompatible, this is also reported to the appropriate vice president for review. If he/she concurs, the employee is advised of any possibilities for requesting a leave from his/her service at the University. In this case, as in others, extended absence or inability to be present during regularly scheduled work hours can result in disciplinary action.
4. Whatever arrangements are made are summarized by the supervisor of the employee and a copy is placed in the employee's permanent personnel file.

## **Tobacco Policy**

The University of Dayton acknowledges its responsibility to maintain a safe and healthful campus environment as well as comply with Ohio law which was enacted in December 2006. The University's policy prohibits the use of all tobacco products, including smokeless tobacco, in and near enclosed workplaces.

### Policy Guidelines

The University of Dayton provides a tobacco-free work environment and, as such, smoking and the use of tobacco is prohibited in all interior areas of University owned property, including University owned vehicles. The University must also ensure that smokers and tobacco users do not stand under outdoor areas that are covered, and that they maintain a minimum space of 15 feet from doorways, windows, or ventilation systems. This policy applies at all times, not only during usual work hours.

Employees who serve in the function of receiving guests should, when necessary, remind visitors or other non-employees of this policy.

### Sale of Tobacco

The sale and free distribution of tobacco and tobacco related products are prohibited at University operated facilities on University property.

### Smoking Cessation Programs

For the benefit of those smokers and tobacco users who desire to quit, the University will offer from time to time on-campus smoking cessation programs.

### Enforcement

Violations of this policy by University employees will be considered serious and will result in disciplinary action.

## **Violence in the Workplace Policy**

It is the intent of the University to provide a safe and secure environment for University employees, students, and visitors by establishing preventative measures and providing assistance and support to victims. Please click [here](#) to view the University's policy on Violence in the Workplace. For information on additional HR policies, please refer to the online University wide policy site at: <http://www.udayton.edu/policies/hr>.

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# INDEX

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# SECTION 9

|  |    |   |    |
|--|----|---|----|
| Access to Electronic Records and the<br>Administrative Information System,<br>Responsibilities ..... | 45 | Misconduct in Research and Scholarship .  | 43 |
| Affirmative Action Policy.....   | 6  | Mission of the University.....  | 2  |
| AIDS - Position Statement and Guidelines   | 48 | Name Badges .....   | 34 |
| Alcohol, Serving of.....   | 51 | Nepotism.....   | 16 |
| Ambulance Service .....  | 55 | Office Equipment, Maintenance and Repair<br>.....   | 59 |
| Campus Safety .....  | 55 | Office of Human Resources.....  | 3  |
| Categories of Appointment.....   | 21 | Outside Employment and Additional<br>Services .....   | 43 |
| Computing Ethics, Policy on .....  | 44 | Overtime .....  | 22 |
| Conflict of Interest .....   | 35 | Parking .....   | 60 |
| Conflict of Interest Policy for Sponsored<br>Research Programs.....                                  | 35 | Pay Procedures.....   | 21 |
| Distribution or Sale of Materials.....   | 51 | Pay Ranges.....   | 21 |
| Drug-Free Workplace .....  | 51 | Payroll Deductions.....   | 22 |
| Duration of Employment .....   | 16 | Personal Appearance and Attire.....   | 34 |
| Emergencies.....   | 56 | Promotion and Transfer Opportunities .....  | 15 |
| Emergency Blue Light Phone .....   | 56 | Promotion Policy for Professional and<br>Support Staff .....                                | 16 |
| Employment After Retirement.....   | 19 | Property, University and Personal .....   | 46 |
| Employment of Members of the Sponsoring<br>Religious Communities.....                                | 7  | Public Service .....  | 60 |
| Employment Process.....  | 8  | Rest Periods .....  | 24 |
| Employment Records.....  | 8  | Separation From Service.....  | 16 |
| Environmental Safety, Hazardous Materials<br>Management and Risk Management.....                     | 52 | Separation from Service, Exit Procedures  | 18 |
| Equal Employment Opportunity Policy .....  | 6  | Sexual Harassment.....  | 33 |
| Escort Service .....   | 59 | Staff Background Check Policy.....  | 12 |
| Government Security Program .....  | 19 | Telecommuting .....   | 19 |
| Historical Background .....  | 2  | The Dignity of Persons Within the<br>University Community and Standards of<br>Behavior..... | 6  |
| Hours of Work .....  | 24 | Theft, Damage, Accident/Injury--Reporting<br>.....  | 59 |
| Human Resources Committee.....   | 34 | Tobacco Policy.....   | 61 |
| Identification Cards.....  | 15 | Uniforms .....  | 34 |
| Illness and Absence, Reporting.....  | 25 | University.....   | 35 |
| Illness/Injury During Work Hours .....   | 59 | Use of Offices Before or After Working<br>Hours.....  | 60 |
| Intellectual Property Policy.....  | 42 | Violence in the Workplace Policy .....  | 62 |
| Investigative Services .....   | 59 | Voluntary Separation from Service .....   | 17 |
| Involuntary Separation from Service .....  | 18 | Wage and Pay Changes.....   | 21 |
| Lunch Period.....  | 24 |   |    |
| Management Prerogatives.....   | 7  |   |    |