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100.0 Equal Opportunity and Affirmative Action

Policy Number: 100.0

Effective Date: September 1, 1988

Revised Date: March, 2000

It is the policy of The University of Arizona to provide equal employment opportunity without regard to race, color, religion, sex, national origin, age, disability, veteran's status, or sexual orientation.

The University of Arizona is also a Federal government contractor and, as such, has certain obligations to take affirmative action to ensure that its policies and practices are, in fact, non-discriminatory.

Therefore, it is our policy to take affirmative action to employ and advance in employment covered veterans, individuals with disabilities, women, and minorities. Where required by law, The University of Arizona has established goals by which we may measure our progress in employing persons based on individual ability and merit and in the numbers reasonably expected based on their availability.

The University of Arizona makes good faith efforts to reach covered veterans, individuals with disabilities, women, and minorities with information about our equal opportunity policy and, specifically, about employment opportunities at the University. This recruitment effort is particularly important for jobs where women or minorities are not currently participating in the numbers expected by their availability. It is the policy of the University of Arizona to invite all interested persons, both from outside the University and from within the University community, to apply for such opportunities.

As a matter of law and as a matter of University policy, selection for opportunities for hire, promotion, transfer, or training, as well as decisions regarding demotion, termination, layoff, or other terms and conditions of employment shall occur without regard to race, color, religion, sex, national original, or other prohibited basis.

The University has formally assigned the responsibilities contained in its written Affirmative Action Plans for Women and Minorities and for Individuals with Disabilities, Special Disabled Veterans, Veterans of the Vietnam Era, and other covered veterans to each vice president, dean, director, department head, manager and supervisor and the University does insist that these employees adhere to the commitment made in each Affirmative Action Plan.

Reference: Applicable State and Federal Laws, Arizona Board of Regents Policy 6-808

101.0 Sexual Harassment Policy

Policy Number: 1010

Effective Date: December 1, 2000

Revised Date: December, 2009

This policy has been merged into "Nondiscrimination and Anti-harassment Policy"

Reference: Applicable Federal Law, Arizona Board of Regents Policy 6-707

103.0 Recruitment and Employment of Classified Staff

Policy Number: 103.0

Effective Date: September 1, 1988

Revised Date: January, 2000
All recruitment and employment activities for Classified Staff are conducted in accordance with applicable University, state and federal laws, regulations, and polices concerning equal employment opportunity and affirmative action.

Human Resources and hiring authorities work together to develop recruitment and selection strategies for Classified Staff positions. Human Resources is responsible for advising departments about the University’s Recruitment Policy in order to ensure compliance. Human Resources is also responsible for ensuring that position announcements comply with established policies and announcing openings to appropriate community and governmental agencies. Hiring authorities are responsible for the selection of candidates.

Reference: Applicable State and Federal Laws and Regulation

103.1 Pre-Employment Screening

Policy Number: 103.1
Effective Date: June 1, 2006
Revised Date: February, 2015

INTRODUCTION

In order to create a safe and secure workplace and to ensure that University of Arizona employees are qualified to perform the jobs for which the University hires them, the University will conduct pre-employment screening, including criminal background checks, on all finalists.

All employment offers are contingent upon the finalist's successful completion of the applicable pre-employment screening process as defined here.

DEFINITIONS

Criminal Record Background Check includes checks of motor vehicle license, court records, and criminal convictions based on identification and personal information provided by the finalist.

Finalist means any person in the group of individuals actually submitted to the hiring official for selection as a new hire or any employee of a university who seeks a transfer, a reclassification or a reassignment.

Fingerprint Based Criminal Record Background Check includes state and nationwide checks for criminal convictions based on the finalist's fingerprints.

Security- or Safety-sensitive Position means any position designated as a Security- or Safety-Sensitive position by a university due to applicable federal or state law or pursuant to rules or policies adopted by the Arizona Board of Regents or the University. These include, but are not limited to, the following types of positions:

- University administrators and others with significant financial oversight responsibilities (president; provost; vice provosts; deans; vice presidents; assistant and associate vice provosts, vice presidents and deans; department heads; department directors; and business managers).
- Positions that have unsupervised contact with minors who are not enrolled students of the University.
- Positions that have direct access to Select Agents, as defined by the USA PATRIOT Act of 2001 and the Public Health Security and Bioterrorism Preparedness Response Act of 2002, except where excluded by law because the Principal Investigator does not, at any time, exceed the Select Agent regulatory threshold quantities specified under the applicable regulations.
- Positions with unrestricted access to residence hall rooms.
- Other positions designated by a dean or vice president as "Security- or Safety-Sensitive." A dean or vice president may designate a position "Security- or Safety-Sensitive" by notifying and justifying to the Vice President for Human Resources that...
the position's responsibilities may expose the University to significant liability. The Vice President may consult with knowledgeable subject experts as appropriate to the circumstances of the proposed hire.

- Employees of the University of Arizona Police Department (UAPD). Pre-employment screening for these individuals shall be conducted in accordance with UAPD hiring protocols.

STANDARD PRE-EMPLOYMENT SCREENING

Prior to extending an offer of employment (including internal hires):

The hiring authority or a designee will check and verify the following information:

- professional references,
- educational credentials,
- employment history and past performance,
- professional license or certification (if required)

Human Resources will arrange the following records checks:

- motor vehicle
- criminal background
- commercial driver's license (if applicable)

CRIMINAL BACKGROUND CHECK APPLICATION

A fingerprint-based criminal record background check is conducted on all finalists, both internal and external, for Security- or Safety-Sensitive positions, and on all finalists who have disclosed a prior felony conviction on the employment application.

A name-based criminal record background check is conducted on all finalists, both internal and external, for all other positions.

When a finalist for a change of position (such as reclassification, promotion, transfer or other similar change) or a finalist previously employed by the University has had a criminal background check within the past twelve months equal to the criminal background check required of the new position, Human Resources may exempt the department from conducting a duplicate check at the time of the internal change or rehire.

BACKGROUND CHECKS FOR NON-EMPLOYEES

Currently, the University is not required to conduct criminal background checks on undergraduate and graduate student workers, affiliates, associates, or volunteers, unless such individuals perform a Security- or Safety-Sensitive job. Health sciences students, however, may be required to submit to criminal background checks in order to participate in training programs at University-affiliated institutions, under policies and procedures in effect at those institutions.

ADDITIONAL REQUIREMENTS

Additional pre-employment screening required by statute, contract or policy is not discretionary and is coordinated by Human Resources.

INFORMATION COLLECTION

A signed authorization from the finalist is required before criminal background information or pre-employment identity verification may be requested. This information is collected during the application process. If a prospective employee refuses to provide such authorization, the individual is ineligible for consideration for employment.

INFORMATION EVALUATION

Human Resources coordinates all criminal and motor vehicle records checks and the resulting reports. In considering whether to hire a finalist who has been convicted of a criminal offense, the University will consider the following factors:
- The relevance of a criminal conviction to job duties
- The date of the most recent offense and employment history since the commission of the crime
- The nature of the offense
- The accuracy of the information the finalist provided on pre-employment forms
- If the felony occurred when the individual was a minor, consideration will be given to whether the minor was treated as an adult for purposes of prosecution.

Any material misrepresentation or omission on any employment application materials, including but not limited to the job application, résumé or vitae, may be grounds for rejection of the application or termination of any subsequent employment with the University.

**COMPLIANCE WITH THE FAIR CREDIT REPORTING ACT**

In some cases, an outside vendor may uncover information that may disqualify a finalist from employment consideration. In such a case, the University will notify the finalist of the information and provide a minimum of five days for the finalist to refute, explain or correct the information.

**RECORD RETENTION**

Human Resources manages and retains criminal pre-employment screening information. Information collected on successful finalists is stored separately from the official employee files. Documents related to pre-employment screening information collected by hiring departments are filed and maintained in the departments and destroyed after three years, in accordance with the State of Arizona Records Retention Schedule.

**INFORMATION RELEASE**

Criminal history record information is regarded as confidential and will be released only consistent with applicable law.

**RESOURCES**

Pre-Employment Screening and Background Check Procedures

*Reference: Arizona Board of Regents Policy 6-709; Arizona Revised Statutes § 15-1649*

### 104.0 Flexible Year Positions

**Policy Number:** 104.0

**Effective Date:** September 1, 1988

**Revised Date:** August, 2009

Flexible-year positions of nine (9) months are available as an alternative to 12 month positions for departments who wish to make more efficient use of personnel service resources during summer periods of decreased activity. Such positions are dependent upon operational and staffing needs as well as available funding.

**ELIGIBILITY**

Any Regular Staff position may be designated as a flexible-year position with the concurrence of the appropriate dean, director or department head. Such a position may not be converted, however, unless it is vacant or the current incumbent consents. Positions will be converted to flexible-year positions by written notification to Systems Control from the appropriate dean, director or department head. Such notification will include a Flex-Year Agreement signed by the current incumbent of the position.
The department may reconvert the position to a 12 month position at any time upon reasonable notice to the current incumbent. The current incumbent shall have the opportunity to accept the 12 month position or be placed on layoff status (See Layoff/Reduction in Force, Policy #405.0.)

The work and non-work periods of flexible-year positions will always correspond with the beginning and end of the academic year. Employees in flexible-year positions who have not completed their probationary period by the beginning of the non-work period must complete their probation when they return to work. Employees in flexible-year positions will be paid in accordance with existing University pay policies and procedures for academic year positions and will receive 20 paychecks per year.

**BENEFITS**

The University will continue to pay the employer's share of benefits/insurance costs while the employee is in a non-work status. While in a non-work status, the employee:

1. shall not accrue annual or sick leave;
2. shall not be eligible to use annual or sick leave accruals;
3. shall not be eligible for holiday compensation; and
4. shall not be eligible for unemployment compensation.

Deductions for insurance coverage during the summer months of a year shall be taken from all paychecks during the Spring semester that have a voluntary benefit deduction.

Employees who do not return to work during the first pay period of the academic year shall have their insurance programs canceled effective the last day of the pay period for which they had pre-paid a premium, which is the pay period that immediately precedes the start of the academic year.

Service credit for retirement purposes would be earned in accordance with the rules and regulations of the Arizona State Retirement System.

A work-force, work-load analysis is available from Systems Control to assist departments in determining the feasibility of participating in flexible-year positions.

Flex_year documents are available at [http://syscon.web.arizona.edu/](http://syscon.web.arizona.edu/)

**Reference:** 3-D Memorandum, 5/10/88, Flexible Year Positions for Regular Classified Staff

### 106.0 Employment Eligibility and Identity and Social Security

**Policy Number:** 106.0

**Effective Date:** September 1, 1988

**Revised Date:** January, 2006

It is the University's responsibility to ensure that the identity and the employment eligibility of all persons employed by the University have been reviewed and that they are eligible for employment.

Hiring departments shall be responsible for compliance with the documentation and verification requirements of this policy.
PROCEDURE

DOCUMENTS

On or before their first day of employment, all new employees of the University shall be required to complete Section 1. of the Form I-9. Employees must present to their hiring department original documentation to establish their (1) true identity and (2) eligibility to be employed in the United States within three (3) business days of the date employment begins.

Any one of the following original documents shall constitute evidence of both identity and employment authorization:

1. United States Passport.
2. Certificate of U.S. Citizenship, INS Form N-560 or N-561.
3. Certificate of Naturalization INS Form N-550 or N-570.
4. An unexpired foreign passport which:
   1. contains an unexpired stamp therein which reads, "Processed for I-1551 Temporary Evidence of lawful Admission for Permanent Residence. Valid until Exp." Employment authorized." or
   2. has attached thereto a Form I-94 bearing the same name as the passport and contains an employment authorization stamp, so long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the Form I-94.
5. A Resident Alien Card, INS Form 1-551, provided that it contains a photograph of the bearer.
7. Employment Authorization Card, INS Form I-688A.

OR BOTH an original document which establishes identity and a separate original document which establishes employment authorization.

The following documents are acceptable to establish identity only:

1. A state-issued driver's license or state-issued identification card containing a photograph. If the driver's license or identification card does not contain a photograph, identifying information should be included such as: name, date of birth, sex, height, color of eyes and address.
2. School identification card with photograph.
3. Voter's registration card.
4. U.S. military card or draft record.
5. Identification card issued by federal, state, or local government agencies or entities.
7. Native American tribal documents.
8. United States Coast Guard Merchant Marine Card.
9. Driver's license issued by a Canadian government authority.

The following are acceptable documents to establish employment authorization only:

1. A social security number card other than one which has printed on its face "not valid for employment purposes."
2. An unexpired reentry permit, INS Form I-327.
3. An unexpired Refugee Travel document, INS Form I-571.
4. A Certificate of Birth issued by the Department of State, Form FS-545.
5. A Certificate of Birth Abroad issued by the Department of State, Form DS-1350.
6. An original or certified copy of a birth certificate issued by a state, county, or municipal authority bearing a seal.
10. Identification card for use by a resident citizen in the United States, INS Form I-179.
If an individual is unable to provide the required document(s) on or before the third day of employment, they must present a receipt for the application of the document or documents within three (3) business days of the date employment begins and present the required document or documents within 21 days of employment.

**VERIFICATION**

The hiring department shall complete the Employment Eligibility Verification Form (INS I-9), certifying that the employee has presented original documents attesting to his or her identity and verifying that she or he is authorized to work in the United States.

The employee shall also sign the I-9 and attest to the same facts.

The hiring department does not have to verify the accuracy of the documents. It is sufficient if a document reasonably appears on its face to be genuine.

Copies of the original documents and the completed I-9 shall be attached to the hiring form and submitted to HR.

No employee may receive a University pay check until an I-9 has been ACCURATELY executed by the hiring department and recorded by Systems Control.

**REEMPLOYMENT**

When an individual is terminated from the University's payroll system and rehired, the hiring department and individual shall prepare a new I-9 form and the hiring department shall inspect original documents as described above.

**SOCIAL SECURITY**

Classified Staff employees of the University, including resident and non-resident aliens, are required to have a valid Social Security number and to contribute to the Social Security System.

Social Security contributions are deducted from each paycheck at a rate fixed by Congress. An equal sum is contributed to each employee's account by the University. Both the rate and the taxable wage base change periodically as specified by federal statutes.

**EXPIRATION OF ELIGIBILITY (EMPLOYMENT OF FOREIGN NATIONALS)**

The hiring department is responsible for reverifying employment eligibility of foreign nationals upon expiration of any employment authorization documents, should they desire to continue the foreign national's employment.


### 107.0 Selective Service Registration

**Policy Number:** 107.0

**Effective Date:** September 1, 1988

Any person who is legally required to register for the Federal Military Selective Service System must do so to be eligible to be considered for employment at the University.

Reference: ARS 38-201

### 108.0 Employment of Relatives

**Policy Number:** 108.0

**Effective Date:** September 1, 1988

**Revised Date:** February, 2005

The University may employ members of the same family except in the following situations:
1. When one member of a family is responsible for making decisions in personnel matters such as the hire, promotion, retention, or salary of another member of the same family.

2. When one family member is responsible for supervising, directing, evaluating or influencing the evaluation of the work of another member of the same family.

3. When other situations may exist which place members of the same family in circumstances of actual or reasonably foreseeable conflict between the interests of the University and the interests of the family members.

**DEFINITION OF RELATIVES AND FAMILY MEMBERS**

For the purpose of this policy the terms "relative" and "family member" are defined as:

A relative or family member is an individual related to another person or the person's spouse within the third degree. This includes parents, grandparents, great-grandparents, siblings, children, grandchildren, great-grandchildren, spouses and close relatives of spouses including step- or in-law relatives.

NOTE: Other relationships between employees which create a relationship similar to those described in the definition above may be included under the provisions of this policy if one of the parties has influence over the other as described in sections 1, 2, and 3 above.

Reference: ARS 38-481

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**109.0 Loyalty Oath**

**Policy Number:** 109.0

**Effective Date:** September 1, 1988

Arizona state law requires that each employee (excluding aliens) affirm her or his allegiance to the United States and State of Arizona by signing an Oath of Loyalty prior to commencing employment.

An employee who objects on religious grounds to the loyalty oath form may revise this form or submit an alternative signed loyalty oath which (1) is acceptable to the employee's religious beliefs and (2) otherwise retains the meaning and intent of the loyalty oath's statutory requirements as determined by the Office of the General Counsel.

Reference: Applicable Arizona Statute, Arizona Board of Regents Policy

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**110.0 Employment Testing for Classified Staff**

**Policy Number:** 110.0

**Effective Date:** September 1, 1988

**Revised Date:** March, 2006

Employment-related testing shall be limited to demonstrations of activities that an employee would commonly perform in the position for which they are being considered. Tests which are to be administered to any candidates for classified staff positions shall be validated in accordance with the Equal Employment Opportunity Commission’s "Uniform Guidelines on Employee Selection."

In order to comply with the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection," departments will be required to demonstrate that any test they wish to use is: valid, job-related, reliable, uniformly administered, and does not have an adverse impact on the employment opportunities of members of protected classes.

Reference: Title 41, part 60 of the Code of Federal Regulations
111.0 Licensing/Certification Requirements

Policy Number: 111.0
Effective Date: September 1, 1988

The employment of any classified staff employee whose duties require a license or certification from the state, federal government or any agency thereof must provide verifiable proof prior to hire that such requirements have been met. Such employees agree that any licensing/certification requirements will be maintained for the duration of employment. Failure to do so may result in termination of employment.

Reference: University Policy

112.0 Probationary Periods

Policy Number: 112.0
Effective Date: September 1, 1988
Revised Date: September, 2009

A person hired for any Regular Classified Staff position expected to continue for at least six (6) months at .50 FTE or greater shall serve a probationary period.

The probationary period allows the supervisor time to assess the employee’s qualifications, performance, and general suitability to successfully meet position requirements and standards. It likewise provides the employee with the opportunity to experience the University, the department and the position and to determine whether the position meets his/her expectations.

Accordingly, to successfully complete the probationary period, the employee must attend work as scheduled during the six (6) month period. Any absences or non-work periods, whether paid or unpaid, foreseen or unforeseen, may not count toward completion of the probationary period in the sole discretion of the supervisor. The supervisor will notify the employee in writing of any changes to his/her probationary period end date.

Prior to the termination of a probationary Regular Classified Staff employee for a serious violation of the University Classified Staff Rules of Conduct, and/or Arizona Board of Regents (ABOR) or University policy, rules, and regulations, and/or departmental rules, the responsible administrator shall contact Human Resources.

Upon successful completion of the probationary period, a Regular Classified Staff employee shall be continued in University employment contingent on availability of funds, satisfactory performance of duties, a continued need for the employee’s services and/or position and compliance with all ABOR and University policies, rules, and regulations.

Initial Probationary Period

A newly hired or rehired Regular Classified Staff employee will serve an initial probationary period of six (6) months. Initial probationary periods of greater than six (6) months may be established for certain classifications with the prior approval of the Vice President for Human Resources. The employee will be provided written notice of a longer probationary period.

A University employee who changes to Regular Classified Staff from another employment category, including but not limited to appointed personnel or Ancillary Classified Staff, will serve a six (6) month initial probationary period starting on the effective date of the move to a Regular Classified Staff position.

Prior to the employee’s successful completion of the six (6) month initial probationary period, a Regular Classified Staff employee is considered an “at will employee” and the University and the employee have the right to terminate the employment relationship at any time for any reason that does not violate public policy. In such event, advance notice to the other party, when feasible, is a courtesy, but is not required.
Promotion/Transfer Probationary Period

A Regular Classified Staff employee who is promoted or transferred through a competitive recruitment process will serve a six (6) month probationary period in the new position from the date of the promotion/transfer.

In the event the employee does not meet job requirements and/or performance standards during the promotion/transfer probationary period, the supervisor will issue a performance improvement memorandum as early in the probationary period as possible that contains the following:

1. Specific nature of the problem(s), including specific examples.
2. Corrective action(s) required, including the specific and reasonable standards related to the problems.
3. Notice that failure to remedy the performance problems will result in termination of employment on or before the end of the promotion/transfer probationary period.

If sustained satisfactory performance is not achieved following the performance improvement memorandum, the supervisor may terminate the employment relationship during the promotion/transfer probationary period as a probationary termination and inform the employee with a Promotion/Transfer Probationary Termination Notice. The supervisor may consult with HR Consulting Services prior to issuing the Promotion/Transfer Probationary Termination Notice.

A copy of the Promotion/Transfer Probationary Termination Notice shall be sent to Human Resources Employee Records. The employee’s departmental business office will generate an online University termination report on the effective date of the termination of the employment relationship.

Time In Position Requirement

An employee must satisfactorily complete the applicable (6) month probationary period as a time in position requirement prior to seeking employment in another University department.

Exceptions to this time in position requirement on seeking other University employment may be made for the convenience of the University as determined by the Vice President for Human Resources (or designee) upon written request by the requesting department head. Time served in the former position does not apply to a new position. If, at the time of the promotion/transfer, the employee:

- is in the initial probation period, the employee will serve a full initial probation period in the new position; or
- is in a promotion/transfer probation period, the employee will serve a full promotion/transfer probation in the new position.

Reference: Arizona Board of Regents Policy 6-405

115.0 Employment Reference/Verification

Policy Number: 115.0

Effective Date: September 1, 1988

Revised Date: September, 2009

This policy content has been consolidated into Classified Staff Policy #115.1 Access to and Release of Personnel Records and Information.

Reference: 3D Memorandum of 10/14/87, Applicable Arizona Revised Statutes
115.1 Access to and Release of Personnel Records and Information

Policy Number: 115.1
Effective Date: September 1, 2009
Revised Date: September, 2009

Policy

Access to official personnel records of University employees and the circumstances under which information from official personnel records may be released shall be limited as described herein.

Employee Review

On request, an employee or a person authorized by the employee in writing may review the employee’s own official personnel record. Requests may be made to Human Resources Employee Records during normal University business hours. Photo identification is required before files may be inspected or photocopied for a reasonable copying fee.

Administrative Access

1. All personnel, employment or related records shall be available only to authorized users for authorized purposes. The University President or the president’s designee has final authority to determine what administrative uses and purposes are authorized pursuant to this policy. Any unauthorized access, release or use of personnel information shall constitute employee misconduct.

2. As determined by the University President or the president’s designee, authorized officers, employees or agents of the Board or any institution under the jurisdiction of the Board may have access to and may disclose personnel records or information as necessary in the prosecution, defense or resolution of any hearing or dispute regarding personnel matters. This paragraph is a supplement to, and shall not be construed as limitation of, paragraph 1 above.

University of Arizona hiring officials and/or employee supervisors are authorized administrative access to review official personnel records of current or former University employees who are under consideration for competitive recruitment or noncompetitive selection. Requests may be made to Human Resources Employee Records during normal business hours. Photo identification and a signed request are required before records may be inspected.

Access Or Disclosure To Third Parties

The following information contained in personnel records may be disclosed to third parties regarding current or former employees without prior consent: name, titles or positions (including academic degrees and honors received), department, campus telephone number and email address, facts of past or present employment, dates of employment, and salaries or rates of pay.

Other information contained in the current or former employee’s personnel record may be disclosed to a third party upon presentation of the written consent of the employee to Human Resources Employee Records, such as for mortgage and bank loan applications, student loan deferments, and government agency background inquiries.

Access to personnel records or disclosure of personnel information may be provided when necessary to protect the interests of the University when the University believes the actions of the individual violate the conditions of employment or otherwise threaten injury to the University or to others; to a properly identified law enforcement authority when the University reasonably believes that an applicant, employee or former employee may have engaged in illegal activities; or pursuant to a federal, state or local government statute or regulation that specifically requires disclosure of certain information to certain parties.
Access to certain personnel records or disclosure of personnel information may be provided in response to a lawfully issued administrative summons, search warrant, or judicial order or subpoena provided that:

1. legal counsel has reviewed the matter and approved disclosure; and
2. if the request is not issued on behalf of the affected employee(s), a reasonable effort has been made to notify the affected employee(s) of the request prior to compliance.
3. the institution receiving a summons or subpoena may seek a protective order to prevent disclosure of certain documents, such as promotion and tenure files, letters solicited from outside reviewers who were given a promise of confidentiality, and performance evaluations, on the basis that a qualified privilege exists to protect those documents in the employee evaluation system for making determinations of employee retention and the granting of tenure or continuing status.

**Employment Reference**

With the current employee’s or former employee’s written consent, a supervisor may provide employment reference to a prospective employer for purpose of evaluating the person for employment. Information on the employee’s education, training, experience, qualifications, job performance, professional conduct or evaluation, and/or the reason for termination may be provided and shall be job-related, factual and demonstrable from the records of the employee. A copy of any written communication, including electronic communications, regarding employment references will be sent to the employee’s last address of record.

Employment verification contacts may be referred to Human Resources Employee Records.

**Records Retention**

Official personnel records of the University are maintained by Human Resources in accordance with University records retention schedules.

Reference: Arizona Board of Regents Policy 6-912, Arizona Revised Statutes §23-1361

### 116.0 Recruitment

**Policy Number:** 116.0  
**Effective Date:** February 1, 1998  
**Revised Date:** February, 2015

The purpose of this policy is to ensure that the University of Arizona will attract and retain the most highly qualified workforce available to us. It is our intention to make known information about employment opportunities at the University to the largest practicable number of persons necessary to ensure compliance with the law, attraction of new employees, and recognition and development of current employees.

**Relationship to the Equal Employment Opportunity (EEO) Policy**

It is required by law that the University of Arizona provide equal employment opportunity to all, without regard to race, color, religion, sex, national origin, age, disability or veteran’s status. It is further required by law that we take affirmative action in all employment matters to ensure that our policies and practices are, in fact, non-discriminatory. As a federal contractor this means, among other things, that goals have been established to address any underutilization of women or of minorities. University policy also prohibits discrimination on the basis of sexual orientation and gender identity.

When it annually updates its written Affirmative Action Plan for Women and Minorities, the University analyzes the participation of women and minorities in each job group. In accordance with federal requirements, all job titles have been grouped by similarity of wages, content, and opportunity, and by number of incumbents to ensure job groups of sufficient size to permit meaningful
analysis. The University then identifies the likely sources of persons—internal, external, or some combination of both—to fill vacancies in each job group. Based on those expected sources, and in accordance with federal regulations, the University estimates the availability of women and minorities for each job group.

If women or minorities are underutilized in any job group, the University must set a goal for each such job group which is equal to the availability percentage. "Underutilized" is specifically defined by law as having fewer women or minorities in a job group than is reasonably expected based on their availability. The University is then obligated to make a good faith effort to fill vacancies in the job group in that Affirmative Action Plan year at the rate of availability.

The University must be able to document that it made good faith efforts to meet any established goals. In general, "good faith efforts" means that the University shall take appropriate steps to ensure that persons of the underutilized group, whether women or minorities or both, as well as all others, have access to the selection process.

This policy is specifically concerned with the recruitment phase of the selection process and addresses the behavior expected from all persons in the University community who have any role in determining specific recruitment activities when an employment opportunity exists.

Specifically, recruitment strategies must be designed to inform persons, especially where underutilization exists, about opportunities. Further, job prerequisites such as education, experience, job performance, references, etc., must not disproportionately exclude women or minorities unless such requirements are demonstrably job related and significant to successful performance.

**Recruitment Procedures**

In order for the University to fulfill its EEO obligations, classified and appointed personnel positions must be posted for a minimum of five days and a maximum of one year. Whenever a department has an opportunity, the department is encouraged to advertise as widely as practicable.

However, if the opportunity occurs in a job group which is underutilized and for which a goal has been established, the department must document the specific good faith efforts it took to meet the goals. In general, such good faith efforts are expected to include recruitment strategies designed to reach women and/or minorities for which there has been a goal established. Specifically, where underutilization exists, it is expected that affirmative recruitment sources will be informed, along with all others.

There are certain limited circumstances which can be reasonably anticipated where recruitment is not possible or practicable. These circumstances are fully described in the University Policy for Non-Competitive Selections. A department which must make a selection in accordance with that policy must fully document the reason for the selection in accordance with the requirements of that policy.

There may be other situations, infrequent and not reasonably anticipated, where the University's non-discrimination policy and the objective of attracting and retaining a highly qualified workforce can be met by means other than recruitment and advertising an opportunity. In such circumstances, if the opportunity exists in a job group for which a goal for either women or minorities has been established, the hiring authority shall document the specific reasons why it has not undertaken affirmative recruitment. The fact that the person selected for the opportunity is a woman or a minority is in itself insufficient reason to justify a decision not to engage in recruitment.

Since it is expected that the majority of opportunities will be filled by recruitment, positions must be posted for a minimum of five days and a maximum of one year.

Hiring authorities are advised that minimum posting requirements may be insufficient to attract the most qualified individuals. To fill a position that has Affirmative Action Plan goals due to underutilized of either women or minorities, consult with your Human Resources Advisor or Consultant to identify advertising strategies to attract a wider pool.

**Reference:** Applicable State and Federal Laws
117.0 Noncompetitive Selection

Policy Number: 117.0

Effective Date: February 1, 1998

Revised Date: November, 2014

The University is an Equal Employment Opportunity employer that actively seeks a qualified, diverse workforce. The University's Recruitment Policy describes its commitment to conduct competitive searches to enhance the excellence of the University's workforce. The University recognizes, however, that there may be situations in which a compelling justification exists to make a non-competitive selection. This policy describes circumstances that may justify an appointment without a competitive search. The hiring authority that applies these standards to hires must meet the procedural requirements below. The University monitors and audits compliance with the procedural requirements and their good faith application.

NON-COMPETITIVE SELECTIONS

1. EMERGENCY HIRE

   1. Instructional Faculty

      In an emergency situation, i.e., illness, death, unexpected resignation, or when a vacancy for a position crucial to an instructional need occurs less than 30 days from the required start date for the course or during the course of the semester, a Department may hire a faculty member on a temporary basis without a competitive search. The unit must begin a competitive search immediately thereafter, to ensure that the unit can select a candidate by the beginning of the next semester. (If a regional or national search is required and could not reasonably be concluded in time for the next semester, then the Department may temporarily hire a faculty member in order to provide coverage for the next semester.)

      Procedure: Documentation for an emergency non-competitive hire must contain a justification letter explaining the circumstances.

   2. Non-faculty Positions Critical To The Operations Of The University

      In an emergency situation in which failure to fill a vacancy would compromise the operations of the University, the University may temporarily hire someone to fill the position while it conducts a competitive search. These appointments shall only be made when the position could not reasonably be filled by a referral from a temporary agency or the Department of Economic Security.

      Procedure: Documentation for an emergency non-competitive hire must contain a justification letter explaining the circumstances.

2. HIRES OF INDIVIDUALS SPECIFIED IN A GRANT, SPOUSAL/PARTNER HIRE, AND HIRES OF INDIVIDUALS NAMED IN NEW EMPLOYEE’S LETTER OF OFFER.

   1. Grant or Contract Positions

      Principal investigators may hire individuals specifically named in grants or contracts without conducting a competitive search. Other positions funded by research grants and contracts shall be filled according to University recruitment procedures.

      Procedure: Documentation for a non-competitive hire of an individual named in a grant or contract must contain copies of the pages from the research grant or contract specifying the person(s) selected. A copy of the award letter also must be included.

   2. Spousal/Partner Hires
No competitive search will be required if an individual’s letter of offer, employment or retention agreement includes a requirement that, as a condition of the individual’s acceptance, the University will hire his/her spouse or partner, so long as either the President, Provost, or Senior Vice President for Business Affairs approves such condition prior to the extension of the letter of offer, employment or retention agreement.

Procedure: Documentation for a non-competitive hire of a spouse or partner must contain a copy of the spouse’s or partner’s letter of offer, employment or retention agreement specifying that, as a condition of the individual’s acceptance, the University will hire his/her spouse/partner.

3. Other individuals named in a new employee’s letter of offer

New employees who, as part of their employment contract negotiations, desire to hire other named individuals to assist them with ongoing work, may hire those individuals without a competitive recruitment, so long as either the President, Provost, or Senior Vice President for Business Affairs approves those hires prior to the extension of the letter of offer. (For example, a researcher may be permitted to bring key research associates with him/her to the University of Arizona who are currently employed by the researcher’s previous employer.)

Procedure: Documentation for a non-competitive hire of an individual named in a new employee’s letter of offer must contain a copy of the primary employee’s letter of offer specifying the names of the individual(s) and other documentation showing approval from the President, Provost, or Senior Vice President for Business Affairs.

3. STRATEGIC OPPORTUNITY HIRES

On rare occasions, the University may identify an individual whose expertise and skills are aligned with pressing University needs or strategic priorities. When time, resources or competitive market pressures threaten the University’s ability to attract such an individual on a competitive basis, a Dean or Vice President may recommend hiring that individual on a non-competitive basis to the President, Provost, or Senior Vice President for Business Affairs.

Procedure: Documentation for a non-competitive hire of an individual designated as a Strategic Opportunity Hire must show approval from the President, Provost, or Senior Vice President for Business Affairs.

4. VISITING SCHOLARS AND RESEARCH COLLABORATORS

1. Professors on sabbatical from other institutions

Procedure: Documentation for a non-competitive hire of a professor on sabbatical from another institution must contain a justification letter explaining the hire or a copy of the letter authorizing the sabbatical.

2. Visiting scholars chosen by the funding source (e.g., Fulbright scholars, and scholars funded by foreign institutions)

Procedure: Documentation for a non-competitive hire of a visiting scholar chosen by the funding source must contain a justification letter explaining the hire or supporting documents indicating the funding source.

3. Visiting research collaborators (applies only to individuals currently employed at another institution or agency and collaborating on an on-going research project)

Procedure: Documentation for a non-competitive hire of a visiting research collaborator must contain a justification letter explaining the hire, including the date the research project commenced.

4. Exchange Visitor (applies to individuals from institutions with which the University has an exchange agreement)

Procedure: Documentation for a non-competitive hire of an exchange visitor must contain a justification letter explaining the circumstances or a copy of the exchange agreement.

5. PROJECT SPECIFIC APPOINTMENTS (APPLIES ONLY TO NON-BENEFITS ELIGIBLE POSITIONS)

1. Highly specialized expertise is needed for a project limited to a maximum of 89 days.
Procedure: Documentation for a non-competitive hire of an individual who will perform a specific project must contain a justification letter explaining the circumstances.

2. An individual is needed to teach a non-credit, instructional class controlled by the individual.
   
   Procedure: Documentation for a non-competitive hire of an individual to teach a non-credit instructional class must indicate a job title consistent with the appointment. Appointments of this type may be renewed indefinitely as long as no other individual is hired to teach this class in the interim.

6. RETURNING EMPLOYEES

1. Emeritus faculty
   
   Emeritus faculty may be appointed without a competitive search when they return to the same unit to perform the same type of work. Procedure: Documentation for a non-competitive hire of emeritus faculty must contain a justification letter explaining the circumstances.

2. Retired employees without emeritus status
   
   Retired employees without emeritus status may be appointed without a competitive search when they return to the same hiring unit to perform the same type of work at the same or lower pay grade or rank if their break in service does not exceed twelve (12) months from the date of retirement. Procedure: Documentation for a non-competitive hire of a retired employee without emeritus status must contain a justification letter explaining the circumstances.

3. Employees who have terminated their employment with the University
   
   Employees who have terminated their employment with the University other than for cause may be appointed without a competitive search if they return to the same hiring unit to fill their former position which has not been filled, if their break in service does not exceed twelve (12) months. Procedure: Documentation for a non-competitive hire of an employee who previously terminated other than for cause must contain a justification letter explaining the circumstances.

7. ADVANCEMENT DUE TO EMPLOYEE RECOGNITION
   
   In recognition of an employee's talents, contributions, and performance, a hiring authority may appoint a current employee to a different position within the hiring authority's area of responsibility without conducting a competitive search. Examples of these appointments include:

   1. Appointment to a position with higher pay or title
      
      Procedure: Documentation for a non-competitive appointment of an employee to a position with higher pay or title must include a justification letter that contains the details of the appointment, a position description, and the employee's résumé, curriculum vitae, or application form. If more than one individual could have been considered for the appointment, then the hiring authority must explain the appointment decision in the justification letter.

   2. Lateral transfer designed to meet the needs of a hiring authority's area of responsibility
      
      Procedure: Documentation for a non-competitive lateral transfer of an employee must include a justification letter that contains the details of the appointment, a position description, and the employee's résumé, curriculum vitae, or application form. If more than one individual could have been considered for the appointment, then the hiring authority must include this information in the justification letter and state why only one individual is being transferred.

Reference: Applicable State and Federal Laws
123.0 Time in Position Requirement

Policy Number: 123.0
Effective Date: January 1, 2000
Revised Date: September, 2009
This policy content has been consolidated into Classified Staff Policy #112.0 on Probationary Periods.

200.0 Vacation

Policy Number: 200.0
Effective Date: September 1, 1988
Revised Date: October, 2010

Eligible Classified Staff employees shall accrue paid vacation time each year for the purpose of rest and relaxation.

**ELIGIBILITY**

All Regular Classified Staff employees are eligible to earn and accrue vacation time. Part-time and temporary employees are not eligible to earn or be paid for vacation benefits.

**ACCRUAL**

Eligible Regular Classified Staff employees, regardless of FTE, earn vacation hours based on the number of paid hours (up to 80) per pay period as indicated in this chart.

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Maximum Hours Per 80-Hour Pay Period</th>
<th>Hours Per Hours Paid</th>
<th>Days Per Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 2 years of continuous service</td>
<td>3.38</td>
<td>.042250</td>
<td>11</td>
</tr>
<tr>
<td>3rd and 4th years of continuous service</td>
<td>4.92</td>
<td>.061500</td>
<td>16</td>
</tr>
<tr>
<td>5th year and thereafter of continuous service</td>
<td>6.77</td>
<td>.084625</td>
<td>22</td>
</tr>
</tbody>
</table>

Note: Regular Classified Staff employees employed on an academic year basis accrue vacation for the duration of the academic year up to 80 hours per pay period. Work performed outside of the academic year has no effect on vacation accrual.

The vacation accrual rate will change at the start of the third and fifth years of continuous service based on the (adjusted) hire date.

Regular Classified Staff employees may carry forward from one calendar year to the next up to one and one-half years' accrued vacation hours. Excess vacation hours are prorated based on the FTE and assignment (academic or fiscal) on the last day of the pay period which includes January 1. Excess vacation hours will be forfeited if not used by the last day of the pay period which includes January 1. Regular Classified Staff employees do not earn vacation hours while in an unpaid status.

**REQUIREMENTS**

1. Employees shall request approval in advance for the use of vacation. Supervisors are responsible for scheduling and approving vacation of their employees prior to actual absences, and shall accommodate employee requests to the extent that the workload...
and department requirements permit. The supervisor's approval of the Employee Timesheet constitutes approval of vacation for payroll purposes. Supervisors may develop departmental processes for requesting and approving vacation time.

2. Prior to approving a request for vacation, it is the responsibility of the department head or designee to confirm that the employee has, or will have, the requested time available.

3. Vacation shall not be charged when official University holidays occur during a period of approved vacation.

TRANSFER/CHANGE OF STATUS/REHIRE

1. Employees who transfer from Regular Classified Staff status to any non-benefits eligible status shall use or be paid for accumulated vacation hours not to exceed the amount earned in one year by the currently employing department prior to the effective date of the transfer. Should the employee transfer back to Regular Classified Staff status the employee shall retain the same rate of accrual provided there is no break in continuous University service.

2. When a Regular Classified Staff employee is promoted or transferred to a Regular Classified Staff position in another department, the department accepting the transferred employee assumes liability for vacation earned by the employee.

3. An employee hired by the University from the board office, another Arizona university or state agency within thirty (30) days of termination, and whose termination was not the result of disciplinary action, shall maintain service credit for vacation computation purposes. The employee is responsible for providing the employing department with documentation of his/her termination date and length of service used to determine the vacation accrual rate.

4. A rehired employee whose separation from the University has not exceeded twelve (12) months may, at the discretion of the hiring department, assume his/her previous vacation accrual rate.

TERMINATION

Eligible employees who resign, are laid off or are discharged shall be paid for accumulated vacation hours not to exceed the amount earned in one year. The amount earned in one year is prorated based on FTE and employment period (fiscal or academic) on the employee’s last day worked. In the event an eligible employee dies, the employee's surviving spouse or personal representative, as designated on the court appointed document or on the affidavit of death, shall be paid all accumulated vacation hours. Payment of accumulated vacation hours shall be computed at the employee's compensation rate effective on the employee's last day worked and made in the employee's final pay check.

The employee's department is responsible for funding terminal vacation pay.

Reference: Arizona Board of Regents Policy 6-803 Vacation Leave

2010 Paid Sick Time

Policy Number: 2010

Effective Date: September 1, 1988

Revised Date: October, 2009

The purpose of paid sick time is to provide a continuation of salary or wages to eligible Classified Staff employees whose absences from work meet the requirements of this policy. Paid sick time is a privilege and not an earned right.

ELIGIBILITY

Regular Classified Staff employees are eligible and accrue paid sick time from the most recent date of hire into a Regular Classified Staff position. Part-Time and Temporary Classified Staff employees are not eligible for paid sick time benefits.
ACCURAL

An eligible Regular Classified Staff employee accrues paid sick time at the rate of eight (8) hours for each month of full-time employment, calculated on a biweekly basis. Paid sick time shall accrue at the rate of 3.69 hours per 80 hour pay period for full-time employees, or .046125 hours for each paid hour up to 80 hours.

Employees shall not accrue paid sick time while in an unpaid status or for overtime hours worked.

REQUIREMENTS

Paid Sick Time - Family and Medical Leave (see Policy 218.0 - Family Medical Leave)

During any period of Family and Medical Leave, eligible employees must use accrued paid sick time at their full FTE rate. Employees who are absent from work for more than three (3) consecutive work days due to a qualifying reason under Family and Medical Leave will have the period of absence credited to their Family and Medical Leave entitlement.

Eligible employees may use paid sick time as described below for situations where Family and Medical Leave does not apply.

Paid Sick Time - Employee Illness/Injury

Eligible employees may be granted paid sick time when they are unable to perform duties because of 1) illness, injury, pregnancy, childbirth, or related medical conditions or 2) when absent for the purpose of obtaining health-related services not available outside of regular working hours.

Paid Sick Time - Serious Illness Within an Employee's Immediate Family, Established Household or In Primary Care Situations

An eligible employee may be granted use of paid sick time when absence is the result of serious illness or communicable disease within the employee's immediate family, established household, or in situations which place primary responsibility for care on the employee. For purposes of sick leave usage for an absence not covered under Family and Medical Leave, serious illness means that the employee's presence is required temporarily until other arrangements can be made to provide essential care to a family member who resides at the employee's residence and who is under the care of a physician.

An eligible employee may use paid sick time upon death of family members who are not covered under Policy #208.0 - Administrative Absence With Pay, #5, Bereavement. Employees may use up to three days of accrued paid sick time for this purpose and two additional days to attend or arrange funeral services out-of-state.

Paid Sick Time - Probationary Regular Classified Staff

A Probationary Regular Classified Staff employee may use paid sick time during the initial probationary period.

GENERAL PROVISIONS

It is the responsibility of the department head or designee to maintain an accurate record of paid sick time for each eligible employee, confirm that the employee has the requested time available, and to ensure accurate designation of paid sick time used on the Employee Time Record. Eligible employees who become ill or injured and are confined by a physician during periods of approved vacation may request conversion of that time to paid sick time. Department heads are authorized to approve such requests based upon written verification of confinement from the physician.

It is the responsibility of the employee to report medical inability to work before the start of the shift or as soon as possible thereafter. An employee who has used all available paid sick time and remains unable to work may request a leave of absence in accordance with the applicable leave of absence policy.

If an authorized holiday falls within a period of absence caused by illness or injury, paid sick time shall not be charged.
TRANSFER/CHANGE OF STATUS/REHIRE

Employees who are transferred from Regular Classified Staff status to Temporary Classified Staff, Part-Time Classified Staff, student, or other status shall retain their accrued balance of paid sick time. This balance shall be available for use upon return to Regular Classified Staff status, provided there has been no break in University service.

An employee hired by the University from the board office, an Arizona university or state agency within thirty (30) days of termination shall be credited with all unused paid sick time accumulated at time of termination, provided the termination was not the result of disciplinary action. However, if the transferred employee retired and previously received a payout of accumulated paid sick time, there will be no reinstatement. The employee is responsible for providing the employing department with documentation of his/her termination date and the accumulated paid sick time balance. The department will forward the information to Payroll for processing.

A rehired employee whose separation from the University has not exceeded twelve (12) months may be credited, at the discretion of the hiring department, with any unused paid sick time he/she had accrued prior to termination, provided the termination was not the result of disciplinary action. However, if the employee retired and previously received a payout of accumulated paid sick time, there will be no reinstatement.

COORDINATION WITH OTHER BENEFITS

Paid sick time may offset long-term disability (LTD) benefits. An employee must contact his/her LTD provider for any applicable coordination of benefits procedures.

Paid sick time may offset Worker's Compensation benefits. An employee must contact the Safety and Risk Management Department for any application coordination of benefit procedures.

TERMINATION

No accrued paid sick time shall be paid upon separation from University service except upon retirement. (See Policy #202.0 - Accumulated Sick Leave Payment for Retiring Regular Staff Employees).

Reference: Arizona Board of Regents Policy 6-804 Sick Leave

2011 Compassionate Transfer of Leave

Policy Number: 2011
Effective Date: August 1, 1990
Revised Date: June, 2007

Employees who are eligible to accrue and use vacation leave, but are unable to work due to a catastrophic personal illness or injury, or who are absent due to a catastrophic illness or injury within their immediate families, established households or in situations that place primary responsibility for care on those employees, and have exhausted their available balances of paid leave hours (e.g. vacation, paid sick time and compensatory time) may receive contributions of vacation hours from other eligible employees. Employees who are eligible to accrue and use vacation hours regardless of their employment category, may transfer their accrued vacation to such employees.

Compassionate transfers of leave shall be accomplished by determining the dollar value of the number of vacation hours contributed, by decreasing the contributor's balance of accrued vacation hours, and by increasing the recipient's accrued paid sick time balance. Contributors must retain a minimum balance of 80 hours of vacation. Such compassionate transfers of leave must be voluntary on the part of the contributor.

Compassionate transfers of leave shall not exceed the anticipated period of disability. In the event the affected employee becomes eligible to receive long term disability benefits, contributions of vacation hours which would otherwise be credited to the employee
will not be permitted on or after the date of inception of long term disability benefits. Subsidization of long term disability or worker's compensation benefits will not be permitted, other than during the initial period of waiting for such benefits to commence.

Employees enrolled in a short term disability program offered by the University must apply for and, if eligible, receive their short term disability benefits before compassionate transfer of leave contributions can be used beyond the initial short term disability waiting period. Compassionate transfer of leave contributions (other than for the initial short term disability waiting period) for such employees may only be used to supplement the short term disability payment up to but not to exceed the employee's regular rate of pay.

**DEFINITION**

An illness or injury shall be catastrophic if it is:

1. Seriously incapacitating (in the case of the employee, the employee is unable to perform all the duties of the position held at the time of the injury or upon inception of the illness, and is unable to perform available light duty work); and

2. Of extended duration (the anticipated duration of the disability is not less than 45 calendar days); and

3. Confirmed in writing by a physician chosen by the employee, and subject to reconfirmation by a physician chosen by the University.

**RECIPIENT ELIGIBILITY**

Employees who are eligible to receive compassionate transfer of leave contributions are those who are eligible to earn and use vacation hours, have exhausted all forms of paid leave (e.g. vacation, paid sick time and compensatory time) prior to the transfer of leave hours, and are not receiving either long term disability benefits or Workers' Compensation benefits.

**PROCEDURE**

**Recipient**

Obtain physician's statement confirming catastrophic illness or injury and its anticipated duration. Inform department supervisor payroll representative of desire to receive compassionate transfer of leave contributions by requesting and completing a Compassionate Transfer of Leave Request form. Return the form and physician's statement to the payroll representative.

**Recipient's Payroll Representative**

Review Compassionate Transfer of Leave Request form, physician's statement, and employee records. Sign form to confirm employee's eligibility to receive contributions of leave hours. Inform departmental employees, and others as appropriate, that contributions of vacation hours are being accepted for compassionate transfer of leave to the affected employee.

**Contributor**

Inform department payroll representative of desire to contribute vacation hours to affected employee by requesting and completing a Compassionate Transfer of Leave Contribution form and returning the form to the payroll representative.

**Contributor's Department Payroll Representative**

Confirm contributor has sufficient available vacation hours to permit transfer of leave with a minimum of 80 hours of vacation remaining after contribution. Convert hours contributed into dollars by completing the processing information section of the Compassionate Transfer of Leave Contribution form. Forward completed forms to the payroll representative for the recipient's department.

**Recipient's Department Payroll Representative**

Complete a Compassionate Transfer of Leave Processing Information form. Typically, Compassionate Transfer of Leave Contribution forms are processed in the order received. Do not process more vacation contribution hours than sufficient to pay the recipient from the last paid day to the anticipated duration of illness/injury, as certified by the latest physician's statement. (Include holidays and projected vacation and paid sick time accruals.) Convert the dollars contributed into hours and increase the recipient's sick
hours equal to the total hours to be processed at this time (see Processing Form). Contributions will be reflected as an increase in the recipient's sick hours equal to the total of vacation dollars contributed to be processed at this time.

Forward ALL completed forms and physician's statement to the Benefits Unit of the Department of Human Resources.

**Benefits Services**

Review documentation. Determine if there will be an effect upon any possible long term disability benefits to prevent subsidization. Coordinate with the Department of Risk Management to ensure subsidization of Workers' Compensation benefits will not occur. Sign and forward completed Compassionate Transfer of Leave Processing Information form with attached Compassionate Transfer of Leave Contribution form(s) to Payroll for data entry.

**Recipient's Department Payroll Representative**

Enter paid sick time hours on time roster for recipient. The amount entered may not exceed the number of hours contributed and processed by Payroll to date.

If the absence of the employee extends beyond the originally anticipated duration of absence, the above procedure can be repeated if additional contributions are available.

Within 30 calendar days after the recipient's return to work, notify contributors that their Compassionate Transfer of Leave Contribution forms have not been processed because the affected employee has returned to work, and destroy the forms. If a contributor is an employee of another department, return the unprocessed Compassionate Transfer of Leave Contribution form to that department's payroll representative, and advise payroll representative to notify the contributor that the contribution of hours was not processed.

NOTE: A minimum of one pay period may elapse between the time the Compassionate Transfer of Leave Contribution and Processing Information forms are processed and the contributed hours are reflected in the available balance of paid sick time hours of the recipient. Complete and forward forms to the Benefits Unit preferably before the employee's paid leave has been exhausted.

**Reference:** Arizona Board of Regents Policy (6-809)

### 203.0 Holidays

**Policy Number:** 203.0

**Effective Date:** September 1, 1988

**Revised Date:** June, 2007

Regular Classified Staff employees shall be granted time off from work with pay for each holiday designated by the University. Ten holidays are normally designated each year and typically include:

- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- One 'floating' holiday
- New Year's Day
• Martin Luther King, Jr. Day
• Memorial Day

Regular Classified Staff employees shall be paid on a prorated basis for designated holidays based upon their regularly scheduled total pay period hours. For example, an eligible employee whose regularly scheduled pay period is 80 hours (full time, or 1.0 FTE) receives 8 hours pay for each holiday (80 hours divided by 10 days in two-week pay period). To calculate holiday pay for eligible employees whose regularly scheduled pay period hours are at least half-time but less than full-time, multiply 8 hours by the employee's full-time equivalency.

EXAMPLE: An employee who is regularly scheduled to work 60 hours per pay period, or .75 FTE: .75 x 8 = 6 hours of holiday pay.

NOTE: At departmental discretion, employees whose normal work day exceeds 8 hours within an 80 hour pay period, (for instance, 8 ten-hour days) may be paid holiday pay in excess of 8 hours per holiday. However, the maximum hours of holiday pay per fiscal year is limited to 80 hours.

Designated holidays which fall on a Saturday or Sunday shall normally be observed on a Friday or a Monday.

Regular Classified Staff employees must work or be on an approved paid status on their last scheduled work day before and first scheduled work day after the holiday to qualify for holiday pay.

Part-Time Classified Staff and Temporary Classified Staff employees, with the exception of employees in Extended Temporary Employment positions, are not entitled to holiday pay.

Regular Classified Staff employees whose regular day off falls on a holiday shall be granted an alternate day off with pay.

Regular Classified Staff employees who are required to work on a holiday shall receive either an alternate day off with pay or holiday pay in addition to regular pay for time worked. The determination of which shall apply is at the department's discretion.

Holidays occurring during scheduled paid absences shall not be charged against vacation or paid sick time.

Otherwise eligible employees shall not be paid for holidays occurring during a leave of absence without pay. Employees shall also not be paid for holidays occurring during excused unpaid absence or other absence without pay, except where specific departmental approval has been obtained in advance of the holiday.

Upon termination, Regular Classified Staff employees shall be paid for any holiday pay earned but not yet received.

Reference: Arizona Board of Regents Policy

208.0 Administrative Absence with Pay

Policy Number: 208.0
Effective Date: September 1, 1988
Revised Date: April, 2007

A Regular Classified Staff employee may be granted an administrative absence with pay under certain conditions.

1. Jury Duty or Material Witness Service

ELIGIBILITY

An employee called upon for service on a jury or as a subpoenaed witness, other than as a plaintiff or defendant, in a judicial or administrative proceeding, shall be granted administrative absence with pay to perform such service.

EMPLOYEE RESPONSIBILITY
The employee shall notify her or his supervisor immediately upon notice of being scheduled for such service, advising the supervisor periodically during the absence if prolonged service is required, and return to work promptly upon completion of such service. An employee who can reasonably meet some or all of his/her regular work schedule is expected to do so.

**FEES EARNED**

An employee who receives a fee for jury duty or as a subpoenaed witness shall either (A) remit the jury/witness fee to the University bursar through the supervisor or department head and record jury duty hours as administrative absence with pay, or (B) accept jury duty fee and record jury duty hours as Excused unpaid absence.

2. **University Designated Emergencies**

Emergency administrative absence is used to excuse employees from reporting to or remaining at work when circumstances restrict productive work and/or jeopardize employee safety and/or health. The University President or designee may authorize any emergency administrative absence; additionally a dean or vice president may authorize an emergency administrative absence within his/her organization as necessary. Emergency administrative absence typically is with pay.

3. **Voting**

Employees shall be granted reasonable administrative absence with pay for voting in a general or special election if the polls:

- open less than three (3) hours before the employee’s regular work shift, or
- close less than three (3) hours after the end of the employee’s regular work shift.

Requests for such absences shall be made prior to election day. The supervisor may specify the time of day the employee may be absent.

4. **Annual Military Active Duty**

**ELIGIBILITY**

An employee who is a member of the National Guard or a reserve component of the U. S. Armed Forces shall be granted absence with pay for active duty or active duty training for a period not to exceed 30 work days in any two (2) consecutive calendar years.

**EMPLOYEE RESPONSIBILITY**

A copy of active duty orders must accompany an advance request for annual military active duty assignment.

5. **Bereavement**

An employee is eligible for administrative absence with pay for up to three (3) working days, because of the death of the employee's spouse, parent, parent-in-law, child, brother, sister, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or any other person who is a member of the employee's household. A parent is defined as a natural parent, step-parent, adoptive parent or surrogate parent. A child is defined as a natural child, adoptive child, foster child or step-child.

An employee may be granted up to two (2) additional paid working days in order to attend or arrange funeral services out-of-state.

An employee on Family and Medical Leave who would otherwise be eligible for bereavement absence with pay should notify the supervisor of the event and be credited with the appropriate pay designation. Paid absence for bereavement shall not be credited toward Family and Medical Leave entitlement.

An eligible employee may use accrued paid sick time upon death of family members who are not covered under this policy. Employees may use up to three (3) days of accrued paid sick time for this purpose and two (2) additional days to attend or arrange funeral services out-of-state.
209.0 Excused Unpaid Absence

Policy Number: 209.0

Effective Date: September 1, 1988

Revised Date: June, 2007

If an absence from work for other than administrative leave purposes (i.e., those set forth in the Administrative Absence With Pay policy, Policy #208) is for a period of 28 calendar days or less, an excused unpaid absence may be granted. Approval is subject to individual circumstances and University need and is at the sole discretion of the employee's responsible administrator.

ELIGIBILITY

Any Classified Staff employee, including a probationary employee, is eligible to request an excused unpaid absence.

PROCEDURE

The responsible administrator may accommodate an employee's request to be granted an excused unpaid absence to the extent that the workload, department requirements, and other circumstances permit. The responsible administrator's signature on the Employee Time Record constitutes approval of the employee's request. The Time Roster shall be adjusted by the departmental Payroll Representative to reflect the correct number of hours for which the employee shall be paid.

212.0 Personal Leave of Absence

Policy Number: 212.0

Effective Date: September 1, 1988

Revised Date: June, 2007

A Personal Leave of Absence without pay is a discretionary leave and may be granted for a period up to one (1) calendar year, at the discretion of the employee's responsible administrator. Personal reasons include, but are not limited to, enrollment in educational course work relating to the employee's position, temporary relocation of spouse or family emergency. The approval of such leave shall largely depend upon the circumstances, specialization or critical nature of the employee's position, as well as the practicality of replacing the employee for a temporary period. Assurance of the return of the Classified Staff employee to University employment is required if such a leave is to be granted. Approval of requests for Personal Leave of Absence constitutes an agreement by the employee's department to return the employee to his or her job classification or to a comparable position at a pay rate not less than the former rate, contingent upon the availability of funds.

ELIGIBILITY

A Regular Classified Staff employee who meets each of the following conditions shall be eligible to request a Personal Leave of Absence:

1. Satisfactory completion of the initial six (6) month probationary period.
2. The employee has exhausted all accrued vacation prior to the commencement of the planned Personal Leave of Absence.
3. Assurance of the employee's intent to return to University employment at the expiration of the Personal Leave of Absence.
4. The employee's assurance that the Personal Leave of Absence has not been requested for the purpose of obtaining employment outside the University.
5. Approval of the employee's request for Personal Leave of Absence by the responsible administrator.
CONTINUOUS SERVICE

Continuous University service shall not accrue during a period of Personal Leave of Absence.

BENEFITS

A Regular Classified Staff employee who is on an approved Personal Leave of Absence and who wishes to retain existing insurance benefits coverage shall make arrangements with the Benefits Unit of Human Resources prior to commencement of the leave to pay both the employee and the University premiums for such coverage.

Vacation and paid sick time hours shall not accrue during the period of unpaid Personal Leave of Absence.

PROCEDURE

Employee

1. Make written application to the supervisor for Personal Leave of Absence. Provide anticipated dates of the Personal leave of Absence.

Supervisor/Department Head

1. Approve or disapprove employee's request in accord with the provisions of this policy. Notify employee of decision.
2. If leave request is approved, prepare Request for Extended Leave of Absence Form, obtain signature of responsible administrator(s), obtain employee's signature, forward to Human Resources.

Human Resources

1. Review leave Request for Extended Leave of Absence Form for conformance to this policy. If approved, sign and forward to Systems Control for data entry, with a copy to the Leave Management Unit of Human Resources. If not approved, notify the responsible administrator in the employee's department why the leave request is denied.

Systems Control

1. Remove the employee from the active payroll. Enter information from the Request for Extended Leave of Absence Form into PSOS and forward form to Payroll for placement into the employee's personnel file.

Employee

1. Contact the Leave Management Unit of Human Resources if employee desires to continue insurance coverage during the leave of absence.

Supervisor

1. Upon the employee's return to work, fill out the return date in the appropriate box on the employee's Extended Leave or Absence Form and forward to Systems Control for processing.

Systems Control

1. Restore the employee to the active payroll. Enter the information submitted on the PPAF.

214.0 Extended Military Leave of Absence

Policy Number: 214.0
Effective Date: September 1, 1988

Classified Staff employees who are voluntarily or involuntarily placed on extended active duty with the National Guard or the U.S. Armed Forces shall be placed on a leave without pay status in a manner consistent with applicable Arizona Revised Statutes and the Federal Veterans Reemployment Act. Active duty orders shall accompany requests for such leave.
Extended active duty is defined as a period of more than 30 calendar days. An employee on Extended Active Duty Military Leave shall not accrue sick or vacation leave or other benefits.

**REEMPLOYMENT RIGHTS**

A Classified Staff employee who has Veterans' reemployment rights shall he returned to the former position held or a comparable position at a comparable rate of pay, contingent upon the availability of funds, unless circumstances make it impossible or unreasonable to do so.

**CONTINUOUS SERVICE**

The period of active duty shall represent continuous University service so long as the military service Conforms to provisions as specified by applicable Arizona Revised Statutes and the Veterans' Reemployment Act.

Reference: Uniformed Services Employment and Reemployment Rights Act (USERRA)

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**215.0 Worker's Compensation/Job-Related Injuries or Illnesses**

**Policy Number:** 215.0  
**Effective Date:** September 1, 1988  
**Revised Date:** June, 2007

All employees of the University are insured and are provided benefits under the Workers' Compensation Act in the event of a job-related injury or illness. Benefits include medical expenses, compensation for lost time, permanent disability benefits, and death benefits as applicable.

Absence from work due to an on-the-job injury or illness is considered to be a serious health condition for the purposes of applying Family and Medical Leave (Policy 218.0). If the employee is eligible for and entitled to Family and Medical Leave, the time away from work up to 12 work weeks should be credited to the employee's Family and Medical Leave entitlement.

**MEDICAL TREATMENT**

As provided by A.R.S. 23-908E, the University has designated the Campus Health Service as its physicians.

**INJURY OR ILLNESS**

All employees who suffer job-related injuries or illnesses and wish to file workers' Compensation claims are asked to visit the Campus Health Service. If the Campus Health Service is closed, employees are asked to go to the University Medical Center Emergency Room. In emergency situations or when away from the Tucson metropolitan area, employees should go to the nearest medical facility capable of providing the necessary services.

State law provides that the University may name a physician to be employed for job-related injuries and illnesses. The University has accordingly designated the Campus Health Service as its physician for this purpose. The University retains the right to require any injured (or ill) employee to be seen by the Campus Health Service as a Condition of filing a workers' compensation claim on behalf of the employee. If an employee chooses not to be seen by the University-designated medical provider in accordance with this policy the employee may not receive workers' compensation payments.

**COMPENSATION**

Workers' Compensation is paid for a temporary complete disability at two-thirds of the employee's average monthly wage at the time of the injury, with a maximum payment of $2,400 per month.

Workers' Compensation pay plus vacation or paid sick time pay may equal but not exceed the employee's full regular salary or wages. Employees who wish to receive vacation or paid sick time pay in conjunction with Workers' Compensation pay may contact Risk Management for assistance.
**BENEFITS CONTINUATION**

An employee on an approved unpaid leave of absence due to an on-the-job injury or illness may elect to continue health and dental insurance coverage for a maximum of six months by paying the employee cost. Should the leave of absence be extended beyond six months, the employee may elect to continue insurance coverage by making arrangements with the Human Resources Benefits Unit to pay both the employee and University premiums.

For continuation of other benefits, the employee shall make arrangements with the Benefits Unit.

**PROCEDURES**

**Employee**

Notify supervisor of injury or illness and report to Campus Health Service. Notify those in attendance that the injury or illness is work related. Complete the employee’s section of the University Accident Report.

**Supervisor**

Assist the employee in obtaining medical treatment and complete the supervisor’s section of the University Accident Report. Distribute copies as indicated on the form.

**Risk Management**

When accident report is received, start the claims process as outlined in the Payroll/Personnel System Administrative Manual, Workers’ Compensation Payment procedure, as revised.

**Campus Health Service**

Treat the injured employee and initiate the required records. Distribute documents as required.

**NOTE:** The Campus Health Service is open 8:00 a.m. to 5:00 p.m., Monday through Friday.

**Reference:** Worker’s Compensation Act, A.R.S. 23-901 to 1091; Family & Medical Leave Act of 1993

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**216.0 Light Duty Placement**

**Policy Number:** 216.0  
**Effective Date:** September 1, 1988  
**Revised Date:** October, 1993

The University recognizes the value of permitting employees returning from an illness or injury to, temporarily, work on a light duty basis. Light duty placement may include a reduction in full time equivalency, limiting or altering duties in the employee’s existing position, or temporarily reassigning the employee to another position which he or she is qualified and capable to perform.

In cases where an employee has had an on-the-job injury/illness, the employee’s department head or other appropriate department representative shall fully consider and attempt a light duty placement of the injured employee. In cases where an employee has not been involved in an on-the-job injury/illness, supervisors of employees are encouraged to consider light duty placement whenever practical.

Employees eligible for Family and Medical Leave (Policy 218.0), who can perform the full range of job duties have the right to return to work on a reduced hours schedule and use FML entitlement on an intermittent basis. Employees who require a reduction of hours and an alteration of duties may be entitled to use Family and Medical Leave entitlement.

In deciding the practicality of light duty placement solely involving altered duties or when an employee has exhausted Family and Medical Leave, management of the respective area must address each Situation on a case by case basis. Such factors as medical...
considerations, long term disability claims, physical restrictions, work availability and demands. flexibility in scheduling, and/or other interests of the University should be considered when reviewing such light duty placement.

**PROCEDURE**

1. The employee shall provide the supervisor with a fitness-for-duty medical certification completed by the attending physician. This certification shall indicate that the employee may return to work with noted limitations or restrictions for a specified period of time. For employees on Worker's Compensation, on-the-job injury status forms are available from the Department of Risk Management and Safety.

2. The employee's supervisor may communicate with the attending physician, a designated physician at Campus Health, or the Department of Risk Management, as necessary, to clarify and attain specificity on physical restrictions and limitations relative to specific job duties and responsibilities. The employing department shall consider the nature of the restrictions/limitations relative to job content, work availability, workload demands, etc. in determining the practicality of light duty placement.

3. In situations where the employee is entitled to use Family and Medical Leave on an intermittent basis, the employing department shall make the accommodation.

**Reference:** 3-D Memorandum of 9/22/87; Family & Medical Leave Act of 1993

### 217.0 Qualified Tuition Reduction

**Policy Number:** 217.0  
**Effective Date:** September 1, 1988  
**Revised Date:** August, 2005

The University provides a Qualified Tuition Reduction (QTR) program which enables eligible individuals to enroll in courses of study at reduced registration fees. The QTR is reciprocal among the three state universities.

**ELIGIBILITY**

**EMPLOYEES**

Regular Classified Staff employees who work .50 FTE through 1.0 FTE may register for up to 9 credit hours per regular semester, up to 6 credit hours per regular summer session, and up to 4 credit hours per winter session at the reduced rate of $25. The Qualified Tuition Reduction does not include any laboratory, course, or materials fees. Regular Classified Staff employees are eligible for this benefit on the first day of their Regular Classified Staff employment.

**SPOUSES**

Spouses of Regular Classified Staff employees who register for 1-9 or more credit hours per regular semester and 1-6 per summer session shall pay the reduced rate of $25 per semester, winter session or summer session for the total number of credit hours, plus any laboratory, course, or materials fees. Eligible spouses may enroll at the special rate for classes that begin subsequent to the employee's date of employment.

**DEPENDENTS**

Dependent children of Regular Classified Staff employees may register for one or more courses at the rate of 25 percent of the full fees plus any laboratory, course or materials fees. Eligible dependent children may enroll at the special rate for classes that begin subsequent to the employee's date of employment. A dependent child is defined as one who is less than age 30 as of the first day of the semester for which application is made for reduced registration fees and who is eligible to be claimed as a dependent for federal tax purposes.

**RETIREEES**
Retired Regular Classified Staff employees and their spouses and eligible dependent children, who were eligible for Qualified Tuition Reductions at the time of the employee's retirement, may continue to be eligible under the same terms and fee schedule as eligible employees if they

- have completed at least five (5) years of continuous, eligible employment immediately preceding retirement,
- are receiving a retirement annuity under an Arizona university-sponsored retirement program,
- are at least 50 years old, and
- were not terminated for cause by the University.

University of Arizona police officers who retire before age 50 pursuant to the provisions of the Arizona Public Safety Personnel Retirement System and who have completed five (5) continuous years of eligible employment in the Arizona University System immediately preceding retirement, and their spouses and dependent children, are eligible for the Qualified Tuition Reduction benefit.

**LEAVE OF ABSENCE**

Regular Classified Staff employees on an approved leave of absence, and their spouses and eligible dependent children, continue to be eligible for the Qualified Tuition Reduction for the duration of the approved absence.

**LAYOFF/REDUCTION IN FORCE**

Otherwise eligible employees whose positions have been eliminated as a result of a reduction-in-force, and their spouses and dependent children, are eligible to receive the Qualified Tuition Reduction benefit for a period not to exceed 12 months from the effective date of the layoff/RIF if the employee has been employed at least five (5) consecutive years at the University immediately prior to the effective date of the layoff and he or she received a satisfactory or better performance evaluation. Employees who have been laid off, and their spouses and dependent children, may continue to receive the QTR benefit for any semester or summer session when registration for classes for that semester or session occurs at least one day before the expiration of the 12 month period from the layoff effective date.

**SPOUSES/DEPENDENTS OF DECEASED EMPLOYEES**

Upon the death of an eligible employee, retiree or employee who terminated employment for reasons relating to his or her long-term disability, with at least five (5) continuous years of full-time employment with the University, the employee's spouse and/or otherwise eligible dependent children may enroll with the Qualified Tuition Reduction. The spousal benefit terminates at the time a surviving spouse remarries. The dependent benefit terminates at the time the dependent becomes 30, is no longer claimed as a dependent by the surviving spouse or estate, or the surviving parent remarries.

**AFFILIATED UNITS AND EMPLOYEES**

Employees of an affiliated unit and their spouses and dependent children may qualify for inclusion under the provisions of this policy, with the approval of the President or designee, if the employee is a member of an ROTC unit or if an approved written contract exists between the University and the affiliated unit that expressly grants Qualified Tuition Reduction to employees of the affiliated unit.

**OTHER**

Otherwise eligible employees who terminate employment for reasons relating to their long term disability, and their spouses and dependent children, are eligible to participate if they have at least five (5) years of continuous eligible service with the University immediately preceding their separation from employment. If the employee's long-term disability benefits cease, the employee ceases to be eligible for the Qualified Tuition Reduction benefit.

**GENERAL**

The reduction of fees under this policy does not include expenses such as library and laboratory fees, books, supplies, and other special course fees. Also excluded from this policy are correspondence courses.
This policy is not intended to limit the total number of credit hours an employee may take; however, credit hours taken in excess of the limits specified in this policy shall be paid for by the employee at the actual resident tuition rate for those hours.

Employees and their spouses are not eligible for student perquisites such as, but not limited to, student activity tickets or student health insurance programs.

Employees may enroll for courses during normal work hours with prior approval from their responsible administrator, directors, or department heads, providing the time lost from work (including travel to and from class) is made up during the same work week.

**FEE RATES - TUITION AND REGISTRATION COSTS**

Information on tuition and registration costs is available from the Bursar's Office.

**Reference:** Arizona Board of Regents Policy

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**218.0 Federal Family And Medical Leave**

**Policy Number:** 218.0  
**Effective Date:** August 1, 1993  
**Revised Date:** October, 2014

**A. Policy**

It is the policy of the University of Arizona to comply with the federal Family and Medical Leave Act (FMLA) of 1993, as amended; the National Defense Authorization Act, as amended; and all implementing regulations. All references to the FMLA include these laws and regulations.

**B. Eligibility Requirements**

An "eligible employee" is a University employee (Appointed Personnel, Classified Staff, Student Employee, or Graduate Assistant/Associate) who:

- Has been employed by the University for at least 12 months; and
- Has worked at least 1,250 hours during the 12-month period immediately preceding the start of the FMLA leave.

The calculation of the 12 months of University employment is cumulative and encompasses all employment categories (Appointed Personnel, Classified Staff, Student Employee, and/or Graduate Assistant/Associate). Separate periods of employment will be counted cumulatively, provided that the break in service does not exceed 7 years, unless such break in service was due to a National Guard or Reserve military service obligation.

Only those hours actually worked will be counted toward the determination of whether the employee has worked 1,250 hours during the 12-month period; paid and unpaid absences are not counted. An employee returning from fulfilling a National Guard or Reserve military obligation will be credited with the hours of work that would have been performed during the period of military service had the employee worked for the University during this time.

**C. Employee Leave Entitlements**

Eligible employees are entitled to either the Basic Leave Entitlement or the Military Family Leave Entitlement, as described below.

**1 Basic Leave Entitlement**

The University provides up to 12 work weeks of unpaid, job-protected leave in a "leave year" to eligible employees for one or more of the following qualifying basic leave reasons:

- The birth of the employee's child and/or to bond with the newborn child within one year of birth;
• The placement of a child with the employee for adoption or foster care and/or to bond with the newly placed child within one year of placement;

• A serious health condition of the employee;

• To care for the employee's spouse, child, or parent who has a serious health condition; or

• To address any qualifying exigency arising out of the fact that the employee's spouse, child or parent is a covered military member on covered active duty.

For purposes of the basic leave entitlement, a "leave year" is a rolling 12-month period measured backward from the date the proposed FMLA leave is to begin.

2. Military Family Leave Entitlement

The University provides up to 26 work weeks of unpaid, job-protected FMLA leave during a "single 12-month period" to eligible employees for the following qualifying military family leave reason:

• To care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin.

For purposes of the military family leave entitlement, the "single 12-month period" begins on the first day the eligible employee takes FMLA leave to care for the covered servicemember and ends 12 months after that date. FMLA leave for this reason is applied on a per-covered-servicemember, per-injury basis; however, no more than 26 work weeks of FMLA leave may be taken within a single 12-month period.

D. Requests For Leave and Responding to the Request

An employee must make a request for FMLA leave to his or her supervisor following established University FMLA leave procedures. The supervisor will promptly coordinate with the designated leave coordinator to ensure University FMLA procedures and timelines are followed for notifying the employee of eligibility, certification requirements, and whether the leave will be designated and counted as FMLA leave.

E. Use of Paid Time During FMLA Leave

FMLA leave runs concurrently with the use of the eligible employee's accrued paid time benefits, as applicable, (i.e., sick time, vacation time, paid parental leave, and, for non-exempt employees, compensatory time), approved use of compassionate transfer of leave, and during the receipt of any disability/insurance plan payments (i.e., short-term disability, long-term disability, or worker's compensation). A period of FMLA leave will be unpaid if the employee is not eligible for accrued paid time or exhausts his or her balance of accrued paid time.

F. Recordkeeping

The supervisor or designated leave coordinator will promptly provide copies of the employee's completed Employee Request for Family and Medical Leave form, the supervisor's completed Notice of Eligibility and Rights & Responsibilities and Designation Notice forms, and all certification forms to Human Resources. These forms will be kept in the employee's department and University records; however all medical certifications or related FMLA leave documentation will be maintained as confidential medical records in separate files, apart from employee personnel files.

G. Reinstatement/Return to Work

An employee must either return to work on the first scheduled workday after the last day of approved FMLA leave or request additional leave on or before the last day of approved FMLA leave. When an employee returns to work on or before the expiration of FMLA leave, the employee's department will reinstate the employee either to the same position the employee held when the leave commenced or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

If the FMLA leave was due to the employee's own serious health condition and the supervisor required a fitness-for-duty certification in the Designation Notice, then the employee must provide such certification from his or her health care provider on or
before the date the employee is scheduled to return to work. If the employee fails to provide the fitness-for-duty certification by that time, then the supervisor may delay the employee's restoration to employment until the employee submits the required certification.

If the employee's position or appointment is identified for layoff (classified staff) or nonrenewal (appointed personnel) to be effective prior to the expiration of FMLA leave, then the employee will not be entitled to reinstatement so long as the employee's position or appointment would have terminated irrespective of the employee's use of the FMLA leave.

If an employee requires additional leave from work beyond the basic leave entitlement or military family leave entitlement, the employee may request to use any remaining accrued paid time benefits or request an unpaid leave, subject to approval by the supervisor or responsible administrator.

An employee who requires reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) (as amended), including any extension of leave following an FMLA leave, should make a request for reasonable accommodation through the University's Disability Resource Center as soon as he or she believes that such an accommodation may be required.

H. **Effect on Benefits**

Information on healthcare, life, disability and other insurance coverage is available on the University FMLA leave procedures website.

**Continuous Service**

University continuous service will accrue during the period of an FMLA leave. However, FMLA leave may not count toward the completion of any applicable probationary period for a Regular Classified Staff employee.

I. **Voluntary Termination**

An employee on FMLA leave will be considered to have voluntarily terminated employment if he or she:

- Advises the University of his or her intention not to return to work either after the expiration of approved FMLA leave or during any approved FMLA leave; or
- Fails to return to work upon the expiration of FMLA leave, unless the employee has requested and been granted: (1) the use of any remaining accrued paid leave; (2) an unpaid leave; or (3) a leave as a reasonable accommodation under the ADA.

If an employee does not return to work for at least 30 calendar days after the employee's FMLA leave entitlement has been exhausted or expires, then the employee may be required to repay the University the full health and dental insurance premiums the University paid on the employee's behalf during the period of unpaid FMLA leave. An employee will not be required to repay the premiums when the reason the employee does not return to work is due to a serious health condition of the employee or his employee's family member; the serious injury or illness of a covered servicemember; official University retirement; or circumstances beyond the employee's control. The University may require the employee to provide certification of the reason for failure to return to work.

J. **Prohibited Conduct**

The FMLA makes it unlawful for any University employee, supervisor, or administrator to: (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; and (2) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

The Genetic Information and Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the University does not ask employees to provide any genetic information when responding to any request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or
received genetic services, and genetic information of a fetus carried by an individual or individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

K. Resources

FMLA Leave Definitions
FMLA Leave Forms
FMLA Leave Procedures
Family and Medical Leave Act Poster

219.0 Temporary Alternative Duty Assignment

**Policy Number:** 219.0

**Effective Date:** December 1, 1997

**Revised Date:** June, 2002

It is the University's intent to provide family-friendly policies and practices aimed at supporting employees to balance work and family life. Deans, directors, department heads, and other supervisors shall take every reasonable effort to accommodate the needs of employees, to the greatest possible extent, and in a manner consistent with the effective and efficient operation of the University.

Under this policy, eligible employees may request a period of up to sixteen weeks during which the employee may receive a temporary assignment of alternative duties that will make it more feasible for the employee to remain on active employment at the University while affected by the following circumstances:

- the birth of the employee's child and to care for such newborn child; or
- a child's placement with the employee for adoption or foster care, or
- the need to provide temporary care to the employee's spouse/domestic partner, child or parent who has a serious health condition.

During the period of temporary assignment of alternative duties, the FTE (Full Time Equivalency) will remain unchanged and the employee will be compensated at the same rate of pay for all hours worked. If the employee elects to temporarily reduce the number of hours worked in addition to the assignment of alternative duties, the employee shall use paid or unpaid leave (including any remaining Family and Medical Leave) for the absence portion.

**Note:** A supervisor may not impose this policy as a substitute for an employee's request for Family and Medical Leave due to a qualifying reason or when medical conditions restrict an employee's ability to work.

**ELIGIBILITY**

All Appointed Personnel and Non-probationary Regular Classified Staff employees who are regularly scheduled for at least 20 hours per week (.50 FTE) and are expected to be active for more than 6 months are eligible.

**PROCEDURE**

The employee may apply for a temporary alternative duty assignment to his or her immediate supervisor -- such as a department head, director, or unit administrator ("supervisor"). The application must include a statement signed by the employee attesting that the employee will be responsible for at least 50 percent of the care of the newborn, adopted, or foster child. The employee's request shall include the dates of the proposed period of alternative duty assignment, the proposed alternative duties, and any other arrangements that would be necessary in order to consider and implement the request. The employee shall request the period of reassigned duties as far in advance as possible, so that the unit will be able to accommodate the ensuing shift in responsibilities.
It is expected that the temporary alternative duties will be ones normally included in the employee's job description however, the range of actual duties will be altered. Examples of temporary alternative duties may include: alternative work schedule, substitution of duties within the classification, project specific work, and/or transportable work.

Approval of the temporary alternative duty assignment request is subject to the discretion of the supervisor in consultation with the unit administrator (dean, director, or department head). The supervisor shall consider the feasibility of the request within the circumstances of the affected work unit and whether in the best interests of the University. Such factors as availability and demands, potential for flexible scheduling in the particular position, and effect of the request on the unit's budget should be considered. The proposed dates of the temporary alternative duty assignment and details of the alternative duties must be approved by the supervisor.

The department shall maintain a copy of the employee's written request and the supervisor's written response.

220.0 Vacation and sick leave accruals for rehires

Policy Number: 220.0
Effective Date: January 1, 2000
Reference: Arizona Board of Regents Policy 6-402

221.0 Victim's Leave

Policy Number: 2210
Effective Date: February 1, 2003

General and Definitions

The University of Arizona is committed to providing victim's leave to eligible employees in accordance with the Arizona State Victim's Leave Law ARS § 13-4439; § 8-420. This law authorizes employees who are victims of crimes to leave work to exercise the right to be present at legal proceedings related to the crime.

As defined in ARS § 13-4401, a "victim" is 1) a person against whom the criminal offense has been committed, or 2) if the person is killed or incapacitated, the person's immediate family (victim's spouse, parent, child, sibling, grandparent or lawful guardian) or other lawful representative (person who is designated by the victim or appointed by the court and who acts in the best interests of the victim), except if the person is in custody for an offense or is the accused.

Using Vacation Leave, Unpaid Leave of Absence, and Accrued Compensatory Time

When using Victim's Leave, the eligible employee may use accrued vacation leave, excused unpaid leave, or accrued compensatory time. While there is no maximum leave time allocated for Victim's Leave, the University reserves the right to limit the leave provided under the law if the leave creates an undue hardship to the University's business.

Eligibility

Any University employee is eligible for leave under this policy, except that the employee is not eligible if a family member is the victim and the employee is in custody for the offense or accused of the crime.

Request for Leave

Request for Victim's Leave must be made to the employee's immediate supervisor or responsible administrator, providing as much notice as practical. In making this request, the employee shall provide

- a copy of the form provided to employee by the law enforcement agency, and
222.0 Group Insurance and Benefit Programs

Policy Number: 222.0
Effective Date: October 1, 2011
Revised Date: August, 2015

222.0.01 Benefits Eligibility

Employees who are employed at 20 hours per week (.50 FTE) or greater and in a position that is ninety (90) days or more in duration are considered eligible for insurance benefits as determined by the Arizona Department of Administration and the University of Arizona. Graduate assistant/associate positions are excluded from eligibility at the time of initial hire.

Information about the eligibility of an employee’s dependent(s) is available on the Human Resources website.

222.0.02 Benefits Enrollment Period and Effective Date

To participate in any of the benefit programs, eligible employees must enroll for benefits within the first 31 days of the date of hire or eligibility. Benefits elections are effective the first day of the pay period following a completed enrollment. If an employee does not enroll during the 31-day enrollment period, he/she may enroll or modify elections a) during the next annual Open Enrollment period or b) when there is a change in family status (Qualified Life Event) during the plan year. The annual open enrollment period usually occurs each October/November and the elections take effect on the following January 1.

More information about benefits enrollment and effective dates is available on the Division of Human Resources website.

Benefits - General Information

222.0.03 Tax Treatment of Premiums and Limits to Mid-Year Changes

The University participates in an Arizona Board of Regents tax qualified premium program defined in Internal Revenue Code section 125. Under this program, participant premiums for medical, dental, vision, and the first $35,000 of voluntary life insurance are offered on a pre-tax basis. Paycheck deductions for these premiums are taken before taxes are calculated, which reduces the participant’s taxable income.

This same program restricts when a participant may make changes to current coverage. Changes are generally limited to those available during the annual open enrollment period, unless there is a change in family status (Qualified Life Event e.g., marriage; divorce; the death of a spouse or child; the birth, adoption or change in dependent status of a child; or a change in a spouse's employment). Forms to change coverage related to a Qualified Life Event must be received by the Division of Human Resources within 31 days of the date of the life event.

222.0.04 Employer Paid Life Insurance

Benefits eligible employees receive a $15,000 life and accidental death and dismemberment insurance policy purchased by the University.

222.0.05 Supplemental Life Insurance

Benefits eligible employees may choose to purchase voluntary supplemental life insurance for themselves and/or their eligible dependents. The University does not pay any portion of the premiums for this coverage.

222.0.06 Health Insurance

- a copy of the notice of each scheduled proceeding that is provided to the victim by the responsible agency.

Reference: Arizona Revised Statutes § 13-4401; § 13-4439; § 8-420
Benefits eligible employees may choose to participate in voluntary group insurance programs that cover them and their eligible dependents.

1. **Medical Insurance**
   Information on current medical insurance options is available on the Division of Human Resources website. Premiums are deducted from employee paychecks on a pre-tax basis. The University pays a portion of the premiums for medical insurance coverage.

2. **Dental Insurance**
   Information on current dental insurance options is available on the Division of Human Resources website. Premiums are deducted from employee paychecks on a pre-tax basis. The University pays a portion of the premiums for dental insurance coverage.

3. **Vision Insurance**
   Information on current vision insurance options is available on the Division of Human Resources website. Premiums are deducted from employee paychecks on a pre-tax basis. The University does not pay any portion of the premiums for this coverage.

222.0.07 **Short-Term Disability Insurance**
Voluntary Short Term Disability insurance provides partial income replacement during the six-month waiting period before Long Term Disability benefits begin. Short-term disability benefits may be paid in addition to paid sick leave and/or vacation. Premiums are deducted from employee paychecks on a post-tax basis and the benefit payments are tax free. The University does not pay any portion of the premiums for this coverage.

222.0.08 **Flexible Spending Account Plan**
The Flexible Spending Account plan enables participants to have money deducted from paychecks before all the payroll taxes are calculated and have it deposited into either a special health care account or a special dependent care account. These participant deposits are used to reimburse the participant for qualified expenses. The University pays a monthly administrative fee on behalf of each participant for each account.

222.0.09 **Continuing Insurance Coverage**
Under certain circumstances, a participant may continue some voluntary group benefits when on a leave of absence and when he/she is no longer a benefits eligible employee.

1. **Continuing Insurance Coverage during a Leave of Absence (includes sabbatical)**
   Individuals on paid sabbatical or any paid leave of absence continue to participate in insurance programs through existing payroll deductions.
   An individual on an approved unpaid leave of absence may continue to participate in current insurance elections, provided arrangements are made with the Division of Human Resources for the individual to pay the full premiums, either in advance of the leave or monthly during the leave.

2. **Continuing Insurance Coverage after Termination or Loss of Eligibility**
Under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), a participant who terminates service or loses eligibility for benefits (or dependents who lose eligibility for benefits) may continue participation in the medical, dental and vision plans for up to 18 months by paying the required premium. Affected individuals have 60 days to elect COBRA upon notification by the employer. The health care flexible spending account may also be continued. More information about COBRA continuation coverage is available on the Division of Human Resources website.

**Reference:** Internal Revenue Code §125; Arizona Revised Statutes §38-951 – 38-954; §38-651 – 38-658
222.1 Retirement Programs and Long Term Disability

Policy Number: 222.1
Effective Date: October 1, 2011
Revised Date: March, 2015

222.1.01 Social Security and Federal Old Age Survivors Disability Insurance

The Federal Insurance Contributions Act (FICA) is a payroll tax withheld from paychecks for both Social Security (OASDI - Old Age Survivor and Disability Insurance) and Medicare (Hospital Insurance). Social Security (OASDI) is withheld on taxable gross income up to a certain wage limit each year, but there is no wage limit for Medicare withholding. Nonresident aliens may be exempt from paying FICA payroll tax.

222.1.02 Participation in a State of Arizona Retirement Program

Individuals who are employed at 20 hours per week (.50 FTE) or more for a period of twenty (20) weeks or longer within a fiscal year are required by Arizona law to participate in a recognized state of Arizona retirement plan. Participants and the University both contribute a percentage of gross earnings by pre-tax payroll deduction. Contribution rates are subject to change on a fiscal year basis. Each retirement plan includes long term disability insurance.

Non-pharmacy clinical assistants, postdoctoral research associates and nonresident aliens are ineligible to join these programs.

- Classified Staff participate in the Arizona State Retirement System (ASRS), a defined benefits retirement plan.
- Certified Peace Officers participate in the Public Safety State Retirement System (PSPRS), a defined benefits retirement plan.
- Administrators, Faculty, Academic Professionals and Service Professionals may make a one-time, irrevocable election to join either the Arizona State Retirement System (ASRS), a defined benefits retirement plan, OR the Optional Retirement Plan (ORP), a defined contribution plan. The retirement plan election must be made within 30 calendar days of the individual’s eligibility date. If an individual fails to elect a plan within 30 days, his/her participation will permanently default to membership in the ASRS.

222.1.03 Arizona State Retirement System (ASRS) and Long Term Disability Insurance

ASRS is a defined benefits retirement plan. Participation begins on the first day of the pay period following 183 days of employment. For individuals with prior ASRS membership and monies on account, the waiting period does not apply, and participation is effective on the first day of the pay period following date of hire.

Retirement benefit payments are based on years of service, age at time of retirement, and average earnings. Several payment options are available.

Normal retirement is the earliest an employee may retire with a full benefit. A Normal Retirement date occurs under the earliest of the following circumstances.

ASRS membership date of June 30, 2011 or earlier:
- At age 65; or
- At age 62 with 10 or more years of credited service; or
- At any combination of years of credited service and age totaling 80 points.

ASRS membership date of July 1, 2011 or later:
- At age 65; or
- At age 62 with 10 or more years of credited service; or
At age 60 with 25 or more years of credited service; or
At age 55 with 30 or more years of credit service.

Participants are eligible for retirement benefits if they subsequently discontinue employment with the State of Arizona and leave their contributions on deposit in the plan.

Individuals who terminate employment before becoming eligible for a retirement annuity may withdraw their personal contributions with accrued interest. Employees hired before July 1, 2011 may withdraw a portion of the employer contributions after 5 years of service, and 100% of employer contributions after 10 years of service. Employees hired on or after July 1, 2011 without any prior ASRS membership are not eligible to receive employer contributions when withdrawing funds, unless separation is due to layoff. (Arizona Revised Statute §38-846.02)

Long-Term disability insurance is a form of income protection that provides a portion of salary in the event of a disabling illness or injury. A six-month qualification period is required before benefits begin. The minimum monthly benefit is $50.00, and both the ASRS participant and the University pay taxable premiums for this benefit.

222.1.04 Public Safety Personnel Retirement System (PSPRS) and Long Term Disability Insurance

PSPRS is a defined benefits retirement plan. Participation begins on the first day of the pay period following date of hire.

Retirement benefit payments are based on years of service, age at time of retirement, and average earnings. Several payment options are available.

Normal retirement is the earliest an employee may retire with a full benefit. A Normal Retirement date occurs under the earlier of

- completion of twenty years of credited service, or
- at age 62 with completion of 15 years of credited service.

Participants may have a vested right to some level of retirement income, based on the plan's rules, after accruing sufficient credited service years. Once vested, if the employee separates from employment prior to retirement, the employee is eligible to receive employer contributions, plus interest. The PSPRS vesting schedule is defined in A.R.S. §38-954.

Long-Term disability insurance is a form of income protection that provides a portion of salary in the event of a disabling illness or injury. The minimum monthly benefit is $100.00, and the University pays the entire premium for this benefit.

222.1.05 Optional Retirement Plan (ORP) and Long Term Disability Insurance

The Arizona Board of Regents ORP is a defined contribution plan. Participation begins on the date of hire.

ORP participants select an authorized investment company and actively direct and manage contributions to their retirement accounts. Retirement benefit payments are based on the value of the accounts at the time a participant withdraws funds.

The University's matching contributions are held in escrow for five years. After five years of continuous service affecting ORP contributions, all monies held in escrow plus interest are sent to the participant's ORP investment company. Thereafter, both the participant's contributions and the University's matching contributions are sent to the participant's ORP investment company every payday.

Participants in the ORP who have an active membership (monies on deposit) in a qualified defined benefit or qualified defined contribution retirement plan from a college, university, or higher education organization located in a state other than Arizona, or in a similar type of retirement plan in any country other than the United States, shall be immediately vested in the Arizona ORP, upon verification of eligibility. Individuals leaving University employment may leave ORP funds on deposit, request a distribution, transfer, or rollover funds.

Long-Term disability insurance is a form of income protection that provides a portion of salary in the event of a disabling illness or injury. The minimum monthly benefit is $100.00, and the University pays the entire premium for this benefit.

222.1.06 Voluntary Supplemental Retirement Saving Programs
All University employees are eligible to participate in the voluntary supplemental retirement savings programs. Participant contributions are made by payroll deduction, and are taken before taxes are calculated, which reduces the participant’s taxable income. Voluntary deductions such as these are deducted only from the first two paychecks of each month. The University does not contribute to these voluntary retirement savings programs.

Participants actively direct contributions to their retirement savings accounts, and manage the investments. Contribution changes (start, stop, increase or decrease) may be made at any time. Investment options are traditional annuity and mutual fund products. Retirement benefit payments are based on the value of the accounts at the time a participant withdraws funds.

Additional information, including enrollment instructions and plan comparisons is available on the Human Resources website.

1. Voluntary 403(b) Plan (Internal Revenue Code §403(b))
   This program is jointly offered to employees by The Arizona Board of Regents and the Arizona Universities, which authorize specific investment companies to help employees save for retirement.

2. Deferred Compensation 457(b) Plan (Internal Revenue Code §457(b))
   This program is offered by the State of Arizona to all state and university employees, which authorize an investment company to help employees save for retirement.

222.107 Official University Retirement Benefits

To be eligible to receive official University retirement benefits, an individual must:

- Be considered in retirement status by receiving a distribution from any retirement program recognized by the State of Arizona.
- Be at least fifty (50) years of age;
- Have completed five (5) years of continuous, full-time employment in the Arizona University System (or approved leave of absence or long-term disability) immediately preceding retirement; and
- Have not been terminated for cause by the University.

Notwithstanding these provisions, university peace officers who have retired before age fifty (50) pursuant to the provisions of the Arizona Public Safety Personnel Retirement System but have completed five (5) years of continuous, full-time employment in the Arizona University System (or approved leave of absence or long-term disability) immediately preceding retirement shall also be eligible for this benefit.

Retirees who meet these eligibility requirements have access to the following benefits:

- Free parking permit, for pre-defined locations
- Extension of UA Email privileges
- Discounts at UA Bookstores, season tickets for athletic events, and membership at the Student Union
- Recreation Center
- University Library loan privileges

222.108 Retiree Accumulated Sick Leave Payment

Under this program, a retiring benefits eligible employee who has accrued at least 500 hours of unused sick time may receive cash payment for these hours. The maximum benefit is 1,500 hours of sick time, up to a maximum of $30,000. Benefits are paid out over a three year period, and appropriate FICA, federal and state income taxes are deducted prior to the payment of the benefit.

The State of Arizona General Accounting Office (GAO) maintains and administers the Retiree Accumulated Sick Leave (RASL) program as defined by Arizona Revised Statutes §38-615 and §38-616, and outlined in section II-R of the State of Arizona Accounting
Manual. Eligibility, application and payment option information is available on the GAO’s RASL website. Eligible retirees may apply to the General Accounting Office, which has sole discretion to grant or deny payment under for the RASL program.

The RASL benefit value is calculated by multiplying the hourly pay rate at the time of retirement by the number of unused sick time hours (up to 1,500), as reported in the University's payroll system, and multiplied by the appropriate following percentage:

- At least 500 but less than 750 sick time hours; 25%
- At least 750 but less than 1,000 sick time hours; 33%
- At least 1,000 but less than 1,500 sick time hours; 50%

The hourly pay rate is calculated using the following methods.

- Hourly pay rate for fiscal year employees = Annualized Pay x FTE / 2,080 hours
- Hourly pay rate for academic year employees = Annualized Pay x FTE / 1,520 hours

Sick time is not paid in the event of resignation or discharge.

If the employee is eligible for normal retirement at the time of death, the beneficiary will receive a one-time lump sum cash payout.

Reference: ABOR 6-603 Voluntary 403(b) Program; Arizona Revised Statutes Title 38

223.0 Leave for the Purpose of Bone Marrow or Organ Donation

Policy Number: 223.0
Effective Date: January 1, 2010

As required by A.R.S. § 41-706, a board or university employee is entitled to a leave of absence for the purpose of bone marrow or organ donation as follows:

1. Five work days to serve as a bone marrow donor for a bone marrow transplant if the employee provides the employer with written medical certification issued by the employee’s health care provider that the employee is to serve as a bone marrow donor.

2. Thirty work days to serve as an organ donor for a human organ transplant if the employee provides the employer with written medical certification issued by the employee’s health care provider that the employee is to serve as an organ donor.

3. An employee who is granted a leave of absence pursuant to this section is entitled to receive base pay without interruption during the leave of absence. For the purpose of determining seniority, pay or pay advancement and performance awards and for the receipt of any benefit that may be affected by a leave of absence, the service of the employee is considered uninterrupted by the leave of absence.

4. The employee will not be penalized for requesting or obtaining a leave of absence pursuant to this section.

Reference: ABOR 6-811; Arizona Revised Statutes §41-706

300.0 Compensation and Classification System

Policy Number: 300.0
Effective Date: September 1, 1988

The compensation and classification system for Classified Staff employees is designed to meet the following goals:

1. To meet the needs of the Universities.
2. To meet the needs of the affected employees.
3. To be competitive with the identified labor markets while maintaining fiscal responsibility.
4. To provide for equality of opportunity and advancement of affirmative action.
5. To ensure accountability for compliance with Arizona Board of Regents policies and statutory requirements.

The following Objectives have been established to meet the goals of the compensation and classification system:

1. Classification descriptions and allocation of positions to the classes should show a clear distinction between levels of responsibility and complexity of work performed.
2. The classification system should be responsive to organizational change, through the creation of new classes and redefinition of position responsibilities.
3. The compensation program should be sufficiently flexible to attract, retain and promote qualified employees.
4. The Arizona Board of Regents, within permissible statutory confines, should delegate to the University the responsibility for implementation and administration of the system.
5. Employee performance should be recognized through the compensation program.
6. There should be defined career ladders/paths for occupational groups, where practical, to afford employees career progression commensurate with their skills and abilities and University needs.
7. The compensation and classification system should be understandable to the employees of the University.
8. Labor markets should be defined for the University by the recruiting area for each occupational group.
9. Labor market-based salary differentials should exist, when necessary, to reflect different average salaries paid in the relevant labor market of the University.
10. The pay grade range midpoints should approximate the average salaries paid to positions in the relevant labor markets as reported in the survey results. Pay range minimums and maximums should be established according to survey results.
11. Classifications should be allocated to the salary structure primarily through labor market slotting for jobs surveyed. Classifications which do not lend themselves to salary surveys should be allocated to the salary structure based upon their internal relationship to comparably surveyed jobs.
12. The compensation and classification system should attract, retain, and promote qualified individuals to achieve a comparable representation of women and minorities in the relevant labor markets.

RESPONSIBILITY/AUTHORITY

The responsibility and authority for administering and implementing the compensation and classification system at the University of Arizona resides with the Vice President for Human Resources.

Reference: Compensation & Classification System

304.0 Requests for Position Reclassification

Policy Number: 304.0
Effective Date: September 1, 1988
Revised Date: June, 2002

Reclassification of vacant or occupied positions is appropriate when imminent restructuring of the position will occur as a result of management's decision to change the objectives and nature of the work to be performed. This restructuring should create
significant and permanent changes in the duties and responsibilities of the position. All such requests, with the funding identified for any resultant increases by the responsible administrator, must be submitted to Human Resources.

This policy exists to provide management with a vehicle for adjusting job classifications to meet the changing needs of the unit. The Department Head shall determine whether the proposed changes in duties and responsibilities are significant, material, and permanent. When the Department Head has made such a determination and has identified available reclassification funds, the position shall be considered for reclassification audit. The incumbent should not assume the new duties until funding has been identified and the position has been reclassified.

Department heads shall identify funding prior to submitting requests for position reclassification. Reclassifications and any resultant pay changes shall not be effected retroactively. Reclassifications approved by Human Resources may become effective as of the effective date shown on the reclassification letter from the Human Resources Advisor. Normally, this is the beginning of the next pay period.

The salary of an employee who is hired or advanced to a higher pay grade through reclassification shall be established in accordance with Classified Staff Human Resources Policy 306.0 Pay Rates-Hire, Promotion, Reclassification, Regrade.

The Director of HR Research and Analysis may approve a salary in exception to the above if the responsible administrator submits a written request that specifies the reason(s) for an exception and has identified the required funds.

**DEFINITION**

Reclassification is a change in the classification of a position resulting from a job audit by Human Resources where it is found that the duties and responsibilities of the position will be changed permanently, materially, and significantly. An employee must meet the minimum qualifications of the new classification in order to be reclassified.

**RECLASSIFICATION APPEAL PROCEDURE**

If a department does not agree with the recommended reclassification of a position, the supervisor shall submit a letter to the Director of Benefits and Employment Advising or the Director of UAHS HR Partners, through the Department Head, within three weeks of the effective date on the reclassification notice from Human Resources specifying the reasons why the classification is not appropriate and proposing a desired classification, referencing job descriptions for both the recommended and desired classifications.

The Director of Benefits and Employment Advising or the Director of UAHS HR Partners shall review the letter, discuss it with the supervisor and, if necessary, the department head, and determine if the classification proposed by the department is more appropriate than the classification initially recommended. The Director of Benefits and Employment Advising or the Director of UAHS HR Partners shall provide written notification and explanation of approval or denial of the alternative classification to the supervisor and department head.

If the department's proposed title is not approved by the Director of Benefits and Employment Advising or the Director of UAHS HR Partners a further appeal may be addressed to the Vice President of Human Resources by the Department Head and should specify the reasons that the classification proposed by the department is appropriate. The Vice President of Human Resources shall determine which classification is most appropriate. The decision of the Vice President of Human Resources is final and concludes the appeal process. The department should not delay implementation of the reclassification recommended by Human Resources pending the disposition of the appeal. If the appeal is successful, the department may implement the appealed classification retroactively to the same date as the initial reclassification.

**Reference:** Board of Regents Policy 6-402

### 305.0 Reclassification Studies

**Policy Number:** 305.0
Effective Date: September 1, 1988

Reclassification studies of departments or departmental programs may be initiated by one of two means:

1. Department heads may request Human Resources to review departmental classifications, subject to the availability of funds;
   or
2. Human Resources may request that classifications within a department be audited on a department-wide or program-wide basis as a result of either an apparent classification discrepancy revealed by an individual audit or an Arizona Universities Personnel System Review.

**PROCEDURE**

Department heads who desire reclassification studies shall submit a letter of request to Human Resources. A Compensation Analyst(s) shall confer with the department head and determine if a study is appropriate. The department shall submit Staff Position Questionnaires for employees involved in the study through the appropriate organizational structure (see Procedure, Request for Position Reclassification, Pol. #304.0).

Human Resources shall audit the positions and submit written recommendations to the department head regarding the classifications and, if circumstances warrant, the organizational structure.

**306.0 Pay Rates-Hire, Promotion, Reclassification, Regrade**

**Policy Number:** 306.0

**Effective Date:** September 1, 1988

**Revised Date:** March, 2002

The salary of an employee who is hired or advanced to a higher pay grade through promotion, reclassification, or classification regrade shall be established within the range of the assigned pay grade at one of the following.

1. The minimum of the assigned pay grade for the classification.
2. A salary that is 10 percent greater than the employee's current salary.
3. A salary of up to 10 percent above the minimum OR the range midpoint of the assigned pay grade for the job classification may be approved subject to the availability of funds by the responsible Dean, Director, or Department Head for individuals whose experience, education, and skills specifically relate to the classification and exceed the minimum qualifications and skills required for the position.
4. The Vice President for Human Resources may approve a salary in exception to the above if the responsible Dean, Director, or Department head submits a written request that specifies the reason(s) for an exception and has identified the required funds.

**DEFINITIONS**

Demotion is a change in the classification of a Classified Staff employee to another classification in a lower pay grade.

Promotion is a change in the classification of a Classified Staff employee to another classification in a higher pay grade through application of a competitive selection process or a qualified application of the Noncompetitive Selection policy, Classified Staff Human Resources Policy #117.0.

Reclassification is a change in the classification of a position resulting from a job audit by Human Resources where it is found that the duties and responsibilities of the position will be changed permanently, materially, and significantly. An employee must meet the minimum qualifications of the new classification in order to be reclassified.

Regrade is a change in the pay grade of a classification to align more closely the classification’s pay rate with the University's compensation philosophy.
**Transfer** is the movement of an employee from one department or university to another department or university within the same classification or grade. An employee who transfers is eligible for consideration for regular salary adjustments.

**GENERAL**

An employee who is reduced to a lower pay grade by reclassification or regrade may retain the previous rate of pay or be paid a salary within the relevant pay grade range as approved by the Vice President for Human Resources.

The responsible administrator shall identify funding prior to submitting the request for position reclassification to Human Resources. Reclassifications/regrades and any resultant pay changes shall not be made effective retroactively. Reclassifications may become effective at the beginning of the next pay period after the date the reclassification is approved by Human Resources.

### 308.0 Merit Increases

**Policy Number:** 308.0  
**Effective Date:** September 1, 1988  
**Revised Date:** August, 1995

Subject to legislative appropriations and approval by the Arizona Board of Regents, merit increases may be granted at a time specified to eligible Classified Staff employees subject to the availability of funds and in accordance with the following general guidelines.

1. Similarly situated Classified Staff employees (occupational grouping) within the same department with the same overall performance rating, shall receive similar merit increases.

2. Those employees with an overall rating of "exceeds job requirements," "far exceeds job requirements" or "meritorious" on the most recent written performance appraisal may receive a greater merit increase than similarly situated Classified Staff employees within the same department, with a lower overall written performance appraisal rating.

**Eligibility**

Eligible Classified Staff employees are those who:

1. Meet the continuous service requirement in effect for that adjustment period;

2. Received on their most recent written performance appraisal an overall rating of "meets job requirements" or "satisfactory" and

3. Have a salary which is not at or above the salary range maximum for the employee's assigned job classification.

**Appeals**

While merit increases are not subject to the Staff Dispute Resolution Procedure, they are subject to the following appeal process. Individuals may submit a written appeal to their Dean/Vice President, who will resolve differences. The Dean/Vice President will reply in writing. This reply is final and concludes the appeal.

### 310.0 Payday and Paychecks

**Policy Number:** 310.0  
**Effective Date:** September 1, 1988
Pay Warrants or Notifications of Deposit (for those with direct bank deposit) for Classified Staff employees are distributed to the employees' department(s) on Fridays on a bi-weekly basis. Pay Warrants and Notifications of Deposit include earnings for the pay period ending the Sunday immediately preceding a payday.

311.0 Fair Labor Standards Act and Overtime

Policy Number: 3110
Effective Date: August 1, 2004
Revised Date: August, 2010

Policy

The University administers compensation in compliance with Arizona Board of Regents (ABOR) Policy and the Fair Labor Standards Act of 1938 (FLSA), as amended. Included in this federal law are regulations covering the federal minimum wage, employee time recordkeeping requirements, and jobs where an employee must receive overtime compensation after working 40 hours in a work week. In accordance with Arizona Revised Statute 23-351C (a), the University delivers pay to employees no later than five days after the end of the most recent pay period.

Definitions

*Exempt* employees are paid an agreed amount for the whole job, regardless of the amount of time or effort required to complete the work, and do not record hours of work on the time record.

*Nonexempt* employees are paid for each hour worked, and record each hour worked on the time record. If the employee works more than 40 hours in one work week, the employee is paid a premium of time and one-half, which is also referred to as overtime compensation.

*Compensable Time* is also called work time. An employer must document a nonexempt employee’s work time. In addition to regularly scheduled hours, work time can include overtime, certain types of travel time, training time and shift preparation/transition time.

*Overtime* is time worked by nonexempt employees that exceeds the employee’s normally scheduled work week. For full-time employees, overtime is time worked over 40 hours in a work week. For part-time employees, overtime is time worked over the established full time equivalency (FTE). (For a more complete explanation, see *Options for Overtime Payment* below.)

The University work week is seven consecutive days commencing at 12:01 a.m. on Monday and ending 168 hours later at 12:00 midnight Sunday.

Exemption Status Overview

The Exemption Tests

The overtime provisions of the FLSA apply to employees in certain types of jobs. Employees who are not subject to the overtime provisions are considered “exempt.” Employees considered “nonexempt” are subject to the overtime provisions of the FLSA. These standards apply equally to all Classified Staff jobs and all Non-Faculty Appointed Personnel jobs; the FLSA does not differentiate based on an employer’s various employment types. To be exempt from the overtime provisions, an employee must meet ALL of the following FLSA tests:

1. perform certain duties as outlined in one of the “duties tests,” AND
2. be paid over a minimum salary – the “salary level test” - $455 a week, AND
3. be paid on a salary basis as opposed to an hourly basis – the “salary basis test”.

Employees who practice law or medicine, or who teach are not subject to the salary level test and are always exempt. Student Group A/B/C employees are always nonexempt. Graduate assistants/associates are not subject to the FLSA.

There are six duties tests, and each test has specific requirements before an employee is exempt from the overtime provisions of the Act. The six duties tests follow:

1. the executive exemption test,
2. the administrative exemption test,
3. the professional exemption test,
4. the computer exemption test,
5. the outside sales exemption test, and
6. the highly compensated employee exemption test.

Additional information on the five duties tests is available on the Department of Labor Fair Pay website at http://www.dol.gov/whd/regs/compliance/fairpay/fs17a_overview.pdf.

**Job Title Exemption Status**

Classified Staff generic job descriptions are maintained by Human Resources, the department responsible for assigning the FLSA exemption status for these job titles. Some Classified Staff job titles are exempt and some are nonexempt.

Non-faculty Appointed Personnel jobs must meet at least one of the FLSA duties tests and be exempt; jobs that do not meet at least one of these tests, and are therefore nonexempt, are more appropriately assigned to a Classified Staff job title.

**Employee Exemption Status**

Though a job title may be categorized as exempt from the overtime provisions, a particular employee in that same job title must be categorized as nonexempt if the employee does not meet the $455 weekly salary level test. To determine whether the employee meets the salary level test, use one of the following calculations.

When using an **hourly rate**: Employee's hourly rate x FTE x 40 hours  
Example: $11.00/hour x 10 x 40 = $440.00/week - this employee must be nonexempt

When using an **annual rate**: Employee's annual rate ÷ number of hours in current fiscal year x 40 hours x FTE  
Example: $40,000 ÷ 2088 x 40 x .5 FTE = $383.14/week - this employee must be nonexempt

**Compensable Time (Work Time)**

The FLSA defines compensable time as time that an employee is required or permitted to work for the employer.

**Meal Periods**

Under the FLSA, bona fide meal periods of at least 30 minutes long generally are not compensable time if the employee is relieved completely from duty for the purpose of eating.

For most employees, the University of Arizona provides for a one-hour unpaid meal period each 8-hour workday. There may be circumstances where a department head designates certain positions as having paid meal periods.

**Breastfeeding Rest Periods**

Employees who are nursing are provided with reasonable unpaid break time to express breast milk after the birth of the child as long as providing such break does not unduly disrupt operations. The department head will make reasonable efforts to provide the
employee a private location, not a restroom, for nursing and/or expressing breast milk. The regulation requires availability of the break time for one year after the child’s birth, and department heads are encouraged to be flexible when developing a plan of support for an individual employee.

**Rest Periods**

Department heads have the authority, but are not required, to establish and permit rest periods for nonexempt employees of up to 15 minutes each four-hour work period. Rest periods are paid work time, and are included as work time on the employee time record.

Rest periods are not to be used (1) to offset late arrival or early departure from the work site, (2) to extend the meal period, or (3) to accumulate paid time off from one day to the next.

**Training Time**

Generally, when an employer requires or permits a nonexempt employee to attend training during the employee’s regular work hours, the time is compensable time. Therefore, nonexempt employee training time is typically paid unless all four of the following criteria are met: (a) attendance is outside of the employee’s regular working hours; (b) attendance is in fact voluntary; (c) the course, lecture, or meeting is not directly related to the employee’s job; and (d) the employee does not perform any productive work during such attendance. Note: If the training is required by law and is outside of regular working hours, then the time is not considered compensable time.

**Travel Time**

In ordinary situations where a nonexempt employee commutes to and from the work site, the employee is not entitled to compensation for travel time.

1. Excluding normal commuting time, the general rule is that nonexempt employees should be compensated for all travel time unless it is overnight, outside of regular working hours, on a common carrier, where no work is performed.
2. Single-day out-of-town travel is considered compensable time, excluding normal commute home-to-work travel time.
3. Overnight out-of-town travel is compensable time when it cuts across the employee’s workday. This is true for hours worked on regular working days during normal working hours and during the corresponding hours on nonworking days. For example, an employee regularly works from 8 a.m. to 5 p.m. from Monday through Friday. The employee travels on business to a location that requires two hours of travel time. The employee leaves Friday at 8 a.m., works the remainder of Friday and Saturday morning, and returns on Saturday at 2 p.m. The two hours of travel time on Friday and the two hours of travel time on Saturday are compensable time. Of course, the work hours on Friday and Saturday are also compensable time.
4. Regular meal period time is not considered compensable time.
5. Time the employee spends in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile and is free to relax, is not considered compensable time.

**Overtime**

**Approval of Overtime**

Supervisors are responsible for authorizing and scheduling overtime in advance; therefore, a nonexempt employee shall not work overtime unless authorized in advance by his/her supervisor. Employees are expected to work overtime when requested to do so. Overtime will be used only after other alternatives have been explored, such as rescheduling priorities, reassigning work, re-balancing workloads, offsetting excess hours in one day with reduced hours in another day in the same work week, and revising the work schedule so that weekend work can be performed as a regular part of the affected work week.

**Options for Overtime Payment**

Generally, compensatory time off is the preferred means of compensating nonexempt employees for overtime hours worked.
When a nonexempt employee works or is paid for hours more than his/her FTE, but works less than 40 hours in a work week, the employee must be compensated by one of the following methods:

1. pay at the employee's regular rate of pay, or
2. accrual of compensatory time at straight time.

When a nonexempt employee works more than 40 hours in a work week, the employee must be compensated by one of the following methods:

1. pay at time and one-half of the employee's regular rate of pay for each hour worked over 40, or
2. accrual of compensatory time at time and one-half for each hour worked over 40.

**Maximum Compensatory Time Accrual**

After a nonexempt employee has accrued 120 hours of compensatory time off (prorated by FTE), all subsequent overtime hours worked shall be paid in cash. Exceptions to this rule may be approved in writing by the Dean/Vice President in advance; however, in no case shall the accrual of compensatory time off exceed 240 hours (prorated by FTE). As compensatory time is an unfunded fiscal liability, department administrators may establish fiscally practical departmental policies further limiting the accrual of compensatory time. Department administrators are responsible to ensure that compensatory time balances do not become excessive.

**Disposition of Accrued Compensatory Time**

Any compensatory time balance shall be paid to a nonexempt employee, at the employee's most recent rate of pay, upon termination, retirement or change of status from nonexempt to exempt.

**Allocating Value of Extra Effort for use during the Annual University Closure**

Exempt employees may contribute extra effort throughout the year with the express intent of receiving paid release time during the annual University closure. When an exempt employee moves to nonexempt status, the extra effort that was expended shall be reviewed by the employee and the supervisor. This extra effort is not considered on an hour-for-hour basis, but on the overall extra contribution during the period of exempt employment. The employee and supervisor should discuss the value of the extra effort and equate it to a number of hours of compensatory time off, which is processed according to current payroll procedures.

**Recordkeeping**

Nonexempt employees must accurately record the number of hours worked each day on the employee time record. Exempt employees record either "presence at work" or "exceptions to regular work schedules" on the employee time record. Accurate record keeping of hours worked, compensatory time earned, and leave/compensatory time used is the joint responsibility of each employee and his/her supervisor.

**Responsibilities**

**Supervisors, Business Managers**

- ensure all employees are properly categorized as exempt or nonexempt
- ensure all employees have been trained on all applicable employee time recordkeeping requirements, in accordance with university and departmental standards
- ensure all nonexempt employees have been trained on university and departmental overtime policies

**Employees**

- comply with all applicable employee time recordkeeping requirements, in accordance with university and departmental standards
all nonexempt employees comply with university and departmental overtime policies

Human Resources

- consults with units regarding management strategies for combining FLSA compliance with best management practices
- in partnership with FSO-Operations, provides training to the campus community on the FLSA
- maintains Classified Staff job descriptions

Reference: Fair Labor Standards Act of 1938 as amended; Arizona Revised Statute 23-351 C (a)

315.0 Assignment to Special Duty

Policy Number: 315.0

Effective Date: September 1, 1988

Assignment to special duty is the temporary reassignment of an employee from one position to another position in a different classification. Employees may be placed on assignment to special duty to temporarily replace an employee on leave of absence, to meet the needs of a special project of limited duration, or to staff a vacancy on an interim basis while recruitment occurs to fill the vacant position. Assignments to special duty shall not be of less than 30 calendar days duration nor shall such assignment exceed one year.

An employee approved for a special duty assignment to a position who assumes the majority of duties of such position shall be temporarily placed in the job classification and receive a salary commensurate with that which would be established under the Pay Rates policy.

In instances where an employee assigned to special duty assumes some but not the majority of duties of a position in a higher pay grade, Human Resources shall review the duties and determine the appropriate classification.

An employee who is assigned to special duty at a lower pay grade position shall retain her or his present salary.

When assignment to special duty has been completed, the employee shall return to the former position, pay grade, and salary. The employee shall receive any performance increase for which she or he became eligible and was recommended during the assignment, as well as any other salary adjustment which may have been granted to all employees in that classification.

316.0 Supplemental Compensation

Policy Number: 316.0

Effective Date: September 1, 1988

Revised Date: June, 2011

A Classified Staff employee may be eligible to receive supplemental compensation when, in addition to the employee's normal work schedule:

1. The employee is needed for specific times to work outside her or his normal work schedule in departments other than those to which the employee is normally assigned, or

2. The employee is needed for specific times outside her or his normal work schedule to perform work in job classifications other than the job classification to which the employee is currently assigned.
ELIGIBILITY - EXEMPT EMPLOYEES

Supplemental Work/Compensation must (1) be for a specific period of time; (2) be approved by the Dean or Dean's designee in academic areas, or the Director or Director's designee in non-academic areas; (3) be performed by an employee during hours outside her or his normal work schedule; and (4) be performed for a department other than the employee's assigned department, or, the specific type of work to be performed is separate and distinct from the duties and responsibilities involved in the employee's existing job classification.

The maximum number of hours of supplemental compensation that may be earned by a Classified Staff employee during a fiscal year is 176 hours, 1/12 of the annual salary.

ELIGIBILITY - NONEXEMPT EMPLOYEES

Nonexempt Classified Staff employees must receive compensation for all hours worked and are not eligible to be paid using the supplemental compensation process. However, nonexempt employees may perform additional nonexempt work outside the regularly assigned schedule and for another department. All hours worked in nonexempt job(s) contribute towards overtime calculations. (See Policy 311.0 Fair Labor Standards Act (FLSA) and Overtime).

A nonexempt employee in a full-time position (1.0 FTE) should have the additional hours and pay coordinated through the employee's home department/position.

A nonexempt employee in a position that is less than full-time (<1.0 FTE) may be hired into an additional nonexempt position.

Hours worked in a department/position outside of the home department/position must be paid in cash (versus compensatory time).

PAYMENT REQUIREMENTS

Payment of Supplemental Compensation to Classified Staff employees is contingent upon a position being properly funded and approved for supplemental work and having the required administrative approvals on the Supplemental Compensation form placing the employee in the position.

The granting of Supplemental Compensation to a Classified Staff employee is subject to prior approval of the cognizant Dean or Director and Human Resources.

RATE OF PAY

When the supplemental work to be performed by an employee is within his or her job classification in a department other than the employee's normally assigned department, the supplemental compensation payment may only be granted at the employee's regular rate of pay.

Compensation for supplemental work which is separate and distinct from the duties and responsibilities of the employee's regular job description shall be within the hiring range of the assigned pay grade of the job classification which encompasses the supplemental work, or at a rate approved by the Vice President for Human Resources.

Reference: Policy 311.0 'Fair Labor Standards Act (FLSA) and Overtime'; ABOR Policy 6-402K 'Supplemental Compensation for Exempt Employees'; A.R.S.38-601 'Effect of payment of legal salary'

317.0 Permanent Salary Savings

Policy Number: 317.0

Effective Date: June 1, 1993

The University encourages its management to organize, structure and administer each unit's operations with creativity, innovation and fiscally responsible planning, consistent with University and Arizona Board of Regents policies. To encourage efforts to attain and compensate improved productivity, recognize evolving skills, and promote employee effectiveness through reorganization,
restructuring, consolidating and administering the department's operations, units shall be authorized to retain permanent salary savings from budgeted local and state general appropriation funded classified staff positions that accrue as a result of the unit's actions. Permanent salary savings as referred to in this policy are intended to be used to address classified staff compensation related problems.

**DEFINITION**

Budgeted Local Funds - Budgeted local funds, for purposes of this policy, include investment income, administrative service charges and budgeted indirect cost, and exclude other local funds, indirect costs returned to colleges as a portion of their grant activity under the 70%-30% distribution and Regents' Professor Awards.

**PERMANENT SALARY SAVINGS ACTIONS**

Permanent salary savings from a unit's budgeted local and state general appropriations funded classified staff positions may accrue to the unit from such actions as:

1. Filling a vacant position at a lower salary than the previous incumbent
2. Converting a vacant fiscal year position to flex year*
3. Reducing a full-time equivalency
4. Reclassifying a vacant position to a classification of a lower pay grade
5. Eliminating a position as a result of reduced or changed work requirement and reorganizing or consolidating operations.

*Salary savings from conversion of an occupied fiscal year position to flex year cannot be used for salary related purposes.

**PERMANENT SALARY SAVINGS USES**

Savings, accruing at any level, are intended to be used for:

1. Funding approved classified staff reclassification, career progression and equity adjustments.
2. Supplementing funding on a vacant classified staff line to achieve an appropriate salary consistent with University compensation policy in furtherance of internal equity for newly hired and promoted employees.
3. Meeting funding requirements which may be imposed on the University as a result of internal or external financial constraints.
4. Other purposes as may be approved by the Provost or Senior Vice-President for Business Affairs.

**318.0 In-Classification Career Progression**

**Policy Number:** 318.0  
**Effective Date:** July 1, 1993  
**Revised Date:** September, 2000

The University endeavors through its operating units to recognize the career progression and development of regular classified staff who by virtue of their motivation, initiative, abilities and excellence in performance are regularly assigned and held accountable for the most complex and significant projects, assignments and responsibilities of their classification.

Requests for in-classification career progression shall be reviewed and initiated by the Dean, Director, Department Head or designee in consultation with the Human Resources Advisor serving the designated area.

Implementation of the in-classification career progression request shall be based on all of the following criteria being met:

1. The more complex and significant projects, assignments and responsibilities of the job classification are assigned on a regular basis to the employee;
2. The employee has demonstrated the attainment of a significantly higher level of knowledge and skills which are specific to the job classification and functional area;

3. The employee's most recent performance appraisal, (within the last twelve months), and within the current job classification, reflects job requirements being exceeded or better;

4. Confirmation that funds have been identified and authorized by the appropriate administrator to support the salary increase;

5. The amount of the proposed increase should be justified and equitable when compared to other positions in the department;

6. Twelve or more months have elapsed since the employee's last career progression.

An administrator may request that a regular classified staff employee who meets all of the defined criteria above be granted an in-classification career progression salary increase subject to the following standards:

1. an amount that will increase the employee's rate of pay up to the midpoint of the salary range, or

2. an amount no greater than 10% of the employee's current salary, not to exceed the range maximum.

The Vice President for Human Resources or designee may approve a salary in exception to these standards if the responsible administrator submits a written request which specifies the reason(s) and appropriate justification for an exception.

### 319.0 On-Call (Standby) Status and Call-Back Status

**Policy Number:** 319.0  
**Effective Date:** July 1, 2009  
**Policy Number:** 319.0

**Reference:**  
Policy 311.0, Overtime Compensation; Arizona Board of Regents Policy

Non-exempt Classified Staff employees may be required to be available and/or to work outside the regular schedule. The two types of status and pay related to those circumstances are On-Call (Standby) and Call-Back.

Exempt Classified Staff employees are paid a salary that reflects the full responsibility of the position, including being On-Call or being Called Back to work, and are not eligible to receive On-Call or Call-Back pay.

#### On-Call (Standby) Status

On-Call (Standby) status is a designated shift within any 24 consecutive hours. Such shifts may vary in beginning and ending times from department to department, and are subject to change by administrative decision as dictated by work load needs. On-Call shift hours usually coincide with regular shift hours. Any Classified Staff employee may be assigned to an On-Call status, which requires the employee to be accessible, available, and able to report for duty if called.

Department Heads are responsible for determining the need for On-Call availability and for assigning Classified Staff employees to On-Call status. The supervisor of the employee assigned to On-Call status shall maintain a roster of all qualified employees who may be required to be On-Call. An equitable rotation policy shall be followed in requiring employees to be On-Call.

#### On-Call (Standby) Pay

On-Call pay may be provided at $5 or $10 per assigned On-Call shift. The employing department will choose a single level of On-Call pay that will be provided to all non-exempt employees in On-Call Status.
Call-Back Status
When a Classified Staff employee is called back to work at any time not previously scheduled, the employee is in Call-Back status.

Call-Back Pay
A nonexempt Classified Staff employee who is called back to work from On-Call status or otherwise at a time not previously scheduled shall receive Call-Back pay as follows:

A minimum of two (2) hours pay at time and one-half the regular hourly pay rate even when the time actually spent back on the job is less than two (2) hours.

Pay for actual hours worked at time and one-half the regular hourly pay rate, if hours worked exceeds two (2).

Actual hours worked for Call-Back purposes means only that time spent at the work site. Time spent en route to or from the work site is not included as time worked.

Compensatory time off may be used in lieu of pay for Call-Back time worked in accordance with University overtime policies.

400.0 Employee Rights/Management Rights

Policy Number: 400.0
Effective Date: September 1, 1988

The University has the right to exercise customary functions of management, which include, but are not limited to, the following rights:

1. The right to hire, promote, transfer, and discipline and terminate Classified Staff employees in accordance with the provisions of this manual.
2. The right to reassign a Classified Staff employee from one position to another position within the same or a comparable job classification.
3. The right to direct the work force; determine its composition, organization, and structure; and to assign work.
4. The right to establish reasonable job standards, expectations, work rules, policies, and regulations.
5. The right to determine the extent and schedule of its operations.
6. The right to maintain the orderly conduct of the work force, require job performance which meets or exceeds job requirements, and terminate employees in accordance with the provisions of this manual.
7. The right to amend, revise, revoke, or issue new policies and rules governing Classified Staff employees.

Regular Classified Staff employees of the University have the following rights:

The right, having successfully completed the initial probationary period, to expect continuing employment subject to the maintenance of job performance which at least meets the job requirements; adherence by the employee to the University Rules of Conduct, Affirmative Action rules and guidelines, and all other ABOR, University, and departmental rules and policies; the availability of funds and continuing work requirements; or organizational need to maintain the employee's position.

All Classified Staff employees of the University have the following rights:

1. The right to be appraised on job-related criteria.
2. The right to a regular process of expression of employee concerns and complaints.
3. The right to work in a safe environment.
4. The right to reasonable and nondiscriminatory application of ABOR, University, and departmental policies and rules.
5. The right to termination and other disciplinary action in accord with the policies and rules set out in the manual.

400.1 Whistle-Blower Policy

Policy Number: 400.1
Effective Date: November 1, 1989
Revised Date: March, 2002

ABOR Site original document

Reference: Arizona Revised Statute Sections 38-531, 38-533, 41-1062, Arizona Board of Regents Policy 6-914, Protection of Employees from Reprisal for Whistleblowing.

4010 Classified Staff Rules of Conduct

Policy Number: 4010
Effective Date: September 1, 1988

Classified Staff employees are expected to adhere to the rules of conduct of the University, the Arizona Board of Regents, and the employee’s department. Inappropriate behavior that may result in application of the Disciplinary Action Policy, Policy #403.0, includes, but shall not be limited to:

**ABSENCE**

1. Absence without legitimate excuse and/or failure to follow departmental notification procedures.
2. Chronic or repeated absenteeism resulting in failure to perform assigned duties or impairment of the operation of the work unit.
3. Repeated tardiness without legitimate excuse and/or failure to follow departmental notification procedures.

**APPEARANCE**

Failure to maintain appropriate personal appearance or dress, including uniform or style of dress, according to departmental standards.

**CONDUCT**

1. Discourtesy toward others (i.e., failure to work harmoniously with coworkers or serve the public with courtesy.)
2. Gambling while at work.
3. Hindering or limiting normal operations or interfering with another employee's work.
4. Illegal conduct or conduct damaging to the University's public relations.
5. Incompetency, neglect of duty, or unsatisfactory performance of assigned job duties.
6. Failure or refusal to comply with a supervisor's or responsible administrator's instructions, unless the instructions are illegal or endanger the employee's health or safety.
7. Committing or threatening to commit physical or verbal abuse of others.
8. Refusal to obey the normal or emergency instructions of law enforcement officials or other proper authorities or responsible administrators.
9. Smoking in areas other than those specifically designated and identified as smoking areas.

10. Sleeping on duty.

11. Unlawful or unauthorized use, carrying or possession of firearms, explosives or other potentially dangerous weapons on University property.

**PROPERTY**

1. Carelessness or inattention to duty resulting in injury to property or person(s).

2. Failure to maintain prescribed records.

3. Concealing, falsifying, altering, misusing, or removing records.

4. Theft of property.

5. Unauthorized or unapproved use of University vehicles.

6. Misuse, or negligent use, of University property and/or resources, including, but not limited to, employees, facilities, mail, supplies, equipment, or telephones.

7. Misappropriation of University property or the property of other employees.

**RULES AND REGULATIONS**

1. Failure to follow prescribed rules, regulations, policies or procedures of the ABOR, University and/or department.

2. Sexual harassment.

3. Violation of safety rules or common safety practices.

**SUBSTANCE ABUSE**

1. Consuming alcoholic beverages or being under the influence of alcoholic beverages while on duty.

2. While on duty, distribution of narcotics or controlled substances, or possession or use of narcotics or any controlled substance(s) not prescribed for the employee by a physician, or being under the influence of narcotics or any controlled substance(s) not prescribed for the employee by a physician.

### 4011 Workplace Violence

**Policy Number:** 4011

**Effective Date:** January 1, 2003

**Revised Date:** September, 2010

Additionally, policies related to student behavior may be found at:

- **Student Code of Conduct:**
  http://deanofstudents.arizona.edu/policiesandcodes/studentcodeofconduct

- **Policy on Threatening Behavior by Students:**
  http://policy.arizona.edu/threatening-behavior-students

**1 Purpose and Coverage of this Policy**

The University of Arizona is committed to providing a safe and secure workplace for all employees, students and visitors. This policy confirms the University’s commitment to prevent, reduce and manage violence to provide a safe environment in which to work and learn. It applies to students, employees, vendors and visitors at all University-owned, controlled or leased premises, including
satellite locations, at any location at which University business is conducted, or at which employees, students, vendors or visitors represent the University, including while attending off-campus meetings, conferences, or while riding in University-owned or leased vehicles.

2. Definitions

1. “Employee” means part-time, full-time, temporary or permanent, student and graduate student employees, and other individuals acting as agents of the University, such as University affiliates and associates.

2. “Intimidating” means an intentional act that would cause a reasonable person to fear that s/he is in danger of injury or harm.

3. “Damaging property” means intentionally damaging or defacing or destroying property owned, controlled or leased by the University or its students, employees, vendors or visitors.

4. “Stalking” means an intentional or knowing course of conduct directed toward another person if that conduct either would cause a reasonable person to fear for the person’s safety and that person in fact fears for his or her safety; or would cause a reasonable person to fear death and that person in fact fears death.

5. “Threatening” means expressing intent to cause harm.

6. “Workplace” includes all University-owned, controlled or leased premises, including satellite locations, at any location at which University business is conducted, or at which employees, students or visitors represent the University, including while attending off-campus meetings, conferences, or while riding in University-owned or leased vehicles.

7. “Violence” includes, but is not limited to: intentionally threatening; intimidating; physically injuring; stalking; damaging property; or referencing or using a weapon or firearm, unless the individual doing so is a certified law enforcement officer acting within the course and scope of his or her duties.

3. Policy

The University prohibits any form of violence by or against any employee, student, vendor or visitor to the University. Violating this policy will result in disciplinary action up to and including dismissal as unacceptable personal conduct and may also result in criminal prosecution. This policy also prohibits retaliation or harassment against anyone who makes a good faith report of a violation of this policy. The University will, to the extent permitted by law, protect the anonymity and safety of anyone who reports an act of violence, as defined by this policy.

The University prohibits individuals from making intentionally false or misleading reports of violence or threats of violence. Individuals who make such reports will be subject to disciplinary action up to and including dismissal under the University’s disciplinary policies.

4. Reporting Incidents of Workplace Violence

Employees and students will report all incidents of workplace violence to the University of Arizona Police Department by dialing 9-1-1, to his or her immediate manager or supervisor, and to Human Resources. The University will, to the extent possible, handle reports of workplace violence confidentially, except to the extent necessary to communicate to individuals who need to know pertinent information so that they may take appropriate action. The University also may be required to report such incidents to comply with state and federal laws and regulations. The University will be sensitive and responsive to the potential for fear of reprisal by employees or students who report threats or acts of violence.

5. Responding to Reports and Acts of Violence

The University encourages all employees and students to assist in maintaining a safe and secure workplace, while recognizing the need to be alert to the possibility of violence by students, former students, employees, former employees, vendors and visitors. Individuals who receive reports of workplace violence must contact Human Resources for guidance and assistance in addressing such situations. Human Resources will review information it receives and may seek additional information as necessary. It also may convene the Threat Assessment and Management Team, as described below, for assistance in evaluating the potential of further
violence, and making recommendations regarding appropriate disciplinary action. If an employee violates this policy, then the responsible supervisor will institute disciplinary action as appropriate after consulting with Human Resources and other University officials, as appropriate. If students violate this policy, then the Dean of Students Office will institute appropriate disciplinary action against such students.

Human Resources will make efforts to support individuals affected by workplace violence by identifying appropriate resources for providing support and assistance.

6. Threat Assessment and Management Team

The University has established a multi-disciplinary Threat Assessment and Management (TAM) Team, which will meet as necessary to assist Human Resources or the Dean of Students in determining whether a specific individual constitutes an ongoing threat to the safety of an individual or to the workplace, and to make recommendations following incidents of workplace violence. The University engages the services of outside consultants, who are available to the TAM Team to assess such risks and assist in making recommendations.

402.0 Termination

Policy Number: 402.0
Effective Date: September 1, 1988
Revised Date: September, 2009

Policy

The University recognizes that employment is not permanent. Termination is the cessation of the employment relationship between the University and the employee for any reason. When employment terminates, an appropriate designation for the type of termination shall be documented by University management as described below and exit procedures on notice and return of University property shall be followed.

Types Of Terminations

Voluntary Termination

1. Resignation is a voluntary termination by an employee. Employees who resign from University employment are expected to provide as much advance notice as possible. Employees shall provide their resignation in writing to the immediate supervisor; however, verbal notice may be accepted by the immediate supervisor or other responsible administrator.

2. Other situations, including but not limited to the following, shall be considered to be resignations as follows:
   1. job abandonment (an employee who does not contact his/her supervisor for three or more working days and who is not on authorized leave);
   2. inability or failure to return from an authorized leave of absence; or,
   3. inability to perform the essential functions of the position and the employee cannot be accommodated, including placement in an alternative position, through the University’s interactive process for requesting reasonable accommodations available to qualified individuals with disabilities.

3. Retirement is a voluntary termination by an employee. Employees shall provide notice to the immediate supervisor, in writing, however verbal notice may be accepted by the immediate supervisor or other responsible administrator. See Classified Staff Policy 222.0 on Benefits and Retirement for more information.

Involuntary Termination
1. **Temporary Job Completed** is an involuntary termination by a supervisor of an Ancillary Classified Staff or Extended Temporary Employment Classified Staff.

2. **Probationary Termination** is an involuntary termination by a supervisor of a probationary Regular Classified Staff employee in accordance with Classified Staff Policy #112.0 on Probation Periods.

3. **Layoff/Reduction in Force** is an involuntary termination by a supervisor as a result of the elimination or reduction of funding or work, reorganization or other changing business needs resulting in the elimination of the position. Layoffs of nonprobationary and promotion/transfer probationary Regular Classified Staff are subject to the provisions of Classified Staff Policy #405.0 on Layoff/Reduction in Force.

4. **Discharge** is an involuntary termination initiated by a supervisor or other responsible administrator. Discharge of a nonprobationary Regular Classified Staff employee is subject to the provisions of Classified Staff Policy #404.0 on Predischarge or Suspension Without Pay Meeting and Classified Staff Policy #403.0 on Disciplinary Action.

**Procedures**

Upon notice from the responsible supervisor or administrator of the appropriate designation for the type of termination, the applicable departmental business office generates an online University termination report on the termination effective date. Timely processing of the University termination report ensures compliance with state law for payment of wages to terminated employees, allows timely data processing of termination information for state retirement and insurance compliance, and facilitates responses to potential unemployment compensation claims.

An employee involuntarily terminated shall be paid all wages due within seven (7) working days following the termination date or on the payday following the end of the regular pay period, whichever is sooner.

At the time of voluntary or involuntary termination involving misconduct, supervisors or responsible administrators will notify the Vice President for Human Resources to ensure provisions of the Classified Staff Policy #423.0 on Ineligibility for Rehire are applied.

**Information Security And Return Of University Property**

Terminating employees are required to return to their supervisor all University property, equipment, and materials which were issued to them during the course of their University employment. This includes, but is not limited to, keys and room cards. These items shall be returned on or before the last day of the individual's University employment.

Supervisors or other responsible administrators shall determine a date to revoke access rights to various University property and information, to include but not limited to building access, computer systems and accounts, and information access privileges on or before the date of termination in accordance with University Information Security policies.

**Insurance Coverage And Retirement**

Under the Consolidated Omnibus Reduction Reconciliation Act (COBRA), an eligible employee may continue any or all existing group medical, dental and vision insurance coverage and health care flexible spending account election after termination. Life insurance conversion options are also available.

Retirement service credits do not accrue after the termination effective date. An employee who has left University service may contact the retirement plan (Arizona State Retirement System or Public Safety Personnel Retirement System) for information regarding account access/maintenance options.

**Reference:** ARS 23-353
403.0 Disciplinary Action

Policy Number: 403.0
Effective Date: September 1, 1988
Revised Date: September, 1991

The University of Arizona attempts to provide Regular Classified Staff employees who violate policies or exhibit unsatisfactory job performance an opportunity to comply with University or departmental requirements by means of progressive disciplinary actions.

Employees are expected to abide by the established rules and policies of their departments, the University, and the Arizona Board of Regents. To enable them to do this, administrative officials must develop clear and reasonable departmental policies and performance expectations, investigate the circumstances of apparent policy or rule violations or unsatisfactory performance before taking disciplinary action, and ensure that prompt, consistent disciplinary action is administered.

The intent of this policy is to use a series of progressive disciplinary actions when appropriate as a means to assist and encourage employees to correct their conduct and to achieve satisfactory work performance. Particular circumstances may, in some cases, be exceptional or singular and the related disciplinary actions shall be tempered or expanded because of the facts of the situation. Violations of the University rules against discrimination and sexual harassment, the Classified Staff Rules of Conduct contained herein, or other ABOR, University and/or departmental rules or policies may result in specific disciplinary measures, including discharge.

Progressive Discipline

Progressive discipline is a series of disciplinary actions, corrective in nature, taken to provide regular staff employees the opportunity to improve job performance and comply with departmental and University policies. Such actions range from counseling/coaching, verbal and written warnings, disciplinary probation/disciplinary suspension without pay, to discharge, as deemed appropriate by the responsible administrator.

The responsible administrator, with the assistance of the Vice President for Human Resources shall also determine whether particular violations of the University Classified Staff Rules of Conduct and other ABOR, University, and/or departmental rules or policies are serious enough to warrant immediate specific disciplinary measures outside of progressive discipline, including discharge. Where "serious violations" are referenced in this manual, "serious violations" shall be those acts of serious misconduct, or conduct which could result in injury or loss of life, limb, or property, or impairment of University operations, or disregard of the University's policies on sexual harassment or the University's Equal Opportunity and Affirmative Action rules and guidelines.

Procedures

Counseling/coaching is the most common method employed for assisting the employee to improve work performance or comply with rules and policies. Counseling or coaching should be a cooperative attempt at determining and correcting the problem. With the exception of serious failures to conform to rules and/or policies, as determined by the responsible administrator, disciplinary actions will occur only after counseling/coaching efforts have been unsuccessful. Responsible administrators are encouraged to keep notes of such counseling/coaching efforts.

Warnings may be either verbal or written. A written warning is used for more serious errors, failure to meet job requirements or violations of rules and/or policies, as determined by the responsible administrator, or when a verbal warning has not produced satisfactory results. Either type of warning shall specify problem(s) and what action is required to correct it. The responsible administrator who issues a verbal warning shall maintain notes of the date and contents of the discussion and shall advise the employee that a record is being maintained.

A written warning shall explicitly state that it is a "written warning" and shall specify that further disciplinary action will ensue if the employee fails to achieve a satisfactory level of performance. A written warning shall also include notice to the employee that it is subject to the dispute resolution procedure. A copy shall be sent to Human Resources.
Disciplinary actions are of two types, disciplinary probation and disciplinary suspension, and shall be used when a prior warning does not produce satisfactory results in correcting behavior which is not in compliance with University/departmental rules of conduct or uncorrected performance deficiencies, or when the responsible administrator determines that a violation of a rule and/or policy is serious enough to warrant such action without prior use of less severe discipline.

Disciplinary probation shall be for a specified period of time, not less than 1 month nor more than 6 months, during which time the employee's performance or behavior shall be closely monitored in an effort to effect improvement or change. Disciplinary probation is usually applicable to unsatisfactory job performance or dependability problems, such as unsatisfactory attendance, and carries an implied obligation to retain the employee for the duration of the period of disciplinary probation. If, however, new problems arise during a disciplinary probation period or performance significantly declines during this period, immediate discharge may occur.

Disciplinary probation shall be initiated by memorandum to the employee which explicitly contains the following:

1. Inclusive dates of probation period.
2. Specific nature of problem(s) resulting in probation, including specific examples of incidents for each problem.
3. Corrective action required, including specific and reasonable standards related to the deficiencies outlined in #2, above.
4. The consequences of failure to correct the problem(s) within the disciplinary probation period.
5. Notice that immediate discharge may occur if new performance deficiencies arise within the disciplinary probation period.
6. Employee's right to appeal the probation by means of the Staff Dispute Resolution Procedure.

A copy of this memorandum shall be provided to Human Resources.

Disciplinary suspension is the temporary release from duty of a regular staff employee for up to 30 calendar days without pay and is applicable when the responsible administrator determines that a violation(s) or repetition of violation(s) of ABOR, University and/or departmental rules and policies are serious enough to warrant suspension. This action shall be preceded by a pre-suspension without pay meeting in accordance with Policy 404.0 herein. Should a Regular Classified Staff employee's conduct warrant more than two suspensions within a two year period, discharge shall be considered.

Written notice of disciplinary suspension shall be given the employee with a copy to Human Resources and shall include the following:

1. Reason for the disciplinary suspension.
2. Reference to and conclusions drawn from the pre-suspension meeting.
3. Inclusive dates of suspension duration.
4. Employee's right to appeal the action through the Staff Dispute Resolution Procedure.
5. Advice to employee that failure to return to work on the first scheduled workday following the suspension will result in discharge.

A disciplinary suspension given to an EXEMPT employee must be for full work days.

Investigative suspension is the temporary release from duty for up to five (5) working days of a Regular Classified Staff employee with pay to permit investigation of apparently serious infractions of ABOR, University, and/or departmental rules or policies. When circumstances warrant, as determined by the Vice President of Human Resources or designee, extensions may be granted in increments of up to five (5) working days. Requests for such extensions, including a justification for the request, should be directed in writing to the Vice President of Human Resources. Upon completion of the investigation the employee may be returned to work without penalty, placed on disciplinary suspension, discharged or subject to more moderate disciplinary action as deemed appropriate to the circumstances by the responsible administrator. The facts surrounding investigative suspension shall be documented with a copy to the employee and Human Resources.
**Discharge** is the involuntary termination (other than a Layoff/Reduction in Force) of an employee by a responsible administrator. The discharge of a nonprobationary Regular Classified Staff employee shall not occur unless there is a serious violation(s) or repeated violation(s) of ABOR, University, and/or departmental rules or policies, or uncorrected failure to meet job requirements. A predischarge meeting shall be scheduled and shall precede the decision to discharge a nonprobationary Regular Classified Staff employee. Prior to initiating the discharge of a nonprobationary Regular Classified Staff employee, the responsible administrator shall notify Human Resources in accordance with Policy 404.0 (Predischarge/Presuspension Without Pay meeting/Meeting Policy) herein.

If circumstances do not permit contacting Human Resources, or time does not permit proper assessment of the incident or the employee's past record, the employee may be placed on investigative suspension.

Following the above, the affected employee shall be notified in writing of:

1. The reason for discharge.
2. The facts of and conclusions drawn from the predischarge meeting conference.
3. The effective date of discharge.
4. The employee's right to appeal the action by initiating a dispute resolution request.

The appropriate payroll documents shall be processed in a sufficiently timely manner to ensure that any discharged employee receives all wages due within three working days following the discharge date or on the next regular pay day, whichever is sooner.

Reference: Predischarge/Suspension Without Pay Meeting Policy

**404.0 Predischarge or Suspension Without Pay Meeting**

**Policy Number:** 404.0  
**Effective Date:** September 1, 1988  
**Revised Date:** April, 2007

Regular Classified Staff employee who has completed the initial probationary period is entitled to a predischarge or suspension without pay meeting prior to a final decision on discharge or suspension without pay.

The purpose of the predischarge/suspension without pay meeting is to (1) provide oral or written notice of the specific grounds and particular facts upon which the proposed action shall be taken, (2) provide the employee with any written reports or documents upon which the proposed action is based, and (3) provide the employee with an opportunity to present evidence, including witnesses, refuting the existence of legitimate reasons for the proposed action.

**Procedure**

When a recommendation has been made to suspend without pay or discharge a Regular Classified Staff employee, the responsible administrator shall schedule the meeting, advising the employee in writing of the proposed action and the time of the meeting. Written reports or documents upon which the proposed action is based should accompany notice of the meeting whenever it is practical to do so. A copy of this notification shall be sent to Human Resources Consulting Services. The responsible administrator shall conduct the meeting.

Following the meeting, the recommendation, supporting evidence, and the employee's response or evidence, if any, shall be carefully reviewed by the responsible administrator to ensure that there is sufficient evidence of legitimate reason for the suspension without pay or discharge.

After the review, the responsible administrator shall render a decision. However, prior to its execution, the decision rendered must be reviewed by the Director, Human Resources Consulting Services as designee for the Vice President for Human Resources to...
ensure appropriate institutional application and compliance with personnel policies, regulations and laws related to classified staff employment. Inconsistencies noted as a result of the review must be resolved prior to proceeding with implementation of the decision.

The final decision shall be summarized in writing to the employee by the responsible administrator, in accordance with the Policy #403.0 - Disciplinary Action, and a copy shall be forwarded to Human Resources Employee Records. If the decision is that the employee is to be suspended without pay or discharged, this written notice shall include the specific reason(s) for the action and notice to the employee of the right to appeal the action through the Staff Dispute Resolution Procedure.

**Reference:** U.S. Supreme Court (Cleveland Board of Education vs. Loudermill, et.al., 83-1362)

### 405.0 Layoff/Reduction in Force

**Policy Number:** 405.0  
**Effective Date:** September 1, 1988  
**Revised Date:** June, 2015

Elimination or reduction of funding or work, reorganization or other changing business needs may result in the elimination of one or more Regular Classified Staff positions through a layoff/reduction in force. Management has the sole right to determine staffing and operational needs without regard to the source of funding. Application of this layoff policy may result in the elimination of a position or the reduction in work to less than .50 FTE (loss of Regular Classified Staff status) within either (1) a department or (2) departmental program(s).

An employee selected for layoff will have his/her employment terminated from the University upon the layoff/termination effective date. A nonprobationary Regular Classified Staff employee whose performance is at least satisfactory is eligible for recall rights and other layoff privileges for up to twelve (12) months following the layoff/termination effective date.

**Definitions**

A **DEPARTMENT** is a function or the several functions/programs and activities which are assigned to a principal who reports to a president, vice president, vice provost, dean, or assistant/associate vice-president. Such principals typically hold the position of dean, director, or department head.

A **DEPARTMENTAL PROGRAM** is a specific functional portion of a department which is assigned to a principal who is immediately and directly responsible for that departmental function. Such principals typically hold the position of supervisor, manager, associate/assistant director.

**NONPROBATIONARY** is the status of a Regular Classified Staff employee who has completed all applicable probationary periods.

**PROBATIONARY** is the status of a Regular Classified Staff employee who has not completed the initial six (6) month probation period OR a Regular Classified Staff employee who has not completed the six (6) month probation period immediately following a promotion or transfer.

**PERFORMANCE** is determined by an employee's current performance appraisal (within the last twelve (12) months and for the current position). In a case where there is no current performance appraisal, the employee's performance is considered satisfactory. However, the employee's performance is considered unsatisfactory if disciplinary action (written warning, disciplinary probation, or disciplinary suspension) was issued (1) after the current performance appraisal, or (2) within the past twelve (12) months when there is no current performance appraisal.
Determining Affected Employees

Determination of layoff will be based on each job classification within the department or departmental program(s) affected by the reduction. While the general order of selection for layoff is outlined below, managers will develop an operational plan that assures operational integrity and retention of qualified employees who can satisfactorily perform the remaining work. In order to accomplish those outcomes, employees who might otherwise be retained may be selected for layoff.

1. **Initial Probation** - A Regular Classified Staff employee who has not completed the initial probationary period shall have his/her employment terminated and will be ineligible for recall rights or other layoff privileges.

2. **Transfer/Promotion Probation** - A Regular Classified Staff employee who has not completed the transfer/promotion probationary period is selected for layoff and is ineligible for recall rights but has all other layoff privileges if performance is at least satisfactory.

3. **Performance** - A nonprobationary Regular Classified Staff employee initially is selected for layoff based on current performance; those with the lowest performance are the first to be laid off. A nonprobationary Regular Classified Staff employee selected for layoff is eligible for recall rights and other layoff privileges if performance is at least satisfactory.

4. **University Service** - In cases where two or more nonprobationary Regular Classified Staff employees have equivalent performance, those with the least continuous University service will be selected for layoff and are eligible for recall rights and other layoff privileges if performance is at least satisfactory.

Departments will maintain records on the application of this policy in accordance with University records retention schedules.

Layoff Notification

**CLASSIFIED STAFF - INITIAL PROBATIONARY** - The employee will be informed of the elimination or reduction of the position either orally or in writing. A probationary employee may be terminated during the initial probation period at any time, although it is a courtesy to provide advance notice whenever feasible. The departmental business office generates an online University termination report on the layoff/termination effective date.

**CLASSIFIED STAFF - NONPROBATIONARY AND TRANSFER/PROMOTION PROBATIONARY** - An employee will receive a written layoff notification in a Layoff Notification Memo or Layoff FTE Reduction (Below .50 FTE) Notification Memo, as appropriate. The employee will receive at least a thirty (30) calendar day notice whenever feasible. Notice includes (1) the reason for the layoff, (2) the layoff/termination effective date, (3) the employee's current performance to document eligibility for layoff privileges, and (4) reference to this policy. Managers and supervisors are encouraged to develop transition plans for affected employees and identify appropriate University resources and support. A copy of the layoff notification memo must be provided to Human Resources Employee Records. The affected business office generates an online University termination report on the layoff/termination effective date.

The employee will be paid for accumulated vacation hours in a lump sum, not to exceed the amount earned in one year, in accordance with Classified Staff Policy #200.0. When business needs dictate, the employee may be required to use some or all accumulated vacation prior to the layoff/termination effective date. Paid vacation and sick time accruals do not continue and cannot be used after the layoff/termination effective date.

Recall And Reemployment

A nonprobationary Regular Classified Staff employee with at least satisfactory performance is eligible for recall rights for up to twelve (12) months following the layoff/termination effective date. Should the position become available, an individual with recall rights must be rehired, without recruitment, to the same position in the same job classification and within the same department or departmental program as the layoff occurred. Rehire through a recall is contingent upon successful completion of pre-employment screening (see Classified Staff Policy #103.1). Recall offers are initiated by a written notice from an authorized hiring department.
representative to the former employee's last address on record. Recall offer notices should list a date by which the former employee must contact the department in order to secure the position through recall.

An affected employee's recall rights will cease immediately upon the earliest of (1) securing a University position which is eligible for full benefits, (2) securing University student employment, (3) unsuccessful completion of pre-employment screening for the recall position, (4) non-response to a recall notice or refusal of a recall position, or (5) at the end of twelve (12) months following the layoff/termination effective date.

An employee notified of layoff may seek other University employment opportunities for promotion/transfer or reemployment. A promotion/transfer probationary period will apply if Regular Classified Staff employment is secured prior to the layoff/termination effective date. After separation, an employee rehired into any Regular Classified Staff position will serve a new initial probationary period.

**Layoff Privileges**

Regular Classified Staff employees (non-probationary and transfer/promotion probationary), whose performance is at least satisfactory, are provided layoff privileges for up to twelve (12) months following their layoff/termination effective date.

1. Career Advising Services
   Human Resources Employee and Career Advising offers career and reemployment coaching; use of these services does not create a right to reemployment.

2. Qualified Tuition Reduction Program
   If employed at least five (5) consecutive years prior to the layoff/termination effective date, the former employee, spouse, and dependent children are eligible for the Qualified Tuition Reduction Program as an affiliated participant (See Classified Staff Policy #217.0).

3. Additional Layoff Privileges
   - Other privileges may continue in accordance with policies of sponsoring departments (CatCard discounts, University email account, recreation membership, etc.).
   - Temporary University employment (ineligible for full benefits) may be accepted without jeopardizing layoff privileges.
   - May compete for University employment openings as an internal candidate.

No layoff privileges are intended to create an employment relationship or right to reemployment. An affected employee's layoff privileges will cease immediately upon the earliest of (1) securing a University position which is eligible for full benefits, (2) securing University student employment, (3) non-response to a recall notice or refusal of a recall position, or (4) at the end of twelve (12) months following the layoff/termination effective date. These privileges may be modified or revoked at any time by the Vice President for Human Resources.

**Insurance Coverage And Retirement**

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), an affected employee may continue any or all existing group medical, dental, and vision insurance coverage and health care flexible spending account election after layoff/termination. Life insurance conversion options are also available.

Retirement service credits do not accrue after the layoff/termination effective date. An employee who has left University service may contact the retirement plan (Arizona State Retirement System or Public Safety Personnel Retirement System) for information regarding account access/maintenance options.

**Resources**

*For Managers and Supervisors*
Human Resources Consulting Services or Arizona Health Sciences Center Human Resources are available to consult on staffing decisions and application of this policy.

A Manager's Guide for Having Nonrenewal & Layoff Discussions is available to prepare for meeting with the affected employee.

The Layoff Notification Memo and the Layoff FTE Reduction (Below .50 FTE) Notification Memo are available to notify employees identified for layoff.

The Initial Probation Termination Memo is also available to develop a written termination notice to an initial probationary employee.

**For Employees**

- Human Resources Employee and Career Advising offers job search and career coaching to affected employees.
- Employee Assistance Counseling/Consultation provided by UA Life & Work Connections offers free, voluntary and confidential services to affected employees prior to the layoff/termination effective date.

**Policies Table of Contents**

### 406.0 Staff Dispute Resolution Procedure

**Policy Number:** 406.0

**Effective Date:** September 1, 1988

**Revised Date:** June, 2007

Classified Staff employees have a right to a regular process of expression of employee concerns and disputes. Many employee concerns can be resolved informally in the course of day-to-day communications between the employee and his or her immediate supervisor. Employees are expected to make reasonable attempts to resolve concerns informally. However, in those cases in which an eligible Classified Staff employee is unable to informally resolve his or her concern, he or she may initiate a dispute resolution request through the Staff Dispute Resolution Procedure below.

Wherever in this policy the term "Vice President for Human Resources" is used, it is intended to cover the designee of that individual as well. Wherever the term "working days" is used, it is intended to mean Monday through Friday.

**ELIGIBLE EMPLOYEES**

Regular Classified Staff employees who have completed their initial six month new hire evaluation period are eligible to use the Staff Dispute Resolution Procedure.

*Any* Classified Staff employee may file a dispute resolution request where the action complained about involves a violation of public policy such as retaliatory action for making a good-faith disclosure of alleged wrongful conduct to a public body or to a designated University official. Complaints concerning discrimination on the basis of sex, including sexual harassment, race, creed, color, national origin, age, religion, or disability may be filed with the Office of Institutional Equity.

**TIMELINESS**

All disputes, excluding discharge, must begin at the first step within 30 calendar days of the time the employee knows, or should know, of an action or issue that can be raised through the dispute resolution procedure.

Disputes concerning an employee's discharge from employment must begin at the fourth step of the dispute resolution procedure within 10 working days from the employee's receipt of written notification of discharge.
MATTERS EXCLUDED FROM THE STAFF DISPUTE RESOLUTION PROCEDURE

Job Classifications, which are subject to the appeal process outlined in Staff Human Resources Policy #304.0.

Verbal warnings, since no punitive action is taken.

Human Resources policies of the University of Arizona and Arizona Board of Regents. (The application of policy is subject to appeal, however.)

Monetary increases, though merit increases are subject to the appeal process outlined in Staff Human Resources Policy #308.0

Illegal discrimination on the basis of sex (including sexual harassment), race, creed, color, national origin, age, religion, or disability since these matters can be appealed through the Office of Institutional Equity.

STEPS OF THE STAFF DISPUTE RESOLUTION PROCEDURE

First Step: Immediate Supervisor

Within 30 calendar days of the time that the employee knows, or should know, of an action or issue in dispute, the employee must advise his or her immediate supervisor that he or she is initiating a dispute resolution request. The employee may notify the supervisor verbally or in writing, but must advise the supervisor of the specific issue in dispute, the facts in support of the employee’s position, and the remedy requested. The supervisor is responsible for addressing the employee’s request and responding to the employee within 5 working days from receipt of the first step request. The supervisor shall include notice to the employee of his or her right to appeal the dispute to the second step.

Second Step: Department Head/Unit Administrator (as applicable)

If the first step response is unsatisfactory, the employee may appeal the dispute in writing to the department head/unit administrator within 5 working days of receipt of the first step response. The second step appeal must state the specific issue in dispute, facts in support of the employee’s position, the reasons the first step response is unsatisfactory, and the remedy requested. Copies of the first step correspondence must be included.

The department head or unit administrator shall consider the facts and circumstances of the dispute and shall, in writing, grant, deny, or propose a modification to the requested remedy within 5 working days following receipt of the employee’s written appeal. This response shall include notice of the employee’s right to appeal the dispute to the third step.

Third Step: College Dean, Division Director or Division Administrator

If the second step response is unsatisfactory, the employee may appeal the dispute in writing to the third step within 5 working days of receipt of the second step response. The third step appeal must state the specific issue in dispute, the facts in support of the employee’s position, the reasons why the second step response is unsatisfactory, and the specific remedy requested. Copies of the second step correspondence must be included.

The dean, director, or administrator shall consider the facts and circumstances of the dispute and shall, in writing, grant, deny, or propose a modification to the requested remedy within 10 working days following receipt of the third step appeal. This response shall include notice of the employee’s right to appeal the dispute to the fourth and final step.

Fourth Step: Staff Dispute Resolution Committee Hearing or Investigation and Review.

If the third step response is unsatisfactory, or if the employee is appealing his or her discharge from employment, the employee may appeal the dispute in writing to the fourth step. This appeal must be submitted in writing to the Vice President for Human Resources within 5 working days of receipt of the third step response or within 10 working days of receipt of written notification of discharge.

This appeal must state the issue in dispute, the facts in support of the employee’s position, and the remedy requested. For disputes appealed from third step, the complaint must state the reasons why the third step response is unsatisfactory. Copies of the third step correspondence must be included. The Vice President for Human Resources will review the appeal to determine whether time limits and procedural steps were followed. Having determined that the disputed resolution procedure has been followed, the Vice
President for Human Resources will determine whether, according to the criteria outlined below, the issue in dispute is subject to a Staff Dispute Resolution Hearing or Investigation and Review.

Investigation and Review or Staff Dispute Committee Hearing represents the fourth and final step in the Staff Dispute Resolution procedure.

Investigation And Review

Application of personnel policies in matters such as, but not limited to, those listed below are subject to the Investigation and Review process:

- performance appraisal ratings
- work assignments
- organizational structure
- filling of vacancies
- transfers or reassignments
- benefits administration
- written warnings
- disciplinary probations
- leaves of absence
- vacation
- paid sick time
- schedule and extent of operations

Upon receipt of the employee's appeal and determination that Investigation and Review is the appropriate process, the Vice President for Human Resources will notify the employee that the appeal has been received and that a Review Officer is being selected. The Review Officer shall begin the Investigation and Review as soon as is reasonably possible after receipt of the appeal.

Role of the Review Officer

The Review Officer is an independent third-party individual who conducts the Investigation and Review. The Review Officer will confer with the employee, the department representative(s), and others as s/he deems necessary, to review the facts and circumstances of the dispute and the application of University and Board of Regents personnel policies. The Review Officer shall submit a written report to the President (a copy shall be sent to the Vice President for Human Resources, for the appeal file). The report shall include, but is not limited to, a brief summary of the dispute, the Review Officer's findings, conclusions, and recommendations for corrective action, if any.

The Vice President for Human Resources or designee serves as technical advisor to the Review Officer.

Role of the University President

Upon receipt of the Review Officer's written report, the President will render a final decision in writing as soon as is reasonably possible after receipt of the written report. Copies of the decision shall be sent to the employee, the supervisor and administrators who reviewed the dispute at the lower steps, the Review Officer and the Vice President for Human Resources. The President may endorse, modify or reject the findings, conclusions and/or recommendations of the Review Officer. The President may direct further investigation or instruct the Review Officer to conduct further investigation on certain facts before rendering a decision. The President's written decision also serves as a directive for any action necessary for compliance with the decision. The decision of the President is final and concludes the Staff Dispute Resolution Procedure.
Staff Dispute Resolution Hearing

Application of personnel policy in matters such as discharge, suspension without pay, demotion, or the application of the Layoff/Reduction in Force policy will be heard by a panel of the Staff Dispute Resolution Committee and a Hearing Officer.

The Vice President for Human Resources shall correspond with the employee, responsible administrator, the Hearing Officer, and members of the Staff Dispute Resolution Committee regarding availability for a hearing and other pertinent information. The Vice President for Human Resources shall set a hearing date at the earliest possible opportunity. A pre-hearing meeting may be conducted prior to or following the issuance of such correspondence in the event it is determined by the Vice President for Human Resources that additional information needs to be developed or provided to hearing participants.

Role of the Staff Dispute Resolution Committee

The Staff Dispute Resolution Committee functions as an advisory committee to the University President who appoints its members. A sufficient number of Classified Staff employees are appointed from a range of staff levels and functions to ensure that impartial members shall be available for hearings.

A Staff Dispute Resolution Panel consists of three impartial committee members. A Hearing Officer chairs the panel. During the hearing, the panel members may pose questions and request demonstrations, documents, or other evidence thought to be relevant. Subsequent to the conclusion of the hearing and the panel's deliberation, the Hearing Officer shall poll the panel and submit a written report to the University President (a copy shall be sent to the Vice President for Human Resources, for the appeal file). The report shall include, but is not limited to, a brief summary of the hearing, plus supporting data, the panel's findings and conclusions, the panel's recommendations for corrective action, if any, and any additional recommendations thought to be in the interest of sound University-staff relations.

Role of the Hearing Officer

The Hearing Officer is an independent third-party individual who serves as chair of the panel. It is the responsibility of the Hearing Officer to conduct the hearing in a manner which provides each side an opportunity to present its position to the panel. In addition, the Hearing Officer rules on the relevancy of exhibits and testimony. The Hearing Officer assists the Panel in developing findings and recommendations during deliberation and writes the report to the President but does not participate in the decision-making process of deliberation.

Role of the University President

At the conclusion of the hearing, the President will receive a written report of findings, conclusions and recommendations. The President may direct further investigation or instruct the panel to conduct a further hearing on certain facts before rendering a decision. As soon as is reasonably possible after receipt of this report, the President will render a decision in writing to the parties involved (the employee, the department representative(s), the Panel, the Hearing Officer, and the Vice President for Human Resources). The President may endorse, modify or reject the findings, conclusions and/or recommendations of the Panel. The President's written decision also serves as a directive for any action necessary for compliance with the decision. The President's written decision shall be mailed to the employee at his or her last known mailing address.

An employee who is dissatisfied with the President's decision may request reconsideration of the decision pursuant to A.R.S. Sec. 41-1062 by filing a written request with the President no later than 15 days following receipt of the President's written decision. The request shall be based on one or more of the following grounds:

- irregularities in the proceedings, including any abuse of discretion or misconduct by the Staff Dispute Resolution Committee or Hearing Officer which deprived the employee of a fair and impartial hearing;
- newly discovered material evidence which with reasonable diligence could not have been presented at the hearing; or
- the decision is not justified by the evidence or is contrary to law.

Following receipt of the request for reconsideration, the President shall conduct whatever review he/she deems necessary to resolve the issues that have been raised. The President will provide a written response to the request to all parties. When the
employee does not request reconsideration, the President's decision following the hearing becomes final 15 days from the employee's receipt of the decision and concludes the Staff Dispute Resolution Procedure. When the employee requests reconsideration, the President's decision following reconsideration is final and concludes the Staff Dispute Resolution Procedure.

The President's decision following the hearing shall advise the employee that he/she has 35 days from the date on which the decision becomes final to seek review of the decision in the superior court pursuant to the provisions of the Administrative Review Act, A.R.S. Sec. 12-901, et seq.

Rules and Procedures Governing the Hearing

1. The employee, department representative, and witnesses appearing at the hearing shall present sworn testimony and be questioned regarding their direct knowledge of relevant facts. Each witness shall be admitted to the hearing room only during the time his or her testimony is requested, and shall hold himself or herself available for testimony during the time the hearing is in progress unless excused earlier by the Hearing Officer. Witnesses appearing at the hearing will be sworn in by the Hearing Officer or the Court Reporter prior to providing their testimony.

2. The hearing is closed to the public, unless an exception has been agreed upon by the employee and the Vice President for Human Resources. Requests for open hearings shall be made in writing to the Vice President for Human Resources at the time the employee requests consideration of the dispute at the fourth step.

3. The Vice President for Human Resources, shall serve as technical advisor to the Staff Dispute Resolution Panel and the Hearing Officer.

4. The hearing shall be recorded by a court reporter. Audio tape recording by anyone other than the court Reporter or advisor to the panel shall be permitted only in an open hearing. Video tape recording is not permitted.

5. The Hearing Officer may impose reasonable restrictions on the participants that are necessary to assure the orderly presentation and resolution of the dispute, such as restrictions on the length of witness testimony and redundant statements.

6. As a condition of employment, all University employees must appear and offer testimony at any University administrative hearing to which they are called as a witness by either party to the dispute or by the University, unless the Hearing Officer determines that the witness's testimony is not relevant to the issues to be addressed at the hearing or that it is unreasonably burdensome for the witness to appear at the date and time specified. Guidelines For University Employees Called To Testify In A Staff Dispute

7. Employees may represent themselves and present their own cases to the Dispute Resolution Panel. Either party may have present and be advised and/or represented by an attorney or lay advisor before the hearing, at the hearing, or both. If the complainant will not be accompanied by an attorney or advisor at the hearing, generally the University representative will also participate without an attorney or advisor at the hearing. In an employee chooses to have a lay advisor or representative, that advisor or representative must agree in writing to the Vice President for Human Resources, to serve without fee. The University is not responsible for any cost or expense incurred by the employee in consulting or engaging a lawyer or other representative in relation to the use of the dispute resolution procedure.

8. Relevant evidence of the sort that reasonable people rely upon in the conduct of their business affairs shall be admissible at the hearing and relied upon by the panel. The panel findings and conclusions shall be made on the relevant facts.

Out-of-Area Hearings

When an eligible employee, whose dispute meets the criteria in this policy, is employed by the University at a site other than Tucson or its surrounding area, the Vice President for Human Resources shall provide the employee, the department representative, and the Hearing Officer with the information necessary to convene the hearing.

The Vice President for Human Resources or designee shall serve as technical advisor to the Hearing Officer. The University of Arizona is not liable for any cost and expense incurred by the employee, other than for the employee's reasonable travel expenses.
incurred to the extent of reimbursement under the applicable University travel regulations, should the hearing site be greater than 150 miles from the employee's residence.

Rules and Procedures Governing Out-of-Area Hearings

The same rules, procedures and restrictions which govern the conduct of fourth-step dispute resolution hearings outlined elsewhere in this policy shall also apply to out-of-area hearings except that the Hearing Officer substitutes for the panel in out-of-area hearings.

The role of the Hearing Officer is to conduct the hearing in an orderly manner, find facts and make conclusions about the dispute, and submit a written report to the University President. The report shall include but is not limited to a brief summary of the hearing plus supporting data, the hearing officer's findings, conclusions, and recommendations for corrective action, if any, and any additional recommendations thought to be in the interest of sound University-staff relations.

General Provisions

1. An eligible employee shall be allowed reasonable time away from regular duties consistent with job responsibility or operational needs to prepare for and attend meetings related to the use of the Staff Dispute Resolution Procedure.

2. No person shall use or threaten to use their official authority to influence in any manner or to discourage the use of this procedure, nor shall any reprisal or retaliation result from an employee's use of the Staff Dispute Resolution Procedure.

3. Staff Dispute Resolution material shall not become a part of or be retained in a Classified Staff employee's official personnel file.

These procedures may be changed from time to time and those in effect on the date the dispute arose shall apply.

407.0 Meal Periods and Rest Periods (Breaks)

Policy Number: 407.0
Effective Date: September 1, 1988

The University of Arizona provides unpaid meal periods for Classified Staff employees. Department heads have the authority, but are not required, to establish and permit rest periods for Classified Staff employees. It is recognized that departmental exceptions to the usual departmental meal period or rest period schedule may occur.

Meal Periods

Most Classified Staff employees are authorized one unpaid meal period each 8 hour work day, and in most work areas a one hour unpaid meal period shall be observed. The Vice President for Human Resources may designate certain positions as having paid meal periods.

Break Periods

Classified Staff employees may be authorized by their department head to take a paid rest period of up to 15 minutes each four-hour work period. Since rest periods are paid time, each is considered time worked for the purpose of reporting work hours on the Employee Time Record.

Employees may not use break periods (1) to offset late arrival or early departure from the work site, (2) to extend the meal period, or (3) to accumulate paid time off from one day to the next.

408.0 Smoking and Tobacco Policy

Policy Number: 408.0
Effective Date: August 25, 2014
Revised Date: August, 2014

I. Purpose And Applicability
The purpose of this Policy is to establish the University of Arizona’s (University) commitment to protect the health of University faculty, staff, students, and visitors on its campuses and in its vehicles. This policy does not apply to personal vehicles. This Policy applies to students, employees, affiliates, associates, contractors, volunteers, and visitors. This Policy supersedes any other policy of the University on the same subject.

II. Policy
The University is dedicated to providing a healthy environment for those who participate in University activities. In support of this goal, the University prohibits the use of products that contain tobacco or nicotine, including cigarettes, cigars, pipes, bidis, kreteks, hookahs, water pipes, and all forms of smokeless tobacco. Littering campus with remains of tobacco or smoking-related products also is prohibited.

III. Exceptions

Smoking Cessation Products and Electronic Cigarettes
Smoking cessation products, such as nicotine patches, nasal sprays that contain nicotine, and nicotine gums are permitted. Devices that simulate smoking through inhalation of vapor or aerosol from the device, including e-cigarettes, e-cigars, e-pipes, or vape pens (referred to in this policy collectively as “ecigarettes”) are not prohibited on campus but may not be used in campus buildings, athletic facilities, university vehicles, or parking garages, with the exception of in one’s own personal vehicle. E-cigarette use is prohibited within 25 feet of building entrances, exits, and fresh-air intake grills.

Controlled Research
Tobacco use may be permitted for controlled research with prior approval of the administrator responsible for the facility and, in the case of smoking, the University Fire Marshal. Smoke generated from research use or burning of tobacco will be controlled locally in a chemical hood or other exhaust system that provides 100% exhaust to the outside.

Educational Purposes
Tobacco may be used in classroom instruction/experiments. All educational purpose exceptions must be approved in advance by the Provost or the Provost’s designee.

IV. Other Permitted Uses
Smoking and/or tobacco may be permitted for traditional, cultural, or religious uses, provided that such uses have been approved in advance by the Provost or the Provost’s designee.

V. Compliance
All University employees, students, visitors, guests and contractors are required to comply with this policy. Organizers of public events, such as conferences, meetings, public lectures, social events, and cultural events using campus facilities will be mindful of this Policy and encourage compliance.

University students, faculty, and staff who encounter someone who is violating this Policy are encouraged to respectfully inform that individual about the Policy and encourage compliance.

Concerns regarding violations of the Policy should be referred to the appropriate unit for review and action:

- Students will be referred to the appropriate college student affairs representative for educational resources with an emphasis on cessation.
- Employees, affiliates, associates, and volunteers will be referred to their respective supervisors for appropriate action.
- Contractors will be referred to their respective employers and/or Procurement and Contracting Services for appropriate action.
- Visitors and guests may be required to leave the campus if they fail to conform to the Policy.
The success of this Policy depends on the entire campus community and its members being willing to hold one another accountable. Whenever possible, concerns about tobacco and nicotine use should be respectfully addressed at the time such concerns arise. Individuals who are considering disciplinary action against an employee or student for violating this policy should consult with Human Resources or Student Affairs.

1 This policy applies to the University of Arizona’s main campus in Tucson, the Arizona Health Sciences Center, the Phoenix Biomedical Campus and UA South.

### 409.0 Religious Holidays

**Policy Number:** 409.0  
**Effective Date:** September 1, 1988

The University of Arizona requires responsible administrators to reasonably accommodate the religious needs of Classified Staff employees in keeping with the following guidelines and limitations.

Employees may not be discriminated against because of their religious belief or practice, or absence of religious belief. Responsible administrators must make a reasonable attempt to accommodate individual religious practices. Refusal to accommodate a Classified Staff employee's request for time off from work to observe religious holidays is justified only when University operations would suffer unduly because of the employee’s absence.

Absences from work for the purpose of observance of religious holidays which do not coincide with designated official University holidays shall be charged to accrued vacation, approved absence without pay, accrued compensatory time, or accommodated by an alternate work schedule approved in advance by the responsible administrator.

### 410.0 Dress Code

**Policy Number:** 410.0  
**Effective Date:** September 1, 1988  
**Revised Date:** March, 2000

Responsible administrators shall have the right to prescribe certain reasonable standards of dress and appearance of their employees. These standards may be established to assure the safety of employees, to maintain an appearance of neatness and cleanliness among employees, or to further other purposes related to the conduct of business.

### 411.0 University Employment & Non-University Employment Relationships

**Policy Number:** 411.0  
**Effective Date:** September 1, 1988

Deans, Directors, Managers, Supervisors, and all other officials of the University may employ those staff employees within their jurisdiction only for activities that are directly related to University business. Such administrators may not enter into non-University employment relationships with those staff employees within their jurisdiction for activities that take place off campus and/or are not related to University business.

University officials may not use their influence or positions of authority in such a way as to gain favors or obtain the services of a Classified Staff employee from outside of their colleges or departments in a non-University setting.
412.0 Political Activity

Policy Number: 412.0

Effective Date: September 1, 1988

Classified Staff employees may engage in political activity outside of assigned work hours, but shall not allow their interest in a particular party candidate or political issue to affect their performance of assigned duties and responsibilities or relationships with coworkers or other employees.

Employees shall not, directly or by implication, use the name of the University or their affiliation with the University in the endorsement of political candidates, initiatives, referendums, or in supporting or opposing a position on other political issues.

Classified Staff employees who plan to campaign for public office or who are elected to public office should request a leave of absence if their candidacy or public office prevents them from being available to work during their normal work hours or attend to their assigned duties and responsibilities.

413.0 Conflict of Interest

Policy Number: 413.0

Effective Date: September 1, 1988

Revised Date: March, 2000

It is in the best interest of the University and its employees to remove or limit the possibility of conflict of interest or personal influence that might bear upon a University employee's decision in her or his capacity as a public employee.

An employee who has or whose relative has a substantial interest in any contract, sale, purchase, or service by or to the Arizona Board of Regents or the universities, must disclose said interest in the official records of the Board. If such an interest exists, the employee shall refrain from participating in the decision, contract, sale, or purchase in any manner.

Definitions Pertaining To This Policy

Employees and Relatives

Employees are all persons who are employed by the Board and universities on a full-time, part-time, or contract basis. Relatives are defined to include spouse, children, grandchildren, parents, grandparents, brothers and sisters (including half-brothers and half-sisters), brothers- and sisters-in-law, parents-in-law, and children-in-law of the employee. If any substantial interest is present in a relative, that interest will be considered to be that of the employee.

Substantial Interest

A substantial interest is any interest which cannot be defined as a remote interest and which confers a pecuniary or proprietary interest, either direct or indirect. A remote interest means:

1. That of a nonsalaried officer of a nonprofit corporation.
2. That of a landlord or tenant of the contracting party.
3. That of an attorney of a contracting party.
4. That of a member of a nonprofit cooperative marketing association.
5. Ownership of less than three (3) percent of the shares of a corporation for profit, provided the total annual income from dividends, including dividends payable in stock, received from that corporation does not exceed five (5) percent of the total annual income of the employee and further providing that any other payments from that corporation do not exceed five (5) percent of the total annual income of the employee.
6. That of an employee in being reimbursed for expenses incurred in performance of official duty.

7. That of a recipient of services generally provided by the Board or University on the same basis as if to any member of the public. (Example: An employee whose spouse, son, or daughter attends a state university would have a remote interest in the setting of fees and tuition. If that employee were receiving a staff or faculty waiver for the spouse, son, or daughter, the employee would have a substantial interest in any Board decision to modify the waiver policy.)

8. That of a member of the hearing board established to review orders of the state banking department. (ARS 6-635)

9. That of a public school board member provided the relative involved is not a spouse or a dependent as defined by state income tax laws. (ARS 43-127)

10. That of a public officer or employee of any other public agency unless the action of that agency would confer a direct economic benefit or detriment upon a Board member or employee.

11. That of a member of trade, business, occupation, profession, or class of persons which is no greater than the interest of the other members of that or similar groups.

**Employee Responsibilities Under This Policy**

**Affirmative Responsibilities of Employee**

Any employee who has or whose relative has a substantial interest shall make known that interest in a special file open to the public and kept by the University. He or she shall thereafter refrain from voting or participating in any manner in the contract, sale, purchase, or decision. It will be the responsibility of each employee to keep the disclosure current. Disclosure forms may be obtained from, and two original copies shall be filed with the Procurement and Contracting Services, which shall forward one copy to Human Resources for placement into the employee's University Personnel file.

An employee who has or whose relative has a substantial interest may supply equipment, material, supplies, or services to the Board and the universities, provided: (1) the interest is disclosed in the special file or in the minutes of the Board, (2) the contract is awarded after public competitive bidding, and (3) the employee refrains from voting or participating in any manner in the contract, sale, purchase, or decision.

**Remedies in the Event of Violation of This Policy**

Any contract entered into in violation of the statute is voidable or subject to cancellation at the option of the Board and the University. Any persons affected by Board or University action may commence a civil suit to enforce the provisions of the statute. The court may order appropriate relief, including reasonable costs and attorney's fees to the prevailing party.

**Penalties in the Event of Violation of This Policy**

Penalties are provided for two classes of persons. Persons who intentionally or knowingly violate the statute may be guilty of a class 6 felony. Those who recklessly or negligently violate the statute may be guilty of a class 1 misdemeanor. A person who violates this policy shall be subject to disciplinary action up to discharge.

**Reference:** Arizona Revised Statutes 38-501 (et.seq.)

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**414.0 Use of University Property**

**Policy Number:** 414.0

**Effective Date:** September 1, 1988

Property owned by the University of Arizona, or for which the University is responsible, may not be used for the personal purposes of any individual employee or group of employees, unless such use is specifically permitted by the administrator responsible for the property. In no event shall University property be used for personal profit or gain.
All property, including but not limited to land, buildings, facilities, equipment, supplies, or labor, belonging to the University or for which the University is responsible, is to be used solely for University purposes, with the exception noted above.

415.0 Collections and Garnishments

Policy Number: 415.0
Effective Date: October 1, 2006

All employees are expected to conduct their personal business affairs in a manner that will not bring discredit to the University. The University will not serve as agent for the collection of indebtedness claims against employees and complainants. Only those claims that are presently collectible under the law will be honored.

Garnishments

Garnishments against earnings issued by Arizona courts will be honored in accordance with their terms. Garnishments obtained by creditors are served by courts directly to the Financial Services Operations Office.

The Payroll Section of Financial Services Operations will withhold or make payroll deductions from the affected employee’s paychecks when notified by the appropriate authority in accordance with a garnishment, judgment or court order which authorizes the University to withhold or deduct wages.

415.1 Non-Solicitation Regarding University Assets

Policy Number: 415.1
Effective Date: September 1, 2006

The University prohibits the use of its assets for solicitation for the purpose of selling goods or services to and by all members of the campus community, including employees and non-employees. Examples of prohibited activities include, but are not limited to, scheduled work time, non-requested visits to work areas during or outside of business hours, and the use of university telephones, email, and mail services for the purpose of solicitation.

The President of the University may approve certain activities in connection with an institutional fund-raising effort, and announces these activities through formal notice. The Senior Vice President for Business Affairs is the designated contact for parties requesting permission to solicit sales, contributions or memberships.

416.0 Access to/Release of Employee Information

Policy Number: 416.0
Effective Date: September 1, 1988
Revised Date: September, 2009

This policy content has been consolidated into Classified Staff Policy #115.1 on Access to and Release of Personnel Records and Information.

Reference: Arizona Board of Regents 6-912
417.0  Employee Recognition

Policy Number: 417.0

Effective Date: March 1, 1991

Revised Date: July, 2006

The University supports recognition of outstanding employee contributions at all organizational levels. Departments, colleges and divisions are encouraged to develop their own employee recognition programs to complement university-level programs. Activities for such departmental recognition programs are especially encouraged during Employee Recognition Week, held each year in the month of April. Resources are available at the Employee Recognition web page.

Compensatory (taxable) awards paid for by the University must be for achievements related to activities over and above assigned responsibilities (i.e., extra activities). Employees who perform normally assigned responsibilities at an exceptional level are not eligible for compensatory recognition awards but may be eligible for legislated merit increases or other types of recognition.

Related Links

Formal UA Awards
Policies Table of Contents

Reference: FRS Policy #9.10

418.0  Approved Use of University Computing and Communication Equipment

Policy Number: 418.0

Effective Date: July 1, 2003

Under Arizona law, A.R.S. § 38-448, a university employee may not use university owned or leased computer equipment "to access, download, print or store any information infrastructure files or services that depict nudity, sexual activity, sexual excitement or sexual acts" unless the employee has written approval from the "agency head."

The President has authorized the following classes of individuals to access, download, print and store material that would otherwise be prohibited by this statute. This approval is limited to purposes related to academic or employment duties at the University of Arizona. Uses outside of this scope may result in sanctions.

The following classes of individuals may access otherwise prohibited material, but only to the extent that the access is related to their academic appointment or job duties at the University of Arizona:

- All employees with academic appointments and graduate research and teaching assistants;
- All employees whose job duties include the provision of physical or mental health services;
- All employees whose job duties include the monitoring, management, or servicing of University of Arizona computing or communication systems or devices;
- All employees whose job duties include the analysis of legal issues or the investigation of allegations of misconduct; and
- All employees of campus museums, media services, libraries, and UAPresents.

In addition, an employee authorized under this document may authorize employees he or she directly supervises to access these materials for a purpose related to the authorized employee's academic appointment or job duties.
Employees who are not covered by this approval may seek approval from the head of their academic or administrative unit for activities related to their job duties, and such approval must be on the form approved by completing an "Approval Form for Access, Download, Print and Storage of Materials Otherwise Prohibited by A.R.S. § 38-448."

Reference: ARS 38-448

419.0 Acceptable Use of Computers and Networks at the University of Arizona

Policy Number: 419.0
Effective Date: March 1, 2004
Revised Date: June, 2010

Please see UA InfoSec policy: http://security.arizona.edu/aup

420.0 Misuse of University Assets

Policy Number: 420.0
Effective Date: March 1, 2004
Revised Date: April, 2005

1. POLICY STATEMENT: The University of Arizona is responsible for the appropriate use of its assets. In substantiated cases of misuse of those assets, it is the policy of the University to obtain full restitution, to impose administrative sanctions, and to refer violations of criminal statutes for prosecution.

2. PURPOSE:
   This policy is adopted for the purpose of
   1. Defining, and delineating responsibilities relating to, the misuse of University assets.
   2. Establishing protocols for reporting and handling of incidents involving alleged or actual misuse of University assets.
   3. Providing guidelines for corrective actions when the investigations confirm that misuse has occurred, or is likely to occur.
   4. Misuse of University assets is a violation of the Arizona Board of Regents (ABOR), University Handbook for Appointed Personnel (UHAP), Classified Staff Human Resources Policy (CSHP), the Student Code of Conduct, and other policies of the University. Therefore, this policy is in addition to, but does not substitute for other laws and policies governing employees and students at the University, whether currently in effect or whether established after the adoption of this policy. Employees and students are required to be familiar with all policies governing the appropriate use of University assets.
   5. Disciplinary action against employees or students for misuse of University assets will be pursued under one or more of those policies, using the procedure applicable to that category of employees or students in connection with those policies.

3. DEFINITIONS

   Unless otherwise stated, language in this policy is to be given its ordinary meaning consistent with the remedial purpose of this policy. Examples are given by way of illustration only, and specially defined terms are not limited to the examples given. As used in this policy:
1. "Employee" means an individual who is employed by the Arizona Board of Regents under classifications “faculty,” “classified staff,” or “academic professional,” “administrative professional,” or “service professional”, as those terms are defined in the University Handbook for Appointed Personnel, Arizona Board of Regents' Policy Manual, and Classified Staff Employee Handbook, student employees who have authority to impose discipline on other students, graduate students with supervisory or teaching responsibilities, including instructors, whether the individual is paid or unpaid, or any individual who represents or acts on behalf of the University and whose actions may bind the University. For purposes of this policy, "employee" shall include all agents of the University.

2. "University assets" are items of tangible or intangible property owned by, leased to, licensed to, or in the possession of the University of Arizona. Examples include name, money, land, buildings, improvements, proprietary information, inventory, equipment, accounts receivable, supplies, library volumes, museum pieces, art objects, furniture, materials, intellectual property, campus electronic information resources or internet domain (arizona.edu) software, tools, vehicles, and paid employee time. University assets also include items, which should have rightfully become an asset of the University, but did not due to misuse by an employee. An example is a patent that should have been assigned by an employee but was not.

3. "Misuse" is the illegal use of University assets and/or uses that are prohibited under this or another University policy, which result in loss, damage or financial liability to the University or gain to the individual or a third party and no benefit to the University. Examples include but are not limited to using University assets for personal purposes, fraud, theft or embezzlement, which violate provisions of criminal law of the State of Arizona; acts (such as disclosure of confidential, proprietary or privileged information) that reduce the value of University assets or expose the University to legal or financial penalties, or are conflicts of interest that benefit only the employee or a third party.

4. "Corrective Action Plan" (CAP) means a written plan developed by the management of the affected unit following a determination of misuse (or risk of misuse) of University assets, in order to correct and protect the University from future losses or potential losses.

4. RESPONSIBILITIES OF ALL EMPLOYEES AND STUDENTS

1. Employees and students may not misuse University assets.

2. Employees and students have a responsibility to report activities or significant incidents that appear to be misuse of University assets. Employees may report such suspected misuse to any manager or supervisor in the chain of authority (director, department/unit head, dean, or appropriate vice president) or may make a report directly to the Senior Vice President for Business Affairs or Executive Vice President. Employees need not report misuse to their direct supervisors, but may make a report of alleged misuse to any supervisor, vice president or Executive Vice President or to the Senior VP for Business Affairs. Good faith reports of misuse of University assets are subject to the protection of the ABOR policy against whistle blowing as outlined in ABOR Policy Manual, as amended. Reporters of violations of this policy should be aware that some misuses of University assets are de minimus, and do not rise to the level to which a University administrator, auditor or the University of Arizona Police Department (UAPD) would consider the use a violation of this policy or of criminal law. However, if, combined with other incidents of reported misuse, the incident is not de minimus, the University supervisor, auditor or UAPD may consider the incident a significant misuse of University assets, warranting an investigation.

3. Supervisors receiving reports of suspected misuse may take action to satisfy themselves that there is a reasonable basis to suspect that misuse has occurred prior to reporting to their immediate superior or supervisor in the chain of authority. However, before doing so, supervisors should consult with a representative from the Human Resources Department Consulting Services, the Chief of UAPD, the Chief Auditor or the Office of the General Counsel, whose expertise in these matters may provide helpful insights to confirm the appropriateness of a preliminary evaluation or indicate the need for additional assistance.
4. Employees and/or students involved in any aspect of a preliminary evaluation by the administrator, supervisor or manager, or an investigation under this policy, are responsible for keeping all information regarding the alleged misuse confidential.

5. RESPONSIBILITIES OF ADMINISTRATORS (Vice Presidents, Deans, Department/Unit Heads/Directors)

1. The Senior Vice President for Business Affairs has overall responsibility for matters concerning known or suspected misuse of University assets. If an allegation of misuse is made against a student, the Dean of Students shall have such responsibility. Attendant to this task is the responsibility for
   1. Ensuring that an investigation is conducted;
   2. Designating, in any case to which this policy applies, a person who is responsible for undertaking steps required under this policy;
   3. Ensuring preparation and implementation of a corrective action plan when misuse of assets is confirmed;
   4. Coordinating the investigative process with the Executive VP and Provost and other senior University officials;
   5. Notifying and updating the University President and General Counsel of confirmed misuse of assets; and
   6. Effecting appropriate reporting to ABOR.

2. Receiving reports of alleged misuse of University assets.

3. Exercising good judgment and carefully evaluating the alleged infraction to determine whether it is de minimus or whether it does not rise to the level to which a University supervisor, dean, director or department head would consider reporting the infraction to the next level.

4. Consulting with appropriate administrator(s) to determine who in the chain of authority should be advised of the reported misconduct. In the event that a report of significant misuse of University assets has occurred, the administrator to whom a report has been made shall report the misuse to the Senior Vice President of Business Affairs (SVPBA).

5. The responsibilities set forth in paragraph IV, above.

6. Ensuring that matters pertaining to reports of investigation of misuse of University assets are treated as confidential, pending the completion of an audit or investigation.

7. Where an incident of misuse is confirmed following an investigation:
   1. Administering appropriate disciplinary action in accordance with ABOR and University policies and procedures in effect at that time;
   2. Taking steps to recover assets;
   3. Taking steps to prevent recurrence; and
   4. Developing a Corrective Action Plan, which shall be reviewed and approved by an immediate supervisor.

8. When a person who is suspected or accused of misuse of University assets is the head of a department/unit/agency, consideration should be given to having all unit management responsibilities of that individual performed by the next higher authority.

9. Ensuring compliance with the provisions of this policy.

10. Seeking advice from the Office of the General Counsel regarding when the individual who is suspected of misuse of assets should be informed of his or her legal rights, including the right to retain counsel.

6. The University and its administrators shall follow any other Policies and Procedures of the ABOR or University regarding misuse of assets. By way of example, but without limitation, the following policies may apply:
1. ABOR Policy regarding Protection of Employees from Reprisal for Whistleblowing and University policies addressing the same;
2. Conflict of Interest and Commitment Policy;
3. Classified Staff Policy and Procedures Manual (CSPM);
4. University Handbook for Appointed Personnel (UHAP);
5. ABOR and UA Intellectual Property policies;
6. FRS Policy 9.18, Small Dollar/Direct Purchase Procedures;
7. FRS Policy 15, Security, Theft Control, Lost and Damage;
8. University of Arizona Acceptable Use of Computers and Network, if applicable;
9. University of Arizona Codes of Conduct;
10. Provisions of Arizona statutory law; and
11. Any other policies currently in effect or effected subsequent to the adoption of this policy, which address misuse of University assets.

7. INVESTIGATIVE PROCESS

1. General
   As set forth in paragraph IV (B) above, employees and students are expected to report incidents involving significant misuse of University assets.

2. Confidentiality
   1. Subject to applicable Arizona law, matters pertaining to reports and investigations of misuse of University assets shall be treated as confidential pending the completion of any audit or investigation. University employees responsible for conducting any phase of a confidential investigation shall inform individuals contacted that their identities, and the information they provide, will remain confidential to the extent permitted by law.

3. Investigation
   1. The Internal Audit Department may conduct an investigation of the available evidence and related circumstances to determine whether a thorough or more extensive audit is necessary. If a more thorough or extensive audit is deemed necessary the SVPBA or his/her designee will determine who should conduct that audit.
   2. If, after consulting with General Counsel, it appears to the Senior Vice President for Business Affairs (SVPBA) or the Internal Audit Department that the matter may involve criminal misconduct, s/he shall request an investigation by UAPD.
   3. The Senior Vice President for Business Affairs (SVPBA), UAPD, Internal Audit Department, Deans, Directors and department heads have authority to take immediate action as they determine necessary, to secure and protect University assets and any pertinent accounting and administrative records from misuse, destruction or alteration.
   4. An individual who is accused of misuse or misappropriation of University assets may, at his or her expense, employ and be accompanied by legal counsel during any interviews or meetings with UAPD, internal auditors or others charged by the University to investigate this matter. Should disciplinary action be initiated upon a finding of wrongdoing, the individual shall be entitled to the protections provided under applicable personnel rules of the University and ABOR policies.
   5. If permitted by applicable policies and procedures of the University of Arizona, an individual who is subject to an investigation for misuse of University assets may be placed on administrative suspension with or without pay.
6. All investigations and every step thereof shall be conducted consistent with the constitutional rights of those persons being investigated.

4. Post-Investigation Actions

1. The officials conducting the investigation shall make a written report to the SVPBA, subject to their right to expand the scope of their investigation to determine the extent of the misuse, to identify individuals responsible for the improprieties, or to include a review of internal controls of the area in which the misuse occurred.

2. If the individuals or offices conducting the investigation determine that no further investigation is required, then they shall complete their report to the SVPBA.

3. If, after consultation with the General Counsel, it appears from the investigation that the individual under investigation has committed a criminal act in violation of Arizona or federal law, the SVPBA shall advise the UAPD of this conclusion if the UAPD previously did not investigate the matter as a violation of criminal law, and thereafter, the UAPD, shall notify and coordinate further actions with the relevant prosecuting agency.

5. After receipt of a written final investigative report, the SVPBA will inform the Executive Vice President and Provost of the final disposition of the investigation.

6. The Executive Vice President and Provost and SVPBA shall inform appropriate subordinate supervisors, within their respective areas of responsibility, of the investigative results which affect their units, and direct, if appropriate, that they initiate disciplinary action, as set forth below in paragraph VIII.

8. DISCIPLINARY ACTIONS

1. If the investigator(s) conclude that an employee or student is responsible for misuse of university assets, management or the Dean of Students shall initiate appropriate disciplinary action, in accordance with existing ABOR and University policies including all provisions regarding due process.

2. All other rules, regulations and statutes governing University business operations shall also apply to disciplinary action taken against an employee for violation of this policy.

9. ACTIONS WHERE FINDINGS DO NOT SUPPORT CLAIM OF MISUSE

At the conclusion of the evaluation or investigation, if either the supervisor conducting the evaluation of the allegation of misuse or the SVPBA finds insufficient evidence upon which to determine that misuse occurred, or if s/he disagrees with the investigator’s findings and recommendations, the University, including the SVPBA, a Department Head, Director, Dean or Supervisor, will undertake diligent efforts to restore the reputations of persons alleged to have engaged in misuse under this policy. They also will make diligent efforts to protect the positions and reputations of those persons who, in good faith, made those allegations. Unless the employee or student so requests, no records of the complaint, investigation or report shall be maintained by the University, except as required by law.

10. REFERENCES AND RELATED POLICIES (These policies, by way of example, but not limitation, also may apply to allegations of misuse of University assets)

4210 Visitors in the Workplace

Policy Number: 4210
Effective Date: February 1, 2006

The University workplace is a diverse environment of classrooms, offices, and laboratories where many different activities are performed. Visitors to the workplace are generally welcome, and in some settings even encouraged. However, appropriate precautions and limitations on visitation are necessary to protect health and safety, and to maintain productivity and regulatory compliance.

Hazardous Workplaces

There are many workplaces where hazardous materials or equipment are located or where hazardous operations are conducted. These include laboratories, shops, farms, animal care facilities, and power plants. It is therefore necessary to restrict access to these areas for visitors, especially minors. For the purpose of this policy, hazardous areas are defined as any university operation or space where any of the following are present:

- chemicals or radioactive materials in use or storage,
- biological or infectious hazards,
- live animals,
- construction or renovation activities,
- utility equipment spaces, tunnels, rooftops, mechanical rooms, heavy machinery, cranes, high noise levels, electrical hazards, or
- other areas deemed hazardous by the host department.

Visiting adults who are not students or employees (visiting scientists, etc.) who work for two weeks or more in laboratories or other hazardous areas must receive safety training equivalent to that required for employees in the same environment. Documentation of training received from other employers or institutions may be accepted if approved by Risk Management and Safety. The host department is responsible for providing all visitors with specific safety instructions for local conditions and procedures, and for providing all necessary personal protective equipment. All safety training must be properly documented by the host department and kept on file in that department.

Visiting adults who are not students or employees (visiting scientists, etc.) who visit or work for two weeks or less in laboratories or other hazardous areas must, at a minimum, have local safety measures and emergency procedures explained to them, and must be provided with personal protective equipment appropriate to the environment being visited. Short-term visitors must be escorted and/or supervised by the host department at all times during their visit.

Children

In general, the workplace is not an appropriate place for minor children on a frequent or continuing basis, as children in the workplace create an atmosphere that may not be conducive to achievement of the unit's specific goals and objectives.

Special occasions that are employer-sanctioned and at which attendance by children is encouraged should be coordinated with and approved by the department. The employee's schedule for that day should take the child's presence into consideration to eliminate potential hazards.

Children may be brought to workplaces by parent employees for brief visits or other times when common sense would dictate that it is more efficient for the employee to bring the child into an office (following or before a physician's appointment, for example). The parent employee must supervise the child(ren) on such visits. It is generally not appropriate for children of any age to be in the workplace on a regular basis, such as after school each school day or on regularly scheduled school holidays. Departments may implement an internal departmental policy allowing such visits.

The University recognizes that occasionally situations may arise that leave an employee with no acceptable alternative but to bring his or her child(ren) to work. In the event of an emergency, or if there are no other alternatives, parent employees may have children present in the workplace provided the parent secures prior departmental approval. Departments may implement an
internal departmental policy allowing short-term visits by employees' children or may request employees to seek approval at the time of the visit. Such arrangements may be granted only in circumstances where safety issues (such as stairs and stairwells, automatically closing doors, open windows, office machines, etc.) have been satisfactorily addressed. This exception is not applicable to hazardous areas. Parent employees may not leave such child(ren) in the custody of another University employee, even for brief periods of time.

Minor children are not permitted as regular visitors in any hazardous area as defined above. Short-term visits may be authorized for approved guided tours or other reasons if appropriate precautionary measures are taken, and hazards have been fully controlled or removed during the visit. Direct adult supervision of children is required at all times in hazardous areas. Department heads may require additional safety measures prior to such visits, and may wish to require written parental consent authorizing the site visit.

Vehicles

As a general rule, all occupants of university vehicles must have an official purpose to ride in the vehicle. This may typically include employees, students, or participants in an official university program or activity that uses the vehicle. Parent employees who wish to bring children on field trips in University vehicles as program participants should consult with their departments to determine if their children can participate in the activity safely, and without disrupting or otherwise interfering with the program's purpose.

Animals

With the exception of service dogs or other service animals used to guide or assist persons with disabilities, employees may bring animals to University workplaces only with prior permission from the department head and only for official purposes.

422.0 Criminal Offense Convictions Policy

Policy Number: 422.0

Effective Date: June 1, 2006

When the University learns that a current employee has been convicted of a criminal offense, either as a result of a criminal background check conducted when a current employee seeks a security or safety-sensitive position, or through other means, the University will consider the following factors in determining continuing employment:

- The relevance of a criminal conviction to currently assigned job duties
- The nature and date of the offense
- If the offense was a felony and was committed when the employee was a minor, whether the employee was treated for purposes of prosecution as an adult
- If the employee has been pardoned or if the sentence has been commuted or reversed on appeal; and
- The employee's employment history since the commission of the felony

Departmental management will consult with Human Resources Consulting Services to assess the criminal offense, its impact on the employee's job, and the need for administering any employment action. In advising the department Human Resources will consult with the Provost and General Counsel.

Documents related to criminal offense conviction assessment will be submitted to Human Resources for retention.

Criminal history record information is regarded as confidential and will be released only consistent with applicable law.

Reference: Reference: Arizona Board of Regents Policy 6-709
423.0 Ineligibility for Reemployment

Policy Number: 423.0
Effective Date: June 1, 2006
Revised Date: July, 2013

Policy Statement

The University of Arizona is committed to creating an effective, safe and secure environment for those who live, learn and work here. Toward that end, the University may exclude from future employment former employees whose separation from the University occurred under any of the following circumstances:

1. Termination as a result of a University or Arizona Board of Regents (ABOR) policy violation; or
2. Resignation or retirement in lieu of termination as a result of a University or ABOR policy violation; or
3. Resignation or retirement when consideration of termination is pending as a result of a University or ABOR policy violation; or
4. During the course of an investigation of a University or ABOR policy violation.

Additionally, the University may exclude from future employment former employees whose separation from the University occurred for any reason when the University discovers after the employee’s separation that the former employee violated a University or ABOR policy.

Notification and Review Process

On behalf of the University, the Vice President for Human Resources (VPHR) will notify the former employee in writing within thirty (30) business days after the employee’s separation discovery of a policy violation) that she/he will be ineligible for reemployment at the University. The former employee may seek a review of her/his ineligibility for reemployment from the VPHR in writing within ten (10) business days after receipt of the VPHR’s notification. The former employee’s request for review must include all information she/he wishes the VPHR to consider in seeking to reverse the ineligibility for reemployment. The University will notify the former employee in writing of its final determination on the former employee’s ineligibility for reemployment within thirty (30) business days after receipt of her/his request for review. This determination will not be subject to further administrative review.

424.0 Interactions with Non-enrolled Minors

Policy Number: 424.0

This policy can be found at http://policy.arizona.edu/ethics-and-conduct/interactions-non-enrolled-minors.

5010 Performance Appraisal

Policy Number: 5010
Effective Date: September 1, 1988
Revised Date: March, 2000

Regular Classified Staff employees shall have their job performance appraised annually, in writing, by their immediate supervisor. Employees on their initial probation period shall have their job performance appraised, verbally or in writing, at mid-probation and at end of probation.
502.0 Non-University Training Courses

Policy Number: 502.0  
Effective Date: September 1, 1988

When department management directs or approves the attendance of an employee at a job-related course or seminar offered by an organization other than the University, the employee shall be reimbursed for the cost of the tuition upon satisfactory completion of the course. This reimbursement applies only to courses or seminars which are taken on a situational and occasional basis as opposed to courses taken towards completion of a degree.

Departmental management has an obligation to consider the reasons and institutional benefits for an employee taking a non-University training course and the cost and quality of the course offering before approving the expenditure of funds for the course.

Release time from work shall be granted to employees to attend non-University courses which: (a) the supervisor has determined are beneficial to the employee's department and relate to the employee's present job responsibilities and development, (b) are scheduled at a time convenient to the department as determined by the supervisor, and (c) the department is able to fund. The time spent in such courses shall be recorded as hours worked on the Employee Time Record.

Employees shall not register or attend courses offered by any institution during their normal work hours without the prior approval of their supervisors.

503.0 Continuing Professional Development

Policy Number: 503.0  
Effective Date: September 1, 2002

An institutional commitment to continuous learning and innovation will enhance the University of Arizona's ability to fulfill its mission of teaching, research and service. In support of that commitment, all benefit-eligible employees shall be provided at least 16 hours of paid release time annually to pursue professional development opportunities. Release time shall be prorated for those with less than full-time appointments.

The focus and means of an employee's professional development activity should be guided by departmental objectives, available resources and the employee's career goals. Conferences, university-sponsored educational programs, academic coursework, internships and time for research or intensive reading are but a few of the ways members of our community may pursue professional development. While departments are encouraged to fund professional development activities that will enhance the employee's contribution to the university, fees for professional development programming are not automatically reimbursed.

Employees must receive approval from their supervisors before using release time for professional development. If an employee chooses to participate in professional development activities on his or her own time, the time spent is not considered as time worked and will not be considered for overtime or compensatory time.

102.0 Employment Categories

Policy Number: 102.0  
Effective Date: September 1, 1988  
Revised Date: September, 2015
The University of Arizona Classified Staff employees are divided into three categories: (1) Regular Classified Staff; (2) Ancillary Classified Staff and (3) Extended Temporary Classified Staff. They are referred to collectively as "Classified Staff."

**DEFINITIONS**

**Classified Staff**
Any employee whose position is classified under the Arizona Universities Personnel System and who is a Regular Classified Staff, Part-Time Classified Staff; Ancillary Classified Staff; or Extended Temporary Classified Staff as defined below.

**Regular Classified Staff**
A Regular Classified Staff member is an employee who is regularly scheduled to work 40 hours or more per biweekly pay period (.50 FTE or more) and whose position is expected to be active for six (6) months or more or is on a flexible-year appointment. Employees in Regular Classified Staff positions are eligible to receive certain employee benefits described in the Benefits section of the Classified Staff Policy and Procedures and must enroll in the Arizona State Retirement Program. Prior to completing the initial six month probation period, Regular Classified Staff are considered "at will employees" whose employment may be terminated at any time for any reason that does not violate public policy.

**Ancillary Classified Staff**
The University has two types of Ancillary Classified Staff: Part-Time Ancillary Classified Employees and Temporary Ancillary Classified Staff Employees. Ancillary Classified Staff may be eligible for limited employee benefits and are required by Arizona law to participate in a recognized State of Arizona retirement plan if employed at 20 hours per week or more for a period of 20 weeks or longer within a fiscal year.

**Part-Time Ancillary Classified Staff**
A Part-Time Ancillary Classified Staff member is an employee who is regularly scheduled for less than 40 hours per biweekly pay period (less than .50 FTE) and whose position is expected to be active for more than six (6) months. Part-Time Ancillary Classified Staff employees are not eligible for employee benefits, are not afforded the rights or privileges of Regular Classified Staff and are considered "at will employees" whose employment may be terminated at any time for any reason that does not violate public policy. The length of time an individual works as a Part-Time Ancillary Classified Staff employee is not counted as service credit in subsequent Classified staff positions.

Part-Time Ancillary Classified Staff members may compete for University employment openings as internal candidates.

**Temporary Ancillary Classified Staff**
A Temporary Ancillary Classified Staff member is an employee whose position will be active for less than six (6) months. Temporary Ancillary Classified Staff are not eligible for Regular Classified Staff employee rights or privileges. Individuals who remain employed for 90 days or more at 40 or more hours per biweekly pay period (.50 FTE or more) are eligible for limited insurance benefits, and those employed for longer than four months and 29 days and scheduled at .5 FTE or more must enroll in the Arizona State Retirement System (ASRS). These employees will not accrue sick and vacation time or be eligible for Qualified Tuition Reduction. Temporary Ancillary Classified Staff are considered "at will employees." The length of time an individual works as a Temporary Ancillary Classified Staff employee is not counted as service credit in subsequent Classified Staff positions.

Temporary Ancillary Classified Staff may compete for University employment openings as internal candidates.

Temporary Ancillary employees must be terminated and removed from the payroll for a minimum of 30 calendar days between Temporary Ancillary positions in the same classification in the same department.

**Extended Temporary Employment Classified Staff**
Extended Temporary Employment (ETE) is intended to meet the needs of departments that have extra or cyclical work or special projects that have clearly defined beginning and ending periods. An ETE Classified Staff is an employee who is regular scheduled to work 40 or more hours per biweekly pay period (.50 FTE or more) and whose position must be expected to be active for a minimum of six (6) months and may last no longer than twenty-four (24) months.
ETE staff shall receive all rights and privileges and benefits of Regular Staff employees except that at the end of their temporary appointment, they shall be terminated due to lack of work and/or lack of funds rather than separated from employment through application of the Layoff/Reduction in Force Policy. If, during the ETE appointment, a department determines a long-term need for the position, the ETE appointment may be converted to a Regular Classified Staff appointment if the position’s duties and title will remain the same and the incumbent has filled the position for at least six consecutive months.

Employees in ETE positions shall serve an initial six (6) month probation period and shall receive all rights, privileges and benefits as Regular Classified Staff employees and shall earn service credit for retirement purposes in accordance with the rules and regulations of the Arizona State Retirement System.

A minimum break in service of 30 consecutive calendar days is required between ETE periods and such subsequent appointments must be to a distinctly different project than the initial ETE project. ETE positions shall not be extended beyond the original appointment period or the twenty-fourth (24th) consecutive calendar month.

ETE staff may compete for University employment openings as internal candidates.

Reference: Recruitment/Employment Policy, Temporary Employment Policy