5.9 Employment Eligibility Verification: I-9 and E-verify
5.10 Certification / Licensure (maintain and report any loss)
5.11 Rest Periods
5.12 Lactation Breaks
5.13 Hours of Work
5.14 Flexible Schedules
5.15 Flex Place
5.16 Separation Procedure
5.17 Exit Interview
5.18 References
5.19 Severance Pay

6 Pay Policies

6.1 Work Week
6.2 Payday
6.3 Payroll Deduction
6.4 Time Records
6.5 Compensatory Time Off
6.6 Pay Policy
6.7 Wage Garnishments
6.8 Child Support Reporting Requirements
6.9 Compensation in Lieu of Pay
6.10 Outside Employment
6.11 Death Settlement
6.12 Expense Reimbursement
For reimbursement questions, please contact Accounting Services.

7 Employee Benefits

7.1 Introduction/Overview
7.2 Benefit Eligibility
7.3 Health Insurance
7.4 Life Insurance
7.5 Dental Insurance
7.6 Vision Insurance
7.7 Long-Term Disability Insurance
7.8 Retirement
7.9 Tuition and Education Benefits
7.10 Worker’s Compensation
7.11 Employee Assistance Program
7.12 Leave Sharing Program (Donated Leave)
8 Time Away from Work

8.1 Annual Leave
8.2 Sick/Dependent Leave
8.3 Family Medical Leave (FMLA)
8.4 Holidays
8.5 Funeral Leave
8.6 Jury Duty
8.7 Military Leave
8.8 Institutional Closures
8.9 Conferences or Convention Leave
8.10 Voting Leave
8.11 Honor Guard Leave
8.12 Leave Without Pay
8.13 Developmental Leave
8.14 Donor Leave

9 Employee Responsibilities

9.1 Theft and Fraud
9.2 Fraud Hotline
9.3 Annual Notification of Policies
9.4 Data Privacy
9.5 Acceptable Use of Electronic Communications Devices
9.6 Key Holder Responsibilities
9.7 Employee Participation in Investigations

10 Performance

10.1 Job Performance Expectations
10.2 Performance Development
10.3 Progressive Discipline
10.4 Appeal Procedures

11 Grievance Procedures
12 Health and Safety

12.1 Workplace Violence
12.2 Institutional Safety
12.3 Emergency Procedures
12.4 Tobacco-Free Facilities
12.5 Alcohol and Other Drugs
12.6 Alcohol and Drug Testing

13 Employee Records

13.1 Personnel Records
13.2 Confidentiality
13.3 Changes in Personal Information
13.4 Personnel Records Access
13.5 Medical Records/HIPAA

14 Questions and Information
1 Introduction

1.1 Mission Statement

Our mission is to provide transformative learning, discovery and community engagement opportunities for developing tomorrow’s leaders.

1.2 Handbook Purpose

The Staff Handbook serves as a reference for general information and guidelines pertinent to the University of North Dakota (UND) staff. It is not intended to address all possible scenarios. All employees are responsible for accessing the Handbook and complying with the contents therein.

This handbook is not intended to create, nor to be interpreted as creating a contract, between UND and any of its staff. This handbook does not guarantee any fixed terms or conditions of employment. UND retains the right to make changes at any time. This handbook replaces all previous employee handbooks. Departments may have their own handbook if it was approved by the Director of Human Resources. When the Staff Handbook and Department Handbook conflict, the Staff Handbook supersedes. When a policy and the Staff Handbook conflict, the policy supersedes. ¹

This handbook contains links and references to official UND and SBHE policies and procedures. Refer to the referenced policies and procedures for specific information because this handbook may not contain the full policy or procedure.

1.3 Handbook Updates

The policies and procedures described in this handbook may be modified or discontinued from time to time. When possible, employees will receive notification via their UND email address when changes occur to the handbook. It is the staff member’s responsibility to read and abide by those changes. und.edu/finance-operations/human-resources-payroll/_files/docs/und-staff-handbook.pdf.

¹ Faculty members, please see the Faculty Handbook for more information. Coaches should view their employment contract for more information.
1.4 Definition of Employee at UND

**Staff Employee:** A person employed primarily for work other than teaching, research, or holding a position the institution’s president has excluded from the **broadbanding** system by designation.

**Non-Banded Employee:**

*Academic Staff:* Faculty (instructors, assistant, associate or full professors), lecturers, and graduate assistants.

*Other Non-Banded:* Staff excluded from broadbanding by Board rule: president, executive deans, vice presidents and officers of the institution or staff holding positions the institution president has excluded by designation, including coaches, and others in 2000 job categories not included in academic staff above.

**Regular Staff Employee:** A benefited person who satisfactorily completes a probationary period, and who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year.

*Full-Time Employee:* A person employed on a regular basis for a minimum of 40 hours per week.

*Part-Time Employee:* A person employed on a regular basis for less than 40 hours per week.

**Temporary Employee:** A person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week, or less than five months per year, if hired before August 1, 2003, or less than twenty hours per week or less than 20 weeks per year if hired on or after August 1, 2003.

**Nonexempt Employee:** Those employees serving in positions which are eligible for overtime pay or compensatory time off in accordance with the Fair Labor Standard Act “FLSA”.

**Exempt Employee:** Those employees serving in positions which are exempt from the overtime pay and compensatory time off provisions.

NDUS Human Resource Policy Manual Section 2
2 Equal Employment Opportunity

UND is committed to the principle of equal opportunity in education and employment as it relates to recruiting, hiring, compensation, training and promotion. UND does not discriminate on the basis of race, color, national origin, religion, sexual orientation, gender identity, genetic information (GINA), sex, age, creed, marital status, veteran's status, political belief or affiliation, or physical, mental, or medical disability unrelated to the ability to engage in activities involved with the job.

SBHE Policy 603.2

3 Americans with Disabilities Act

Title I of the Americans With Disabilities Act of 1990 protects applicants and individuals with disabilities from discrimination and, when needed, provides reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

3.1 Request an Accommodation

An employee with a disability who needs an accommodation in order to perform the essential functions of his/her position must notify his/her supervisor. An Accommodation Request Form must be completed and submitted to his/her supervisor who will then submit the form to the Equal Employment Opportunity/Affirmative Action Office.
4 Discrimination and Sexual Harassment

4.1 Sexual Harassment

4.1.1 The University is expected to foster positive attitudes and behaviors toward members of each sex. The University seeks to provide an environment that is free from sexual harassment. Such conduct seriously undermines the atmosphere of trust and respect that is essential to a healthy work and academic environment.

Sexual harassment consists of unwelcome acts of verbal, nonverbal, graphic or physical aggression, intimidation or hostility based on sex, sexual orientation or gender identity. Sexual harassment may or may not include conduct of a sexual nature and may involve individuals of the same or different sex, gender identity or sexual orientation.

4.2 Title IX

UND prohibits discrimination and harassment of students, faculty staff and visitors based upon sex. Sexual harassment is a form of sex discrimination and includes sexual violence, such as rape, dating violence, domestic violence, stalking, sexual abuse, sexual assault, and sexual coercion. Prohibited harassment includes:

- Acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex, even if those acts do not involve conduct of a sexual nature
- Sex-based harassment by those of the same sex
- Discriminatory sex stereotyping and harassment of GLBTQ individuals
- Sexual violence

UND Title IX Policy 4522669

4.3 Consensual Relationships

The University of North Dakota discourages consensual amorous, romantic or sexual relationships between faculty and students, staff and students, supervisors and subordinates, and students who have an authority relationship over other students. This policy is in effect when one individual has a position of control, power, authority, or responsibility over another.

UND expressly prohibits sexual harassment, including harassment of employees and students when a previous consensual relationship ceases to exist or when such a relationship is rejected by one of the parties.
If the parties do engage in a consensual relationship as defined above, the person in the authority position is obligated to report the relationship to his or her department head or supervisor immediately. Failure to report the relationship or any significant delay in reporting may be cause for disciplinary action.

Documentation of the reporting and any subsequent actions taken by the department head or supervisor, such as advising the parties of the potential for sexual harassment complaints if the relationship ends, is required.

UND Policy 4928543

4.4 Anti-Harassment Policy

Harassment of an individual or group that is related to their status in a protected class that is sufficiently severe, persistent, or pervasive so as to interfere with or limit the ability of the individual or group to participate in or benefit from the University of North Dakota’s programs or activities is prohibited. Harassment may take the form of verbal, written, graphic, or physical conduct that is related to an individual’s or group’s protected class status. This includes race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, creed, marital status, veteran’s status, political belief or affiliation or any other status protected by law.

Anyone who feels she/he has been subjected to prohibited harassment is encouraged to report the situation before it becomes severe or pervasive. Staff members may make a report to Human Resources or the Equal Employment Opportunity/Affirmative Action Office.

UND Policy 5136365
SBHE Policy Section 603.1

4.5 Non-Discrimination Policy

Discrimination is defined under applicable federal and state law. In general, unlawful discrimination means failing to treat people equally based, at least in part, on status that is protected under applicable law or policy.

UND does not discriminate on the basis of race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, creed, marital status, veteran’s status, political belief or affiliation or any other status protected by law.
4.6 Hostile Work Environment

UND provides an environment free of harassment based on race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, creed, marital status, veteran’s status, political belief or affiliation or any other status protected by law. Such harassment may include any activity that creates fear, intimidates, ostracizes, psychologically or physically threatens, embarrasses, ridicules, or in some other way unreasonably over burdens or precludes an employee from reasonably performing his or her work. Hostile work environment harassment generally occurs in supervisor/subordinate or peer/co-worker situations. Early reporting and intervention are critical. UND will investigate complaints of hostile or inappropriate behavior in a timely, thorough, and discreet manner and will take appropriate corrective and disciplinary action.

UND prohibits individuals from engaging in any form of threats, retaliation, or discrimination against a person who has opposed any unlawful discriminatory practice or who, in good faith, has filed a complaint, testified, assisted, or participated in any investigation, proceeding, hearing or litigation. Anyone found to be retaliating against an individual will be subject to disciplinary action up to and including termination of employment.

To report a hostile work environment, contact the Equal Employment Opportunity/Affirmative Action Office. For additional information regarding how to report an incident and what happens when an incident is reported, see the Affirmative Action Report an Incident webpage: http://und.edu/affirmative-action/incident-report.cfm.

5 Employment

5.1 Recruitment

The University of North Dakota follows recruiting policies and procedures consistent with equal employment opportunity, State Board of Higher Ed., NDUS, and Federal and State laws. Vacancies are published through internal and external postings and advertising. Contact HR (Human Resources) for specific recruiting information.
5.2 Internal Recruitment

In an effort to promote growth and development opportunities for our current employees, UND provides an Internal Recruitment process, in which only current, non-probationary, benefited staff and those employees whose positions have been eliminated due to a reduction in force, are considered for staff vacancies in the following job classifications: Professional, Technical and Paraprofessional, Office Support, Crafts/Trades, and Services. Internal employees are screened and qualified employees are sent to the employing department for an interview and additional consideration, prior to the consideration of any external applicants.

5.3 External Recruitment

All employees are eligible for any external opening, if they meet the criteria for the position, and may apply at any time.

5.4 Veteran’s Preference

It is required that qualifying veterans and spouses of qualifying veterans who are residents of North Dakota be granted preference in public employment. The ND Veteran’s Preference Law applies to all university system positions, including faculty and coaches.

NDUS Policy 601.0

5.5 Criminal History Backgrounds Check (CHBC)

UND is committed to providing a safe and secure environment for all students, faculty, staff, and visitors; and to protecting its funds, property, and other assets. Well-informed hiring decisions contribute to this effort.

UND will conduct a Criminal History Background Check on (1) all benefitted employees and (2) certain non-benefitted employees and volunteers, including but not limited to instructional positions and Graduate Teaching Assistants (GTA) as required by the policy.

UND CHBC Policy 4413473
SBHE Policy 602.3

5.6 Nepotism

Relationships by family or marriage will be neither an advantage, or disadvantage in considering employment with the University. If the University identifies conflicts of interest, the University will
identify processes/procedures to minimize or eliminate the conflict of interest.

NDUS Human Resource Policy Manual Section 13
SBHE 603.3 Policy

5.7 New Employee Orientation

Human Resources offers New Employee Orientation online and is available to all new employees to view when it is convenient for them. New employees receive a general introduction to UND and services available on campus, including HR policies and procedures, benefits information, safety issues, security and parking. New employees with additional questions should contact the Human Resources Office at 777-4226.

New Employee Orientation Presentation

5.8 Probationary Period

New employees are in a probationary status for the initial six months of employment. During such period, they are employed “at will” and may be terminated with little to no notice and with no right to appeal. This does not apply to employees who transfer positions within UND.

The original probationary period may be extended for a specific period of time not to exceed six months upon recommendation by the supervisor and approval by the UND Human Resource Office.

NDUS Human Resource Policy Manual Section 4

5.9 Employment Eligibility Verification: I-9 and E-verify

Section one on the I-9 Form must be completed no later than the employee’s first day of employment. Within three business days of their first day of work, documentation must be shown to the University to prove identity and eligibility to work in the United States.

5.10 Certification / Licensure (maintain and report any loss)

If certain certification or licensure is required for an employee’s position, they must maintain their certification and licensure at all times, and report any loss of certification or licensure to their supervisor immediately.
5.11 Rest Periods

Employees may be allowed a rest period of fifteen minutes each half day. Employees who work more than five hours in any one day are allowed a minimum of thirty minutes (unpaid) for one meal.

NDUS Human Resource Policy Manual Section 18

5.12 Lactation Breaks

The University of North Dakota aims to provide a supportive and flexible environment for employees as they transition back to work after the birth of a child. The University provides reasonable time away from work for lactating mothers to express breast milk, and will make reasonable efforts to provide a private room or other location in proximity to work for such activity.

UND Policy 3.7

5.13 Hours of Work

Departments have control over hours worked. Normal business hours are Monday through Friday 8:00 AM – 4:30 PM. Since the University is a 24-hour operation, there may be variations in shifts. Supervisors have the ability to change an employee’s work hours based on business needs.

An employee’s supervisor will communicate to them their work schedule, including what time they will be expected to start and finish work each day.

5.14 Flexible Schedules

Departments may approve flexible schedules for their own employees based on business and/or employee needs, but office coverage must be maintained during normal business hours. Employees must still maintain standard work week hours and any changes to their standard hours must be reported to Human Resources using a Job Data Change Form.

5.15 Flex Place

Flexplace work location (regular work location not on UND premises) is sometimes necessary to meet University goals, meet customer needs, and balance personal and professional responsibilities. However, flexplace solutions create an additional set of complexities that must be discussed, and resolved, prior to agreement, such as work oversight, insurance and liability issues, tax compliance, payroll issues, state registration, and security.

A Flexplace Agreement form must be completed by the employee
and supervisor, with appropriate approvals, prior to starting work at a flexplace location.

**UND Flex Place Policy 4413452**
**Flexplace Agreement Form**

**5.16 Separation Procedure**

When an employee leaves UND, separation procedures must be followed by the supervisor to ensure an employee no longer has access to systems, locations, and property.

**Resignation**

In case of resignations, a regular staff employee is requested to give two weeks written notice to the department head. One week’s notice is requested for temporary and probationary employees.

Job abandonment is considered a resignation. Job abandonment occurs when an employee has not contacted the institution and has not reported to their scheduled work shift for three consecutive days without approval.

**NDUS Human Resource Policy Manual Section 23**

**Reduction in Force**

The University may terminate or reduce from full to part-time for hours worked of any employee due to an organizational or procedural change, diminished workload, lack of funds, or other urgent need. The employee shall be given at least two weeks written notice of the reduction.

**NDUS Human Resource Policy Manual Section 24**

**Job Dismissal**

For processes and policies regarding dismissals, please see sections 10.3 and 10.4 of this handbook.

**Retirement**

Employees are encouraged to give the University as much notice as possible when considering retirement. When notification of a retirement by the employee is received, supervisors should encourage the employee to contact appropriate resources such as the UND HR Retirement Specialist and the Public Employees Retirement System as soon as possible to plan for a successful retirement.

**5.17 Exit Interview**

Departments are encouraged to gain feedback from employees who are leaving their current position to gain insight into ways they could
improve employee retention. The purpose of an exit interview is to determine what motivated the employee to resign and, if possible, correct the situation. Supervisors should encourage employees to participate in both the departmental exit interview process and the University system exit survey.

Exit Survey

5.18 References

Employee references should include:

- Position
- Dates of employment
- Salary
- Any documented areas regarding performance

Family Educational Rights and Privacy Act (FERPA)

Records of individuals who are employed as a result of their status as students (e.g. work-study or graduate assistant) are education records.

Student education records are considered confidential and may not be released without the written consent of a student.

UND shall obtain written consent from students before disclosing any personally identifiable information from their education records.

For questions regarding FERPA, please contact the Registrar’s Office.

UND FERPA Webpage

5.19 Severance Pay

While the State Board of Higher Education policy allows severance, UND’s current practice doesn’t provide severance pay.

SBHE Policy 707
6 Pay Policies

6.1 Work Week

The work week shall be from 12:01 a.m. Sunday through 12:00 midnight Saturday unless otherwise established for individual positions with approval from the Director of Human Resources.

NDUS Human Resource Policy Manual Section 11

6.2 Payday

Employees are paid twice a month which is the 15th and the last day of the month. If the pay date should fall on a Saturday, Sunday, or holiday, the preceding work day shall be payday. There is a two week lag in paychecks. If hired on the first on the month, the first paycheck would be on the last day of the month.

NDUS Human Resource Policy Manual Section 5.2

6.3 Payroll Deduction

Employees’ paychecks will reflect their total earnings for the pay period, as well as any mandatory or voluntary deductions. Mandatory deductions are deductions that the university is legally required to take. Such deductions include federal income tax, Social Security tax, and any applicable state taxes. Voluntary deductions are deductions that the employee authorizes, such as flexible spending accounts, retirement plans, insurance premiums, etc.

6.4 Time Records

Non-Exempt Employees: A time record is an important, legal, time-recording document. UND utilizes Time & Labor and Absence Management (TLAB) within PeopleSoft, AIMS (Aerospace), FAMIS (Facilities), and an EERC time-keeping system to capture time worked.

Employees must accurately maintain their own time record and submit for approval purposes based on the time-keeping system utilized.

Employees with supervisory responsibilities must approve the time worked each pay period and attest the time record is accurate.

Time records must be approved and submitted to the Human Resources office by the deadlines outlined on the Payroll Calendar.
Time records submitted after the posted deadline will be processed with time records for the following pay period. Employees may be subject to disciplinary procedures if the deadlines are not met on a consistent basis.

An employee or supervisor will not be allowed or be asked to adjust their timesheets by recording more or less hours than were actually worked. Such an action is not only a violation of UND Fraud policy, but is also illegal under the FLSA and may subject the employee and/or supervisor to disciplinary/legal action (up to and including termination).

**Exempt Employees:** Exempt staff must complete and submit Time & Labor and Absence Management (TLAB) for time in which they used leave indicating the type of benefit (annual leave, sick leave, etc.) for days not worked. Exempt employees are NOT eligible for overtime or compensatory time off. If you are unsure if you are an exempt employee, please contact Human Resources.

### 6.5 Compensatory Time Off

Nonexempt UND employees who work more than 40 hours in a work week will be compensated in one of two ways: overtime pay or compensatory time off (comp time). It is a department’s decision whether to offer comp time. If compensatory time is offered by the department, it is the employee’s choice to decide whether they receive comp time or overtime pay for time worked over 40 hours in a work week.

Employees must receive approval from their supervisors prior to working overtime or accruing comp time.

**UND Compensatory Time Off Policy 4413449**

### 6.6 Pay Policy

The primary purpose of the pay policy at UND is to complement the stated goals of the University by attracting and retaining well-qualified staff employees. When possible, the University will be responsive to market influences with consideration for internal equity. The policy also ensures that salary adjustment decisions are made as fairly as possible and communicated effectively to employees.

**UND Salary Administration Policy 4413468**

**NDUS Human Resource Policy Manual Section 5**
6.7 Wage Garnishments

A wage garnishment is an order from a court or a government agency directing UND to withhold a certain amount of wages from an employee’s paycheck and remit it to a person or agency. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or money owed as a result of a judgment in a civil lawsuit.

UND will comply with all court orders relative to garnishment of wages from any UND employee. Human Resources will notify the employee upon receipt of a court order requiring UND to garnish the employee’s pay.

NDUS Human Resource Policy Manual Section 30

6.8 Child Support Reporting Requirements

Federal and State laws require the University to report basic information about new employees, including their name, address, and Social Security Number, to the state of North Dakota. The state collects this information to enforce child support orders.

If any state determines that the employee owes child support, it will send the University an order legally requiring them to withhold money from the employee's paycheck to pay their child support obligations.

6.9 Compensation in Lieu of Pay

Compensation in the form of meals, living quarters, etc., or an allowance in lieu of wages shall be considered pay for salary comparison purposes. Reimbursement for traveling expenses including mileage, meals, and lodging expenses that result from assigned duties away from the normal conduct of business shall not be considered as pay for salary comparison purposes.

SBHE Policy 611.5

6.10 Outside Employment

An employee may accept employment outside the institution if such employment does not interfere or conflict with the employee’s regular duties or responsibilities and is outside the regular working hours.

NDUS Human Resource Policy Manual Section 5.5
6.11 Death Settlement

Final salary payment in the case of death will include the amount due for days worked and any accrued benefits payable to the deceased. Payment will be made according to the pay schedule and in accordance with North Dakota Century Code 34-01-12.

6.12 Expense Reimbursement

Travel Expenses
Employees who are authorized to travel at institutional expense are required to submit a detailed record of travel expenses on a travel reimbursement voucher.

NDUS Human Resource Policy Manual Section 31

Recruitment and Moving Expenses
Recruitment travel expenses for a prospective candidate for faculty or staff positions may be reimbursed upon approval of department head/chair.

Moving expenses may be reimbursed when staff are initially hired from outside the University System. Regular staff, employed for one year or more, may be eligible for reimbursement when, at the discretion of the employer, they are transferred to a new work location within the university system. However, prior approval is required before offering payment of moving expenses.

UND Policy 2.14

Payment of Meals for Staff and Guests
UND employees may request reimbursement of meals while engaged in business travel away from the employee’s normal place of employment. Meal reimbursements are based upon per diem rates, not actual receipts. Per diem rates are determined by quarters within a twenty-four hour time period. A UND department may establish a rate for out-of-state meal reimbursement that is less than the stated per diem rates.

SBHE Policy 806.1
North Dakota Century Code 44-08-04

For reimbursement questions, please contact Procurement and Payment Services.
7 Employee Benefits

7.1 Introduction/Overview

As a commitment to our employees and their well-being, UND provides employees with a comprehensive benefits package that includes full health insurance coverage for single or family plans, a retirement plan, tuition benefits for employees as well as for the spouse and dependents of the employee, on-campus training programs, exclusive internal recruitment opportunities, as well as many other benefits.

NDUS Human Resource Policy Manual Section 9

7.2 Benefit Eligibility

A person who is appointed to a continuing position, and who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year is eligible for employee benefits.

NDUS Human Resource Policy Manual Section 2.2

7.3 Health Insurance

Group health insurance is available to benefitted employees and their dependents. UND pays the premium for benefitted employees for either single or family coverage, and coverage becomes effective the first day of the month following employment. Employees must work 20 hours per week for at least 20 weeks per year in a regularly funded position. Health coverage will end at the end of the month following the month of termination. Employees leaving UND and their covered dependents may apply for COBRA coverage upon separation of employment.

UND offers two Health Insurance Plans:

NDPERS PPO/Basic NDPERS High Deductible Plan

Health Savings Account (HSA)

To open a HSA, the employee must be enrolled in a High Deductible Health Plan (HDHP). Employees can use the money in their HSA to pay for the plan's deductible, co-insurance, and other non-covered expenses. Once their deductible is met, the HDHP kicks in to pay for major health costs.
HSAs are individually owned accounts that allow the employee to set aside pre-tax dollars for medical expenses. Contributions accumulate tax-free; payment of qualified medical expenses has no additional tax consequences. The account becomes effective on the first of the month following the set up.

Health Savings Account

Flex Spending Accounts

Flex Spending Accounts are an avenue for employees to set aside pre-tax dollars to pay for certain otherwise unreimbursed medical and/or dependent day care expenses.

The Flex Spending Accounts run from January 1 through December 31 of each year. However, there is a 2-1/2 month “grace period” for participants. Claims incurred between January 1 and March 15 of the new plan year can be reimbursed out of the account balance remaining from the previous plan year. For information on specific amounts, please see plan details.

Flex Spending Account Information

7.4 Life Insurance

The University offers two Life Insurance policies. All eligible employees receive two basic term insurance policies totaling $12,000 ($5,000 UND Life and $7,000 State Life).

Under these policies, employees may acquire additional term insurance in increments of $5,000. Within specified limits, an employee can request additional term insurance upon employment and during each open enrollment period without medical certification. Coverage for spouse and children is available when supplemental insurance is purchased. Employees must enroll during the first 31 days of employment to purchase the guarantee issue amounts without medical approval. Additional insurance may be applied for during an enrollment period as determined by North Dakota Public Employees Retirement or within 31 days of a life event change.

Life Insurance Information

7.5 Dental Insurance

This optional dental insurance program is available at the employee’s own expense through payroll deduction. Enrollment
is required during the first 31 days of employment or during an enrollment period as determined by North Dakota Public Employees Retirement System. The University offers two Dental Plan options:

Delta Dental

Total Dental Plan

7.6 Vision Insurance

This optional vision insurance program is available at the employee’s own expense through payroll deduction. Enrollment is required during the first 31 days of employment or during an enrollment period as determined by North Dakota Public Employees Retirement System. The University offers vision insurance through Superior Vision.

Superior Vision Plan

7.7 Long-Term Disability Insurance

UND provides Long-Term Disability Insurance to employees. This insurance provides income to employees who are unable to perform job duties because of long term illness or accident. UND offers two different plans based on your job category:

Long-Term Disability-TIAA:

All employees who participate in TIAA will be covered as of the date of employment except for injury, sickness, or pregnancy that occurred prior to the date of employment.

The Monthly Income Benefit is equal to the lessor of:

60% of the Employee’s Monthly Wage Base not to exceed a benefit of $10,000 per month; or 70% of the Employee’s Monthly Wage Base not to exceed a benefit of $10,000, less the sum of any other disability benefits from other sources that apply to the same month. The Monthly Wage Base is 1/12th of your basic annual wage payable by your employer at the start of a term of continuous disability.

Example using a monthly salary of $5,000:

- If no other disability benefits are received the benefit would be 60% of $5,000 or $3,000/month.
- If the participant were to receive $1,000/month disability benefit from Social Security, the TIAA benefit would increase to 70% less the other benefit.
  
  $5,000 X 70% = $3,500 - $1,000 = $2,500 benefit from TIAA

In no event will the monthly income benefit be less than $100.
Long-Term Disability-NDPERS:

All employees who have accumulated six months of service credit in NDPERS retirement plan will be covered under the Plan’s long-term total disability program.

Disability eligibility determinations are made for UND by a medical advisor to the Plan.

The monthly benefit will be 25% of the employee’s final average salary for as long as the employee is disabled. This payment will not be reduced by any other benefits an employee may be receiving as a result of disability.

7.8 Retirement

UND has two retirement programs, NDPERS and TIAA. The retirement program an employee participates in depends on their position. Employees eligible for NDPERS are classified staff. Employees eligible for TIAA are faculty and administrative staff.

To be vested means an employee is eligible to receive a monthly benefit from the retirement system for which they are a participant.

NDPERS - Vested after three years of service.
TIAA - Vested immediately upon employment

NDPERS contributions to your retirement account are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Employee %</th>
<th>Employer %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Contribution paid by UND</td>
<td></td>
<td>4.0</td>
</tr>
<tr>
<td>Employee Contribution paid by Employee</td>
<td></td>
<td>3.0</td>
</tr>
<tr>
<td>Institution Matching</td>
<td></td>
<td>7.12</td>
</tr>
<tr>
<td>Institution for prefunding of health insurance</td>
<td>1.14</td>
<td></td>
</tr>
</tbody>
</table>

TIAA - Contributions for TIAA vary according to rank and years of service.

<table>
<thead>
<tr>
<th></th>
<th>Employee %</th>
<th>Employer %</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2 years</td>
<td>3.5</td>
<td>7.5</td>
</tr>
<tr>
<td>3-10 years</td>
<td>4.5</td>
<td>12.5</td>
</tr>
<tr>
<td>After 10 years</td>
<td>5.0</td>
<td>13.0</td>
</tr>
</tbody>
</table>
Supplemental Retirement Plans

All employees are eligible to participate in retirement savings programs such as 403(b) or 457(b) plans, not to exceed limits set by the IRS. Additional supplemental retirement information and a complete list of vendors can be found at: Supplemental Retirement Information.

7.9 Tuition and Education Benefits

Benefited UND employees and their family members who meet specified requirements are eligible for tuition waivers and/or tuition assistance.

UND employees taking UND face-to-face or online classes are able to receive a 100% tuition and fees waiver for up to three classes per year. Connect ND, ND Student Association, program and course fees must be paid by the employee.

UND employees taking face-to-face or online classes from another NDUS institution are able to receive 50% tuition assistance for up to three classes per year. The employee is responsible for the remaining 50% of tuition and 100% of all fees.

Family members of eligible UND employees are eligible for a 50% tuition only waiver for UND undergraduate and graduate classes, regardless of delivery type.

Eligible family member: Spouse must be in a legally existing marriage as recognized by the State of North Dakota; children under the age of 26. Documentation to validate eligibility is required.

Classes excluded from the tuition waiver and employer paid assistance, include the professional programs of Law (JD) and Medicine (MD). Internships and study abroad/exchange are also excluded.

Tuition Waivers and/or tuition assistance applications must be submitted each semester. The deadline for family member tuition waivers is 30 days prior to the start of the semester in which tuition is to be waived. The deadline for employee tuition waivers is the last day to add a class in the semester for which the tuition is to be waived.

UND Tuition and Education Benefits Policy 4559836
7.10 Worker’s Compensation

UND recognizes that the safety, health, and well-being of its employees is important. To this end, a priority will be placed on the prevention of accidents and occupationally-incurred illnesses. It is a goal to reduce claims costs. It is the responsibility of every employee to work in a safe manner, and to intervene when others are performing in an unsafe manner.

All employees are protected by Worker’s Compensation against accidental injuries or occupationally-incurred illness in the performance of their official duties.

NDUS Human Resource Policy Manual Section 8

Designation of Medical Provider

UND participates in the Workforce Safety and Insurance (WSI) Risk Management Program. This allows the Risk Management Workers Compensations Program (RMWCP) to designate health care providers to treat employee workplace injuries and illnesses.

If an employee needs to seek medical attention due to a work-related injury, they must see a UND designated medical provider (DMP), unless prior to the injury, they have designated in writing that they wish to be treated by an alternate medical provider.

Workers’ Compensation

7.11 Employee Assistance Program

The Employee Assistance Program (EAP) is a confidential assessment, counseling, referral service with a short-term wellness counseling framework and is staffed by masters’ level, licensed professionals who can assist benefited employees and their household members to evaluate their concerns and take positive action to resolve them.

UND provides employee assistance services to all employees and their household members. When employees or their household members contact EAP, the intake staff will make appointments for a variety of services depending on the issue and take steps to resolve it. All contact with the EAP is confidential. The number of sessions available to a covered individual’s household is equal to the number of household members times four (x4). As an example, a household with five (5) members would have access to a maximum of 20 sessions (5 members x 4/member = 20 sessions) per 12 month period. Any number of those sessions can be used by members of the household up to the total number. There is a minimum of 8 sessions per household.

UND Employee Assistance Program
7.12 Leave Sharing Program (Donated Leave)

All benefited, non-probationary staff with over six months of continuous service with the State are eligible to receive shared leave pursuant to the following conditions:

a) The appropriate campus official has determined that the employee meets the criteria described in this section.

b) The employee must have abided by University System policies regarding the use of sick leave.

c) The employee’s use of shared leave, including both annual and sick leave, does not exceed four months in any twelve month period.

NDUS Human Resource Policy Manual Section 20.6

All polices in this section apply to benefited staff employees, unless otherwise indicated.

8 Time Away from Work

8.1 Annual Leave

Annual leave with pay is earned by benefited staff employees. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime.

Annual leave with pay for benefited full-time employees accrues based on rate per hour and is earned on the basis of continuous service from date of employment as follows:

0-3 years - the equivalent of 12 days per year or 8 hours per month

4-7 years - the equivalent of 15 days per year or 10 hours per month

8-12 years - the equivalent of 18 days per year or 12 hours per month

13-18 years- the equivalent of 21 days per year or 14 hours per month

Over 18 years - the equivalent of 24 days per year or 16 hours per month
The maximum annual carryover is 240 hours. Any accrued leave over an employee’s maximum carry over will be forfeited if not used by December 31.

Leave accrual/carryover and paid holidays are pro-rated for part-time benefitted employees based on hours worked per week.

Except for calendar year of hire, employees must use 40 hours of annual leave each calendar year.

Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing the annual leave accrual rate.

Upon receiving termination paperwork from the employee’s department, an employee is paid out any remaining annual leave the pay period after their final check. This is figured by the hourly rate times hours of annual leave.

If a terminating employee has a negative annual leave balance, it will be deducted from their final paycheck.

**NDUS Human Resource Policy Manual Section 6**

### 8.2 Sick/Dependent Leave

Sick leave, including maternity, is a benefit granted by the institution to staff employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance benefit allowing employees to build a reserve of days they can use for their extended illnesses.

Sick Leave accrues at the rate of eight hours per month with unlimited accumulation.

Employing departments may request notes from a medical provider to verify sick leave absences if sick leave absences have become excessive.

Upon separation, staff employed for 10 years or more will be paid for 10% of the total sick leave hours still on record times the hourly rate.

At the discretion of the department head, an employee may be granted up to 40 hours sick leave in advance of the accumulation thereof.
If a terminating employee has a negative sick leave balance, it will be deducted from their final paycheck.

Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of termination of service with the state agency.

**Birth and Adoption of a Child**

Employees may use up to six weeks of sick leave in the first six months for birth or placement for a foster child or adoption of a child.

**Dependent Care**

UND allows employees to take 80 hours per year of their existing sick leave balance for time needed off due to the illness of an eligible dependent (employee’s spouse, parent (natural, adoptive, foster, and step-parent); child (natural, adoptive, foster, and step-child); or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family members).

**Domestic Violence**

Employees may use sick leave to obtain services or assist others as defined by the policy (NDUS 7.1 F) to obtain services relating to domestic violence, sex offense, stalking, and terrorizing situations.

Supervisors may limit use to 40 hours in a calendar year.

**NDUS Human Resource Policy Manual Section 7**

### 8.3 Family Medical Leave (FMLA)

UND provides eligible employees long-term medical and family leave benefits to assist employees in meeting personal, parental, family health, and military needs.

Employees who have been employed for at least one (1) year and for at least 1,250 hours during the preceding 12-month period are eligible for FMLA. Eligible employees are provided up to 12 weeks unpaid leave (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness).

This leave may be available to non-benefitted employees meeting eligibility requirements.
FMLA will consist of appropriate accrued paid leave and unpaid leave. If FMLA leave is approved, the employee must use all appropriate, available paid leave before using unpaid leave. The remainder of the leave period will then consist of unpaid leave.

An eligible employee may take up to 12 weeks of family or medical leave in the 12-month leave period for any of the following reasons:

- For prenatal medical care, or childbirth, or incapacity due to pregnancy.
- To care for the employee’s child after birth, or placement for adoption or foster care.
- To care for the employee’s spouse, child, or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform their job.
- For a serious injury or illness of covered service member for military leave.
- For qualifying exigency for military family leave.

An employee shall provide 30 days advance notice when leave is foreseeable.

Medical certification is required to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer’s expense) and a fitness for duty report to return to work.

For the duration of FMLA leave, UND will maintain the employee’s health coverage under any “group health plan” at current levels. If the employee decides not to return from FMLA leave, the University reserves the right to collect health insurance premiums paid during the leave. This does not apply to those with special circumstances under the FMLA rules or those who have returned to work for more than 30 days.

In most cases, upon return from FMLA leave, an employee must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

The use of FMLA leave cannot result in any loss of any employment benefit that accrued prior to the start of an employee’s leave.

Employees must complete a Long-Term Medical Leave Request form. If an employee is unavailable, the Long-Term Medical Leave request form should be completed by the department.
UND will notify the employee of their eligibility (Eligibility Notice), as well as rights and responsibilities within five working days after receiving an employee’s requests (absent any extenuating circumstances).

UND will also notify the employee (Designation Notice) within five working days after receiving the appropriate information (Healthcare Certification) to determine if the leave requested does or does not qualify for FMLA coverage. As with the eligibility notice, more time may be needed in the event of extenuating circumstances.

UND FMLA Policy 4413435
NDUS Human Resource Policy Manual Section 22
Employee Rights Under the Family and Medical Leave Act

### 8.4 Holidays

UND observes the following holidays:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran’s Day
- Thanksgiving Day
- Christmas Day

Full-time employees receive eight hours of paid leave. Employees who work less than full-time receive a prorated part of an eight hour day.

If one of those holidays falls on Saturday, the preceding Friday shall be the holiday or if the holiday falls on Sunday, the Monday following shall be the holiday.

Institution offices must be closed at twelve noon on December 24, Christmas Eve Day, which is an office closure and not a holiday; however, if December 25, Christmas Day, falls on a Saturday, institution offices must be closed all day on the preceding Friday, which is then a holiday.

NDUS Human Resource Policy Manual Section 19

### 8.5 Funeral Leave

An approved absence from work, with pay, of up to twenty-four working hours, may be provided to an employee to attend or make arrangements for a funeral, as a result of a death in the employee’s family, or in the family of an employee’s spouse.

Funeral leave for employees working less than forty hours per week will be prorated.

**NDUS Human Resource Policy Manual Section 20.1**

### 8.6 Jury Duty

An employee shall be allowed leave with pay for jury or other legal duty when subpoenaed for such service. Any compensation received for such duty may be retained by the employee.

**NDUS Human Resource Policy Manual Section 20.2**

### 8.7 Military Leave

An employee who is a member of the National Guard or Armed Forces Reserves shall be granted up to a maximum of twenty work days of military leave annually. To be eligible, employees must be in the continuous employ of the State for ninety days immediately preceding the leave of absence.

**NDUS Human Resource Policy Manual Section 20.3**

### 8.8 Institutional Closures

In the event the University closes, all benefited employees will be paid for any missed work hours for which they were scheduled. Some essential services must continue to operate even when the University is closed. If employees are required to work during a closure, they will be paid for all hours worked.

When the institution remains open, employees unable to report to work shall notify their supervisor and take annual leave or leave without pay.

**NDUS Human Resource Policy Manual Section 20.4**

### 8.9 Conferences or Convention Leave

Two days per year may be allowed for employee organization conference/convention leave. Leave may be denied if the employee's absence would unduly disrupt the operations or services of the institution.
8.10 Voting Leave

Employees may be absent from work for the purpose of voting in statewide general, special and primary elections. An employee absent during their scheduled work day will be paid for time spent to appear at the employee’s polling place, to cast a ballot, and to return to work on the day of the election.

North Dakota Century Code 16.1-01-02.1

8.11 Honor Guard Leave

Honor guard leave is an approved absence from work, with pay, of up to twenty-four working hours per calendar year for an employee to participate in an honor guard for a funeral service of a veteran.

NDUS Human Resource Policy Manual Section 20.7

8.12 Leave Without Pay

Leave without pay may be authorized for benefited staff employees (excludes faculty), who have maintained a satisfactory service record, for purposes of mutual benefit to the institution and to the employee.

This policy is not to be used for employee medical leave, family medical leave or military exigency leave.

Benefitted staff employees may be granted leave without pay for:

- Extended absences in the interest of the institution such as research or advanced training leading to improved job ability.
- Necessary absences due to illness or other important matters.
- A temporary lack of available resources and/or work for certain employees and the employee agrees to take leave without pay until the resources and/or work are available.

UND Leave Without Pay Policy 4573942
NDUS Human Resource Policy Manual Section 21
SBHE Policies Section 701.1
8.13 Developmental Leave

Developmental leave for retraining and/or professional development is permitted for university employees. Developmental leave may not exceed 12 months.

The base stipend may not exceed the salary scheduled for the leave period.

SBHE Policies Section 701.2

8.14 Donor Leave

The President may grant a leave of absence, not to exceed twenty workdays, to a non-probationary employee for the purpose of donating an organ or bone marrow.

A paid leave of absence may be granted if insufficient annual, sick or donated leave is available. Any paid leave of absence granted under this section may not result in a loss of compensation, seniority, annual leave, sick leave, or accrued overtime for which the employee is otherwise eligible.

North Dakota Century Code 54-06-14.4

9 Employee Responsibilities

9.1 Theft and Fraud

UND employees assume responsibility for safeguarding and preserving the assets and resources of the state and university system. Benefited employees are required to complete annual fraud awareness training. Employees are expected to report suspected theft, fraud, or unlawful or improper use of public resources. Anonymous reporting may be done through the fraud hotline.

UND Theft and Fraud Policy 4560417

9.2 Fraud Hotline

Theft, fraud, or unlawful or improper use of University resources
may be reported to anyone of authority (e.g., vice presidents, deans, directors, department heads, etc.). Employees may choose to report abuse, fraud or waste to the fraud hotline by calling 866-91-ALERT or by reporting fraud online. Reporting may be anonymous.

UND Fraud Hotline

9.3 Annual Notification of Policies

Upon initial hire and on an annual basis, all UND employees are required to review and acknowledge receipt of selected policies, procedures and information. Each year, employees are notified of the requirement to view the information and provided a link to the information.

9.4 Data Privacy

UND employees must comply with all applicable laws, policies and procedures regarding access to and disclosure of personally identifiable data.

NDUS Procedures 1901.2.1
NDUS Procedures 1912.1
NDUS Procedures 1912.3

Data Privacy Training is designed to incorporate data privacy concepts in the areas of student and employee data.

Family Educational Rights and Privacy Act (FERPA)

FERPA is a federal law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

UND requires all its employees to comply with all of FERPA, as amended. Whether you are faculty, staff, or students, maintaining the confidentiality of our students’ records is everyone’s responsibility.

School officials may not disclose personally identifiable information about students, nor permit inspection of their records without written permission, unless such action is covered by certain exceptions permitted by the act.
UND FERPA Policy 4487390
NDUS Procedures Section 1912. Code of Conduct-Public Records

UND is committed to ethical and professional conduct. The University’s leadership expects that each individual performing any activities on behalf of UND will adhere to those standards in the performance of their duties.

It is the responsibility of each individual—faculty, staff member, or student employee acting on behalf of the University—to comply with legal and regulatory requirements, policies, and procedures that apply to their particular duties. In addition, it is the responsibility of supervisors to adequately train individuals and to monitor their compliance.

UND Policy
SBHE Policies Section 308.1

Conflict of Interest

The intent of the conflict of interest policy is to foster University activities and outside professional activities as positive contributors to UND. The University sees great value in outside activities that advance and communicate knowledge through interaction with government, industry, the community, and the public, and through consulting and professional opportunities.

The conflict of interest policy establishes guidelines to allow employees to identify potential conflicts, and to manage those conflicts in ways that balance the integrity and interests of UND with those of each University employee.

UND Policy 8
SBHE Policies Section 611.4

9.5 Acceptable Use of Electronic Communications Devices

Computing resources are provided to employees consistent with the needs of the position held by the employee. Computing resources are to be used for official, university-related business.

UND Cell Phones and Other Mobile Devices Policy 4560536
SBHE Policies Section 1901.2

9.6 Key Holder Responsibilities

Key holders shall not unlock buildings or rooms for others unless the individual has a valid, verifiable reason and proper identification for access, or is known by the employee to have
legitimate need for access to the room or building. Report suspicious persons to the University Police immediately.

Individuals locked out of their own offices should contact the University Police (7-3491) for assistance. An officer will be sent to verify identification and unlock the area in question.

9.7 Employee Participation in Investigations

The University recognizes that complaints of inappropriate employee conduct, harassment and discrimination may occur in the workplace. The University will promptly and appropriately address such reported complaints. At times, the University’s efforts may include the requirement of a more extensive internal investigation involving interviews and written employee statements or other additional activities. Such an investigation’s purpose would be to objectively establish the facts and determine the merits of the allegations. An investigation may also assist the University in determining what action, if any, may be suitable to correct and prevent any inappropriate conduct or to simply improve the workplace.

Different situations may call for different responses. Consistent with the guidelines above, the University shall, in its discretion, determine what sort of investigation, if any, is appropriate in the particular situation. The University’s actions in one situation do not establish a precedent and should not give rise to employee expectations regarding all situations.

The University has particular expectations of our employees regarding workplace investigations. Upon request, every employee is required to participate in any investigation in good faith, and to provide truthful and complete information. Employees may also be asked to preserve the confidential nature of the investigation by not discussing the subject matter of the investigation with co-workers or other University personnel or officials or posting on social media. Whether an employee is merely a fact witness to some activity being investigated, or alternatively is or becomes, the subject or focus of an investigation, each employee is required to participate fully to allow the investigation to conclude, without exception.

The University prohibits retaliation of any kind against anyone who participates in an investigation, or who raises issues that initiate an investigation. However, the University in its discretion may take appropriate corrective action against any employee who engages
in misconduct that is discovered by the University, even if the discovery takes place as a result of an employee's participation in an investigation, whether or not the misconduct is related to the matter being investigated. The University may take any appropriate corrective action it deems necessary for any employee who fails to participate in an investigation in a manner consistent with the above expectations. Failure to fully and/or honestly cooperate in an investigation is grounds for discipline up to and including termination.

Retaliation Policy

10 Performance

10.1 Job Performance Expectations

All employees contribute to the success of the University. UND expects everyone to perform to the highest level possible.

Poor job performance can lead to a disciplinary action, up to and including termination. UND requires its employees to adhere to the following basic work expectations:

1. Adhere to current laws, rules, regulations, policies, procedures, practices, and professional ethics.
2. Consistently maintain attendance and punctuality; follow correct procedures for notification.
3. Work as part of the team.
4. Maintain a positive attitude.
5. Use courtesy and respect in all interactions.
6. Maintain a well-organized work area with a business-like appearance.
7. Use effective communication techniques to develop and maintain positive and effective working relationships with other employees and customers.
8. Be responsive to requests for service and assistance.
10. Remain flexible in work assignments and schedule.
11. Actively pursue professional growth and development opportunities.
10.2 Performance Development

People are UND’s most valuable asset. To support employee growth, thus improving organizational effectiveness in the accomplishment of the University’s mission, goals and objectives, performance evaluations are conducted to provide feedback, planning and review of employee performance.

At the completion of an employee’s probationary period and at least once a year thereafter, each staff employee shall participate in a performance development review.

NDUS Human Resource Policy Manual Section 17

10.3 Progressive Discipline

UND may use progressive disciplinary actions to assist staff members and supervisors in resolving misconduct or behavior that violates university policies, procedures, or practices or to address unsatisfactory job performance. Disciplinary procedures should be administered consistently, and in a manner that is intended to be corrective. The University may use each step progressively or may skip steps depending on the nature and severity of the issue. This process applies to regular, benefitted staff.

Traditionally, these steps would be followed:

1. Verbal/Counseling-discussion of what performance/behavior needs to be corrected.

2. Written Warning/Letter of Reprimand-this second step would be taken when verbal counseling has not resulted in the necessary improvement. This step may also include a Corrective Action Plan (CAP) that outlines an improvement plan for the employee to include goals and timelines.

   a. This document needs to be reviewed by UND Human Resources PRIOR to being shared and discussed with the employee

   b. This document must be signed by the employee and placed in their formal personnel file maintained in UND Human Resources

3. Unpaid Suspension-the supervisor may recommend 1-5 days of unpaid suspension for the employee due to continued or egregious circumstances.
a. This step requires a written document and review by UND Human Resources prior to being discussed with and given to the employee. This document must contain a detailed statement of the basis for the action. This document would be placed in their formal personnel file maintained in UND Human Resources.

b. Prior to the action, the employee is entitled to a “pre-action review.” This review may be limited to the written record including the employee’s written response to allegations, or at the option of the university, may be conducted in person. The pre-action review shall be held no sooner than three working days from the time notice was provided to the employee. The reviewing authority shall consider all evidence and will determine whether there remains reasonable grounds to believe the charges against the employee are true and support the proposed action. The employee will be notified in writing of the final decision.

4. Dismissal—should the supervisor determine that the employee should be dismissed, a written, detailed statement of the basis for the action must be provided to the employee in addition to informing them of their right to appeal. (See point 3.b)

   a. UND Human Resources must review all documentation prior to being discussed with the employee.

**NDUS Human Resource Policy Manual Section 25**

### 10.4 Appeal Procedures

Any regular benefited staff employee who has been suspended without pay, dismissed for cause, changed to lower pay rate, or dismissed due to a reduction in force, may request a hearing with the Staff Personnel Board by filing a written notice, accompanied by a specification of the reasons or the grounds upon which the appeal is based with the appropriate campus official.

An appeal must be filed within five working days of the event.

**NDUS Human Resource Policy Manual Section 27**
11 Grievance Procedures

The grievance process begins when a regular benefited staff employee presents in writing an allegation that there has been a violation, misinterpretation, or misapplication of a policy, procedure, or practice regarding the employee's employment conditions. Dismissal, change to lower pay rate, suspension without pay, reduction in force, and job family assignment and issues of illegal discrimination cannot be grieved pursuant to this section.

All employees have the right to present grievances to their supervisors or department heads and are assured freedom from discrimination, coercion, restraint, or reprisal in presenting grievances.

NDUS Human Resource Policy Manual Section 28

12 Health and Safety

12.1 Workplace Violence

UND has a commitment to provide a campus that is safe and secure for faculty, staff, students, and visitors. Behavior that is threatening, harassing, intimidating, or in any way dangerous or violent is strictly prohibited and will result in serious action by the University.

Violent acts or threats of violence include any activity by an individual that would cause another individual to feel unsafe due to the threat of physical harm. The violent behavior may take the form of verbal threats or harm to another person, damage of property, physical aggression, or harassment.

Threats of violence include possession or display of a weapon of any type or exhibiting an object in such a manner that it appears to be a weapon or could be used as a weapon.

UND Workplace Violence Policy 4560702

12.2 Institutional Safety

UND makes every effort to provide a safe and healthy working environment for all employees. Employees are expected to follow the safety and health requirements established by the University as well as Federal, State, and local laws.
12.3 Emergency Procedures

Campus emergency procedures are available on the Public Safety Website. It provides a source of information and resources for preparing for and responding to emergencies. All employees are encouraged to review this information for future reference.

Reporting an Emergency

- 911 for Emergency Dispatch
- 7-3491 for University Police

When dialing, remain on the line, give location and describe problem

Office of Emergency Management

The purpose of the following emergency procedures is to provide for an immediate and orderly response to situations so the well-being of faculty, staff, students, and visitors will be assured.

- Emergency Services
- Emergencies call 911
- Non-emergencies call University Police at 701-777-3491

Severe Weather

Employees who are unable to report to work when the University remains open during inclement weather shall notify their supervisor at the beginning of their work day and take annual leave or leave without pay.

When classes are simply canceled, all personnel will be on regular duty even though classes are not held.

Only essential staff may be required to work during the period when the University is officially closed. All other employees will be granted leave with pay for hours which they would normally work during the storm period. Essential staff shall be designated in writing by each department.
Fire

- Activate nearest fire alarm pull station and call 911 if possible
- After calling 911, notify University Police Department at 777-3491
- Evacuate the building
- Do not enter building until authorized by emergency personnel

12.4 Tobacco-Free Facilities

UND shall be a tobacco-free campus. The use of tobacco is prohibited within University buildings, parking structures, walkways, arenas, in university or state fleet vehicles, and on university owned property, not otherwise leased to another organization.

Tobacco use includes the possession of any lighted tobacco product, or the use of any oral tobacco product.

UND Tobacco Free Facilities Policy 4601351
SBHE Policy Section 917

12.5 Alcohol and Other Drugs

UND prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus.

The impairment by alcohol or drugs of any employee while participating in an academic function or when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited.

UND Alcohol and Drug Testing Policy 4428574

12.6 Alcohol and Drug Testing

After a conditional offer of employment, applicants for positions that require a Commercial Driver’s License (CDL) or a pilot’s license will be required to take a drug and alcohol test. These tests
will be conducted in the manner prescribed by the Department of Transportation (DOT) or the Federal Aviation Administration (FAA), respectively.

NDUS Human Resource Policy Manual Section 3.3

13 Employee Records

13.1 Personnel Records

UND retains information on each employee that is directly related to the employee’s position with the University. The information retained will include, but is not limited to, a job application and/or resume, payment authorization forms, personal data changes, performance reviews, letters of commendation, and disciplinary records.

13.2 Confidentiality

In the course of performing their duties, employees may receive information that is confidential in nature. The University expects confidential information will be discussed only with those employees who have a demonstrated “need to know.”

Employees handling confidential information are responsible for its security. Extreme care must be used in the storage and/or destruction of confidential information. Disclosure of confidential information may subject an employee to disciplinary action.

13.3 Changes in Personal Information

It is the responsibility of the employee to report to the UND Payroll Office changes in marital status, dependents, legal name, residential and mailing addresses, phone number, beneficiaries for benefits and emergency contacts, and education level. These need to be reported as soon as available or effective. Failure to promptly do so may result in loss of certain benefits in some employee benefit programs.

Employee name changes will be processed only after the employee has presented the new Social Security card to the UND Payroll Office or Registrar’s Office.

13.4 Personnel Records Access

Under North Dakota’s Open Records Laws, all records of a public entity regarding public business are open unless a specific statute makes records or part of a record confidential or exempt.
“Public entities” include state agencies; political subdivisions; private businesses or non-profit organization that are supported by or expending public funds; and contractors, if the contractor is providing services in place of a public entity.

Everyone has the right to access and obtain copies of public records. Access to public records is free. A public entity may, however, charge for locating, redacting, or making copies of requested records. A public entity cannot require a request be made in writing, ask the identity of the requestor, or inquire about the reason for request.

Confidential records must not be released. Exempt records may be released, however, it does not violate the law if the entity refuses to provide these records. A public entity must provide a statutory reason for denying all or part of a record and must put the denial in writing if requested.

North Dakota Century Code 44-04-18

13.5 Medical Records/HIPAA

All information in an employee’s medical record is confidential. Access to information contained in an employee’s file is limited to the patient and Student Health Services personnel, unless the patient gives written permission to release it, except by court order or when there is imminent risk of harm to self or others.

UND Notice
14 Questions and Information

For questions regarding any of the information in this handbook, please contact UND Human Resources at:

**Email:** UND.humanresources@UND.edu

**Telephone:** 701-777-4226

**Mailing Address:**

Twamley Hall 313  
264 Centennial Drive Stop 7127  
Grand Forks, ND 58202-7127
Revisions

09/12/18 Section 6.4 page 18, paragraph 2—removal of the word will in the first sentence before the words “be asked”.