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UNIVERSITY POLICIES

2.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

In accordance with federal law and applicable Missouri statutes, it is the University's policy not to discriminate in hiring, compensation, benefits, termination, or any other condition of employment or career development on the basis of age, gender, color, race, religion, disability, veteran's status, national origin, ancestry, or any other protected characteristic as established by law.

Anyone with questions or concerns about discrimination in the work place is encouraged to bring these to the attention of their supervisor or the Director of Human Resources without fear of retaliation. A complaint resolution procedure has been established by the University to assist employees who believe they have been unlawfully discriminated against (see "Complaint Resolution Policy" in this handbook). Employees found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2.2 ANTI-HARASSMENT POLICY

Missouri Southern State University is committed to fostering a work environment where all individuals are treated with respect and dignity. It is, and continues to be, University policy that harassment of employees or applicants for employment is unacceptable conduct, which will not be tolerated.

Under this policy, harassment is written, verbal or physical conduct that degrades or shows hostility or aversion toward an individual because of his/her race, color, ancestry, religion, gender, age, national origin, or disability, and that (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: labels, slurs or negative stereotyping; threatening, intimidating or hostile acts; jokes and display or circulation in the workplace of written or graphic material (including electronic media) that is degrading or shows hostility or aversion toward an individual or group.

Harassment can also be sexual in nature. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when any one of the following occurs: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or (ii) submission to or rejection of such

conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendoes; verbal abuse of a sexual nature; commentary about an individual's body; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including electronic media); and other physical, verbal or visual conduct of a sexual nature.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, the University requires any employee or applicant who believes that he or she has experienced or observed any form of unlawful harassment to document the incident and immediately report it to his or her supervisor or to the Director of Human Resources without fear of retaliation. Individuals are also encouraged to promptly advise the offender(s) that the behavior is unwelcome and request that it be discontinued. The University policy prohibits retaliation against an individual who reports harassment or who participates in an investigation of such reports.

The University will promptly investigate all allegations of harassment in as confidential a manner as possible. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Misconduct constituting retaliation or harassment as defined in this policy will be dealt with appropriately. The University will determine the appropriate disciplinary action to be taken under the circumstances. (Refer to the Progressive Disciplinary Action section in this handbook.)

Individuals who have questions or concerns about this policy should talk with the Director of Human Resources.

2.3 ALCOHOL AND DRUG-FREE WORKPLACE POLICY

In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University -sponsored activity. Only on limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity.

The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user's ability to function, changes the user's behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University's Health Center and the Student Support Center.

The University is committed to the safety and well being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Director of Human Resources within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.

Employees who operate University -licensed commercial sized motor vehicles designed to carry 16 or more people fall under the University's drug and alcohol testing program in accordance with the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation. This program includes pre-employment testing, reasonable suspicion testing, random testing, post-accident testing, return-to-work testing, and follow-up testing for use of alcohol or drugs by employees operating such motor vehicles for the University. A Comprehensive Driver Safety Program Handbook outlining the University's drug and alcohol testing program is given to each covered employee and is available in the Physical Plant Office and the Human Resources Office.

2.4 SMOKING AND TOBACCO USE POLICY

The Board of Governors of Missouri Southern State University prohibits smoking and tobacco use of any kind inside University buildings and in vehicles leased or owned by the University. Smoking and other tobacco usage is only permitted outside of University buildings and vehicles.

2.5 DISABILITY – REASONABLE ACCOMMODATION

The University is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA") and with Section 504 of the Rehabilitation Act of 1973. It is the University's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the

employee or applicant can perform the essential functions of the job, with or without reasonable accommodation.

Consistent with this policy of nondiscrimination, the University will make a good faith effort to provide reasonable accommodation to any qualified individual with a disability, as defined by the ADA, provided that such accommodation does not constitute an undue hardship to the University. Requests for an accommodation should be made to the employee's supervisor and the Director of Human Resources. An employee making a request for an accommodation should provide current documentation of his or her disability from an appropriate professional source. On receipt of an accommodation request, the employee's supervisor and/or the Director of Human Resources will meet with the employee to discuss and identify the precise limitations resulting from the employee's disability and the potential accommodation that the University might make to overcome those limitations.

Employees or job applicants who have questions regarding this policy or believe they have been discriminated against based on a disability should notify their supervisor and/or the Human Resources Office. A complaint resolution procedure is also available to assist employees who believe they have been unlawfully discriminated against based on a disability (see "Complaint Resolution Policy" in this handbook).

2.6 CONFLICTS OF INTEREST AND OUTSIDE EMPLOYMENT

An employee has an obligation to conduct business within legal and ethical guidelines that prohibit actual, potential or perceived conflicts of interest between the employee and the University. A conflict of interest exists when an employee is in a position to influence a decision that might result in personal, financial or political gain for the employee, a relative or friend.

An employee must disclose to his or her supervisor all relevant facts related to activities that might involve a conflict of interest. The University reserves the right to determine when an employee's activities represent a conflict with the University's interests and to take whatever action is necessary to resolve the situation.

If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should contact their supervisor or the Human Resources Director to obtain advice on the issue.

The University recognizes the right of employees to engage in outside employment, business ventures, and other part-time activities that do not create a conflict of interest, provided they do not interfere with an employee's full-time position at the University or detract from an employee's job performance.

However, University facilities and equipment are not to be used in connection with any outside non- University sponsored activities.

Exempt employees wishing to teach part time at MSSU must have prior written approval from their supervisor. If the employee wishes to teach more than 6 semester hours, approvals from the Vice President for Business Affairs and the Vice President for Academic Affairs are also required. Vacation leave is to be used for all class preparation, monitoring and instructional activities during an employee's normal work time. Employees are not to use regular work time for internet class activities. Non-exempt employees are not permitted to teach at MSSU.

2.7 CONFIDENTIALITY

During the course of employment, an employee may have access to confidential, personal and/or sensitive information. Other than the disclosure of information to appropriate management or department employees as required in the performance of their jobs, all information should be treated in the most highly confidential manner. This treatment of information should continue indefinitely. The direct or indirect unauthorized disclosure, unauthorized removal or negligent handling of personal, sensitive or confidential information may result in disciplinary action up to and including termination.

2.8 EMPLOYMENT OF RELATIVES

No person in a full-time or part-time position may be employed, promoted, or transferred to a department where they would be the immediate supervisor of or receive direct supervision from a relative. For the purpose of this policy, the term "relative" shall include persons living together (including roommates), a spouse, child, grandchild, great-grandchild, parent, grandparent, great grandparent, brother/sister, aunt/uncle, great aunt/uncle, niece/nephew, grand niece/nephew and cousin. All relationships are included, whether full-, half-, step-, foster-, adopted, or in-law. An employee who has a question pertaining to the relatives covered by this policy should contact their supervisor or the Human Resources Office.

2.9 KEY POLICY

To be issued a University key or keys, an employee must present to the Public Safety Office a completed Key Request Form. The appropriate official authorized to approve keys for that employee's department must sign this form, which is available from the Public Safety Office. Authorization signatures must be original. The Public Safety Office will maintain a signature file of those individuals who are authorized to control access to buildings or departments. More than one authorization signature may be required for some areas, and the Director of the Physical Plant must approve issuance of a building master key. If

there are changes in the authorizing authority for any building or department, the Public Safety Office should be notified immediately and furnished with new authorization signatures.

Keys issued to an employee must be picked up in person at the Public Safety Office. Employees will be asked at the time they pick up their key(s) to present picture identification and sign a card acknowledging receipt and responsibility for the use of the key(s).

Each employee who is issued a key is responsible for its safekeeping and for any use to which that key is put while issued to that employee. Therefore, if a key is lost, stolen, or not returned, the Public Safety Office and the employee's supervisor should be notified immediately. If the key cannot be found and must be reissued, the appropriate action will be taken. The employee or the employee's department may be held responsible for any incurred expenses as a result of the lost key(s), such as theft of University property, damage to facilities and the cost to re-key University facilities.

Upon termination of employment, transfer of employment, or a change in office location, **keys must be promptly returned to the Public Safety Office, and not to the employee's department.** Keys are not transferable from one employee to another and their return is the responsibility of the employee. A final paycheck will be distributed once all keys issued to an employee have been returned.

The Director of the Physical Plant should be contacted if there are any questions regarding this policy.

2.10 SEVERE WEATHER POLICY

It is the policy of the University to maintain its teaching, public service, and operational activities in accordance with established schedules. To this end, the suspension or cancellation of classes or the temporary suspension of campus operations will be avoided whenever possible.

When University classes are canceled due to severe weather, offices will also be closed. An official announcement of any change or suspension of University events or operations will be issued through the public media (television and radio). When *all* day classes are canceled, the campus is considered closed as of 5 a.m. that day. The decision to cancel day classes due to inclement weather does not pertain to evening classes or evening shift employees. A normal evening schedule will occur unless a separate decision is released to the media canceling such activities. If no announcement is made on local media, employees should assume that work is to continue as planned.

In the event the University is closed due to severe weather, employees are not to report to work unless they are notified or have been given prior instructions to report as part of essential services. Full-time employees will be paid their regular pay for the time the University is closed if they are regularly scheduled to work. Classified employees who are required to work during the hours the University is officially closed will be paid one and one-half times their regular hourly rate in addition to their regular pay. Part time employees do not receive pay for severe weather closings unless they chose to take vacation leave for the time they were scheduled to work.

2.11 UNIVERSITY PROPERTY

The University provides various items to employees for their use in performing their job. This may include, but is not limited to, such items as information, telephones, computers, e-mail access, intranet/internet access, desks, chairs, work stations, tools, supplies, etc. The appropriation or use of University property for private enterprises or similar gain is prohibited. While employees may reasonably use some University property, such as local phone calls, for limited and necessary functions, any abuse of University-owned property could be grounds for serious disciplinary action up to and including termination.

Inspection and Monitoring.

In order to ensure the safety and protection of employees, students and members of the public, as well as to protect the interest of the University in ensuring that its departments operate in an effective and efficient manner, the University reserves the right to inspect any University provided items as well as employees' personal property located on University premises when there are reasonable grounds for suspecting that an inspection or search will turn up evidence that an employee is guilty of work-related misconduct, or that the inspection or search is necessary for a non-investigatory work related purpose. It is the express intention and policy of the University that any such inspection or search be conducted in compliance with prevailing state and federal law. The employee may avoid exposing personal belongings to inspection at work by simply leaving them at home.

The University also reserves the right, except where prohibited by state or federal law, to monitor telephone and computer usage, and to use cameras in all non-restroom areas of its facilities to monitor the activity of any individual on the premises. If this monitoring demonstrates that an employee has exhibited poor performance or improper conduct or activity, he or she will be subject to disciplinary action up to and including termination.