

Personnel Policies Handbook For Administrative Staff



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Personnel Policies Handbook For Administrative Staff

Greeting From The Director Of Human Resources

To Administrative Staff:

This handbook is designed to provide helpful information to all members of the Administrative Staff and to acquaint employees with Denison, its policies, procedures, and benefits and to help employees understand their rights, privileges and obligations.

This handbook is a guide rather than a contract and is not intended to be an all-inclusive listing of policies. Much of the information has been summarized from insurance policies, retirement programs, and other personnel policy statements. Denison reserves the right to correct errors and to amend the wording in this handbook at any time or to eliminate any policies, procedures, or benefits described in this booklet.

We hope that all employees will find their association with the University to be a rewarding and pleasant experience. Welcome to Denison University.

James P. Ables

Director of Human Resources

Greeting From The President

To The Administrative Staff:

It did not take me long after I became an employee of Denison University in the summer of 1998 to discover that "community" really is the right expression to describe all of the people - support staff, administrative staff, and faculty - who make this college work. I quickly saw that there is a shared commitment to our students, their families, and the graduates who leave here that binds all of us together in a special relationship. I see this relationship daily in the way in which Denison people feel about one another as colleagues and as friends.

I am convinced that it takes all of us to provide the kind of balanced, well-rounded education to young people for which Denison has been acclaimed for more than a century and three quarters. We are all "teachers". Many of us interact daily with students in the course of our jobs - in the library, in offices, on the grounds, and in the residence halls and academic buildings. The way in which we, as adults, relate to these young men and women is all part of their learning experience. I know that the Denison community does this well. I hear it each week when alumni talk with me or write to me concerning the

Introduction

good feelings they have about their Denison experience and the many people who touched their lives on campus.

One of the joys of a college campus is that it is full of new beginnings. Each year we start anew with a little different group of young people and new programs and initiatives on the campus. Whether you are a Denison veteran or a new member of the campus community, you have my "welcome" to this new year or to a new responsibility. You have joined a team on which all of us are eager to help one another to feel productive and fulfilled in our work. I hope the Denison community experience is as rewarding and meaningful to you as it is to me. I look forward to our work together again this year.

Best Wishes,

Dale T. Knobel

President

Introduction

Now that you have joined the Denison community we are sure you will want to learn something about us. In the pages that follow every effort is made to answer some of these questions.

This Handbook is designed to give each employee a better understanding of the current personnel policies that apply to the Administrative Staff of Denison University.

Most of the policies and practices set forth in this Handbook have been in effect for a number of years. In some instances these policies and practices have been reworked to bring about greater clarity and understanding. Administration of Administrative Staff personnel policies and practices henceforth shall be based upon this Handbook and any newly published supplements. The policies and practices outlined in this Handbook may be revised, revoked or supplemented at the discretion of the University. They are in no way to be considered contractual obligations nor shall any provision be interpreted as assuring continued employment for a definite term. Pronouns where used refer equally to both sexes.

The University recognizes the important part each employee plays, regardless of his/her job, in meeting the educational goals established. These goals can be attained when employer-employee relations are at their best.

It is not the intent of this Handbook to be all-inclusive. More detailed information can be obtained from your department head or the Director of Human Resources. Your help and suggestions are most welcome. It is our hope that you will find your employment at Denison a satisfying experience.

Campus Compact

Employees are encouraged to discuss this Handbook and raise questions or make suggestions. This is not to say every question will be resolved in a favorable way but the probability of finding a solution is much better if the problem is known.

Campus Compact

Denison University is a community where individuals respect one another and their environment.

Each of us possesses a full range of rights and responsibilities and foremost among these is a commitment to treat each other and our environment with unconditional respect. With mutual consideration and trust, our community will thrive as a place of liberal learning and humane life.

- As a **university**, we value learning and scholarly work.
- As a **community**, we share common purposes, governance, bonds, and traditions.
- We treat each other with **respect**. Civility is a cornerstone of our community.
- We value our campus and respect our **environment**.
- We respect **individuality**. We celebrate diversity as a strength from which we grow and learn from one another.
- All interactions, academic and social, are characterized by **integrity**.
- We take **responsibility** for acting in accordance with our community's standards and rules, and for reporting violations of those standards and rules.

Denison University Statement Of Purpose

Our purpose is to inspire and educate our students to become autonomous thinkers, discerning moral agents and active citizens of a democratic society. Through an emphasis on active learning, we engage students in a liberal arts education that fosters self-determination and demonstrates the transformative power of education. We envision our students' lives as based upon rational choice, a firm belief in human dignity and compassion unlimited by cultural, racial, sexual, religious or economic barriers, and as directed toward an engagement with the central issues of our time.

About The University

Denison University is a co-educational college of liberal arts and sciences. It was founded in 1831 as the Granville Literary and Theological Institution by the Ohio Baptist Education

Responsibility For Policy Administration

Society. In 1856 the name Denison University was adopted, but the institution has remained strictly an undergraduate liberal arts college.

Responsibility For Policy Administration

The Director of Human Resources is responsible for administering personnel policies involving the Administrative Staff of the University. If questions arise about personnel policies, the Director of Human Resources is to be consulted for clarification and interpretation.

The Director of Human Resources and/or the Associate Director of Human Resources, together with the relevant department chair or manager, are charged with the responsibility for advertising for and screening applicants for Administrative Staff employment. Human Resources is responsible for administering the wage and salary program for all Administrative staff employees, as well as maintenance of personnel records, the development of training programs, employee relations activities, and payroll administration.

The Office of Human Resources maintains all records covering your employment at Denison. These include classification descriptions, letters of appointment, salary letters, performance evaluations, staff benefit deductions and all other matters directly related to you as an employee.

Definition Of Administrative Staff

Administrative staff are salaried exempt staff as defined by the Fair Labor Standards Act. Administrative positions require a minimum of a bachelor's degree or equivalent and must meet established criteria for managerial responsibilities, professional and technical competence and leadership responsibilities.

Members of the Administrative staff are appointed by the President, normally for a one-year period. Reappointments are made at the beginning of the fiscal year based on satisfactory performance and/or university need. Appointments may be on a full-time or part-time basis.

Members of the Administrative staff are member of the general faculty subject to all regulations pertaining to the general faculty. These positions do not earn tenure and are not eligible for sabbatical leaves, except for professional librarians(see Sabbatical Leaves Policy).

Full-time employees include employees budgeted to work at least 75% of a 12 month full-time schedule. Full-time employee are eligible to participate in all staff benefit programs. Nine and ten month employees usually work a schedule that coincides with the academic year that begins approximately August 15 and ends mid-May.

Affirmative Action (02/28/2011)

Part-time employees work a regular, prearranged schedule that is less than the full-time hours.

Affirmative Action (02/28/2011)

Denison University first instituted an Affirmative Action Plan in 1977 for the purpose of reviewing college policies and practices to ensure equal opportunity in employment and education. Each revision of the plan since that time represents an active and ongoing commitment on the part of the institution to the philosophy and practice of nondiscrimination and affirmative action. Contained within the plan are policies and procedures that are meant to ensure equitable opportunities for job applicants, for current employees of the institution and for students.

It is the philosophy of Denison University that affirmative action should mean more than mere compliance with laws and regulations; this plan validates affirmative action as an independent goal which benefits the University in numerous ways by helping us realize our mission of promoting principles of "...rational choice, a firm belief in human dignity, and compassion unlimited by cultural, racial, sexual, religious or economic barriers..." (Denison University Catalogue 1998-2000, p.2).

The plan describes the philosophy and operation of affirmative action at Denison, including the following components: responsibilities of members of the University community for affirmative action; University non-discrimination policies and statements; hiring policies and procedures, including goals and timetables for increasing the representation of members of targeted groups (women and minorities) and strategies for achieving those goals; formal and informal procedures for processing and resolving affirmative action-related grievances; other campus policies which relate to affirmative action, including policies on promotions, harassment, AIDS, and business relations (procedures for contractors, subcontractors and suppliers); and yearly affirmative action reports and statistics.

The ultimate responsibility for assuring the establishment and implementation of the Affirmative Action Plan rests with the President. Much of the responsibility for carrying out the specifics of the plan are delegated by the President to the Affirmative Action Coordinator, who, acting with the authority of the President, shall take all necessary action to accomplish the goals of the Affirmative Action Program. In particular, the Provost with respect to Faculty, the Director of Human Resources with respect to Supportive Operating Staff and Administrative Staff and the Vice President for Finance and Management with respect to outside contractors, are responsible for helping to meet these goals. Responsibilities of the affirmative action coordinator include but are not limited to the following:

- Overseeing the implementation of the Affirmative Action Plan and serving as a liaison for the University on affirmative action issues. Revising the Affirmative Action Plan and Affirmative Action Recruitment and Appointment Procedures Manual as needed.

Nondiscrimination Policy (02/28/2011)

- Maintaining current knowledge of federal, state, and local laws and regulations that pertain to equal employment opportunity and affirmative action.
- Monitoring all searches for faculty and administrative staff positions.
- Analyzing employment data in order to identify problem areas. Working with appropriate university officials and campus committees to evaluate personnel policies and set affirmative action hiring goals.
- Overseeing the operation of university grievance mechanisms related to complaints of employment discrimination and harassment. Mediation of conflicts between and among employees and students relating to these issues.
- Informing members of the university community about their rights and responsibilities with regard to equal employment opportunity and affirmative action.
- Supervising the evaluation of efforts and results made pursuant to the Affirmative Action Plan. Reporting on the progress of affirmative action goals to the university community.

If you have questions about Affirmative Action at Denison or if you believe that you are experiencing discrimination in violation of Denison's Nondiscrimination Policy, you may contact the person responsible for coordinating the affirmative action program for information about Denison's Affirmative Action Grievance Procedures.

Office of Human Resources

Doane Administration Building

Room 307, ext. 6299

or

Office of the Provost

Doane Administration Building

Room 205, ext. 6243

Monday - Friday, 8:30 a.m.- 4:30p.m.

Nondiscrimination Policy (02/28/2011)

Denison University does not engage in discrimination in its educational, student life, and employment policies against students, employees, or prospective employees, on the basis of race, color, religion, ethnic or national origin, age, disability, sex, sexual orientation, or veteran status.

Antiharassment & Free Speech Policy

The University complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964, The Age Discrimination in Employment Act of 1967 as amended, the Rehabilitation Act of 1973, Title IX of the Educational Amendments Act of 1972, the Veterans Readjustment Act of 1974, the Americans with Disabilities Act of 1990, the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989, the Family and Medical Leave Act of 1993, and all other applicable federal, state, and local statutes, ordinances, and regulations.

If you have any questions about this policy or believe you have been a victim of discrimination in violation of this policy, please contact the: Office of Human Resources

Doane Administration Building

Room 307, ext. 6299

or

Office of the Provost

Doane Administration Building

Room 205, ext. 6243

Monday - Friday, 8:30 a.m.- 4:30p.m.

Antiharassment & Free Speech Policy

Section I: Introductory Statement Supporting Diversity and Free Speech

Denison University ("Denison" or "the University") is committed to maintaining hospitable educational, residential, and working environments that permit students and employees to pursue their goals without substantial interference from harassment. Additionally, diversity of views, cultures, and experiences is critical to the academic mission of higher education. Such diversity enriches the intellectual lives of all, and it increases the capacity of a university to serve the educational needs of its community.

Denison is also strongly committed to academic freedom and free speech. An educational institution has a duty to provide a forum in which free speech and differences of opinion are actively encouraged and facilitated, and where opinions and deeply held beliefs are challenged and debated. Critical to this mission is providing a nondiscriminatory environment that is conducive to learning. Respect for these rights requires that it tolerate expressions of opinion that differ from its own or that it may find abhorrent.

Section II: University Policy Prohibiting Harassment

These values of free expression justify protection of speech that is critical of diversity and other principles central to the University's academic mission. However, values of free expression are not supported but are undermined by acts of intolerance that suppress alternative views through intimidation or injury. Yet as members of an institution of higher education, we must stand against any assault upon the dignity and value of any individual through harassment that substantially interferes with his or her educational opportunities, peaceful enjoyment of residence, physical security, or terms or conditions of employment (collectively, "protected interests").

In this spirit, the University adopts an anti-harassment policy that prohibits substantial interference with protected interests, subject to constitutional limitations. In addition, through the work of the Campus Environment Team ("CET", described in section IV below), the University will take steps to foster an environment in which discriminatory harassment is less likely to occur, an environment that is hospitable to all members of the University community regardless of race, sex, color, ethnic or national origin, religion, age, sexual orientation, disability, or Vietnam-era veteran status (collectively, "protected status"). As used in this policy, the term "race" means any race, "sex" means male or female, "color" means any color, "national origin" means any national origin, "religion" means any religion, and "sexual orientation" means any sexual orientation. The terms "age", "disability" and "Vietnam-era veteran status" are used as defined under the Age Discrimination Act of 1967 as amended, the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, and the Veterans Readjustment Act of 1974, respectively. At the same time, the CET will work with others in the University to help safeguard freedom of speech and academic freedom.

Through the efforts of the CET and the many other programs now underway, the University truly hopes to achieve these worthy goals. Ultimately, however, these goals will not be fully met unless every member of the University community takes a personal responsibility for fostering an environment in which diversity can be appreciated and in which all students and employees can reach their fullest potential. No committee or other entity can substitute for the good will, freely given, by the individuals who make up this University.

Section II: University Policy Prohibiting Harassment

A. Harassment Prohibited

Subject to the limiting provisions of Section E below, it is a violation of University policy for any University employee or student to subject any person to harassment on University property or at a University-sponsored activity.

B. Harassment Defined

Harassment occurs if

C. Protected Interests

1. Subject to the limiting provision provided in Section II.B.3 below, an individual engages in conduct (physical, verbal, graphic or written) on the basis of race, sex, color, ethnic or national origin, religion, age, sexual orientation, disability, or Vietnam-era status that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of another individual to participate in or benefit from the services, activities or privileges provided by the University;
2. Submission to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual's employment, academic advancement, or ability to participate in or benefit from the services, activities or privileges provided by the University, or submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual; or
3. In academic settings (classroom instruction, research, scholarship, publication), harassment as defined in Section II.B.1 occurs only if the conduct is taken with a general intent to engage in the actions and with the knowledge that the actions are likely to substantially interfere with a protected interest identified in Section I above. Such intent and knowledge may be inferred from all the circumstances.

C. Protected Interests

Four broad categories of benefits or protected interests are suggested by the existing discrimination laws and regulations that apply to universities and colleges. These are the classroom, extracurricular activities, housing, and employment. When evaluating the totality of circumstances of allegedly harassing behavior within any of these four areas, certain key factors will be considered that define what is unique about each setting. These key factors are: (1) the central purpose or mission of the activity; (2) the location; and (3) the power relationships among the parties involved in the activity and their reasonable expectations of each other within that context

For example, in the classroom context, the use of different teaching techniques and curricular materials is within the realm of the individual professor's discretion in the classroom, as judged by peer review within the field of expertise for competence and relevance to the subject matter. In extracurricular activities, the policy recognizes the regulatory language and the judicial interpretations of federal statutes (Title VI and Title IX) that focus on the opportunity for all students to participate in extracurricular activities for which a student is qualified and interested or to have access to services such as financial aid or counseling. In the area of housing, the policy recognizes the Fair Housing Act and other similar statutes that maintain that housing be available on a nondiscriminatory basis. Specifically, the effect of an incident in the private and personal environment of an individual's residence hall room will be judged more severely than the effect of the same type of incident in a residence hall lounge. In the employment context, the policy recognizes Title VII and its implementing regulations protecting the terms and conditions of employ-

D. Determination of Hostile Environment Harassment

ment -- i.e., wages, hours, and other generally recognized contours governing the contractual relationship between an employer and employee.

Conduct that substantially interferes with an individual's normal and customary participation in or ability to benefit from these four broad areas of protected interests within the university may be deemed as discriminatory harassment contributing to a hostile environment. Similarly, based upon the same kind of totality of circumstances test, obstructive conduct that does not take place specifically within one of these four areas may be determined to constitute harassment as well.

D. Determination of Hostile Environment Harassment

To determine whether a hostile environment exists, it must be determined if the harassment is severe, pervasive or persistent, based on the context, nature, scope, frequency, duration, and location of the incidents, as well as the identity, number, and relationships of the persons involved. The harassment must in most cases consist of more than casual or isolated incidents to establish a violation. Generally, the severity of the incidents needed to establish a hostile environment varies inversely with their pervasiveness and persistence.

First of all, when evaluating the severity of harassment, the unique setting and mission of an educational institution must be taken into account. An educational institution has a duty to provide a nondiscriminatory environment that is conducive to learning. In addition to curriculum, students learn about many different aspects of human life and interaction from school. The type of environment that is tolerated or encouraged by or at a school can therefore send a particularly strong signal to, and serve to be an influential lesson for, its students.

As with other forms of harassment, the relevant particularized characteristics and circumstances of the victim -- especially the victim's protected status(es) -- must be taken into account when evaluating the severity of incidents at an educational institution. If it is determined that the harassment was sufficiently severe that it would have adversely affected the ability to participate in or benefit from some aspect of the recipient's educational program by a reasonable person, of the same protected status(es) as the victim, under similar circumstances, a finding that a hostile environment existed is appropriate. The perspective of a person of the same protected status(es) as the victim is necessary because that status is the immutable characteristic upon which the harassment is based. The victim must subjectively feel harassed; however, the decision-making body must also determine that, objectively speaking, a hypothetical reasonable person who shares the same identity that is the basis of the harassment claim would have experienced the conduct in question as severe, pervasive or persistent harassment. The decision-makers would thus be expected to empathize with the reactions of reasonable persons of a background similar to the victim who experienced the conduct in question. This does not mean that the decision-making body must be composed of individuals who share the same race, sex, religion, etc. as the victim.

E. Freedom of Speech and Academic Freedom

To determine severity, the nature of the incidents must also be considered. Evidence may reflect whether the conduct was verbal or physical and the extent of hostility characteristic of the incident. In some cases, a hostile environment requiring appropriate responsive action may result from a single incident that is sufficiently severe. Such incidents may include, for example, injury to persons or property or conduct threatening injury to persons or property.

The size of the recipient and the location of the incidents also will be important. The effect of an incident in the private and personal environment of an individual's residence hall room may differ from the effect of the same incident in a student center or residence hall lounge.

The identity, number, and relationships of the individuals involved will also be considered on a case-by-case basis. For example, harassing conduct by a teacher, even an "off-duty" teacher, may have a greater impact on a student than the same conduct by another student. The effect of conduct may be greater if perpetrated by a group of students rather than by an individual student.

In determining whether a hostile environment exists, investigators will also be alert to the possible existence at the University of incidents other than those alleged in the complaint and will obtain evidence about them to determine whether they contributed to a hostile environment or corroborate the allegations.

Finally, harassing acts need not be targeted at the complainant in order to create a hostile environment. The acts may be directed at anyone. The harassment need not be based on the ground of the victim's or complainant's status, so long as it is based on motivations of animus against some person of a protected status (e.g., it might be based on the protected status of a friend or associate of the victim). Additionally, the harassment need not result in any specific type of injury or detriment to the victims of the harassment.

E. Freedom of Speech and Academic Freedom

Neither this nor any other university policy is violated by actions that amount to expression protected by the state or federal constitutions or by related principles of academic freedom. This limitation is further described in the University Antiharassment and First Amendment Guidelines, set forth in Section III below.

F. Relationship to Other University Policies

This policy is to be used in all proceedings dealing with harassment issues at Denison University.

Section III: University Antiharassment and First Amendment Guidelines

A. Introduction

Whenever appropriate University officials should respond to harassing behavior through mediation, counseling and education. However, when violations occur, University officials may seek immediate discipline.

B. The University's Legal Obligations

As a university and employer, Denison has moral, legal, and to a limited extent contractual obligations to maintain reasonable educational, residential, and working environments that permit students and employees to pursue their goals without substantial interference stemming from harassment. Consistent with the obligations, Denison is committed to the goal of achieving diversity within the campus community. Principles of academic freedom and constitutional guarantees of free speech, however, limit the University's ability to use restrictions on speech as a means of promoting diversity and opposing harassment and discrimination. Thus, as it states, the anti-harassment policy does not restrict speech protected by state and federal constitutional law or by principles of academic freedom.

The following notes and illustration provide a general guide to the relevant issues. They are intended to reflect current principles of constitutional law, primarily federal. The University will closely monitor developments in both state and federal constitutional law and legislation and revise these guidelines accordingly. Finally, these guidelines also reflect long established principles of academic freedom, such as those set forth in the 1940 Statement and in subsequent statements of the American Association of University Professors.

These guidelines certainly do not answer every question that may arise under the anti-harassment policy, but they should remind the University community to be sensitive to the need to avoid a "chilling effect" on academic inquiry and the expression of ideas. The purpose of the guidelines is to provide ample breathing room for protected speech. Accordingly, in any case that presents a serious question regarding freedom of expression, anyone seeking to administer the anti-harassment policy should consult the University attorney before taking any action that might interfere with protected speech. In appropriate cases, the University attorney may seek an adjudication by a civil court before authorizing other action.

C. The University Does Not Necessarily Endorse Ideas Conveyed in Protected

C. The University Does Not ^{Speech} Necessarily Endorse Ideas Conveyed in Protected Speech

Because the first amendment protects even highly offensive speech in some contexts, readers may find some of the examples in these guidelines to be offensive. By using such examples for illustration, the University does not encourage offensive or insensitive speech; it simply acknowledges the constitutional limitations on its ability to regulate such speech. Indeed, the University is free to express its own views opposing or commenting on offensive speech, even though it cannot restrict the speech.

D. Illustration of Discriminatory Harassment

As further illustrated in the following subsections, the anti-harassment policy applies to conduct or expression if it substantially interferes with another's educational opportunities, peaceful enjoyment of residence, physical security, or terms or conditions of employment, if it is not protected by constitutional guarantees of free speech or principles of academic freedom.

1. Some injurious or intimidating conduct, such as assault or battery, normally has no significant speech content and can be regulated to protect other important interests without infringing upon the right to free speech or academic freedom. For example, unless clearly trivial in scope, and absent some mitigating circumstances such as inadvertence, self-defense, or consent, the anti-harassment policy or other University policies normally would apply to such conduct as:
 - a. touching a person in a manner that a reasonable person would view as hostile, offensive, or intimidating;
 - b. taking some action that causes a person to reasonably fear imminent hostile, offensive, or intimidating physical contact;
 - c. damaging, defacing, or destroying University property or the property of another;
 - d. engaging in extreme and outrageous conduct for the purpose of inflicting severe emotional distress upon another person.
2. Even speech, or conduct combined with speech, can be regulated if it is merely a tool to advance some activity that is unlawful under valid laws independent of this anti-harassment policy. In many cases, the anti-harassment policy has only incidental or secondary effects on the communication of ideas, because it is aimed at noncommunicative acts and effects touching upon matters in which the University has a great interest. For example, the anti-harassment policy or other University policies normally would apply to the acts of:

D. Illustration of Discriminatory Harassment

- a. communicating a threat of physical harm that causes a person to reasonably fear imminent hostile, offensive, or intimidating physical contact;
 - b. communicating in a manner that damages, defaces, or destroys University property or the property of another; or
 - c. inciting violence or other acts that would be unlawful independent of this policy, if the actor or speaker encourages immediate action and if the conduct or speech is reasonably certain to result in imminent violence or other unlawful action. Such conduct or speech could include:
 - i. directing another person to engage in a battery as defined in subsection 1a. above, or
 - ii. closely confronting a person or persons with threatening or intimidating remarks if in light of all the circumstances the remarks would be reasonably certain to provide a violent breach of the peace.
3. As a further example, the anti-harassment policy also applies to speech or conduct by a University official or that is merely a vehicle for substantially interfering with a protected interest, such as:
- a. a professor's stated requirement in a class that all female students sit in the back of the class on the stereotyped assumption that each of them has a low aptitude for learning that particular subject; or
 - b. the psychological equivalent of requiring the female students to sit in the back of a class, such as repeated statements by the professor that the female students in the class should not hope or try to match the performance of the male students.
4. Other expression or conduct may be protected speech, depending upon the context of the expression.
- a. a. The expression even of ideas that are extreme or offensive to many listeners is protected and does not amount to unlawful harassment if offered in suitable time, place, and manners, such as the expression of ideas for public debate
 - i. in a classroom discussion or a related discussion outside the classroom, if the expression is reasonably germane to the academic subject matter of the course or classroom discussion;
 - ii. in academic scholarship or other publication or in a related discussion; or
 - iii. in a campus forum, such as an auditorium, a public gathering place outdoors, or a public bulletin board.

E. Commentary and Illustrations

- b. Even when expression and related conduct is protected by the first amendment, the University can impose reasonable regulations on the time, place, and manner of the presentation of the expression. For example, the University could compel students to move or postpone an unscheduled rally that disrupts a meeting or rally held by another group of students who properly reserved the time and location for its own function.
- c. Similarly, even though similar speech might be protected if presented in another forum, threatening or intimidating speech or related conduct may be subject to regulation if it is forced upon specific individuals in a non-public forum who are unwilling targets of the conduct or speech and who cannot reasonably avoid it, such as:
 - i. the unwelcome posting of threatening neo-Nazi symbols on the residence hall door of a Jewish student for the purpose of intimidating the Jewish student;
 - ii. the act of knocking the books out of the hands of a student each time the student tries to enter a classroom; or
 - iii. the verbal psychological equivalent of knocking the books out of the student's hands, such as repeated statements at the doorway to a classroom that the student should not enter the classroom.

E. Commentary and Illustrations

1. Relationships Among Multiple Goals

The anti-harassment Policy, including these interpretive guidelines, reflects an effort to accommodate diverse University goals and obligations. Members of the University community who have a special allegiance to one goal to the exclusion of others may view the policy as an unacceptable compromise of that goal. The University, however, must take a broader view of its multiple obligations.

In many cases, interests in promoting a hospitable campus environment will be perfectly consistent with interests in free expression and academic freedom. For example, suppose a department Chair directs his or her faculty to discourage students from completing projects that might be construed as favoring a particularly controversial point of view. As a result, faculty could suffer a loss of academic freedom, students could suffer loss of freedom of expression, and some students and faculty might suffer serious interference with their educational opportunities or terms or conditions of employment. Administrative measures to eliminate the Chair's policy would tend to restore interests in free expression and academic freedom as well as interests in maintaining a campus environment free of harassment. Similarly, suppose that a campus official responsible for preventing and investigating crimes unreason-

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ably detains and searches a minority student on his way to class, causing the student to miss all or part of his class. Suppose further that the detention and search is unreasonable because the official acts largely on the basis of his stereotyped assumptions about the student's propensity to commit crime because of the student's race and ethnic attire. Such conduct by the official might violate the anti-harassment policy by substantially interfering with the student's educational opportunities. It would also place a burden on the student's constitutional interest in being free of unreasonable searches and seizures, in expressing himself through T-shirt slogans or other clothing, and in being free of racial discrimination. A University policy that sought to prevent such conduct could help vindicate all of these concurrent interests.

Even when these interests do not so clearly coincide, the anti-harassment policy primarily seeks to regulate conduct with no significant speech component, raising no first amendment problems. In some cases, however, efforts by the University to maintain a hospitable campus environment may raise questions about the University's obligations to preserve freedom of speech. These interpretive guidelines are designed to assist an administrator in addressing those questions and in avoiding any violation of state or federal constitutional provisions protecting speech.

The University's constitutional and statutory obligations to provide equal educational and employment opportunities may require it to regulate some conduct and speech. For example, suppose a professor threatens to lower the grades of female students unless they submit to his sexual demands. Although the threats are conveyed through speech in the most general sense, the constitutional protection would not extend to them, because the threats are simply a tool for illegally coercing sexual favors. Moreover, the University may in some circumstance be legally responsible for the professor's harassment, particularly if University officials adopt or implicitly ratify the harassment as University policy by failing to intervene in the harassment after receiving notice of it. Thus, in some circumstances, University regulation of speech and conduct is not only permitted, it is the University's legal obligation, notwithstanding interests in free speech.

This could extend to harassment of students by fellow students: if University officials receive notice that students are harassing another student on the basis of a protected status and fail to take reasonable steps to intervene, they may be guilty of maintaining unequal educational opportunities. On the other hand, if the University restricts protected speech, it will violate the first amendment.

Thus, the enactment of the University anti-harassment policy should not be viewed as a rejection of interests in free speech; nor should the recognition of first amendment limitations be viewed as a diminution of the University's commitment to diversity. The University has a wide range of legal responsibilities that extend to equal opportunity, to freedom of expression, and to maintenance of reasonable educational, working, and residential environments for all members of the campus community. The University will be faithful to all of these obligations if it pursues its goals of

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diversity, equal opportunity, and non-harassment in a way that fully respects rights to free speech and academic freedom. In some cases, as illustrated by these guidelines, interests in free speech will limit the University's ability to pursue other goals. In those cases, the University is fully committed to honoring those limits.

2. Defacement or Destruction of Property

Just as a person may burn his own flag but not one stolen from another, a student would be free to display a symbol on his T-shirt but could be disciplined for spray-painting the symbol on a classroom wall or over a poster owned and displayed by another. This presumes that the University would meet out discipline for any defacement or destruction of property, regardless of the presence, absence, or content of any expression associated with it.

3. Free Speech and Academic Freedom in an Academic Context

Students, faculty, and others are entitled to express any view in an academic context, even if the content of the speech offends or even shocks some of the speaker's listeners. For example,

- a. a student or instructor in a class is free to express the shocking view that Hitler's programs and policies during World War II were morally defensible or that slavery and apartheid are just institutions;
- b. a staff member could express the view in a campus radio talk show that laws mandating wheelchair access in public buildings should be repealed and that persons who use wheelchairs should be banned from campus;
- c. a professor could write an article arguing that women generally have a lower aptitude than men for learning a particular subject;
- d. a student could write a letter to the editor of a campus newspaper arguing that Native Americans did not belong at the University and should stay on their reservations; or
- e. a student could publish his own campus journal in which he argues that certain sexual orientations are immoral and contrary to religious teachings.

Those who disagree with such speech can, among other things, silently reject the view or respond to it with more speech in such form as class discussion or a letter to the editor of a campus newspaper. However, the University cannot, and should not, seek to regulate the content of intellectual debate.

Similarly, for pedagogical reasons, a classroom instructor can exercise a high degree of control over the process of communication in his or her class. The instructor can demand, for example, that students raise their hands and be recognized before

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speaking to the topic raised by the instructor, that they address the instructor rather than speak among themselves, and that they adopt a classroom demeanor that does not disrupt the educational activity of the moment. Although deviations from such rules set down by an administrator or instructor would not necessarily violate university policy, the examples serve to help illustrate the scope of interests in free speech and academic freedom.

4. Time, Place, and Manner Restrictions of Speech

Subject to certain narrow exceptions outlined in section B above, a person enjoys the right to express even offensive ideas in such forums as (1) a written statement posted at appropriate sites after getting approval on a content-neutral basis from the appropriate University office, or (2) a private or public meeting staged at a room or other site properly reserved on campus. Those offended by such expression can, among other things, ignore the speech, avoid it, or respond to it with more speech; however, the University cannot ban the speech simply because it offends others.

On the other hand, the University may adopt content-neutral restrictions on the time, place, and manner of speech to avoid conflicts and disruptions. For example, it could require presentations on the Academic Quad to be sufficiently limited in scope as to avoid obstructing foot traffic on the bordering sidewalks and to be sufficiently limited in volume as to avoid disrupting work or study in the library or in nearby offices or classrooms. Similarly, if a campus organization has reserved a time and location on campus to celebrate the birthday of Martin Luther King, Jr., the University could prohibit another group that did not reserve the same time and location from disrupting the celebration with a conflicting rally or speech. This interest in freedom from disruption might be strongest when the event is scheduled inside a room, thus generating expectations of separation from those who do not identify with the goals of the event. It may be stronger still when the event is open only to invited participants, thus generating expectations of privacy. Time, place, and manner restrictions must be reasonable. For example, if the University prohibits students from posting any notices or affixing any other materials on the hallway walls and exterior doors of residence hall rooms and in the common bathrooms, it must provide other reasonable areas for the posting of public notices. Similarly, if a group of students has reserved an area for a presentation celebrating the birthday of Martin Luther King, Jr., University officials could not prohibit other students in an adjacent area within eyesight of the area from carrying picket signs or handing out leaflets that disparaged King, so long as they do not disrupt the scheduled celebration. Moreover, sometimes those expressing ideas at a rally invite debate and reactions from listeners; in such cases, the expression of competing views in the same time and place would not be expression in an unsuitable time, place, or manner. Nonetheless, such expression could be subject to University regulation if it amounted to exercise of a "heckler's veto," which drowns out the scheduled presentation or otherwise prevents it from proceeding.

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5. Slurs and Epithets

Derogatory terms may amount to harassment or may be protected speech, depending upon the context. For example, a drama student writing a play about racism in America would be free to use the ugly, disparaging term "nigger" in her script to drive home her points about racism. Indeed, if he or she were willing to lose credibility and to weather the outpouring of criticism and counterspeech, a person would be free to use such a term in a speech disparaging an ethnic group, gender, or sexual orientation.

On the other hand, a student would violate university policy by referring to another student by the term "nigger," "stupid jerk," or other epithets in such a manner or in such a context as to put the listener in reasonable fear of imminent physical harm. For example, suppose that one or more students stopped an African-American student in an isolated area of campus at night and invoked racially disparaging terms in a threatening manner. In light of the long history of racial violence in our society, the racially disparaging terms in this context could very well put the African-American student in reasonable fear of imminent harm. Under that analysis, the speech and conduct could be regulated without infringing upon interests in free speech.

Because of the high incidence of violence against women and against persons of gay/lesbian/transgender/bisexual sexual orientation in our society, this analysis might apply with particular force also to disparaging terms directed to such persons, particularly in a volatile context that presents a risk of physical harm to the target of the speech. Other kinds of confrontations, such as a woman referring to a man as a "male chauvinist pig," or a student calling a professor a "windbag," might not place the listener in reasonable fear of imminent physical harm as frequently, because the incidence of violence historically associated with such disparagement is relatively low. However, the immediate context is more important than the actual language, status of the parties, or historical context. Thus, if the term "male chauvinist pig" or "windbag" were communicated in a threatening manner and in circumstances underscoring the viability and immediacy of the threat, the speech and conduct could be regulated.

Other kinds of cases illustrate further that the context may be more important than the term used. For example, in a public forum that unwilling listeners are free to avoid, a speaker has a right to make the highly offensive statement that "women are whores." The speaker has no duty to make his or her voluntary listeners comfortable or to treat them equally. In another context, however, even the less offensive term "girl" could contribute to harassment. For example, suppose that a professor addressed his male students with great respect, but that each time a female student raised her hand the professor paused and said condescendingly: "Oh, no; let's see what the girls have to say." Particularly when frequently repeated, such condescending speech might provide unequal educational opportunity for women, thus violating the four-

F. Severability

teenth amendment and federal legislation such as Title IX. In these circumstances, the University could constitutionally regulate the speech.

F. Severability

These guidelines supplement the anti-harassment policy and are designed to give the policy definition and to restrict its scope within constitutional limits. If any portion of the policy, including a portion of these guidelines, is adjudicated to violate state or federal laws, the University intends to abandon the illegal portion and to maintain the severable legal portions

Section IV: The Campus Environment Team

A. General Goals of the CET

The CET will focus on antiharassment education and the promotion of free speech and academic freedom. The primary goal of the CET is to promote a harmonious campus environment in which discriminatory harassment is unlikely to occur and the free exchange of ideas is encouraged.

B. Creation, Composition and Support

1. The Campus Environment Team ("CET"), an advisory group to the President, is composed of members who broadly reflect the campus community. The composition of the committee shall be created in the following way:
 - a. Chair of the Faculty will appoint a faculty member.
 - b. The BSU, Outlook, DCGA, DISA, La Fuerza Latina, DJF, Panhellenic Council, Interfraternity Council, Women's Emphasis and the Black Greek Council shall each appoint a student. Other groups or individuals may apply to the President for appointment to the CET.
 - c. The Senior Staff shall appoint an administrator.
 - d. The Director of Multicultural Affairs shall be a member.
 - e. The Office of Student Affairs shall appoint one student member of the residential life staff.
 - f. The Advisory Committee on Diversity shall appoint a faculty person from its body.
 - g. The Rape Survivors Advocates Group shall appoint one of its members.

C. Mission

- h. SOS shall elect a member.
- i. The Campus Climate Advocates shall appoint one of its members.
- j. The DCGA Communications Chair shall be a member.

The Chair of the CET, who normally serves a one-year term, will be chosen for the next year at the CET's final meeting of each academic year. The Director of Women's Programs and Affirmative Action, the Dean of Students (or his or her designee), and the Student Affairs administrator who directs the campus judicial system will be ex-officio members of the CET. CET members will receive in-service training to enhance the effectiveness of their activities.

2. The Office of the President shall set aside appropriate funding for the CET to carry out its duties and fulfill its objectives.

C. Mission

The mission of the CET is to promote:

1. civil and just campus environment that values diversity;
2. respect for all individuals regardless of their status;
3. free speech and academic freedom; and
4. the pursuit of individual goals without interference from discriminatory harassment.

The CET will NOT process complaints, nor does it have any authority to impose discipline or to compel attendance at its meetings or cooperation with its efforts. Any member of the campus community who believes that he or she has been subjected to discriminatory harassment, as defined by University policy, and who desires assistance in filing a complaint or grievance with the appropriate office or committee, or to secure counseling, mediation, or other relief, can obtain such assistance from the Campus Climate Advocates.

D. Specific Objectives

The specific objectives and activities of the CET are:

1. Antiharassment Education

The CET should support and collaborate with efforts of others to educate the campus community for the purpose of preventing harassment and promoting a campus environment that reflects respect for all individuals regardless of status.

E. Activities of the CET

Members of the CET should be "in touch" with the campus environment. CET members may be aware of the potential for discriminatory harassment and may have special knowledge on how to ease tensions when harassment has occurred or is about to occur. The CET should work closely with the University administration to help implement strategies, consistent with free speech and academic freedom, to resolve tensions that may lead to discriminatory harassment and to mitigate such harassment after it has occurred.

The CET should provide data concerning discriminatory harassment at least twice per semester to the University President and the campus community, suggesting specific policies and programs that will help carry out the CET's goals.

2. Promoting Free Speech and Academic Freedom

The CET should support and collaborate with efforts of others to educate the campus community for the purpose of preventing infringements of free speech and academic freedom and helping the campus community to understand the University's obligations to protect free speech and academic freedom.

E. Activities of the CET

The following are examples of possible educational activities of the CET:

1. a public awareness program to inform the campus community of the existence of the CET, its purpose and the University's policy prohibiting discriminatory harassment and protecting freedom of speech and academic freedom;
2. a program to train counselors, resident assistants, student affairs administrators, and other employees of the University to deal with harassment and protect freedom of speech and academic freedom;
3. offering workshops on cultural sensitivity, free speech and academic freedom;
4. offering student orientation sessions on diversity, harassment, free speech and academic freedom;
5. a program to design and disseminate brochures, posters, and related materials that address issues of free speech and academic freedom and encourage members of the University community to appreciate diversity and to report harassment;
6. offering suggestions to the administration, curriculum committees, and faculty to develop and implement programs on diversity, free speech and academic freedom;
7. a lecture series on cultural diversity, harassment, free speech and academic freedom available to all organizations within and outside the campus community;

Section V: Denison University -- Harassment: Statement of Procedures

8. distributing a questionnaire on the campus climate, to faculty, staff, and students;
9. recommending that exit interviews of University employees who leave their jobs include questions about the campus environment;
10. periodically conducting studies on systems and structures that might undermine a harmonious campus environment or promote segregation of various campus groups;
11. sponsoring public forums on the campus environment and how it can be improved.

Section V: Denison University -- Harassment: Statement of Procedures

I. Policy

Subject to the limiting provisions of the "Denison University Antiharassment and Free Speech Policy" (see the Faculty Handbook or the Student Handbook), it is a violation of University policy for any University employee or student to subject any person to harassment on University property or at a University-sponsored event. It is also a violation of University policy for any University student or employee to retaliate, harass or discriminate against persons who have made an informal or formal complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under the "Denison University Antiharassment and Free Speech Policy." This policy is not violated by actions that are expressions protected by the state or federal constitutions or by related principles of academic freedom.

II. Definition

Harassment occurs if [subject to the limiting provision in section II.B.3 of the policy] "an individual engages in conduct (physical, verbal, graphic or written) on the basis of race, sex, color, ethnic or national origin, religion, age, sexual orientation, disability, or Vietnam-era veteran status that is sufficiently severe, pervasive or persistent so as unreasonably to interfere with or limit the ability of another individual to participate in or benefit from the services, activities or privileges provided by the University, or has the purpose or effect of creating an intimidating or hostile environment." (From the Denison University Antiharassment and Free Speech Policy. See the policy for elaboration of the definition.)

III. Grievance Procedures

An individual who believes s/he has been harassed should consult with the appropriate administrative official, the affirmative action coordinator, and/or with one of the faculty or staff members of the Campus Climate Advocates. ("Appropriate administrative official" means the Provost when the alleged harasser is a member of the faculty or administrative staff, the VP for Student Affairs when the alleged harasser is a student, and the Director

III. Grievance Procedures

of Human Resources when the alleged harasser is a supportive operating staff member. If the administrative official is the alleged harasser, then the "appropriate administrative official" will be the person to whom s/he reports.)

Anyone wishing to file a complaint should do so promptly, but in no event later than one calendar year from the date of the alleged incident, or from the date of the last in an alleged series of incidents.

The initial goal of this informal consultation is to assist the individual in making a judgment about whether or not harassment has occurred. The second goal is to explore the various alternatives available in response to the situation. The ultimate goal is to provide support and assistance in implementing the approach chosen for reaching a satisfactory solution.

If a grievance is pursued, the complainant may consult with the affirmative action coordinator, who will help identify persons able to assist the complainant in preparing his or her case.

Any information that is part of the proceedings will be held in the strictest confidence.

1. Informal Grievance Procedure

Complaints of harassment should be made to the appropriate administrative official. That administrative official should contact the affirmative action coordinator for consultation in the resolution of the case. At that point efforts should be made to resolve the issue on an informal level. The primary objective of informal procedures is to resolve the conflict and to end the harassment (if it occurred), short of more formal procedures. If the informal procedure fails to resolve the problem, the complainant may choose to pursue the formal grievance procedure.

2. Formal Grievance Procedure

Composition of Hearing Committees

1. When the alleged harasser is a student, procedures for adjudicating the alleged incident(s) and for appeals are outlined in the *Student Handbook*.
 - When the complainant is a student, the hearing will be carried out according to the procedures outlined in the *Student Handbook*. (Since six students sit on Judicial Council, there is no need to augment the Council with additional student representation.)
 - When the complainant is a faculty member, the hearing will be carried out according to the procedures outlined in the *Student Handbook*. (Since two teaching faculty sit on Judicial Council, there is no need to augment the Council with additional faculty representation.)

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- When the complainant is a member of the administrative staff, the Judicial Council will be augmented by the elected administrative member of the Personnel Committee and the elected administrative member of the Campus Affairs Council (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the supportive operating staff, the Judicial Council will be augmented by the chair and vice chair of the Human Resources Advisory Group (or their designates), who will participate in a non-voting capacity.
2. When the alleged harasser is a member of the teaching faculty, the case will be heard by six former members of the President's Advisory Board who served most recently on that body, and who are not members of the alleged harasser's academic department.
- When the complainant is a student, the advisory board hearing panel will be augmented by the President of the DCGA and the student chair of the Judicial Council (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the teaching faculty, the advisory board hearing panel need not be augmented by additional teaching faculty, six of whom are already represented in the composition of the panel.
 - When the complainant is a member of the administrative staff, the advisory board hearing panel will be augmented by the elected administrative member of the Personnel Committee and the elected administrative member of the Campus Affairs Council (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the supportive operating staff, the advisory board hearing panel will be augmented by the chair and vice chair of the Human Resources Advisory Group (or their designates), who will participate in a non-voting capacity.
3. When the alleged harasser is a member of the administrative staff, the case will be heard by a hearing panel made up of the following: the elected administrative member of the Personnel Committee, the elected administrative member of the Campus Affairs Council, the two elected administrative members of the Student Enrollment and Retention Committee, and the two elected administrative members of the Finance Committee.
- When the complainant is a student, the hearing panel will be augmented by the President of the DCGA and the student chair of the Judicial Council (or their designates), who will participate in a non-voting capacity.

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- When the complainant is a member of the teaching faculty, the hearing panel will be augmented by the chair and the vice chair of the Faculty (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the administrative staff, the hearing panel need not be augmented by members of the administrative staff, six of whom are already represented in the composition of the committee.
 - When the complainant is a member of the supportive operating staff, the hearing panel will be augmented by the chair and vice chair of the Human Resources Advisory Group (or their designates), who will participate in a non-voting capacity.
4. When the alleged harasser is a member of the supportive operating staff, the case will be heard by Human Resources Advisory Group (excluding the Director and Associate Director of Human Resources).
- When the complainant is a student, the Human Resources Advisory Group will be augmented by the President of the DCGA and the student chair of the Judicial Council (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the teaching faculty, the Human Resources Advisory Group will be augmented by the chair and the vice chair of the Faculty (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the administrative staff, the Human Resources Advisory Group will be augmented by the elected administrative member of the Personnel Committee and the elected administrative member of the Campus Affairs Council (or their designates), who will participate in a non-voting capacity.
 - When the complainant is a member of the supportive operating staff, the Human Resources Advisory Group does not need to be augmented by representatives of the supportive operating staff, who are already represented in the composition of the committee.
5. The affirmative action coordinator will serve in an ex officio, non-voting capacity as a resource person for all committees hearing formal harassment grievances.
6. In no instance will the alleged harasser (or complainant) or members of the department of the alleged harasser (or members of the department of the complainant) be eligible to serve on the respective hearing panel. In cases in which

III. Grievance Procedures

this situation would occur, the remaining members of the hearing panel will designate a temporary replacement from the same category of employment.

Procedure for Formal Hearing

1. A request for a formal hearing should be made to the appropriate administrative official. The request must be made within one calendar year of the alleged incident, or from the date of the last in an alleged series of incidents. Both the complainant and the respondent will be invited by the administrative official to provide a written account of the incident(s) and to appear before the hearing committee. Both shall have the opportunity to meet with the administrative official at any point in the process to clarify or to seek increased understanding of the case. In cases in which a Denison employee is the alleged harasser, it is the responsibility of the appropriate administrative official to collect the information and to present the facts of the case to the hearing committee. In cases in which a student is the alleged harasser, the procedures for collecting and presenting the facts are outlined in the Student Handbook.
2. The appropriate administrative official should inform the alleged harasser of the allegation and the identity of the complainant. A written statement of the complaint should be given to both parties.
3. The committee may take appropriate additional steps it deems necessary to solicit information, such as inviting other members of the community to provide testimony, either written or oral. All testimony will be held in the strictest of confidence.
4. Likewise, both the complainant and the alleged harasser have the right to call in witnesses or introduce evidence germane to the charge.
5. The complainant and the alleged harasser will have the right to review all evidence that is made available to the hearing committee and be given the chance to respond to it, in either oral or written form.
6. In cases heard by the Judicial Council, the procedures spelled out in the Student Handbook will be followed.
7. Both the complainant and the alleged harasser may have an adviser from the University community present at the hearing. The adviser may be available for consultation purposes only. Advisers will not be allowed to testify or participate in the proceedings. Advisers may not be legal counsel.
8. In cases heard by the advisory board hearing panel, the administrative hearing panel, or the Human Resources Advisory Group, the respective hearing committee will determine by majority vote whether or not harassment has occurred. A majority of the voting members of the hearing group must be present to vote.

Employment Conditions

If the hearing committee determines that harassment has occurred, the President will determine the nature of the penalty. The hearing committee may choose to make a recommendation as to the nature of the penalty. A range of penalties is possible, including (but not limited to) verbal or written reprimand, suspension without pay, and termination. In the case of a member of the teaching faculty, if the President believes the faculty member's behavior constitutes grounds for termination, the President will follow the procedure outlined in the Faculty Handbook.

9. If the hearing committee determines that harassment has not occurred, no action will be taken, and no reflection of the incident will be a part of the record of either party.

Appeals

- In cases decided by the Judicial Council, appeals will follow the procedures spelled out in the Student Handbook.
- In cases decided by the advisory board hearing panel, appeals to the President may be made in writing within 10 working days of the notification of the decision. Those cases involving termination of a member of the teaching faculty will follow the procedures outlined in the Faculty Handbook.
- In cases decided by the administrative hearing panel, appeals to the President may be made in writing within 10 working days of notification of the decision.
- In cases decided by the Human Resources Advisory Group, appeals will follow the procedures outlined in the *Personnel Policies Handbook for Supportive Operating Staff.
- *The Personnel Policies Handbook for Supportive Operating Staff will be changed to reference these new procedures and the role of the Human Resources Advisory Group.

Employment Conditions

Employment Policy

Employment at Denison University is not a right but rather a privilege based on the employee's merit and ability to perform the services required. Job Descriptions for each position are maintained in the Office of Human Resources. These serve as a basis for recruitment and employment. Job-related testing may also be done to determine the ability to perform certain jobs, as approved by the Office of Human Resources. Final hiring decisions are made jointly by the supervisor/department head and the Director of Human Resources

Position on Supervisor/Staff Relationships

and/or Associate Director of Human Resources. Employment policies may be revised at any time to comply with legislative changes of Federal, State or Local governments.

Position on Supervisor/Staff Relationships

A dual relationship is one in which a supervisor has both a professional and romantic or sexual relationship with an employee under his/her supervision. This includes those relationships that appear to involve genuinely mutual consent. Given the inherent inequality of power between the supervisor and the employee, there are numerous factors which can greatly complicate a dual relationship. It is clear, for example, that such dual relationships undermine professional integrity in supervisory contexts. And, given the inherent inequality of a dual relationship, what may appear to one participant as totally voluntary may in fact entail exploitation. For these reasons, dual relationships are not in the best interests of the university. Supervisory personnel have a greater responsibility than a co-worker to avoid even the appearance of intimidating or harassing behavior. If a supervisor engages in such a relationship and it is perceived to affect on-the-job performance or seems to result in favoritism, the supervisor will be subject to disciplinary action.

Drug-Free Workplace Act

The Federal Drug-Free Schools and Communities Act requires that Denison University assume responsibility for the enforcement of state and local drug and alcohol laws, or run the risk of losing federal funding for financial aid, faculty research, and other educational programs. It is the policy of Denison University that the unlawful manufacture, distribution, dispensation, possession or use of controlled substances by University employees (faculty, staff, and student employees) in the University workplace facilities is prohibited. Additionally, students and employees of Denison are prohibited from the unlawful possession, use, or distribution of drugs and alcohol while on Denison property or as any part of its activities.

1. It is a condition of employment that each employee abides by the terms of this policy.
2. Employees violating the policy will be subject to appropriate disciplinary procedures and where appropriate, will be referred to local authorities.
3. If an employee is directly engaged in the performance of work pursuant to the provisions of a federal grant or contract, the employee must notify the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The University will notify the appropriate granting or contracting agency within ten days after receiving notice from the employee.
4. Within 30 days of notification of a criminal activity, the University will have the convicted employee undergo an assessment of drug use and/or addiction. Subsequently, the University will take appropriate personnel action on behalf of the

Outside Employment

employee, at a minimum requiring drug abuse education, additional assistance, or rehabilitation and (if the severity and/or repetition of conviction warrants it) actions consistent with existing policies up to and including termination. A complete policy statement is given to all new employees.

Outside Employment

A full-time administrative staff member's primary professional responsibility is to Denison University. Administrative staff members accepting outside employment are expected to remain fully effective in their responsibilities and service within the College.

Consulting or other similar activities are welcome provided they enhance the professional growth of the administrative staff member and/or bring favorable recognition to the University. Administrative staff members engaged in such activities are expected to discuss the nature and extent of these responsibilities in advance with their Division heads. Vacation time must be used to cover absences during this period. The number of days for such activities ought to take no more than the equivalent of the number of day's vacation earned during the year.

Regulations and guidelines have been established by both the State of Ohio and the U.s. Internal Revenue Service governing the use of facilities for private gain at tax-exempt institutions.

Anyone intending to use Denison facilities for private gain must first consult with their Department Head and the Director of Human Resources.

Employment of Relatives

Denison's policy does not prohibit hiring relatives of employees. However, employment of relatives which would result in a relative being in a direct supervisory role over another is prohibited. No staff member is permitted to participate in any decision or final recommendation on hiring, promotion, salary, leave of absence, retention or any other condition of employment of a relative. Relatives are considered to a employee's spouse, domestic partner (as defined in this handbook), son, daughter, mother, father, sister, brother, half-sister, half-brother, step-father, step- mother, current father-in-law, and current mother-in-law, an employee's aunt, uncle, grandparent, grandchild, niece, nephew, current brother-in-law, current sister-in-law and legal guardian. If a relationship develops during the course of employment that violates this policy, the university, through the Office of Human Resources, will work with the individuals involved to resolve the situations. In all cases, the needs of the university determine the resolution, including transfer and termination.

Performance Review

The performance review system is designed to enhance communication and professional development, and provide the opportunity for both positive and corrective feedback.

An employee must receive a formal performance evaluation at the end of each fiscal year but no later than June 1 of each year. Performance is one factor used to determine merit increases, which are effective the beginning of the fiscal year if approved by the Board of Trustees. Completed performance reviews are due to each divisional vice president by June 1. While the specific performance review format is flexible, reviews should include the following: a self review by the staff member, assessing progress toward goals and identifying new goals for next year; manager's review of goals and accomplishments; identification of training and development opportunities; and a summary of the staff member's performance relevant to goals and expectations. Performance reviews must be forwarded to the Office of Human Resources after their completed and signed.

Promotions

Purpose

The purpose of Denison University's promotion policy is to provide an opportunity for internal mobility using a fair and consistent process, as well as to provide a mechanism whereby employees can be recognized and rewarded for their exemplary performance and professional development at the University.

Process and Criteria

When an employee is considered uniquely qualified for an open position, the hiring manager/director may request to promote the employee and bypass the typical posting and advertising process. The hiring manager/director must write a proposal, with support and approval from the appropriate vice president, detailing how the employee is considered uniquely qualified for the position and forward it to the Office of Institutional Equity and Diversity and the Office of Human Resources. The Directors of these two offices will make a recommendation to the President regarding the proposal to promote the employee. The final decision rest with the President, who will provide a written response to the manager's promotion request. Upon receipt of the president's written response, the Office of Human Resources will notify the parties of the final status of the request.

In making the case for the employee's eligibility for promotion, the hiring manager must show how the following criteria are met:

- The employee must be considered uniquely qualified;
- The employee's performance at the college must be exemplary;

Job Postings

- The employee must possess all the required skills and abilities required of the position;
- The employee must possess the relevant experience required;
- The employee must be able to demonstrate continued professional development in his/her field since date of hire;
- The employee must possess the minimum education required, and ideally possess the preferred education specified.

Job Postings

Generally, all positions are posted except for those that qualify under the promotion policy (see promotion policy). Current employees who have the necessary skills and qualifications for the job are encouraged to apply for promotional opportunities.

Job openings are posted in the following areas:

1. Office of Human Resources
2. The Physical Plant
3. Doane Administration Building - lower level and third floor bulletin boards
4. Human Resources Web Page (http://www.denison.edu/human_res)
5. May be posted on bulletin boards in other campus buildings
6. Additionally, except as noted above, all administrative staff job openings are advertised nationally or regionally to better ensure excellence and compliance with affirmative action guidelines.

Staff members interested in applying for a posted job are encouraged to submit to the hiring manager or director a letter of application, including their qualifications and why they are interested in the position, and an updated resume.

Internal and external candidates, when applicable, will be given equal consideration. The candidate who best fits the needs of the University will be selected for the position, as determined by the hiring manager or director, with consultation from Human Resources.

All transfers or promotions must be coordinated with the Director or Associate Director of Human Resources.

Administrative Staff Criteria (updated 09/01/09)

For a position to be classified as administrative staff, it must be exempt as defined by the Fair Labor Standards Act (FLSA), meet the following education requirement, and at least two of the remaining four criteria described below:

Education Requirement The position must require at least a bachelor's degree or equivalent to be qualified to carry out the position's primary responsibilities. A master's degree is often a preferred qualification for the position.

1. **Managerial Responsibility.** Position requires the management/supervision of 2 or more college staff in a division, area, or department, and budget responsibility for one or more departments.
2. **Professional/Technical Competence.** Position requires substantial professional and/or technical competence in a recognized field of study or profession requiring independent judgment, analysis, research, problem solving, and in-depth knowledge. This experience is gained from a combination of education and experience working in a particular field. Certification from a professional association could also be a source of training or validation of credentials.
3. **People Interaction and Communication.** Position requires a high level of oral and written communication skills to inform, solve conflicts and/or problems, and persuade others of a course of action. Additionally, the position requires frequent interaction with both internal and external constituencies of the college.
4. **Leadership Responsibility.** Position requires frequent leadership responsibility of others on projects or teams requiring directing an intact or adhoc group(s) in the accomplishment of goals. This work is characterized by collaboratively working with others, possibly across departmental boundaries. Staff member may or may not have direct supervisory responsibilities of group members.

Evaluation and Review Process The Office of Human Resources reviews the position and makes a recommendation to the Vice President, Finance and Management, who will consult with the Vice President of the relevant division. A memo from the responsible manager/director explaining how the job meets these criteria is required for the evaluation. Additionally, an updated job description will be written with input from the manager/director of job incumbent. Alternatively, an employee may write a memo to both the manager and Human Resources requesting reevaluation of the job.

Rehiring Former Employees

An employee dismissed for cause is not eligible to be rehired.

Smoking Policy

Employees with three (3) or more years of continuous service and who are re-hired by the University will have years of service calculated from date of original employment but without credit for the period of absence. Years of service are used to determine eligibility for vacation, retirement and length of service awards.

Applicable waiting periods for tuition-free scholarships at Denison, scholarship cash assistance awards elsewhere, and the long-term disability plan begin from the date of rehire.

Employees with less than three (3) years of prior service who are re-hired will have all staff benefits and length of service awards calculated from date of re-hire.

Smoking Policy

The Licking County Board of Health regulation prohibits smoking in all educational facilities, which includes private offices, restrooms, and all campus buildings. The complete policy is available in the Office of Human Resources. Your cooperation in carrying out this regulation will not only be appreciated but will contribute to a better environment for the Denison community.

Pets on Campus

Denison University is committed to providing a safe working environment. To help us accomplish this, please do not bring pets to work, not even occasionally. It is okay to walk an animal on a leash on campus grounds; however, animals are not to be brought inside campus buildings. Students are not permitted to have pets in residence halls or any other university-owned facilities.

The only exception to this policy is the use of a service animal. A service animal means any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability. Service animals whose behavior poses a direct threat to the health or safety of others may be excluded regardless of training or certification.

Work Schedule

Hours

The University determines the work schedule, which may vary by department. All administrative staff positions are exempt from overtime and tracking hours worked. While the work hours may vary, generally the normal work week is 40 hours for full-time administrative staff.

Certain functions and/or departments within the University require special work schedules. These schedules are explained at the time of your employment.

Tardiness and Absences

Work schedules may be modified to accommodate the changing needs of the University.

Tardiness and Absences

Regular attendance and promptness is expected of all employees. An excessive number of either absences or tardiness, as determined by the manager, may result in disciplinary action up to and including suspension and/or discharge. Subject to the requirements of the Family Medical Leave Act, any absence from work regardless of cause or reason may be considered in determining excessive absenteeism.

If it is necessary for an employee to be late or absent for any reason he/she must advise his/her supervisor, and if not available, notify the University Telephone Operator no later than the normal reporting time. Failure to advise the University is cause for disciplinary action.

Emergencies

In the event of severe weather conditions, power outages, lack of heat or water, the University may find it necessary to close operations in all or some buildings. This may involve late openings or early dismissal, a partial closing involving one or more buildings for the full day, or closing the entire University for the full day. Inclement weather scheduling is coordinated from the Office of Human Resources. Questions regarding late openings/early closing and other special arrangements should be referred to this office to ensure policy is applied consistently and fairly for all.

In addition, the University has established an Emergency Conditions Telephone Number to provide consistent communications regarding work schedule delays or closings. The telephone number is (740) 587-5700. Employees should call this number during weather or other emergencies to hear a recorded message regarding the status of work schedules.

Because of unique work requirements, some departments may be required to continue operations during an emergency closing (e.g. Health Center, Heating Plant, Facilities Services, Security, and Switchboard). Denison University will compensate staff members for full or partial closings as follows:

1. Late openings/early dismissals/partial closings:

Only staff members regularly scheduled for work in the area(s) affected will be compensated for the hours missed at their regular rate of pay.

2. Full closing:

Staff members required to work will be compensated at their normal hourly rate of pay and will receive the equivalent time off at a future date to be coordinated with the department supervisor. All other staff members regularly scheduled to work on the date of the closing will be compensated at their normal rate of pay.

Flexitime

When conditions such as snow, ice, etc., make it impossible for some employees to report for work during a day when the University remains open, a day of vacation must be used.

Flexitime

The purpose of the flexitime policy is to allow the arrangement of alternate work schedules that will meet the needs of the department and University and also accommodate employees' non-work life needs.

The department supervisor will review alternate work schedule requests and either approve or deny them. Because departmental work requirements vary across the University, there may be alternate work schedules available in some departments and none in others. Also, because the needs of the department are primary, a staff member's proposed flexitime schedule will not be approved if it interferes with the work or service to be performed within the department, with other requirements of the department, with the work of other campus departments, or needs of students.

Alternate work schedules may be implemented under the following guidelines:

1. All alternate schedules require the approval of the department supervisor;
2. Alternate work schedules are made for up to a three- (3) month period and then are reviewed;
3. It must be understood that alternate work schedules may be reviewed and/or discontinued prior to the 3 month period if department needs require it or if the schedule becomes a problem;
4. Alternate work schedules to meet specific short-term needs or emergencies will continue to be coordinated with the department supervisor.
5. A four-day work week schedule may be approved if it is the only reasonable way to accommodate a legitimate personal need for an employee, as opposed to a simple preference. The divisional manager (VP Finance & Management, VP URPA, Provost, Director of Admissions, or VP Student Affairs) must give final approval to four-day work week schedules;
6. All alternate work schedules must be filed with the Office of Human Resources.

An example of an alternate work schedule follows: For 3 months the staff member agrees to come in at 7:00 am and leave at 3:00 p.m. daily (rather than 8:30 am to 4:30 p.m.) After the 3 month period the arrangement will be reviewed, unless if work or department requirements prompt a review sooner.

Compensation

General Policies

All administrative staff are exempt from the overtime provisions of the Fair Labor Standards Act as amended. Administrative staff are paid a salary and do not have to report hours worked, except for vacation and sick used.

Direct Deposit

The University provides all employees with the benefit of direct deposit of payroll checks into savings, checking, and/or credit union accounts.

There are many advantages to this program for both the University and for employees. Detailed information concerning the program is available in the Payroll Office. Because of the many benefits of direct deposit, the University requires all new employees, except casual/temporary employees, hired on and after November 1, 1994 to receive their pay through direct deposit.

Salary Payments

Administrative staff salaries are paid on a 12 month basis. Individual checks showing gross pay and all deductions are issued on the 25th of each month, or the last working day before the 25th if the latter falls on a Saturday, Sunday, or holiday.

Income Tax

Income taxes as required by law are deducted on all compensation for personal services in accordance with the table provided by the U.S. Internal Revenue Service, the State of Ohio, Granville Village, and other applicable jurisdictions. W-2 forms, showing total annual compensation and income and social security taxes withheld, will be furnished to every employee and the U.S. Internal Revenue Service.

Social Security

Denison participates in the Federal program of old age and survivor benefits under Social Security. Participation is required of all staff members. The University makes this statutory deduction with a matching contribution.

Payroll Deductions

The University is required by law to deduct Federal, State, local, and school district income taxes and Social Security taxes from your wages. It is your responsibility to advise the Office of Human Resources of any change in the number of exemptions you are allowed

Job Descriptions

or a change in your place of residence, to ensure proper school district and local tax withholding.

Deductions for employee contributions to staff benefit programs are made upon your enrollment and written authorization.

It is the practice of the University to make only those deductions required by statute or by court order and certain other deductions authorized by you and the University such as United Way, rent for Denison owned housing, United States Savings Bonds and special gift contributions to Denison.

Job Descriptions

Division heads and department managers are responsible for providing the Office of Human Resources with up-to-date position descriptions. Copies of job descriptions are reviewed and revised as necessary when a vacancy occurs and/or upon the request of the supervisor. An employee may request a copy of his/her job description.

Salary Increases

Attracting and retaining a talented University work force is a key University priority. The recommended increases are based on performance, comparable market pay information, and internal equity considerations. Increases are not across-the-board and will vary according to the above factors.

Annual salary increases are not guaranteed. Each year the University reviews the availability of funds that can be allocated to salaries. when it is determined that there will be an increase, adjustments will normally take place on July 1.

Adjustments other than those based on cost changes in the marketplace and available funding may be granted at other times of the year to correct inequities, allow for promotion, or support job transfers.

Any questions concerning your rate of compensation should be discussed with your supervisor, division head or the Director of Associate Director of Human Resources.

Performance

An employee performing his/her job to the standards outlined in the job description, will be eligible for consideration for pay increases as declared. An employee performing below accepted standards may have an increase withheld or may be subject to disciplinary procedures as described in the Employee Discipline section.

Staff Benefit Programs

General

The staff benefit portion of Denison's total compensation program is divided into 2 categories: (1) those mandated by Local, State, or Federal legislation, and (2) those authorized by the Denison University Board of Trustees.

Programs under the authority of the Board of Trustees are subject to periodic review by the Board and may be amended at the Board's discretion. This provision recognizes, among other things, that financial and other circumstances over a period of years may make the continuation of certain portions of the programs either impractical or not in the general best interest of the University.

Domestic Partner - Definition

A domestic partner is a person who the employee has a sole relationship with, intends to remain in the relationship indefinitely, is of the same sex as the domestic partner, and neither the employee nor the domestic partner is married.

An employee wishing to designate a domestic partner must complete an Affidavit of Domestic Partnership, available in the Office of Human Resources.

Benefits Required by Law

Social Security / Medicare

Denison employees are covered under the Federal Social Security Program (FICA). Participation is required and a deduction required by law is made with a matching contribution by the University.

Workers - Compensation

The Workers' Compensation Law of Ohio covers each employee of the University. This law covers medical expenses as well as certain losses of compensation resulting from work-related injuries or illnesses. Denison pays all premiums connected with this benefit. Any work related injury or illness must be reported immediately to your supervisor. Also see On The Job Accidents, page 49.

Unemployment Compensation

An employee who is released from employment through no fault of his/her own may be eligible to receive unemployment compensation. Eligibility and the amount of compens-

Denison Benefits Authorized by Board of Trustees

ation paid is determined by the Ohio Bureau of Employment Services. Denison pays the full cost of unemployment insurance.

Denison Benefits Authorized by Board of Trustees

Comprehensive Health Insurance

Full-time employees, as defined in this handbook, are eligible for health insurance with cost sharing by Denison. Part-time employees working fifteen (15) or more hours per week may be covered by health insurance but have to pay the total premium.

Healthcare options and coverage information are available from the summary plan booklets available in the Office of Human Resources.

The Comprehensive Budget Reconciliation Act (COBRA) provides for continued participation in the group health plan for a limited number of months when there is a loss of coverage by the employee and/or dependents. The Office of Human Resources will provide information about this program. Please see *When You Leave Denison*, page 60 for information about health insurance after retirement.

Parental Leave (effective May 1, 2011)

Full-time employees eligible for benefits, who have been actively working for one full year, are eligible for up to six (6) weeks of paid parental leave. Paid parental leave may begin upon the birth or adoption of a child of the employee. Generally, parental leave must be taken together in one block of time (e.g. an employee should take 6 consecutive weeks off work). Parental leave schedules must be approved in advance by the Director of Human Resources and the divisional Vice President by completion of the parental leave application form. This leave must be used within the first year of the child's life. Parental leave is coordinated with family and medical leave and therefore may count toward the employee's allotted 12 weeks of family and medical leave.

The College should be notified as soon as possible of the employee's need for a parental leave and of the specific period during which the employee expects to be absent. If both parents are employed at Denison, the options are: 1) one parent can elect to use the parental leave benefit; or 2) the parents can split the parental leave benefit of six weeks between them.

The scheduling of an unpaid leave of absence, in conjunction with a parental leave, will fall under the provisions of the FMLA leave and/or the College's policy on leave without pay. Scheduling vacation time, in conjunction with a parental leave, will fall under the provisions of the College's policy on vacations.

Employee Education

This policy is effective May 1, 2011. The birth or adoption must take place on or after May 1, 2011. This policy is subject to review, modification, and/or termination by the Board of Trustees.

Employee Education

Full-time Administrative staff employees, as defined on page 8 of the Definition of Administrative Staff section, may take two academic courses per semester at Denison for credit or audit on a space available basis after successful completion of the ninety (90) day introductory period.

The first course may be taken during the staff member's normal working hours; however, time away from the job must be made up by adjusting the work schedule as appropriate. The second course must be taken outside the regular work schedule (i.e. 8:30 a.m. to 4:30 p.m.). The lunch period is part of the regular work schedule and therefore cannot be used to take a second course. However, if an employee reaches a point of having earned 111 credit hours (16 short of satisfying graduation requirements) then s/he may take up to 2 courses each semester even if both courses fall within the 8:30 a.m. to 4:30 p.m. normal office hours of the college. This exception is limited to one year and provides employees with a special level of support in recognition of his/her commitment to earning a degree.

A special approval procedure is required for directed study courses. The Registrar's Advisory Board must approve directed study course for employees. Fundamentally, the employee education benefit is offered on a space available basis and is not meant to add to the workload of the faculty. A directed study course for employees is possible under unusual circumstances but is discouraged. Employees seeking to take a directed study course need to send a written request to the Office of Human Resources for review by the Registrar's Advisory Board.

Part-time Administrative staff employees may take one course per semester at Denison after successful completion of the ninety (90) day introductory period. Part-time employees are required to take this course outside of their regularly scheduled working hours.

Regular admission procedures apply, and prior approval by the department head is necessary. All classes must be registered with the Registrar's office.

Education Benefits for Employee's Dependent - General (effective July 1, 2011)

The Board of Trustees of Denison University has made available to spouses, same-sex domestic partners (herein referred to as domestic partners), and dependent children of full-time employees, as defined on the section called "Definition of Supportive Operating Staff", of the section called "Definition of Supportive Operating Staff", an educational assistance program.

GLCA Tuition Exchange Program (effective July 1, 2011)

Dependent children for this benefit are defined as son, daughter, stepson, stepdaughter, legally adopted child of employee, or foster child (living with the employee the entire year and providing the employee has been declared legal guardian and is providing 50% support). Unless a decree of divorce, decree of dissolution of marriage, decree of separate maintenance, or the law provides to the contrary, dependent children must be claimed as dependents on the employee's federal income tax return.

A spouse is defined as the person to whom an employee is legally married according to Ohio law. A domestic partner must be documented through an affidavit of domestic partnership available in the Office of Human Resources.

A child receives benefits for eight (8) semesters or twelve (12) academic quarters. The program applies only toward undergraduate studies at accredited colleges or universities. The program terminates upon separation from Denison except in the case of the death or total disability of an employee who has been employed on a full-time continuous basis for seven (7) years or longer and meets other program requirements. Eligibility also continues for employees who retire under the terms of one of Denison's official retirement plans. Contact the Office of Human Resources for details.

For purposes of determining eligibility for employees hired or rehired July 1, 2011 or later, the following prior service credit rule will apply: for the tuition-free program at Denison, the GLCA exchange program, and the tuition cash assistance program, employees will be allowed to receive up to five years of credit toward the five year waiting period for full-time continuous service at an institution of higher education as long as the prior service occurred immediately prior to the full-time employment date at Denison. Additionally, eligible faculty and staff hired or rehired prior to July 1, 2011 who are not already eligible under the prior waiting period rules, will be eligible for prior service credit according to the same rule as described above. For questions, please contact Office of Human Resources.

GLCA Tuition Exchange Program (effective July 1, 2011)

For eligible employees who are hired or rehired prior to July 1, 2011, dependent children are eligible to participate in the GLCA Tuition Exchange Program if the eligible employee has one (1) year of continuous full-time employment immediately prior to the beginning of the academic semester of the child's college enrollment.

For eligible employees who are hired or rehired July 1, 2011 or later, dependent children are eligible to participate in the GLCA Tuition Exchange Program if the eligible employee has five (5) years of continuous full-time employment immediately prior to the beginning of the academic semester of the child's college enrollment.

Standard admission procedures apply. The member colleges throughout Indiana (IN), Iowa (IA), Ohio (OH), Michigan (MI), Pennsylvania (PA) and Wisconsin (WI) are: Grinnell College (IA); DePauw University, Earlham and Wabash College (IN); Albion

Tuition-Free Scholarship at Denison (effective July 1, 2011)

College, Hope College and Kalamazoo College (MI); Allegheny College (PA); Denison University, Kenyon College, Oberlin College, Ohio Wesleyan University, Wittenberg University and The College of Wooster (OH); and Beloit College (WI). An updated list is maintained in the Office of Human Resources.

Tuition remission may not include tuition for off-campus study programs, sponsored either by GLCA, ACM, or individually by the college the student is attending. Participating students should check with appropriate officials at the college they are attending to determine which fees and off-campus program may be covered by tuition remission.

Denison University does not pay fees for abroad/off-campus programs with the exception of the Denison sponsored Oak Ridge program.

For further information regarding the tuition exchange program, contact the Director of Human Resources.

Tuition-Free Scholarship at Denison (effective July 1, 2011)

Spouses, domestic partners, and children of full-time employees, with no limit on the number of children, are eligible for full tuition remission at Denison.

The following conditions apply:

1. For employees hired or rehired prior to July 1, 2011, children are eligible after the employee has completed one (1) year of continuous full-time employment immediately prior to the beginning of the academic semester of the child's enrollment at Denison. For employees hired or rehired July 1, 2011 or later, children are eligible after the employee has completed five (5) years of continuous full-time employment immediately prior to the beginning of the academic semester of the child's enrollment at Denison.
2. Admission to Denison is not guaranteed for dependents. They must meet normal university admission standards. While this is the case, dependent children will be given full and careful consideration.
3. All students attending Denison under the provisions of this program are subject to the normal academic and administrative regulations of the University.
4. Spouses and domestic partners are eligible after the employee has completed the 90-day introductory period.
5. A spouse or domestic partner who does not have a baccalaureate degree shall be able to take two courses per semester, for credit or audit, on a space available basis and upon approval from the faculty member. A spouse or domestic partner admitted to the college may take a full course load (see number 3 and 4 above).

Tuition-Free Scholarship Cash Assistance Awards Elsewhere (effective July 1,

6. A spouse or domestic partner that has a degree shall be eligible to take one course per semester on a space available basis, either for credit or audit, for no more than eight (8) semesters. Under unusual circumstances, the staff member may petition to waive the one course limitation for a spouse or domestic partner.

Tuition-Free Scholarship Cash Assistance Awards Elsewhere (effective July 1, 2011)

This program applies to employees' children in attendance at schools other than Denison.

To be eligible for this benefit, an employee must be full-time (see definition of Administrative Staff), with the salary or wages funded from the University's Operating Budget. Additionally, the waiting period for an eligible employee who was hired or rehired prior to July 1, 2011 is two (2) years of continuous full-time employment prior to the academic semester. If the eligible employee was hired or rehired July 1, 2011 or later, then the waiting period for the benefit is five (5) years of continuous full-time employment prior to the academic semester.

Staff members, who were on the Denison payroll prior to February 1, 1974, have a benefit equal to the direct tuition costs, exclusive of any fees, of the admitting college or of Denison, whichever is less.

Staff members on the payroll February 1, 1974, or later receive a four-year benefit not to exceed \$3,000 per year or a total of \$12,000 over eight (8) semesters or twelve (12) quarters to be applied against tuition of the admitting college or university. The sum of the tuition benefit and any other financial aid specifically designated for tuition only (excluding loans and work) may not exceed the tuition charges of the institution attended.

Group Life

This benefit is available to full-time employees as defined in this handbook. This is a term life insurance program; a benefit is payable only when death occurs. The benefit amount is 1.5 times budgeted salary. Denison pays the entire premium.

Accidental Death & Dismemberment

This benefit is available to full-time employees as defined in this handbook. This plan provides a death benefit and scheduled payments for dismemberment caused directly and inclusively by external and purely accidental means. The benefit amount is 1.5 times budgeted salary for accidental death. Denison pays the entire premium.

Business Travel Accident Policy

Full and part-time employees are covered under the Business Travel Accident policy.

Long-term Disability Insurance

Employees are covered for \$200,000 in case of accidental death while traveling on Denison business. Denison pays the full premium for this benefit. Policy details are governed by the plan document.

Long-term Disability Insurance

This program provides a monthly income benefit in the case of total disability.

This benefit is available to active full-time employees as defined in this handbook. An employee must complete one year of service to be eligible, unless s/he qualifies for a waiver under the program. Rehired employees must complete one year of full-time service from their date of rehire. Denison pays the entire premium.

Emeriti Retirement Health Solutions Program

This benefit provides a tax-advantaged program to invest and accumulate assets to help meet future retiree medical expenses for full-time administrative staff hired after June 30, 1993, through the Emeriti Retirement Health Solutions program. Eligibility for university contributions begins at age 40 and continues for up to 25 years. All full-time staff members, including staff hired prior to July 1, 1993, may make voluntary contributions beginning at age 21.

Core Retirement Plan

Employees regularly scheduled to work a minimum of 1000 hours per year, who are at least 21 years of age, and who have completed 12 consecutive months of service (unless employee meets waiver criteria), are eligible to participate in the University core retirement plan.

Denison contributes an amount equal to 10% of budgeted salary (15% of salary above social security base) for all employees who meet the above requirements. Employees have immediate vesting rights to the retirement contributions. Employees will be notified by the Office of Human Resources of their date of eligibility and enrollment procedures.

Supplemental Retirement Annuity Option

All members of the Administrative Staff are eligible to participate in a tax-deferred (or tax-sheltered) annuity program on the first day of the month following the date of employment.

Under this option, staff members may, through a properly drawn salary reduction agreement, divert part of their salary on a tax-deferred basis to the purchase of supplemental retirement annuity benefits.

Dental Insurance

Two dental plans are available to full-time employees, either as part of their healthcare plan choice or as a voluntary plan. Part-time employees working at least 15 hours per week can enroll in one of the 2 programs as well and pay the entire premium.

Summary plan booklets are available in the Office of Human Resources.

Health Care Spending Account

Full and part-time employees are eligible to participate in the Health Care Spending Account.

Employees can direct part of their pay into the Health Care Spending Account. Employees do not pay federal, state or social security taxes on the amount of pay directed into this account. Employees reimburse themselves from this account for out-of-pocket healthcare, dental, or vision expenses. There is a 90-day waiting period from date of hire before participation can begin. Please refer to the summary plan description for further plan details, rules, and limitations.

Dependent Care Spending Account

Full and part-time employees are eligible to participate in the Dependent Care Spending Account.

Employees can direct up to \$2,500 or \$5,000, depending on their circumstances, from their pay into the Dependent Care Spending Account. Employees do not pay federal, state or social security taxes on the amount of pay directed into this account. Employees reimburse themselves from this account for childcare or elder care expenses. Please refer to the summary plan description for further plan details, rules, and limitations.

Adoption Assistance Program

The adoption assistance program, effective January 1, 2000, pays, upon finalization of a legal adoption, up to \$5,000 per adopted child to eligible faculty and staff for adoption related expenses.

Any full-time, continuing faculty or staff member is eligible for this program. If both adoptive parents are university employees, the benefit maximum may not exceed \$5,000 per child. Adoption children must be under 18 years of age. They may not be biologically related to either parent. Adoptions made through public, private, domestic, international and independent means are eligible.

For further details, please see the complete policy on file in the Office of Human Resources.

Activity Cards

The Faculty/Staff Picture Identification Card is issued at the time of employment for the exclusive use of the employee, spouse/guest, domestic partner, and children through age 18 or age 22 if a full-time student. This card serves a dual purpose as an activity card and identification for Denison staff members.

This card enables the holder to attend, without charge, home athletic events. Presentation of this card is required when using the automated library circulation system and all athletic facilities, including swimming and the weight room. The Vail Arts Series, various lectures and theater presentations are also open to employees. There may be a charge for some events. The card provides access to Denison Dollars. This is a prepaid cash account that allow employees to use their card to make purchases in dining facilities and the Bookstore.

The card must be returned when the employee's association with Denison ends. Retirees may retain their card and are eligible to retain the privileges of an active employee.

Absences From Work

Holidays

Denison University recognizes the following eight (8) paid holidays each year:

New Year's Day

Memorial Day

Independence Day

Day combined w/ Independence Day (in lieu of Labor Day)

Thanksgiving Day

Friday after Thanksgiving

Christmas Eve Day

Christmas Day

Full-time and part-time employees are eligible for holiday pay. Part-time employees are eligible for holidays that fall on their regularly scheduled/budgeted workdays.

In the event the University elects to close operations during the week between the Christmas and New Year's holidays, employees may use vacation days for salary continuation.

Vacation (effective July 1, 2011)

Holidays falling on Sunday are normally recognized the following Monday. Holidays falling on Saturday are normally recognized on the preceding Friday. The only recognized holidays qualifying for holiday pay are those listed above.

Because of the unique nature of the academic calendar, Denison reserves the right to reschedule holidays to ensure continuation of essential services.

Holidays that fall within a scheduled vacation do not count against vacation.

In addition to the above, and, as reaffirmed by the Board of Trustees in 1992, Professional Librarians are eligible for one-half the vacation time enjoyed by teaching faculty during the academic year (specifically Fall Break, Thanksgiving, Christmas, and Spring Break). Such days do not accrue beyond the academic year in which they are earned, and they may not be carried over from one year to the next.

Vacation (effective July 1, 2011)

Full-time administrative staff are eligible to accrue vacation days each calendar year at the rate of 1.83 days per month for the months actually worked. Initial vacation benefits are pro-rated from the date of employment. Total vacation days that may be accrued per year are as follows.

- 9 Month Staff - 16.5 days per calendar year
- 10 Month Staff - 18.5 days per calendar year
- 11 Month Staff - 20 days per calendar year
- 12 Month Staff - 22 days per calendar year

Part-time administrative staff budgeted at a minimum of .5 FTE are eligible to accrue 10 vacation days per year.

Vacation days may be used during the period of appointment at the staff member's discretion depending on departmental needs and approval of the department manager. Any time off other than the institutionally recognized administrative holidays, i.e. Christmas Day, new Year's Day, etc., or when the staff member is ill, must be counted as vacation and subtracted from the vacation accrual.

Vacation accruals will be stated as hours earned per pay period on the employees' statement of earnings and deductions (pay stub) and will be computed based on the employee's adjusted date of hire. Vacation accruals will be prorated during any period where an employee is in an unpaid status. Upon return from vacation, days used must be reported using the Administrative Staff leave Report form. Upon approval by the Department Manager, the form is forwarded to the Office of Human Resources for processing.

On The Job Accidents (effective date 3/24/09)

No compensatory pay for unused vacation is permitted (except at termination of employment per below). Employees may not use vacation before it is accrued. An employee's total accrued vacation as of January 1 of each year may not exceed 200 percent of the annual vacation earned. Vacation days may not be transferred from one employee to another, except as allowed under the Leave Donation policy described in the Personnel Policies Handbook for Supportive Operating Staff.

A reasonable effort will be made to give an employee the vacation period requested. The exact scheduling must be agreed to by the department head and employee. If a short-term illness or a death in the family occurs while on vacation, additional days of vacation are not granted.

Vacation days may not be taken in less than one-half day. Employees are urged to take at least one extended period each year of at least one week.

Employees who voluntarily leave Denison prior to the completion of one year of service are not eligible for vacation or pay in lieu of vacation. Effective January 1, 2012, employees leaving Denison after the completion of one year's service will be paid out a maximum of 30 days. For employees retiring from Denison, please see "When You Leave Denison" for information on vacation payout.

On The Job Accidents (effective date 3/24/09)

The Workers' Compensation Law of Ohio protects each employee.

All employees should be advised that they are required to report all work related incidents to their supervisors immediately.

If there is any question as to the validity of the employee's reported accident, a thorough investigation and fact-finding report, including statements from any witnesses, will be conducted by the Office of Environmental Health and Safety.

1. Supervisors should see that medical care is provided as soon as necessary. **BE SURE TO TELL THE MEDICAL PROVIDER IMMEDIATELY UPON ARRIVAL THAT THIS IS WORK RELATED.** Licking Memorial always has a supply of FROI-1 forms, but other places may not. It is a good idea to call the Office of Human Resources and get the proper form.
2. The internal Accident, Injury or Illness Report should be completed within 24 hours of accident, injury or illness.
3. The "Employee's Report of Back Injury" should be completed by the employee when any work related back injury is reported and those forms are available in the Office of Human Resources.

Transitional Work Program (effective date 3/24/09)

4. Upon receiving their claim number from the Bureau of Workers' Compensation, the claimant is responsible for contacting any medical providers of that number.
5. Claimants should be advised NOT to pay for anything, if at all possible. If you need a prescription filled and can't find a pharmacy that will accept a Workers' Compensation case, the Office of Human Resources can make arrangements with CVS so that payment will not be necessary up front. If the claimant pays for a service, the Office of Human Resources can provide the injured worker with information on submitting receipts to the BWC.

Denison University has a third party administrator that we use. If at any time, you are having a problem with bills or just have questions in general, please feel free to call the Office of Human Resources for assistance.

An employee will not receive pay for the first 7 days of absence because of a work-related illness or injury unless accumulated sick leave is used.

If the employee is unable to return to work after all accumulated sick leave has been used, the employee will be placed on a leave of absence without pay.

Transitional Work Program (effective date 3/24/09)

Denison University is committed to the safety and health of its employees. Occasionally, after an occupational injury or illness, an employee is unable to immediately return to work and perform all of their duties. However, many employees will often be able to fulfill some duties and responsibilities before they are capable of assuming all their former duties. It is to the mutual benefit of the University and employees to return the employee to employment following an occupational injury or illness. To facilitate a safe and expeditious return to full employment, the University has established a Transitional Work Program. These procedures should allow affected employees to progressively assume their full and former job duties as their health improves. The following is a summary of the program. A complete copy of the policy and procedures is available in the Office of Human Resources.

If an employee is injured and unable to perform the original job tasks, the chance of returning to gainful employment decreases significantly when the employee stays off work, according to the Bureau of Workers' Compensation. We are offering a Transitional Work Program to keep staff gainfully employed. An employee coming back to work, under this program, with restrictions set by the physician will be paid at the normal rate of wages and will also be paid for the therapy time if on-site therapy is needed.

All employees who have a work-related injury occurring on April 1, 2003 or after are eligible to participate in our Transitional Work Program. This program has been developed with the understanding that it is in both the employee's and the University's best interest to get employees back into the workforce as quickly as possible following a work-related

Transitional Work Program (effective date 3/24/09)

injury while at the same time ensuring that they are not placed in a position which could further complicate the injury.

The aim of the Program is to offer injured workers the ability to return to work, even with extremely limited capabilities. The aim of the Program is NOT to provide long term limited duty positions for employees but to offer a progressive return to work strategy. For the Program to remain effective we require an injured worker to be re-evaluated by their treating physician at least every 30 days. The duration of the program is sixty (60) days.

Procedures

1. Follow the proper procedures for injury report and medical treatment for work related injury. Visit Newark Valley Urgent Care for necessary medical care.
2. Once the employee comes back with restrictions set by his/her treating physician, proceed with the following steps:
 - The supervisor and the TWP Coordinator will develop a transitional duty position that fits within the capabilities indicated by the treating physician.
 - If necessary, TWP Coordinator will arrange for on-site therapy.
 - The Transitional Work Committee will monitor the program until the employee returns to full duty.
 - A Final Medical Release by the treating physician is required for the return to full duty.

Newark Valley Urgent Care

1906 Tamarack Road

Newark, OH 43055

Phone: 740-522-0222

Hours: M-F, 9 a.m. - 9 p.m., Sat. and Sun. 9:00 a.m. - 6:00 p.m.

After hours: Licking Memorial Hospital

TWP Coordinators

Environmental Health and Safety Officer

Human Resources Officer

Funeral Leave

Full-time employees, as defined in this handbook, are eligible for three days leave with pay when a death occurs in the immediate family.

The immediate family is considered to be an employee's spouse, domestic partner (as defined in this handbook), son, daughter, mother, father, sister, brother, half-sister, half-brother, step-father, step-mother, current father-in-law, and current mother-in-law.

A leave with pay of one day is granted for the death of a near relative. Near relatives are considered to be an employee's aunt, uncle, grandparent, grandchild, niece, nephew, current brother-in-law, current sister-in-law, son-in-law and daughter-in-law.

Vacation time or leave without pay may be used to supplement allowed days with the manager's approval.

Jury/Witness Duty

Denison recognizes the obligation of its employees to serve on jury duty or as a subpoenaed witness when called.

Under normal circumstances Denison will continue to pay an employee's regular, budgeted pay.

Employees are expected to report for work all or part of any day not engaged in jury duty or as a subpoenaed witness. Employees are required to forward a copy of the summons or subpoena of jury or witness duty to the Office of Human Resources. Also, documentation of attendance in court should be forwarded to the Office of Human Resources substantiating dates served.

Military Leave (02/28/2011)

The Uniformed Services Employment and Reemployment Rights Act of 1994 guarantees the employment rights of those employees who voluntarily or involuntarily leave Denison for service in the U.S. Armed Forces. The basic provisions and requirements of the Act apply: The employee must give notice that he or she was leaving the job for military service: the cumulative period must not exceed five (5) years; the employee must have not been released from service under dishonorable or other punitive conditions and the employee must have reported back to Denison in a timely manner for reemployment.

Short-term Military Services (02/28/2011)

A military leave of absence is granted to faculty and staff, full-time or part-time, at any full-time equivalency (FTE), who are members of the National Guard or other branches of the Armed Services for limited field training. The length of field service is not to exceed

Extended Military Services (02/28/2011)

the standards established by governmental agencies. Normally, such leave does not exceed fifteen (15) calendar days per year. For full-time employees only, Denison will pay the employee the difference between military pay and regular, budgeted pay from Denison.

Extended Military Services (02/28/2011)

Employees entering the U.S. Armed Forces for service in excess of the two week temporary period are granted a leave of absence, without pay, until discharged. The employee is returned to a position of like status upon release from the military when:

1. An application is made within ninety (90) days from the date of discharge;
2. The employee is qualified to perform the duties of such a position.

An employee is reinstated with compensation at a level he/she would have attained had he/she not left for military service. All staff benefits accrue at the same level as if there had been no break in service.

For full-time employees only, Denison will pay the employee the difference between military pay (base pay and housing allowance) and regular, budgeted pay from Denison for a period not to exceed one year. Denison will comply with all applicable state and federal laws with respect to military leaves.

Sabbatical Leaves

Members of the Administrative Staff are not eligible for sabbatical leaves except for Professional Librarians. Sabbatical leaves for Professional Librarians was reaffirmed by the Board of Trustees in 1992 according to one of the following schedules:

1. One year at half pay every seven years; or
2. One semester at full pay every seven years; or
3. One summer at full pay every four years.

Librarians should follow the applications and reporting procedures described in the University Sabbatical Leave Policy in the Faculty Handbook.

Family and Medical Leave Act (FMLA) of 1993

A. Required through Legislation

Effective August 5, 1993, the Family and Medical Leave Act of 1993 provides eligibility for members of the faculty, administrative staff and supportive operating staff for up to

A. Required through Legislation

twelve (12) weeks of unpaid leave during a twelve (12) month period for the following reasons:

1. For the birth of a child and to care for the newborn son or daughter¹;
2. To care for a son or daughter placed with the faculty/staff member for purposes of adoption or foster care¹;
3. To care for a spouse², domestic partner³, son or daughter or parent⁴ with a serious health condition⁵;
4. Because of a serious health condition that makes it impossible for the faculty/staff member to perform the functions of his/her job.

Faculty and staff members are eligible for a leave under the Act twelve (12) months after their date of hire if they have also worked at least 1,250 hours during the twelve (12) months before leave is requested. Eligible members may not take more than a total of twelve (12) weeks-unpaid leave during any twelve (12) month period. Leaves taken for the birth or placement of a child must be completed within twelve (12) months of that birth or placement. The university uses the "rolling method-counting backward" method to determine the 12-month period during which employees are entitled to leave. Under this method, a faculty or staff member's entitlement to leave is determined by looking at the 12 months prior to the time the leave is requested. The faculty or staff member is entitled to any balance of leave not taken during the 12-month period. Thus a faculty or staff member who has not taken any leave in the last year is entitled to 12 weeks; while a faculty or staff member who has taken three weeks' leave in the last year is entitled to only nine more weeks.

Important Note: Denison's policy is to allow leave under the Family and Medical Leave Act to be coordinated with all other paid leave. Faculty/staff members must use all applicable accrued paid vacation time and /or sick time for which they are eligible before taking

¹"Son or daughter" means a biological, adopted or foster child, a step-child, a legal ward, or a child of a person acting as a parent, who is either under age 18, or age 18 or older and is "incapable or self-care because of a mental or physical disability"

²"Spouse" means a husband or wife as defined and recognized under state law for purposes of marriage, including common law marriage, in states where it is recognized.

³"Domestic Partner" means same-sex partner as certified by an Affidavit of Domestic Partnership filed with the Office of Human Resources. As a matter of law, leave taken for a domestic partner is not covered by the Federal FMLA. In this manner, Denison's policy goes beyond the federal requirements.

⁴"Parent" means biological parent or an individual who stands or stood as the faculty/staff members parent when the faculty/staff member was a child. This term does not include parents "in-law"

⁵"Serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment following in-patient care in a hospital, hospice, or residential medical care facility; a period of incapacity requiring more than three days absence from work and continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated would likely result in incapacity of more than three days; or continuing treatment by or under the supervision of a health care provider of a chronic or long-term condition or disability that is incurable; or prenatal care.

A. Required through Legislation

any unpaid leave. However, staff members do have the option to reserve on (1) week of vacation and one (1) week of sick leave. The remaining time up to twelve (12) weeks is unpaid leave. The total leave including paid and unpaid will not exceed twelve (12) weeks.

Certification: If the leave is for a serious health condition, faculty and staff members are required to provide a certification substantially in the form of Appendix I which includes the date on which the serious health condition in question began for the faculty/staff member or family member; the probable duration of the condition; appropriate medical facts regarding the condition; a statement that the faculty/staff member is needed to care for a spouse, domestic partner, parent or child (along with an estimate of the time required) or that the faculty/staff member is unable to perform the functions of her/his job; and the dates and duration of treatments to be given. Denison may require a second medical opinion from a doctor selected by the university and at the university's expense. If the opinions differ, Denison will furnish a third and final opinion from a mutually acceptable doctor.

Benefits: During the leave, any health insurance benefits that faculty and staff members have elected will be continued in the same manner as before the leave. Participation in other insured programs may be continued as provided by the various staff benefit programs but must be fully paid by the employee (life and long-term disability insurance). Benefits, which are based on length of service and other employment benefits will not be accrued during the leave. Faculty and staff members will be responsible to reimburse Denison for health plan premiums if they fail to return from the leave; except reimbursement is not required if the faculty/staff member fails to return to work because of her/his own family member's serious health condition.

Required Notice: Faculty and staff members must provide a thirty (30) day notice for foreseeable leaves for birth, adoption, or planned medical treatment. If planned medical treatment requires the leave to begin in less than thirty (30) days, as much notice as is practicable must be given.

Returning From Leave: Faculty and staff members return to the same or to an equivalent position upon returning from leave. Pay, benefits and other terms and condition of employment will be the same as prior to the leave; however, faculty/staff in the top 10% of the University's payrolls may be excluded from job restoration rights if reinstatement will cause substantial or grievous economic injury to the University.

Intermittent Leaves: A leave for serious health condition (either of a family member or the faculty/staff member) may be taken intermittently (for a total lost time of no more than the equivalent of twelve (12) weeks during any twelve month period) if medically necessary. However, intermittent leave arrangements for the birth or adoption of a child are not covered by the Act and must be approved by the Provost and/or Director of Human Resources and the relevant Division Head. Faculty/staff members may be required to transfer temporarily to another job for which they are qualified that better accommodates a revised work schedule.

B. Programs at the Discretion of University

The University may grant the following additional leaves of absence to faculty, administrative staff and support staff who have been employed by the University for at least two (2) years. Leaves for faculty are granted at the discretion of the Provost in consultation with the Department Head. Leaves for administrative staff and supportive operating staff are granted at the discretion of the Director of Human Resources in consultation with the Department Head. Such leaves are subject to the needs of the department, the ability to replace the faculty/staff member on a temporary basis and overall impact on the operation of the department.

The timing and duration of the leave is determined by mutual agreement between the faculty/staff member and her/his supervisor but not to exceed one (1) year (including any leave authorized under the Family Medical Leave Act). Salary is not continued but participation in group insurance programs may be continued with the payment of the full premium by the employee. All applicable accrued paid vacation time and/or sick time must be used before taking any unpaid leave.

If the leave is for a serious health condition, certification as required by the Family Medical Leave Act for serious health condition applies.

1. To care for a newborn son or daughter¹;
2. To care for a son or daughter placed with faculty/staff member for the purpose of adoption¹;
3. To care for a spouse², domestic partner³, son or daughter or parent⁴ with a serious health condition⁵ and
4. Because of a serious health condition that makes it impossible for the faculty/staff member to perform the functions of his/her job.

Extended leaves of absence may be granted to the faculty/staff member with three possible stipulations upon the end of the leave: guarantee of the same job, guarantee of a similar job, or not guarantee of a job. This will be determined at the time the leave is granted.

Failure to return to work at the end of an approved leave of absence is considered a voluntary resignation.

Extended Personal and Family Medical Leaves

The university may grant extended leaves of absences for reasons authorized under the Family and Medical Leave Act listed above to staff members who have been employed by the University for at least two (2) years.

Leaves of Absence Without Pay

Leaves are granted at the discretion of the department head and the Director of Human Resources. Such leaves are subject to the need of the department, the ability to replace the staff member on a temporary basis and the overall impact on the operation of the department.

The timing and duration of the leave is determined by mutual agreement between the staff member and her/his supervisor but not to exceed one (1) year (including any leave authorized under the Family and Medical Leave Act). Salary is not continued but the employee may continue participation in group insurance programs with the payment of the employee share of the premium. All applicable paid vacation time must be used before taking any unpaid time.

If the leave is for serious health condition, certification as required by the Family and Medical Leave Act for serious health conditions applies.

Extended leaves of absence may be granted to the faculty/staff member with three possible stipulations upon the end of the leave: guarantee of the same job, guarantee of a similar job, or no guarantee of a job. This will be determined at the time the leave is granted.

Failure to return to work at the end of an approved leave of absence is considered a voluntary resignation.

Leaves of Absence Without Pay

A leave of absence without pay may be granted at the discretion of the division and department heads and the Director of Human Resources for other reasons such as education or travel to staff members who have been employed by the University for at least two (2) years. Such leaves are subject to the needs of the department, the ability to replace the staff member on a temporary basis and the overall impact on the operation of the department. Requests for leaves without pay must be submitted in writing to your department head and division head. The Director or Associate Director of Human Resources will review the request. Leaves of absence without pay are normally limited to (90) days or less. Failure to return to work at the conclusion of an initial leave of absence without pay is interpreted as a voluntary resignation. Under no condition will combined vacation, FMLA, Extended Personal & Family Medical leaves and leaves of absences without pay, exceed one (1) year.

All accumulated vacation time must be taken before a leave without pay is granted. No holiday pay is given for holidays falling within leave time. Vacation days do not accrue during such leaves.

Each employee is advised to check with the Office of Human Resources for continuation of insured staff benefit programs prior to going on leave.

Unexcused Absences

Leaves of absence without pay may be granted to the staff member with three possible stipulations upon the end of the leave: guarantee of the same job, guarantee of a similar job, or no guarantee of a job. This will be determined at the time the leave is granted.

Unexcused Absences

If any employee is absent from work without prior notification for three (3) days or more and, if in the opinion of the supervisor and the Director or Associate Director of Human Resources, the explanation for the absence is not satisfactory, the employee may be dismissed without further notice.

Employee Discipline

Occasionally, it is necessary to counsel employees for violation of University policies, rules, regulations, major infractions, and marginal performance and misconduct. Our goal at Denison is to be constructive and corrective in disciplinary matters. Managers are urged to discuss marginal work performance and employee conduct in a constructive manner when these incidents occur and during annual performance reviews, with the goal of improving behavior to a satisfactory level.

Disciplinary action could result in immediate termination of employment if the employee's behavior falls under the Major Infractions Policy. Otherwise, disciplinary action will normally follow the guidelines in the Marginal Performance policy.

Marginal Performance

Marginal performance includes, but is not limited to, the following: failure to satisfactorily perform job responsibilities; inconsistent job performance, consistent errors in work; noncompliance with University policies and procedures; inability to perform assigned work; personal misconduct; and unsatisfactory absenteeism and/or tardiness.

Providing feedback to employees regarding work errors and other problems related to job performance is an ongoing responsibility of managers. Prior to beginning the progressive disciplinary procedure described below, a manager should already have met with the employee to discuss the problem and ways to improve performance. If performance problems continue after these informal meetings are held with the employee, then the following procedure should be followed:

1. **Verbal Warning.** The manager meets with the employee to discuss the performance problem, making sure that the employee understands the problem and the behavior changes that are needed to solve the problem. The manager will document the discussion in a memo, providing the original to the employee and a copy to the Office of Human Resources for the employee's personnel file. The memo will inform the employee that the verbal warning is part of the Marginal Performance policy and

Major Infractions

that future performance problems will lead to a maximum of one more verbal warning or a written warning.

2. **Written Warning.** If after one or two verbal warnings performance is not improved to a satisfactory level, the employee will receive a written warning. The employee will be given a review period of up to 6 months, time period to be determined at the discretion of the manager and the Office of Human Resources, to improve performance to a satisfactory level. The goal of this review period is for the manager and employee to work constructively together to identify performance problems and improve job performance. The employee's performance will be reviewed after the review period and if performance has not improved, then dismissal is likely. The original written warning is given to the employee with a copy to the Office of Human Resources for the employee's personnel file.
3. **Suspension Without Pay.** This may be the next step depending on the circumstances of the employee's marginal performance. This action is always done in writing and the department head is to confer with the Director and/or Associate Director of Human Resources before proceeding to this step.
4. **Dismissal.** If performance does not improve to a satisfactory level as a result of the written warning, then the staff member's employment may be terminated from the University. The Director and/or Associate Director of Human Resources must be consulted prior to any action being taken. The manager must write a summary of the marginal performance issues, including steps taken under this policy, attempts at solving the performance problem, and a recommendation to terminate employment, including endorsement by the divisional vice president. A copy of the marginal performance memo will be forwarded to the Office of Human Resources for review and approval. The Director and/or Associate Director of Human Resources must be presented at the dismissal meeting.

Major Infractions

Major infractions of Denison's policies and practices may result in immediate dismissal without progressive discipline or prior notice. This dismissal is supported in writing, a copy of which is made part of the employee's personnel record. The Director of Human Resources and/or the Associate Director of Human Resources is to be a party to such a decision (see Notes, A).

Major infractions include, but are not restricted to:

1. Possession, use or being under the influence of alcohol or illegal drugs on the job.
2. Disobedience, insubordination, or unreasonable refusal to carry out department head's instructions.
3. Stealing of University property or the property of another person.

Notes

4. Falsification of time reports including absence.
5. Failure to report for work for three consecutive days without satisfactory explanation upon return.
6. Fighting on University property.
7. Gambling on University property.
8. Willful or continued disregard for University established safety procedures.
9. Willful destruction of University property or the property of others.
10. Falsification of employment records.
11. Possession and/or use of firearms on University property.
12. Any act of immoral conduct or poor citizenship which, in the opinion of the University, may cast unfavorable opinion on the University.

Notes

- A. Staff members may request to have another Denison University employee present at disciplinary hearings/meetings at or above the written warning step.
- B. For repeat occurrences the University may begin the disciplinary process at the written warning stage and the third disciplinary process with suspension or dismissal. These are times when employees have gone through some phases of the disciplinary process and had been successful in correcting the problem for a period of time only to later end up back in the disciplinary process for the same or similar problem as before.

When You Leave Denison

Retirement (Effective July 1, 2011)

While not mandatory, normal retirement at Denison University is at age 65.

To be considered for retirement, employees must meet the following length of service requirements:

1. Age 60 - 62 with 15 years of service
2. Age 62 - 65 with 10 years of service
3. Age 65 and over with 5 years of service

Voluntary Resignation

Before You Leave An employee should submit a written request for retirement to the Office of Human Resources at least sixty (60) days prior to the expected date of retirement.

Vacation Full-time 12 month employees who retire with more than twenty (20) years of service are eligible for a vacation bonus of four (4) days per year for each year over 20 for a maximum of 20 vacation bonus days.

Full-time 9/10 month employees who retire with more than twenty (20) years of service are eligible for a vacation bonus of three (3) days per year for each year over 20 for a maximum of 15 vacation bonus days.

All vacation accrued at the time of retirement, up to 200% of current yearly accrual, is paid upon retirement until June 30, 2013. Retirement after June 30, 2013 will receive a maximum pay-out of 30 days only.

Denison will continue to pay a share of health insurance premiums for eligible employees who were hired before July 1, 1993 and who were employed for at least ten years immediately prior to retirement. Contributions to all other staff benefit programs cease at the date of retirement.

Voluntary Resignation

Any employee who plans to discontinue employment at Denison after the introductory period is requested to give the department head four (4) weeks advance notice. Failure to give this notice is noted on the employee's personnel record. The employee's termination date is the last day actually worked. Normally, leave days cannot be used during the notice period or to extend employment.

For resignation dates through December 31, 2011, accrued vacation will be paid out up to 200% of current yearly accrual, if the employee has completed one year of full-time service prior to termination. Effective January 1, 2012, and after, accrued vacation will be paid out at the maximum pay-out of 30 days.

Death of Employee

In the case of the death of an active Denison employee, the beneficiary is paid through the date of death plus twenty-two (22) working days. Accrued vacation is also paid up to the maximum accrual.

Layoff

A layoff is defined as an involuntary separation caused by factors such as lack of work, loss of funds, changes in work patterns, or technological advances.

Exit Interviews

When layoffs occur, employees shall be given a two (2) weeks notice or pay not to exceed two (2) weeks pay at the normal rate in lieu of notice. Pay for accrued vacation is also given at time of layoff. The selection of employees to be laid off shall be based on the needs of the University. Length of service and work performance within a classification and department may also be considered at the option of the University.

Regular employees receive preference for continued employment over employees who have not completed the introductory period within the classification and department.

Employees subject to layoff may be considered for vacant positions provided the employee has the necessary skills and qualifications, and a record of good work performance, good interpersonal relations and good attendance.

The priority for recall from layoff shall be determined based upon the staffing needs of the University although length of service and prior work performance within a classification and department may also be considered. Recall rights continue for a period equal to the employee's length of service immediately prior to layoff, but not exceeding two (2) years.

Exit Interviews

The exit interview is the employee's last formal employment contact with Denison and is normally held by the Director or Associate Director of Human Resources on the employee's last day on the job.

This interview is held for all terminations regardless of cause. All Denison property must be returned before the employee receives his/her final paycheck. The Director or Associate Director of Human Resources is responsible for release of the final payroll check.

Unemployment Compensation

If you are involuntarily terminated, you may be entitled to unemployment compensation benefits. Contact the nearest Ohio Bureau of Employment Services office to determine your eligibility.

General Information

Denison Equipment

Various pieces of Denison equipment or property are entrusted to each employee to perform work assigned. If the equipment is in need of repair, servicing or cleaning, it is expected that the employee will report it to the department head and then follow up to see that such maintenance is accomplished.

The use of Denison equipment on or off campus for personal use is prohibited.

Buying through Denison

Equipment given to you must be returned upon termination of employment.

Buying through Denison

Denison operates as a non-profit corporation. As such, it is in direct violation of the laws of the State of Ohio to permit employees to make personal purchases through the University. The Denison University Bookstore, which can collect sales tax, is authorized to sell to Denison employees at a 10% courtesy discount.

Confidential Material

Some employees have access to items of a confidential nature. This information must not be discussed or released to anyone without approval of the proper authority. Failure to respect this confidence is cause for disciplinary action.

Personal Changes

Each employee is requested to report any changes which may affect personnel records. Changes listed below are reported to the Office of Human Resources:

1. Change of address
2. Change in name
3. Change in telephone number
4. Change in income tax exemptions
5. Change in beneficiary for life insurance
6. Change in marital status
7. Change in number of dependents for medical insurance

Health and Safety

The safety and health of all staff members are of utmost importance to the University. The University seeks to comply with federal, state and local safety regulations and to develop procedures and programs to ensure the continuing safety of the university community. The University has the responsibility to provide all pertinent training and retraining, as well as required employee personal protective equipment. Staff members have the responsibility to actively participate in safety training and wear personal protective equipment when called for and perform the job safely.

The Campus Security and Safety Office is the department charged with oversight of the safety program. Campus Security asks administrative and supervisory personnel to assist

Guns on Campus

by incorporating security and safety practices in their staff orientation program and in their daily operations.

Department supervisors, in conjunction with the Campus Security and Safety Office, will assess the various job functions, develop department safety standards, and determine which jobs require personal protective equipment.

Staff members will be trained and supplied with personal protective equipment when needed. Retraining will be provided if staff member does not demonstrate an understanding of proper use of personal protective equipment.

Staff members are required to comply with safety practices established by departments for specific jobs and functions. Staff members who fail to follow proper safety practices or neglect proper safety practices are subject to disciplinary action.

Together, we can make Denison University the safest and healthiest work environment possible.

Guns on Campus

Universities--all universities not just public universities--are identified under Ohio's Concealed Weapons law as forbidden carry zones. Licensed individuals are prohibited from carrying a concealed handgun in "forbidden carry zones." So, by law, concealed handguns may not be carried on Denison's campus. The law does allow licensed gun owners to have a gun in a locked vehicle on a university campus. However, as a private organization and property owner, Denison is exercising its right to prohibit any guns on its campus even in locked cars. Denison's long standing practice and policy has been to prohibit guns on the campus. So as to be very clear and to properly coordinate campus policies with the Ohio Concealed weapons law, the following conditions apply to Denison students, employees and vendors doing business with the college:

1. As a condition of enrollment, all students must agree not to bring guns of any type onto the campus.
2. As a condition of employment, all employees must agree not to bring guns of any type onto the campus.
3. As a condition of doing business with the college, vendors must agree not to bring guns of any type onto the campus.

Safety Practices

Health and safety is the business of every Denison employee. Poor policies and practices in this area are reflected directly or indirectly in the economic growth of the whole community. If you see an unsafe working condition, report it to your supervisor. If you see

Automobiles

conditions around you which could cause an accident, call this to the attention of your supervisor or the Office of Campus Security & Safety.

Some examples of good safety practices are:

1. Maintain a work area and desk that is clean and orderly.
2. Keep desk and cabinet drawers closed when not in use. Open one drawer of a file cabinet at a time to avoid an upset and evenly distribute stored materials to avoid empty bottom drawers that can cause an upset.
3. Inform department head of any defective equipment so that it can be repaired or replaced.
4. Wrap broken glass, mark it, and put it aside (not in the wastebasket) for the custodian.
5. Keep restrooms and storerooms clean and orderly.

Automobiles

All automobiles operating on the Denison Campus must be registered. Registration tags are obtained from the Operator/Dispatcher office. You must have adequate insurance or at least the minimum insurance coverage required by the State of Ohio before a permit is issued.

Continued parking in unauthorized areas and/or moving violations will result in disciplinary action and/or loss of driving privileges on University roadways.

Denison provides transportation between work sites on campus to carry out University business and does not condone the use of personal cars. Employees electing to use their own cars between campus work sites do so as a matter of personal preference and are not eligible for any travel allowance.

Use of University Vehicles

All employees driving Denison University vehicles: (1) must be licensed (by the State of Ohio) drivers, (2) will have completed the University Defensive Driving Course, (3) are responsible for checking the condition of the vehicle and reporting any defects, (4) are expected to drive responsibly, including use of safety restraints (seat belts), and in a manner so as to protect other persons as well as university and private property, (5) must comply with Denison University traffic and parking rules and regulations, and (6) are responsible for citations which might be issued. In addition, Denison University vehicles are not to be used for personal use. If involved in an accident, the employee will notify the Department of Campus Security and Safety and the appropriate law enforcement agency, if off campus, immediately and provide all requested information. Reports of all incidents involving university vehicles are forwarded to the university's insurance carrier.

Protection Against Loss of Personal Property in University Buildings by Fire or Theft
Poor driving, repeated violations or failure to follow proper safety procedures, or negligence could result in disciplinary action.

Protection Against Loss of Personal Property in University Buildings by Fire or Theft

Employees are encouraged to minimize the amount of personal effects used in their work. To the extent that the use of personal effects is necessary in your work, you should have your own personal fire and "homeowner" type policy endorsed to include items used while engaged in one's profession.

Policy on the Use of University Keys

Employees may be issued keys to University buildings at the time of employment. Keys are the property of the University and must be returned prior to leaving. Any keys issued are the responsibility of the employee and must be used for the designated purpose only. Keys must not be loaned. Keys that are issued for specific shift use are not to be taken away from the University.

Personal Telephone Calls

Occasionally employees may need to place personal long distance calls. Employees need to use a credit card or place a third party or collect call. The specific directions for placing personal calls are listed in the Denison University Telephone Directory.

Publicity

Publicity releases related to Denison are the exclusive responsibility of the Office of Public Affairs.

Publications

The Denison Daily is an official source of information regarding matters of important and general interest, and is delivered to employees' PC desk tops via email. Information must be given to the Office of Public Affairs prior to 10:30 a.m. preceding the date of issue. Contact Office of Public Affairs to subscribe.

The Weekly Calendar is issued each Friday listing events officially registered on the University Calendar for the coming week and is available through email. Please contact the Office of Public Affairs to subscribe.

The Denisonian is the campus student newspaper published during the school year by the student body.

Acceptable Use Policy For Computer Use

The Denison Magazine is an alumni publication of the University. It is published quarterly and is mailed to each employee's home.

Personnel Policies Handbook for Administrative Staff is distributed to each new employee of the Administrative Staff at the time of employment and covers the general policies and practices of Denison University.

Acceptable Use Policy For Computer Use

Denison University provides all staff access to a wide range of computer services. Many of these services are shared by other staff, faculty and students. As a community we find it essential that all members abide by a set of guidelines to ensure that these services are available to the community in a fair and equitable manner.

An Advisory Committee has published a set of guidelines for the Acceptable Use Policy. For more information on this policy to go to <http://www.denison.edu/offices/computing/policies/> to view the most up-to-date version of policy.

By virtue of your use of Denison's computers and any system accounts which give you access to our network, you agree to abide by this policy.

