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Introduction

The purpose of the Administrative Policy Manual (APM) is to provide an overview and inform Charles R. Drew (CDU) Administrators of the employment laws, principal rules, regulations, practices, and procedures that are essential to their role in the operations of the University.

CDU Administrators are required to adhere to the policies and procedures described in these various documents and should review them to ensure that all responsibilities are understood. The provisions of the Administrative Policies Manual are subject to changes in applicable statutes, policies, regulations, agreements, and procedures.

The APM does not create a contract between CDU and any of its employees or Administrators. No policies in the APM or any oral interpretation of the policies and procedures create an express or implied contract of employment between CDU, employees, or Administrators regarding the length of service, wages, hours, procedures, policies, benefits, or any terms or conditions of employment.
MESSAGE FROM THE PRESIDENT

Greetings,

I am pleased to present you with the Charles R. Drew University of Medicine and Science Administrative Policy Manual. The manual represents the culmination of over four decades of institutional evolution and growth directed by needs and mandates of the community we serve. Today, Charles R. Drew University educates health professionals who are highly-skilled, knowledgeable and who are committed to improving the lives and health of the medically underserved. Through innovative science and creative clinical approaches to health services, Charles R. Drew University faculty and students address the health and social concerns that are rooted in the minority and urban cultures of our city.

The information contained herein is designed to improve communication between and among departments and provide increased clarity of management policy and operational procedures. Please note that documents in this manual supersede any and all previous editions of these policies.

David M. Carlisle, MD, PhD
President
History of the University

The Charles R. Drew University of Medicine and Science, located in the Watts-Willowbrook area of South Central Los Angeles, were incorporated as a nonprofit, private, postgraduate medical school on August 3, 1966. Signatories of the articles of incorporation were the Charles Drew Medical Society and the medical schools of the University of California at Los Angeles (UCLA) and the University of Southern California (USC). In 1981, with the addition of new programs, the postgraduate purpose of Drew expanded to that of University.

Drew University was designed to be the academic partner of a new hospital constructed in response to the civil disturbances that occurred in Watts in the summer of 1965. Development of a community hospital to serve the area was among the many recommendations of the McCone Commission, which had been appointed to investigate the causes of the unrest and to recommend actions that would prevent its recurrence. Through the leadership of former Supervisor Kenneth Hahn, the Los Angeles County Board of Supervisors authorized construction of the Martin Luther King, Jr. General Hospital, and finally became the King-Drew Medical Center in 1982.

In March 1972, the 394-bed hospital and the medical school opened to receive patients and students. A new undergraduate medical education program was established in 1981 and shortly thereafter, a degree awarding School of Allied Health. These events generated a name change from "postgraduate medical school" to University. Accredited by the Western Association of Schools and Colleges (WASC) as a full-fledged University, Drew has established a reputation as an institution with a mission that goes beyond traditional parameters of education and research. It places both unequivocally within the context of service, acknowledging that teaching models must take into account all the forces that shape health outcomes, It has sought to increase the pool of minority medical and allied health providers to serve its own and other underserved communities by establishing an enviable spectrum of educational programs.

The mission of the Charles R. Drew University of Medicine and Science is:

The University develops a diverse group of health professional leaders who seek social justice, promote wellness, provide care with excellence and compassion, and are uniquely qualified to transform the health of underserved populations through outstanding education, research, and clinical services in the context of community engagement.
THE EMPLOYMENT-AT-WILL RELATIONSHIP

We sincerely hope that your employment relationship with the University will be satisfying and mutually beneficial. We nevertheless believe there are some things you must know. With the exception of employees holding faculty appointments, all employees of Charles R. Drew University are employed on an "at will" basis. This means employees have the right to terminate their employment at any time, for any reason, and CDU can also terminate their employment at any time with or without cause and with or without notice. This Manual does not constitute a contract between the University and the employee. All policy statements, procedures, manuals or documents as well as statements by an employee or representative shall not in any way modify this at will status.

DISCLAIMERS
Employees of the University who are covered by a collective bargaining agreement should consult that agreement for information regarding employment, privileges, responsibilities, and benefits.
POLICY CREATION AND DEVELOPMENT PROCESS

A University Policy is a rule that generally has university-wide applicability. A policy may include governing principles, it may either mandate or constrain action, it may ensure compliance with laws, or it may mitigate the university's risk. It must be approved by the President and Executive Council and the Board of Trustees before it becomes official policy.

Procedures are processes or practices used to implement policy, and generally describe "how" the university intends to carry out its policies. Procedures have narrow application and prone to change as new tools emerge, new processes are designed, and as a response to internal or external environmental changes.

Some departments maintain operational/departmental policy and/or procedures manuals. Although useful and important, they do not meet the criteria above, and therefore are not considered University Policies or Procedures. Some department manuals may be linked to and referenced in the University Administrative Policy Manual (APM) as a convenience to its users.

The provost, executive vice president, vice presidents, deans, and administrative directors are responsible for developing, updating and administering University policy within their respective areas of authority, and are accountable for the accuracy of the subject matter. The Director of Human Resources coordinates the process for creating and revising administrative policy and assist initiators in drafting policies. The Director of Human Resources maintains the master copy of the APM and is also responsible for cataloging current policies, managing University policy web pages and links to other pages on the University's web site; maintaining an archive of retired policies; and communicating new policy to the University community.

The APM is distributed to all University managers, directors, supervisors, and department processors and will be continuously updated with the issuance of revised and/or new policies. A copy of the most current APM is maintained in the Library and on the University web site. The documents contained in this manual supersede any and all previous editions of these policies.

The APM will also be distributed to any CDU employee or faculty member who holds one of the following positions, and/or to whom financial, administrative, or management responsibility has been delegated (this list is not meant to be exhaustive):

- President’s Office
- Provosts
- Deans
- Department Chairs
- Directors
- Managers
- Units Heads
- Principal Investigators
- Departments Business Officers

Our commitment is to review and update policies and procedures continuously; to provide succinct and understandable content and language, and to maintain a developmental environment.
for policies and procedures that encourages participation by all members of the University community. If you have any questions or require assistance at any time with a matter covered by this Manual, do not hesitate to contact the responsible department head, the Vice President or any member of the President's Executive Council.

**President’s Senior Management:**

Carol Zajac, PhD  
Interim Provost  
carolzajac@cdrewu.edu

Gus Gill, M.D., F.A.C.S.  
Senior Advisor to the President  
gusgill@cdrewu.edu

Jaydutt V. Vadgama, PhD  
Associate Vice President Research and Health Affairs  
Interim Executive Vice President of Health and Research  
jayvadgama@cdrewu.edu

Daphne Calmes, MD.  
Interim Dean, College of Medicine  
daphnecalmes@cdrewu.edu

Ronald Edelstein, Ed.D.  
Interim Dean, College of Science and Health  
ronaldedestein@cdrewu.edu

Shirley Evers-Manly, PhD, MSN, BSN, PHN, RN.  
Interim Dean, School of Nursing  
shirleyeversmanly@cdrewu.edu

Angela L. Minniefield, M.P.A.  
Vice President of Strategic Advancement  
angelaminniefield@cdrewu.edu

William L. Shay, PhD.  
Assistant Provost and ALO  
williamshay@cdrewu.edu

John W. Patton, Jr. Esq  
General Counsel  
johnpatton@cdrewu.edu

Nathaniel A. Clark, CIA, CISA, CFE  
Internal Auditor  
nathanielclark@cdrewu.edu

Toni C. ElBoushi, D.M., PHR  
Assistant Vice President and Chief Human Resources Officer  
tonielboushi@cdrewu.edu

Jackie Brown  
Chief of Staff  
jackiebrown@cdrewu.edu
INTRODUCTION

HUMAN RESOURCES PHILOSOPHY

The Charles R. Drew employees make valuable contributions in support of the University’s missions of education, research, and community service. The ability to successfully achieve this mission is evidenced by our efforts to attract, retain, and motivate a highly skilled and diverse workforce that contributes to sustaining this excellence.

The effectiveness of our efforts must be evaluated, measured, and maintained by the results of our human resources leadership and program efforts that value employees and maximize their potential. It is Charles R. Drew’s intent to maintain a workplace that is representative of excellence, community, and innovation.

CHARLES R. DREW’S HUMAN RESOURCES VALUES AND PRINCIPLES

1. Strive for excellence
2. Exhibit values of honesty, integrity, collegiality, and respect for faculty, staff, students, and the community in our work and conduct.
3. Commit to the recruitment, development, and retention of highly qualified staff.
4. Encourage, support, recognize, and reward individual and team performance, creativity, and innovation.
5. Enhance the University’s human resource potential by facilitating responsibility, accountability, and strategic partnering.
6. Commit to effective employee training and development strategies to assure staff expertise and excellence.
## SCOPE OF HUMAN RESOURCES RESPONSIBILITIES

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## PRINCIPLES OF HUMAN RESOURCES MANAGEMENT

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<td>Principle 2</td>
<td>Confidentiality. Any personnel-related documents will be kept confidential. Any personnel-related proceedings will be shared with participants and their representatives and responsible University administrators on a need-to-know basis. Confidentiality shall be respected in accordance with the Employee Handbook and Administrative Policies Manual (APM).</td>
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<td>Principle 3</td>
<td>Policy and Procedures. CDU employees and faculty will be made aware of appropriate policies, procedures and assistance available to them in resolving conflict in accordance with Section I.E.00370 of the Administrative Policies Manual (APM) employees and the Employee Handbook.</td>
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<td>Principle 4</td>
<td>Access to Employee Development. Supervisors will assist and support employees in designing development plans that best meet their needs as a University employee. Whenever possible, funds and release time should be made available to employees. Reference: Policy I.E.00600 of the Administrative Policies Manual (APM) employees and the Employee Handbook.</td>
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<td>Principle 5</td>
<td>Maintenance of Appropriate Personnel Documentation. All personnel-related decisions, understandings and actions will be documented in writing, and should be defensible in an audit situation.</td>
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GENERAL POLICIES
ADMINISTRATIVE POLICY

1. University – level policy revision or issue identified.
2. The responsible University administrator prepares a draft in collaboration with the Director of Human Resources.
3. Review and input process may include but is not limited to:
   a. Executive Council
   b. Staff Management Council (SMC)
   c. Faculty governance groups
   d. Legal counsel
   e. Other University constituents [i.e., Board committee, IRB, Union(s)]
4. Final draft prepared, incorporating input from #3 above.
5. Final approvals from:
   a. Executive Council
   b. Board of Trustees
6. Policy announcement issued by Director of Human Resources.

ACADEMIC POLICY

1. University – level policy revision or issue identified.
2. Draft prepared and submitted to respective college Dean.
3. Review and input process:
   • Executive Council
   • Faculty at-large
   • Legal counsel
   • Other University constituents (i.e., IRB)
4. Final draft
5. Final approvals from:
   • Academic Senate
   • Executive Council
6. Policy announcement issued to University by the responsible Dean
   • Academic Affairs Committee
   • Board of Trustees
CDU Policy I.E.00305 Work Status

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: July 1, 2014; October 29, 2010

SUPERSEDES: CDU Policy I.E.00305, dated September 1, 2004

POLICY I.E.00305 Work Status

A. EMPLOYMENT AT WILL

With the exception of employees holding faculty appointments, all employees of Charles R. Drew University are employed on an "at will" basis. This means employees have the right to terminate their employment at any time, for any reason, and CDU can also terminate their employment at any time with or without cause and with or without notice. This Manual does not constitute a contract between the University and the employee. All policy statements, procedures, manuals or documents as well as statements by an employee or representative shall not in any way modify this at will status.

B. JOB CATEGORIES

1. On Paid Status with the University.

Staff members who fall into one of the work status categories listed below are also either Restricted or Unrestricted. A Restricted position is funded by an outside agency (grant or contract) and is subject to an annual renewal of those funds. An Unrestricted position is funded directly by the University.

- Full-time - A staff member who is regularly scheduled to work 40 hours per week.
- Part-time - A staff member who is regularly scheduled to work less than 40 hours per week.
- Probationary - A full-time or part-time employee (restricted or unrestricted) who has not completed the six-month or 1 year probationary period.
- Temporary - A staff member who is scheduled to work for a period not to exceed 12 months. Temporary staff members must be separated from the University once they have reached the 12 month limit.
- **Recurrent** - A staff member who works intermittently or whose work schedule is generally not predetermined (i.e., on call).

- **Inactive** - Unless otherwise compelled by law, a staff member whose leave of absence exceeds six months will be placed on inactive status. While on inactive status, the employee is not eligible for benefits and must pay the health insurance premiums to continue coverage.

2. **Not On University Payroll**

Listed below are work status categories that are not on the University Payroll.

- Temporary Agency Worker - An individual who performs work for the University but is on the payroll of a temporary staffing agency.

- Independent Contractor - An individual or firm who renders a service and meets independent contractor conditions as established by Internal Revenue Service criteria. The services offered are generally offered to other organizations and may be advertised in local newspapers or telephone directory. Refer to CDU – APM I.E.00 (Consultants)

**PROCEDURE I.E.00305 Work Status**

1. To effect a personnel action for staff members on the University payroll, please follow the guidelines in CDU – APM I.E.00490 (Recruitment and Employment).

2. Temporary Agency Workers - Complete a Request for Temporary Services form, secure the signature of the Department Head or Principal Investigator, and submit it to the Department of Human Resources for processing.

3. Independent Contractors - The rules for determining whether an individual is an employee or Independent Contractor are defined by law. Independent Contractor services may only be engaged through the Procurement Office. Refer to CDU – APM I.E.00490 (Consultants).
CDU Policy I.E.00310 Contract Review and Approval

ISSUING OFFICER: Legal Affairs

RESPONSIBLE OFFICE: Legal Affairs

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E. 00310, dated September 1, 2004

POLICY #I.E. 00310 Contract Review and Approval

1. The Board of Trustees has authorized the President to sign all contracts, agreements and other documents that bind the Charles R. Drew University financially, or otherwise. The President may delegate that authority to specific employees of the University.

2. Contracts, agreements, grant proposals, and other documents will be reviewed and approved as to form and content pursuant to the Contract Review Schema.

3. The Legal Affairs Office should be consulted regarding provisions of this policy and related procedures.

PROCEDURE # I.E. 00310 Contract Review and Approval

1. The designated University officer initiates the review process (see Contract Review Schema).

2. Original documents and copies are maintained and distributed by the designated University officer(s).
CDU Policy I.E00320 Affirmative Action

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  October 29, 2010

SUPERSEDES:  CDU Policy I.E.00320, dated September 1, 2004

POLICY I.E.00320 Affirmative Action

Charles R. Drew University is committed to the principles of affirmative action. It is the policy of the University to do all in its power to eliminate unlawful discriminatory employment conditions, either intentional or unintentional, for all applicants and employees. The University does not discriminate on the basis of race, color, religion, national origin, sexual orientation, actual or perceived gender identity, citizenship status, pregnancy, age, disability, protected veterans status or any other protected characteristic as defined by law, in employment or in admission to or in the operation of its training or educational programs and activities as prescribed by all applicable federal, state and local laws, including Executive Order 11246, as amended, the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans Rehabilitation Act of 1974, as amended. Inquiries concerning the application of these regulations may be directed to the Department of Human Resources.

The Charles Drew University Affirmative Action Program is designed to outline employment provisions for all qualified applicants.

All human resources policies shall be in compliance with Title VII of the Civil Rights Act of 1964 and all state and federal laws, rules and regulations, including Presidential Executive Order 11246, as amended by Executive Order 11375.

Applicability: All Staff and Faculty Members
ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00330, dated September 1, 2004

POLICY I.E.00330 Non-Discrimination in Employment

It is the policy of Charles R. Drew University not to engage in discrimination or harassment against any person employed by or seeking employment with the Charles R. Drew University on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994). This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

A. RETALIATION

Charles R. Drew University also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

B. COMPLAINTS

Information regarding applicable policies and procedures for resolving complaints of discrimination and harassment and for pursuing available remedies is available in HR.

Applicability: Employees, Administrators, and Faculty.

1 Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy and childbirth.
2 Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

3 "Genetic information (including family medical history)"

PROCEDURE I.E.00330 Non-Discrimination in Employment

REFERENCES AND RELATED POLICIES

CDU-APM I.E.00330 (Nondiscrimination in Employment)
CDU-APM I.E.00640 (Complaint Resolution)

A. DISCRIMINATION/AFFIRMATIVE ACTION COMPLAINT RESOLUTION

HR has the responsibility for processing all discrimination complaints received from government agencies such as the Equal Employment Opportunity Commission (EEOC), Department of Fair Employment and Housing (DFEH), Department of Labor (DOL), and the Office of Civil Rights (list not inclusive) according to the procedures outlined below:

1. Upon receipt of a complaint, the original should be forward to HR. A copy shall be forwarded to Campus Counsel, Office of the President, appropriate department manager(s), and campus official(s).

   a) If the complainant is an employee, the Department of Human Resources shall confer with the appropriate department manager(s) and or campus official(s) on the current status of any complaints or actions and to obtain pertinent background information.

   b) If the complainant is an applicant, the Department of Human Resources shall confer with the appropriate hiring manager(s) and or campus official(s) for background information.

2. The Department of Human Resources will investigate the complaint and will have access to all records, department managers, officials and employees.

3. Upon completion of the investigation, the Department of Human Resources will review the findings with Campus Counsel, Office of the President, appropriate department manager(s), and or campus official(s).

4. Depending upon each agency's procedures, the University's response will either be sent directly to the agency, or held in HR until requested. When the response is sent to the agency, copies shall be forwarded to Campus Counsel, Office of the President, the appropriate department manager(s) and campus official(s).

5. If recommendations for resolution of the complaint are to be made at any time during the campus investigation or agency negotiation process, the recommendations shall first be reviewed by Campus Counsel for policy and
procedural implications. The Department of Human Resources will then submit the recommendations for resolution of the complaint to the Department Head.

6. If the complaint is not resolved at the Department Head level, the findings and recommendations will be submitted to campus official(s) and/or Office of the President prior to submission for any further action.

7. Any action taken by the appropriate campus official(s) and/or Office of the President, and any settlement agreement or other type of closure letter, will be disseminated to those persons listed in numbers 1 and 4 above.

Applicability: All Employees and Faculty
ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00340, dated September 1, 2004

REFERENCES AND RELATED POLICIES

CDU-APM I.E00490 (Recruitment)
CDU-APM I.E.00680 (Leave of Absence)
CDU-APM I.E.00740 (Work Incurred Illness and Injury)
CDU-APM I.E.00760 (Medical Separation)
CDU-APM I.E.00740 (Reasonable Accommodation)

POLICY I.E.00340 Americans with Disabilities – Reasonable Accommodation

A. GENERAL

It is the policy of Charles R. Drew University to comply with all federal and state laws concerning the employment of persons with disabilities. The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the University’s policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. ADA also applies to the United States Congress. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered.
B. GENERAL

The University provides reasonable accommodation to otherwise qualified employees who are disabled or become disabled and need assistance to perform the essential functions of their positions. Reasonable Accommodation is addressed through the use of the interactive process to determine what, if any, reasonable accommodation will be made. The Department of Human Resources is responsible for implementing and facilitating resolutions of reasonable accommodations, safety and undue hardships.

C. THE INTERACTIVE PROCESS

The interactive process is an ongoing dialogue between the employee and appropriate representatives (e.g., a department or unit head, HR, and Risk Management) of the University about possible options for reasonably accommodating the employee's disability. Options may include, but are not limited to: a modified work schedule; a leave of absence; reassignment; modified equipment; assistive devices; modification of existing facilities; and restructuring the job. Both the University and the employee are expected to participate in the interactive process.

During the interactive process the University considers information related to: the essential functions of the job, functional limitations; possible accommodations; the reasonableness of possible accommodations; and implementation of a reasonable accommodation. This information will be used by the University to determine what, if any, reasonable accommodation will be made.

University wide and local procedures provide further guidance on the implementation of the interactive process.

An employee may start the interactive process by asking for an accommodation. A request for reasonable accommodation is a statement that an employee needs a work-related adjustment or change for a reason related to a mental or physical disability. A request may be made orally or in writing by the employee, or by someone on his or her behalf.

The supervisor should attempt to engage in the interactive process if he or she becomes aware of the disability and the possible need for an accommodation (e.g., an employee mentions a difficulty in performing work duties due to medical treatment for a health condition).

Once the University is informed or becomes aware of the need for an accommodation, the University will coordinate the interactive process. Participants in the process should include the employee, the employee's health care provider, and other appropriate University representatives.

The employee must respond to reasonable requests for information in a timely manner and must engage in the interactive process. The interactive process includes the following steps:

1. Analyze the job requirements and identify essential and non-essential job functions
A job function is essential if the job exists to perform that function. For example, for a position as a proofreader, the ability to read documents accurately is an essential function because that is the reason the position exists.

Additionally, a job function may be essential because of the limited number of employees available to perform the function, or among whom the function can be distributed.

2. Identify job-related limitations by consulting with the employee and by reviewing documented functional limitations

The employee and his or her health care provider must provide documented information concerning the employee's work restrictions. A current job description that outlines essential and non-essential job functions must be used by the health care provider to determine functional capabilities information and as a basis for recommendations for the University to consider.

3. Identify possible reasonable accommodations

Generally, a reasonable accommodation is one that effectively enables an employee to perform the essential functions of the job. The University and the employee should identify possible reasonable accommodations. Examples include, but are not limited to:

- transfer of non-essential job functions to another employee;
- ergonomic adjustments;
- time off for medical visits;
- modification of work tools or equipment;
- modified work schedule;
- leaves of absence;
- assistive devices; and
- modification of existing facilities

When other accommodations are not effective, reassignment to an active, vacant position for which the employee is qualified with or without accommodations, may be required.

4. Assess whether the proposed accommodation poses an undue hardship

The University need not provide a requested accommodation if to do so would pose an undue hardship. This determination is made on a case-by-case basis. Undue hardship is defined as any action requiring significant difficulty or expense, taking into account such factors as:

- the nature and cost of the accommodation;
- the overall financial resources of the campus;
- the number of persons employed in the facility;
- the effect of the reasonable accommodation on resources; and
- the impact of the accommodation on operations
No single factor is intended to have any particular weight. Rather, all the factors are considered together in determining whether providing an accommodation imposes an undue hardship on the campus.

5. Implement the reasonable accommodation

Once the reasonable accommodation is implemented, the employee and supervisor (and co-workers, where appropriate) should become fully familiar with any changes in their roles and responsibilities so that the accommodation plan may be fully realized.

6. Monitor effectiveness of the reasonable accommodation

Any changes in circumstances, whether in the employee's condition or in workplace factors, may warrant a re-evaluation of the reasonable accommodation. For example, the receipt of new information regarding functional limitation generates a dialogue between the University and the employee to determine next steps based on the new information.

The interactive process is an ongoing obligation. If a given accommodation is not effective or no longer effective, the University and the employee must continue to engage in the interactive process to identify possible alternatives, or additional accommodations.

7. Documentation

A written record should be kept of the interactive process and any reasonable accommodation that is considered and/or implemented.

D. MEDICAL DOCUMENTATION

The employee is responsible for providing medical documentation to assist in assessing the extent of the employee's functional limitations and facilitate the interactive process to determine possible reasonable accommodations.

This documentation may be subject to confirmation by a University-appointed licensed healthcare provider. When necessary, the University may require that the employee be examined by a University-appointed licensed healthcare provider. In such a case, the University pays the costs of any medical examinations requested or required by the University.

E. SPECIAL SELECTION

Any employee who becomes disabled may be selected for a position which has not been publicized (see CDU-APM I.E.00490, Exceptions to Recruitment).

An employee who becomes disabled may be selected for an open position for which they qualify, and may be considered for open positions over non-disabled applicants. The local Vocational Rehabilitation Counselor, or an appropriate University representative, will assist the disabled employee with alternate job placement.
F. GENERAL

The University shall make reasonable accommodation for all known disabilities of a qualified individual with a disability (QID) or any employee who has been injured on the job. The decision to offer reasonable accommodation to a QID/QIW shall be made on a case-by-case basis after evaluation of the relevant facts.

Reasonable accommodation may include:

a) Making existing facilities used by employees readily accessible to QID/QIWs;

b) Job restructuring, i.e., modifying a job so that a person with a disability can perform the essential functions of the position through the elimination of non-essential elements of the job, re-delegation of assignments, exchanging assignments with other employees or redesigning procedures;

c) Initiating part-time or modified work schedules;

d) Acquiring or modifying equipment or devices;

e) Appropriately adjusting or modifying employment examinations, training materials or local practices;

f) Providing qualified readers or interpreters; or

g) Reassigning or referring a QID/QIW to an active vacant position

G. MEDICAL DOCUMENTATION

Refer to CDU-APM I.E.00490 (Reasonable Accommodation) Section C.

H. VOCATIONAL REHABILITATION

In the process of determining reasonable accommodation, HR or Risk Management may:

a) Conduct a job analysis to determine essential job functions;

b) Determine, with information obtained from management and the employee, how the disability limits performance of the essential functions;

c) Identify options for reasonable accommodations;

d) Propose appropriate accommodations for the QID/QIW based on the relevant facts; and/or

e) Submit findings to management
I. LIMITATIONS

The University is not required to accommodate any disability if it creates an undue hardship or poses a direct threat to the University or its employees. The finding of undue hardship or direct threat shall be made by the University. Applicability: All Employees and Faculty

J. GENERAL

A regular status employee who becomes unable to perform essential functions of his or her position with or without reasonable accommodation, due to a disability, may be separated. Prior to medical separation, the University will engage in the interactive process in accordance with the provisions of CDU – APM I.E.0740 Reasonable Accommodation.

K. BASIS FOR SEPARATION

Analysis and evaluation of the employee's ability to perform the essential job functions should be made in consultation with the Department of Human Resources and the Vocational Rehabilitation Counselor in the Office of Risk Management. The employee's ability to perform essential job functions with reasonable accommodation, in accordance with the federal Americans with Disabilities (ADA) Act, shall be considered in the analysis.

If it is determined that an employee will be unable to return to work for an indefinite period due to a medical condition that is not work-incurred, the department is encouraged to evaluate, on a case-by-case basis, whether medical separation should occur after the employee has been on medical leave for six (6) months. This evaluation should be made in consultation with the Department of Human Resources and the Vocational Rehabilitation Counselor.

L. NOTICES

The employee should be advised in the medical separation notification of his or her eligibility for special reappointment procedures following medical separation. Refer to CDU – APM I.E.00490 (Recruitment), CDU – APM I.E.00740 (Reasonable Accommodation). Employees must also be advised of their COBRA rights.

Copies of all notices of medical separation must be provided to the Department of Human Resources. The Department of Human Resources will review each notice to determine if the employee is eligible for any continuing University-sponsored benefits (for example Disability Income).

PROCEDURE I.E.00340 Americans with Disabilities – Reasonable Accommodation

A. GENERAL

Prior to any medical separation, the University will engage in the interactive process in accordance with the provisions of CDU – APM I.E.00740 Reasonable Accommodation.
B. BASIS FOR SEPARATION

A medical separation is based on:

1. A written statement by the department head describing the essential functions the employee is unable to perform, and
2. A written review by a vocational rehabilitation counselor, or the Department of Human Resources, determining that no reasonable accommodation exists without causing an undue hardship.

The written statement by the department head should contain the following:

1. The essential functions of the position that the employee is unable to perform, with or without reasonable accommodation, due to their disability or medical condition;
2. An explanation of why the employee cannot be reasonably accommodated within the department, including, where applicable, whether reasonable accommodations were attempted and failed;
3. Written documentation of the Interactive Process within the department; and
4. Other pertinent information.

A current job description, documentation of functional limitations, and any other information relevant to the medical separation will accompany the written statement. All documents will be submitted to the local vocational rehabilitation counselor, or the Department of Human Resources for review.

The vocational rehabilitation counselor, or the Department of Human Resources, reviews and analyzes the written statement and accompanying materials to ensure that the Interactive Process was appropriately completed at the Departmental level.

The vocational rehabilitation counselor, or appropriate University representative, is responsible for continuing the Interactive Process until a review for reasonable accommodation is completed. This effort will be documented and include an explanation of why the employee cannot be reasonably accommodated.

If the employee cannot be reasonable accommodated at the end of the interactive process, the department may propose medical separation.

A medical separation may also be based on:

1. the employee's receipt or approval of disability payments
2. a written review by a vocational rehabilitation counselor, or the Department of Human Resources, determining that no reasonable accommodation exists without causing undue hardship. (Employee may waive this review.)

Note: An employee may not be separated under this policy while on sick leave. However, an employee may be separated if the date of separation was set prior to the commencement of sick leave.
C. MEDICAL DOCUMENTATION

Proof of the employee's disability or medical condition is required and is subject to verification by the Department of Human Resources, a University-appointed licensed healthcare provider, or Legal Counsel. The University pays the costs of any medical examinations requested or required by the University. Under no circumstance should management verify an employee’s disability, medical condition, or medical documentation.

D. NOTICES

The notice will:
1. State the reason for medical separation;
2. Include a copy of the department head's statement and any other pertinent material, including documentation related to the interactive process and reasonable accommodation, if any;

A copy of the final notice of medical separation is placed in the employee's personnel file. Any associated medical documentation should be treated as confidential medical records for purposes of record storage.

Applicability: All Staff Members
CDU Policy I.E.00350 Lactation Accommodation

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00350 Lactation Accommodation

REFERENCES AND RELATED POLICIES

CDU-APM I.E.00300 (Non-Discrimination in Employment)
CDU-APM I.E.00555 (Hours of Work)

At Charles R. Drew University, employees who need lactation accommodation in accordance with the following state laws:

A. California Assembly Concurrent Resolution ACR 155 (1998) encourages employers (including Charles R. Drew University) to support the practice of breastfeeding, to accommodate the needs of lactating employees, and to provide facilities for breastfeeding and expressing milk.

B. Section California Labor Code §§ 1030-1033 and Federal Labor Code 29 U.S.C. § 207 requires all employers to provide nursing mothers a reasonable amount of time to express breast milk for their infant children. The time may run concurrently with the employee’s paid rest break.

C. The law also requires employers to provide appropriate space, in proximity to the lactating employee's work area, for the nursing mother to express milk in private.
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<td><strong>Subject Employees</strong></td>
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<td><strong>Amount of time</strong></td>
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| **Restrictions on use of time** | Break time should run concurrently with the employee’s existing break time  
No specific limit on “infant child’s” age | Allowed “each time such employee has need”  
Employee allowed to take breaks until child is one year old |
| **Paid or unpaid**           | If time does not run concurrently with employee’s existing (paid) break time, time off can be unpaid | Unpaid |
| **Location**                 | Employer must make “reasonable efforts” to provide a room or other location, other than a toilet stall, in close proximity to employee’s work area | Location must be “shielded from view” and “free from intrusion”  
Cannot be a bathroom |
| **Exceptions**               | If providing break time would “seriously disrupt the operations of the employer” | If employer has fewer than 50 employees and would experience an “undue hardship” in the course of providing the breaks, based on weighing the “significant difficulty or expense” of providing breaks against the “size, financial resources, nature, or structure” of the business |
| **Penalty**                  | $100 civil penalty per violation  
Labor Commissioner may issue a citation | To be determined by the Department of Labor |
A. GUIDELINES

The University is committed to promoting a family-friendly work environment by providing programs and services to help employees achieve success at work and in their personal lives. To that effect, employees and management are encouraged to be accepting of nursing mothers, and departments will provide a location and a reasonable amount of time to accommodate their lactation needs pursuant to state and federal laws.

B. LACTATION BREAKS

1. The time may run concurrently with an employee’s paid break time.
2. The University must make separate time available if it is not possible for the lactation time to run concurrently with the employee’s existing break time, but it may be unpaid.

C. LACTATION FACILITIES

1. Appropriate private space shall be provided with reasonable nursing mother’s work area.
2. The location may be the place where the nursing mother normally works if there is adequate privacy (e.g., the employee’s private office or a conference room that can be secured).
3. Areas such as restrooms, closets or storage areas are not considered appropriate spaces for lactation purposes.

PROCEDURE I.E.00350 Lactation Accommodation

A. Lactation Accommodation Requests

1. An employee who has need for lactation accommodation should inform her supervisor and discuss any relevant workload or scheduling issues.
2. Supervisors who receive a lactation accommodation request are advised to do the following:
   a. Review available space in the department and prepare to provide appropriate nearby space and break time.
   b. If the supervisor is unable to locate appropriate space to meet an employee’s request, the Department of Human Resources should be contacted for advice and assistance.

B. Compliance

1. The University may refuse to accommodate a nursing mother only if its operations would be “seriously disrupted” by providing lactation time in accordance with applicable laws.
2. Any intent to refuse accommodation by a department head or supervisor must be made on a case-by-case basis and must include prior consultation with the Department of Human Resources.
3. Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact the Department of Human Resources.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00360 Code of Conduct

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00360, dated September 1, 2004

POLICY I.E.00360 Code of Conduct

REFERENCES AND RELATED POLICIES

CDU-APM I.E.00390 (Consensual Relationships and Professional Behavior)
CDU-APM I.D.00010 (Finance Policies)
CDU-APM I.E.00650 (Records Retention)
CDU-APM I.E.00370 (Conflict of Interest)

The University has a fiduciary responsibility to fulfill its mission in compliance with applicable policies, laws, regulations, contracts, grants and donor restrictions. All employees are entrusted with the responsibility of preserving University resources and using those resources in a prudent manner for their designated purposes.

Codes of Conduct are intended to serve as a guide for each employee’s conduct. Recognizing that it is impossible to describe all of the types of conduct that could lead to legal or ethical problems, the University depends upon each employee to rely upon his or her best judgment with the understanding that problematic ethical questions should be referred to their supervisors.

The objective of Codes of Conduct (i.e., Code) is to provide employees with an overview of the University’s ethical expectations. This Code is designed to alert you to the types of conduct that could create risk exposures for the University and the employee. Failure to adhere to the Codes may jeopardize the University’s reputation and standing; subject Charles Drew University to regulatory or legal sanctions; and/or, lead to disciplinary action, including the possibility of discharge from employment.

Any employee who knows or has reason to believe that a University process, activity, or transaction is not in compliance with the below Codes shall promptly report such matter to their immediate supervisor. Financial and ethical Code infractions can also be reported to the University Auditor or anonymously reported on the University’s Alert Line - (800) 716-9007 or log on to www.MySafeCampus.com.
A. RESPECT FOR PERSONS AND PROPERTY

1. Charles Drew University places a high value on human relations, human diversity and human rights. Consistent with these values, the University strives to maintain a work environment that is characterized by mutual respect for all individuals.

2. Members of the Charles Drew University community must be responsible caretakers of the University’s resources. Consistent with this value, employees are expected to exercise reasonable care in the use of University property and to report any damage to University property to their immediate supervisor.

B. EMPLOYEE CONDUCT

1. Each officer, department chair/head, faculty, administrator and employee must perform his or her employment responsibilities in good faith, in a manner that he or she reasonably believes to be in the best interest of the University and, with due care that a reasonably prudent person in the same position would use under similar circumstances.

2. Employees must avoid all illegal conduct and are expected to avoid efforts to circumvent laws, regulations and University policies and procedures by devious means or questionable interpretations. No employee shall take any action that he or she knows or should know is in violation of any statute, rule or regulation.

3. Each employee should be open and honest in his or her business relationships with other employees and students. It is unacceptable to provide information that is known to be inaccurate, misleading or incomplete.

C. SUPERVISORY – SUBORDINATE RELATIONSHIPS

(A) The supervisory/subordinate relation should be guided by professional conduct and fiduciary duty. Supervisory - subordinate romantic or sexual relationships carry a risk of conflict of interest, breach of trust, and abuse of power and therefore must be avoided.

(B) Violations of this Code will be considered misconduct on the part of a faculty member and will be subject to University sanctions up to and including termination of appointment.

D. RESEARCH ETHICS

The University is committed to research excellence. Management, faculty and employees must create and maintain a research climate of privacy and integrity. All research must be conducted free from conflict of interest or financial impropriety. Any human being asked to participate in any research activity will be given a full explanation of expected benefits and potential risks. All Principle Investigators and staff involved in conducting research
must comply with regulatory standards regarding the protection of human research subjects and the use of animals.

E. IMPROPER PAYMENTS

No employee shall engage, either directly or indirectly, in any corrupt business practice, including bribery, kickbacks or payoffs, intended to induce, influence or reward favorable decisions of any government personnel or representative, any customer, contractor or vendor in a commercial transaction, or any person in a position to benefit the University or the employee. No employee shall make or offer to make any payment or provide any other item of value to another person or entity with the understanding or intention that such payment is to be used for an unlawful or improper purpose.

F. DEALING WITH ACCREDITING BODIES

Charles Drew University will deal with all accrediting bodies in a direct, open and honest manner. Under no circumstances should an employee directly or indirectly mislead an accredits or the survey team.

G. INTEGRITY OF FINANCIAL REPORTING

a. Management shall ensure that assets and liabilities are accounted for properly in compliance with all tax and financial reporting requirements, generally accepted accounting principles, and established University accounting, control, and financial reporting policies. All items of income and expense and all assets and liabilities shall be entered on the University’s financial records. All reports submitted to governmental authorities shall be accurately made, all transactions shall be executed in accordance with management’s authorization, and access to assets shall be permitted only in accordance with such authorization.

b. The University’s Finance Department adopts guidelines and policies regarding internal controls, as well as guidelines and policies applicable to financial reporting, for specific transactions. Those guidelines and policies are adopted by reference herein, and the financial officers and employees whose responsibilities fall within the administrative and financial areas must review and comply with these guidelines and policy statements.

H. CONTROL OF FUNDS

Each officer, dean, department chair/head, or administrator must monitor the commitment and expenditure of University funds by persons under his or her authority. To that end, reasonable assurances should be made that expenditures or transfers of University funds are supported by documentation, made for valid business purposes, and are properly authorized and recorded on the University’s books.
I. ACCURACY, RETENTION, AND DISPOSAL OF DOCUMENTS AND RECORDS

Each employee is responsible for the integrity and accuracy of University documents and records and compliance with regulatory and legal requirements. Furthermore, assurance should be made that records are available to support the University’s business practices and actions. No one may alter or falsify University records or documents.

J. CONFLICTS OF INTEREST

Employment with the University involves a relationship of trust and loyalty. Employees must be free from any influence that might interfere with the proper and efficient discharge of their duties or be inconsistent with their obligations or loyalty to the University. All employees should refer to the University’s Conflict of Interest Policy.

K. OFFICERS, DEANS, DEPARTMENT CHAIRS/HEADS, ADMINISTRATORS

It is the responsibility of all officers, deans, department chairs/heads and administrators to comply with the Code, to ensure that the employees they supervise understand and comply with its terms, and to provide guidance for employees on the meaning and applicability of the Code. In addition, officers, deans, department chairs/heads and administrators are responsible for maintaining regular programs for familiarizing personnel with matters pertinent to the Code in their areas of operation.

Applicability: All Employees and Faculty
CDU Policy I.300370 Conflict of Interest

ISSUING OFFICER:

RESPONSIBLE OFFICE:  Department of Audit and Compliance

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  January 25, 2011

SUPERSEDES:  CDU Policy I.E. 00370, dated September 1, 2004

POLICY #I.300370 Conflict of Interest

It is the University’s policy to forbid employees from having a financial interest in any other business that competes with the University, except where such ownership consists of securities of a publicly owned corporation regularly traded on the public stock market. The University’s policy also forbids engaging in, directing, managing, or consulting for a business or businesses that compete with the University without the express written consent of the President or his or her designate. If an employee thinks that there is a possibility that they may have a conflict of interest, it is the Employee’s responsibility to notify the Director of Internal Audit and request approval before becoming engaged in outside activities or relationships that could violate this policy.

1. Employees are required to complete a conflict of interest statement at hire and annually thereafter and disclose any potential conflicts of interest from other employment or other sources, including holding a financial interest in companies doing business with the University. Failure to disclose a conflict of interest or falsification of this statement may be ground for disciplinary action up to and including termination.

2. Charles Drew University requires the highest standards of conduct and honesty of its directors, officers, faculty and staff. It is the obligation of Trustees, employees and all persons and organizations contracting to provide services to the University to avoid involvement in activities that might conflict or appear to conflict with their own personal, professional or business interests and the interest of the University. University Trustees, management and staff must be aware that decision making in matters in which a conflict of interest may exist could create an appearance of impropriety.

3. Employees having an interest in suppliers of goods, services, and leases directly or through family, personal, or business connections must not undertake to act for the University in any transaction involving that interest.
4. Employees must not participate in the selection, award or administration of a contract if they are considering employment with a potential University contractor or supplier of goods or services.

5. Employees shall avoid outside employment involving obligations which may in any way conflict or appear to conflict with the University’s interests. A conflict of time commitment is considered to exist if outside activities impact the employees’ ability to fulfill his/her job responsibilities.

6. Employees shall provide full written disclosure of a business or a financial arrangement which might influence, or appear to have the capacity to influence, his/her official decisions or actions on University matters. Revised disclosures shall be made when significant changes occur.

7. Employees who have the authority to spend or commit University resources shall make disclosure a matter of record through the annual completion of a disclosure statement.

8. Failure to disclose actual or potential conflicts of interest may be cause for disciplinary action, up to and including termination of employment.

9. Employees are encouraged to seek advance consultation from the Department of Human Resources on matters which may involve, or appear to involve, a conflict of interest. The employee should refrain from participating in any way in the matter until and unless it is determined that a conflict does not exist and participation is authorized.

10. Employees must refrain from personal and/or outside business activities in which they could use or might appear to have the opportunity to use their position for personal gain.

11. Employees must refrain from unauthorized disclosure of non-public information concerning the University’s investment decisions; its property development, sale or acquisition; and its purchasing plans or its contracting activities.

12. Accepting personal gifts and favors from persons or organizations with which the University has a business relationship is discouraged. Personal gifts of more than nominal value ($25.00) should be tactfully declined or returned to avoid the appearance or suggestion of improper influence. Employees involved in the awarding or administration of contracts using federal or other government funds must keep in mind that the law prohibits soliciting or accepting gratuities, favors or things of monetary value from contractors or potential contractors.

13. Employees shall not act or participate in University matters involving a member of his/her immediate or extended family, including but not limited to matters affecting such family members’ employment, evaluation or advancement in the University, without first making full disclosure. Such disclosure shall be in writing and include the nature of the familial relationship and the impact or potential impact of the employee’s action on such family
member. The disclosure shall be made in advance of actions taken relevant to the family member.

PROCEDURE I.300370 Conflict of Interest

1. If an employee finds that he/she is faced with a possible conflict of commitment or conflict of interest, the employee shall complete the Conflict of Interest Disclosure Questionnaire and submit it to the Department of Audit and Compliance.

2. If an employee has knowledge of a possible or actual conflict involving another employee, the employee who has acquired the information has an affirmative duty to disclose such information to the Department of Audit and Compliance.

3. The Department of Human Resources will provide a copy of this policy to all new employees on the first day of employment during New Hire Orientation.

4. Designated employees shall be notified annually to complete and submit a Conflict of Interest Questionnaire and to update the questionnaire whenever material changes occur.

5. The Procurement Department will ensure that all vendors and independent contractors complete the Report of Gifts, Gratuities and Conflict of Interest Questionnaire. Continuing vendors shall complete the Conflict of Interest Questionnaire annually.

Applicability: All Staff and Faculty Members
POLICY I.E.00380 Near Relatives

REFERENCES AND RELATED POLICIES

   CDU-APM I.E.00370 (Conflict of Interest)
   CDU-APM I.E.00490 (Recruitment and Employment)
   CDU-APM I.E.00330 (Non-Discrimination in Employment)

Consistent with Charles R. Drew’s policy on equal employment opportunity and non-discrimination in employment, the employment of near relatives in the same department shall be permitted when concurrent employment would be in the best interest of the University, however, such employment relationships are strongly discouraged and should be avoided.

A. DEFINITION OF NEAR RELATIVE

For the purpose of this policy, a near relative is defined as a spouse, domestic partner, parent, child (including the child of a domestic partner), or siblings. In-laws and step-relatives in the relationships listed, including relatives of the domestic partner who would be covered if the domestic partner were the employee’s spouse, are also defined as near relatives.

B. CONFLICT OF INTEREST

Hiring near relatives who work in the same department could lead to the appearance of an actual conflict of interest. *Under no circumstance shall a supervisor-subordinate relationship exist between near relatives.*

The types of work situations which require prior approval are positions in which the near relatives:

1. would have a supervisory relationship with each other;
2. would have the same immediate supervisor,
3. would have a close working relationship,
4. when two employees become near relatives (e.g., through marriage, adoption, etc.), and
5. any of the work situations identified above become relevant

The hiring authority shall request prior approval (i.e., Department Chair; Administrative Vice President; Senior Administrator; Dean of the College; or the Director of Human Resources) to make a job offer to a near relative in the case of any competitive (open-recruitment) position or extending the appointment of any current employee. All such requests seeking approval must be signed off by the Organization Head.

Applicability: All Staff Employees and Faculty

C. NON-COMPLIANCE - CONFLICT OF INTEREST

1. It is the responsibility of each person in a near relative relationship to disclose the relationship immediately by completing a Conflict of Interest Disclosure form.
2. The completed form should be promptly filed with the University Auditor.
3. Failure to disclose near relative relationships may be grounds for disciplinary action up to and including termination from the University.
4. Disciplinary action applies to the supervisor of the near relatives if s/he was aware of the relationship and failed to immediately report or remedy the situation.
5. Failure to comply with the Conflict of Interest Policy or its clarifications may be grounds for disciplinary action up to and including termination from the university for either or both of the near relatives, the supervisor, and/or the Department Chair.

D. RECRUITMENT

Refer to CDU-APM I.E.00490 (Recruitment and Employment) Section A

PROCEDURES I.E.00380 Near Relatives

1. A determination that a near relative(s) is the best candidate for an open position by a Department Chair, Vice President or Senior Administrator requires the submission of a written statement of findings and justification for the hiring/appointing of candidate(s). The written statement of findings and justifications shall be submitted to the Dean of the College or the Chief of Staff.

2. A specific and detailed plan for supervision of the new employee/faculty member(s) must be documented. The document must include the following:

   a. supervisor’s name
   b. the frequency and type of supervision
   c. monitoring activity (i.e., oversight of the responsible supervisor named
   d. a documented affirmation that a new or revised Conflict of Interest Disclosure has been completed and forwarded to the University Auditor
3. Prior to offering a position, the aforementioned detailed plan must be approved in writing by the responsible:

   a. Department Chair; Vice President; or Senior Administrator
   b. Dean of the College
   c. Director of Human Resources

4. Annually, the responsible supervisor must prepare a written annual report summarizing the:

   a. status of the near relative relationship
   b. changes to the relationship and/or near relative supervisory and monitoring practices.

5. The supervisor is responsible for submitting the annual report the Department Chair, the Dean of the College, the Vice President or the Senior Administrator for review, comment and approval.

6. The Director of Human Resources will assure that the annual written reports are reviewed and filed each year with the Department of Human Resources. The Director of Human Resources will notify the University Auditor of any exceptions to the Conflict of Interest Policy including the near relative relationship clarifications.

Applicability: All Employees and Faculty
It is the intent of Charles R. Drew University of Medicine and Science to maintain a workplace that is productive and create environment in which study, conduct, research, and work can proceed safely.

The presence of minor children at Charles R. Drew University or Medicine and Science may expose the University to legal liability (for example, children may be exposed to hazards posed by chemicals, office equipment, or laboratory supplies). In some locations, such as laboratories allowing unauthorized and untrained personnel on the premises may violate federal and state law.

All staff and faculty are discouraged from bringing minor children into work, study, research, or classroom areas except for limited periods of time and in those circumstances where the parent or guardian will personally supervise the child. Department of schools may impose additional limitations (such as laboratories).

- Charles R. Drew University should never be used as an alternative to regular child care or babysitting.
- Children who are sick or infectious should not be brought onto University property except for those facilities specifically involved in their professional medical care.

Applicability: All Employees and Faculty
CDU Policy I.E.00382 Pets in the Workplace

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: April 1, 2011

REVISED DATE:

SUPERSEDES:

POLICY I.E.00382 Pets in the Workplace

It is the intent of Charles R. Drew University of Medicine and Science to maintain a workplace that is productive and create environment in which study, conduct, research, and work can proceed safely.

At Charles R. Drew University, pets in University classrooms, work areas, and research areas can be disruptive as well as unsanitary. Pets on University grounds may compromise the safety and health of students, faculty, staff, and visitors. In addition, Unauthorized pets on campus may expose the University to legal liability (for example, if a dog bites someone).

Staff and faculty are prohibited from bringing pets into any CDU building, including but not limited to classrooms, work areas, and research areas. Dogs walked on campus must be kept on a leash and must be picked up after in accordance with Los Angeles sanitation requirements.

Exceptions
At Charles R. Drew University, this policy does not apply to animals used as a disability-aid or animals associated with research.

PROCEDURE I.E.00382 Pets in the Workplace

For questions regarding this policy, please contact the Department of Risk Management at 323-563-4995 or the Department of Human Resources at 323-563-5827.

Applicability: All Employees and Faculty
CDU Policy I.E.00390 Consensual Relationships and Professional Behavior

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00390 Consensual Relationships and Professional Behavior

A. Consensual Relationships

Charles R. Drew University recognizes that two consenting adults should be free to conduct a personal relationship if they wish; however, consensual relationships at the University are strongly discouraged when one of the individuals has evaluative and/or direct supervisory responsibilities over the other, including responsibilities for grading, counseling, and/or other authoritative provisions of academic services. The supervisory/subordinate relation should be guided by professional conduct and fiduciary duty. Supervisory - subordinate romantic or sexual relationships carry a risk of conflict of interest, breach of trust, and abuse of power and therefore must be avoided.

A consensual relationship may cause an appearance of impropriety and lead to third party charges of favoritism and/or negatively impact the productivity and morale of others who observe, and interact with colleagues, co-workers, and students. In turn, this interaction negatively impacts the learning and workplace environment. Such relationships may change with the result that sexual conduct which was once welcome can become unwelcome and harassing.

B. Professional Behavior

In addition to prohibiting conduct that is or may be unlawful as described above, the University also prohibits conduct that may cause harm to its image and/or negatively impacts employees and associated organizations. Such prohibited conduct includes: swearing, profanity and crude language, crude gestures, displays of anger including slamming phones, throwing items, hanging up on people, misuse of email for harmful or punitive purposes, yelling or screaming at others.

This policy also prohibits behavior that, even if welcomed by the involved parties, can be harmful to the University’s image and present problems for employees or guests, including sexual banter and jokes, practical jokes and destructive gossip as examples. This policy also
prohibits acting out in anger, name-calling, or deliberate rude behavior or gossiping for the purpose of damaging the reputation or effectiveness of others.

Employees of the University who violate any of these policies or fail to observe these standards will be subject to disciplinary action, up to and including termination. Contracted service providers who fail to observe these standards may have their contracting relationship revoked.

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8(a)(3) section 158(a)(3) of this title.

PROCEDURE I.E.00390 Consensual Relationships and Professional Behavior

1. The existence of a power differential should be reported as soon as possible to the Department of Human Resources or other campus official(s) (i.e., Department Chair, Student Affairs, immediate supervisor, faculty member, etc.)

2. This immediate supervisor, in consultation with the Director of Human Resources will immediately make arrangements so that the official determination(s) affecting the terms and conditions of employment, study, or progress in a program of the person(s) involved in the consensual relationship can be carried out under the direction of a competent objective third party(s). This should be carried out in a manner that maintains the highest degree of confidentiality possible.

3. It should also be made clear that the instructor, mentor, tutor, or supervisor should not, thereafter, be allowed to have undirected responsibility for supervising, evaluating, or grading the consensual relationship partner’s performance. This is due to the possibility of residual feelings resulting from the consensual relationship, which could preclude impartiality.

4. Where such relationships cannot be, or are not avoided, this policy mandates the declaration to and intervention by a supervising authority, for the protection of both parties involved in the consensual relationship.

5. Any instructor or supervisor who enters into such a relationship should be aware that liability protection under California statutes may not apply in subsequent actions arising out of consensual relationship situations, where the instructor or supervisor failed to comply with this policy, and that failure to comply with this policy can lead to disciplinary action up to and including dismissal.

Note: All instructors, supervisors, students and supervisees should understand that these situations are of concern to Charles R. Drew University. It is the instructors and supervisors, who, by virtue of their specific authority and responsibility, will bear the burden of accountability in such cases. There are substantial risks in an apparently consensual relationship where a power differential exists, even if the conflict of interest issues are resolved, involving potential charges of sexual harassment and/or violations of University policy. Such consensual relationships have the potential for very serious consequences and should be avoided, where possible. Violations of this Code will be considered misconduct on
the part of a faculty member and will be subject to University sanctions up to and including termination of appointment.

Applicability: All Employees and Faculty
CDU Policy I.E.00400 Anti Sexual Harassment and Sexual Violence

ISSUING OFFICER:  Chief Human Resources Officer

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  October 1, 2014

SUPERSEDES:  CDU Policy I.E. 00400, dated October 29, 2010; September 1, 2004

POLICY I.E. 00400 Anti Sexual Harassment and Sexual Violence

A. ANTI-SEXUAL HARASSMENT AND SEXUAL VIOLENCE

Charles R. Drew University of Medicine and Science is committed to creating and maintaining a community in which all persons who participate in University programs and activities can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual. Specifically, every member of the University community should be aware that the University prohibits sexual harassment and sexual violence and that such behavior violates both law and University policy. It is the intent of the University to respond promptly, effectively to reports of sexual harassment and sexual violence, and will take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy on Anti-Sexual Harassment and Sexual Violence.

The University’s policy against Sexual Harassment and Sexual Violence applies to all employees, faculty, and students of the University. The University prohibits managers, supervisors and employees from sexually harassing and committing sexual violence against co-workers as well as the University’s students, vendors, suppliers, independent contractors and others doing business with the University. In addition, the University prohibits its students, vendors, suppliers, independent contractors and others doing business with the University from sexually harassing and committing sexual violence against employees.

The Anti-Sexual Harassment and Sexual Violence policy applies to all locations of Charles R. Drew University of Medicine and Science.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

B. RETALIATION

Charles R. Drew University also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment, sexual harassment, or
sexual violence pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, sexual harassment, or sexual violence or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment, sexual harassment, or sexual violence. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

An individual who is subjected to retaliation (e.g., threats, intimidation, reprisals, or adverse employment or educational actions) for having made a report of sexual harassment of sexual violence in good faith, who assisted someone with a report of sexual harassment of sexual violence, or who participated in any manner in an investigation or resolution of a report of sexual harassment or sexual violence, may make a report of retaliation under these procedures. The report of retaliation shall be treated as a report of sexual harassment or sexual violence and will be subjected to the same procedures.

Consensual Relationships
The Anti-Sexual Harassment and Sexual Violence policy covers unwelcome conduct of a sexual nature. Consensual romantic relationships between members of the CDU community are subject to other University policies. For example, policies governing faculty-student relationships are detailed in the Student Handbook and Faculty Handbook under Code of Conduct. While romantic relationships between members of the CDU community may begin as consensual, they may evolve into situations that lead to charges of sexual harassment or sexual violence, subject to this policy.

Gender Identity, Gender Expression, or Sexual Orientation Discrimination
Harassment that is not sexual in nature but is based on gender, gender identity, gender expression, sex-stereotyping, or sexual orientation also is prohibited by CDU’s nondiscrimination policies if it denies or limits a person’s ability to participate in or benefit from University educational programs, employment, or services. While discrimination based on these factors may be distinguished from sexual harassment, these types of discrimination may contribute to the creation of a hostile work or academic environment. Thus, in determining whether a hostile environment due to sexual harassment exists, CDU may take into account acts of discrimination based on gender, gender identity, gender expression, sex-stereotyping, or sexual orientation.

C. DEFINITIONS
Consent is informed and consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent to some form of sexual activity does not imply consent to other forms of sexual activity.

Consent is voluntary. It is given without coercion, force, threats, or intimidation; - it is a positive cooperation in the act or expression on intent to engage in the act pursuant to an exercise of free will.

Consent is given when the person is not impaired or incapacitated. A person cannot consent if he or she is unconscious or coming in and out of consciousness. A person cannot consent if he or she is under threat of violence, bodily injury or other forms of coercion, or has a mental disorder,
developmental disability, or physical disability that would impair his or her understanding of the act.

Incapacitation is the physical and or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep and blackouts.

Where alcohol or drugs are involved, incapacitation is distinct from drunkenness or intoxication, and is defined with respect to how the alcohol or other drugs consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments.

The factors to be considered include whether the accused knew, or a reasonable person in the position of the accused should have known, that the complainant was impaired or incapacitated.

**Executive Officer** is defined as the University President, the Provost, the Chief Operating Officer, the Chief Financial Officer, and the Assistant Provost.

**Sexual Harassment** is unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects a person’s employment or education, unreasonably interferes with a person’s work or educational performance, or creates an intimidating, hostile or offensive working or learning environment. Sexual harassment includes sexual violence. In the interest of preventing sexual harassment and sexual violence, the University will respond to reports of any such conduct.

Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, students, interns, work-study students, student employees (when acting within the course and scope of employment), temporary employees, and non-student or non-employee participants in University programs, such as vendors, contractors, visitors, and patients. Sexual harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex. In determining whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

Sexual harassment includes a broad spectrum of conduct including harassment based on gender, transgender and sexual orientation (meaning one’s heterosexuality, homosexuality, or bisexuality). By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- unwanted sexual advances;
- offering an employment benefit (such as a raise or promotion or assistance with one’s career) in exchange for sexual favors, or threatening an employment detriment (such as termination, demotion, or disciplinary action) for an employee’s failure to engage in sexual activity;
• visual conduct, such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons or posters, or transmitting or downloading sexually-related websites or e-mails;
• verbal sexual advances, propositions, requests or comments;
• verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations, including those made by e-mail, voicemail or blogging;
• physical conduct, such as touching, assault, impeding or blocking movement;
• physical or verbal abuse concerning an individual’s actual sex or one’s perception of the individual’s sex;
• verbal abuse concerning a person’s characteristics such as vocal pitch, facial hair or the size or shape of a person’s body, including remarks that a man is too feminine or a woman is too masculine.

In addition to the above listed conduct, the University strictly prohibits harassment concerning race, color, religion, national origin, age, disability or other protected characteristic. By way of illustration only, and not limitation, prohibited harassment concerning race, color, religion, national origin, age, disability or other protected characteristic includes:

• slurs, epithets, and any other offensive remarks;
• jokes, whether written, verbal, or electronic;
• threats, intimidation, and other menacing behavior;
• other verbal, graphic, or physical conduct; and
• other conduct predicated upon one or more of the protected categories identified in this policy.

Employees with questions about what constitutes harassing behavior should ask their supervisor or a member of the Department of Human Resources.

Harassment of students, faculty members, vendors, suppliers or independent contractors by employees is also strictly prohibited. Such harassment includes the types of behavior specified in this policy.

Harassment may also occur towards employees that have not experienced any of the above-described behaviors. Sexual favoritism may occur when a subordinate employee receives preferential treatment in exchange for sexual favors. Such preferential treatment could include actions such as higher compensation, promotion or other benefits of a favored employee or avoidance of an employment detriment. Sexual favoritism occurs when the treatment results solely from the employee providing sexual favors to the decision maker and is unrelated to the employee’s ability to perform the responsibilities of the job.

Harassment that is not sexual in nature but is based on gender, sex-stereotyping, or sexual orientation also is prohibited by the University’s nondiscrimination policies if it is sufficiently severe to deny or limit a person’s ability to participate in or benefit from University educational programs, employment, or services. While discrimination based on these factors may be distinguished from sexual harassment, these types of discrimination may contribute to the
creation of a hostile work or academic environment. Thus, in determining whether a hostile environment due to sexual harassment exists, the University may take into account acts of discrimination based on gender, sex-stereotyping, or sexual orientation.

**Sexual Violence** is physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. This includes:
- sexual assault,
- rape,
- battery,
- sexual coercion,
- domestic violence,
- dating violence, and
- stalking.

**Domestic Violence** is abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has had a child or is having or has had a dating or engagement relationship.

**Dating Violence** is abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

**Sexual Assault** occurs when physical sexual activity is intentionally engaged in without the consent of the other person. The conduct may include physical force, violence, threat, or intimidation; ignoring the objections of the other person; causing the other person’s intoxication of impairment through the use of drugs or alcohol; taking advantage of the other person’s incapacitation (including voluntary intoxication), state of intimidation, or other inability to consent.

**Stalking** is behavior in which a person repeatedly engages in a course of conduct directed at another specific person, that places that person in reasonable fear of his or her safety or the safety of a third person or persons.

**PROCEDURES I.E.00400 Anti-Sexual Harassment and Sexual Violence**

As part of CDU’s commitment to providing a working and learning environment protected from sexual harassment and sexual violence, this policy shall be disseminated widely to the CDU community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. The University shall make educational materials available to all members of the University community to promote compliance with this policy and familiarity with local reporting procedures. In addition, the University shall designate University employees responsible for reporting sexual harassment and sexual violence and provide training to those designated employees. Generally, such persons include supervisors, managers, academic administrators, deans, department chairs, student advisors, graduate advisors, campus safety and security personnel, and counselors. The University shall post a copy of this policy in a prominent place on its website.
Reporting of Sexual Harassment or Sexual Violence
Any member of the CDU community may report conduct that may constitute sexual harassment of sexual violence under this policy to any supervisor, manager, executive, dean, or the Title IX Officer. In addition, supervisors, managers, executives, deans, and other designated employees are responsible for taking whatever action is necessary to prevent and address sexual harassment or sexual violence and to report it promptly to the Title IX Compliance Coordinator (Title IX Officer) or other appropriate official designated to review and investigate sexual harassment and sexual violence complaints. An individual also may file a complaint or grievance alleging sexual harassment or sexual violence under the applicable University complaint resolution or grievance procedure.

ANTI-SEXUAL HARASSMENT AND SEXUAL VIOLENCE COMPLAINT RESOLUTION

Sexual harassment and sexual violence towards faculty, staff and students is prohibited by University policy as well as by federal and state law. Complainants should be advised of reporting procedures, including written information about:

1. to whom the alleged offense should be reported;
2. options regarding reporting to law enforcement (both on campus and local police), and to be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses, or to decline to notify law enforcement authorities;
3. their rights and the University’s responsibilities regarding orders of protection, no contract orders, restraining orders, or similar lawful orders issued by criminal or civil courts; and
4. the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order.
5. written notification to students or employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on campus and in the community.
6. Written notification to victims about options for, and available assistance in changing academic, transportation, and working situations, if requested by the complainant and if reasonable available, regardless of whether the victim chooses to report the crime to campus safety and security or local law enforcement.

If a student or employee reports to CDU that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus or any University location, the student or employee shall be provided with a written explanation of the student or employee’s rights and options.

CDU shall identify and publish their campus implementing procedures of this policy on and off campus resources for reporting sexual harassment or sexual violence, including law enforcement, medical, and victim support services.
Response to Reports of Sexual Harassment or Sexual Violence

CDU shall provide a prompt and effective response to reports of sexual harassment or sexual violence in accordance with the procedures. A prompt and effective response may include early resolution, formal investigation and/or targeted training or educational programs. Individuals making reports also shall be informed about policies applying to confidentiality or reports under this policy. CDU shall respond to the greatest extent possible to reports of sexual harassment or sexual violence brought anonymously or brought by third parties not directly involved in the asserted offenses. However, the response to such reports may be limited if information contained in the report cannot be verified by independent facts.

Upon findings of sexual harassment or sexual violence, CDU may offer remedies to the individual or individuals harmed by the harassment and/or sexual violence consistent with applicable complaint resolution and grievance procedures. Such remedies may include counseling, an opportunity to repeat course work without penalty, or other appropriate interventions. Any member of the CDU community who found to have engaged in sexual harassment or sexual violence is subject to disciplinary action up to and including dismissal in accordance with the applicable University disciplinary procedure or other University policies.

Generally, disciplinary action will be recommended when the conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from educational programs. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment or sexual violence who knew about the incident took no action to stop it or failed to report the prohibited act also may be subject to disciplinary action. Conduct by an employee that is sexual harassment, sexual violence, or retaliation in violation of this policy is considered to be outside the normal course and scope of employment.

Procedures for reporting and responding to sexual harassment or sexual violence complaints should be brought forward as soon as possible after the alleged conduct occurs. While there is no stated timeframe for reporting, prompt reporting will better enable CDU to investigate the acts, determine the issues, and provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed. However, delay in reporting may impede CDU’s ability to conduct an investigation and/or effect appropriate remedial actions. CDU will respond to reports of sexual harassment or sexual violence to the greatest extent possible, taking into account the amount of time that has passed since the alleged conduct occurred.

Procedures for Early Resolution

The goal of early resolution is to resolve concerns at the earliest stage possible, with the cooperation of all parties involved. CDU is encouraged to utilize early resolution option when the parties desire to resolve the situation cooperatively and/or when a formal investigation is not likely to lead to a satisfactory outcome. Early resolution may include an inquiry into facts, but typically does not include a formal investigation. Means for early resolution shall be flexible and encompass a full range of possible appropriate
outcomes. Early resolution includes options such as mediating an agreement between the parties, separating the parties, referring the parties to counseling programs, negotiating an agreement for disciplinary action, conducting a follow-up review after a period of time to assure that the resolution has been implemented effectively. Early resolution may be appropriate for responding to anonymous reports and/or third party reports. Steps taken to encourage early resolution and agreements reached through efforts should be documented.

While CDU encourages early resolution of a complaint, the CDU does not require that parties participate in early resolution prior to CDU’s decision to initiate a formal investigation. Some reports of sexual harassment and sexual violence may not be appropriate for mediation (such as when the facts are in dispute in reports of serious misconduct, or when reports involve sexual violence or individuals with a pattern of inappropriate behavior or allege criminal acts such as stalking, sexual assault or physical assault) but may require a formal investigation at the discretion of the Title IX Officer or other appropriate official designated to review and investigate sexual harassment and sexual violence.

1. **Assignment of Responsibility**

   a) It is the responsibility of department heads, managers, and supervisors to take reasonable steps to prevent sexual harassment and sexual violence and to correct it when it occurs. This responsibility involves being aware and sensitive and includes taking disciplinary action when appropriate. It should be made clear through verbal and/or written communication to all parties that inappropriate behavior shall stop immediately and that administrative intervention and/or action will be taken as warranted. When information or acts come to the attention of these officials, they should immediately determine the facts and ensure that the people involved are informed about this policy.

   b) Department heads, managers, and supervisors are responsible for providing pertinent information to their students and employees regarding the procedures and resources. Because of the serious and sensitive nature of sexual harassment and sexual violence and the frequently changing case law in this area, it is strongly recommended that persons with inquiries or complaints be referred to the Title IX Officer. Department heads, managers, and supervisors should also refer to these resources for information when attempting to resolve sexual harassment or sexual violence complaints.

2. **Sexual Harassment and Sexual Violence Complaint**

   For purposes of these procedures, a complaint will be distinguished from an inquiry or a formal grievance. A complaint shall be defined as any written or oral statement to a University official (e.g., Title IX Officer, director, supervisor, department head, dean), the purpose of which is to inform the University that sexual harassment or sexual violence may be occurring and to provide the
appropriate University officials with information sufficient to investigate the complaint. Once such a statement is made, the University is considered by law to be "on notice" and is required to investigate the complaint.

In cases where there is no written request, the title IX Officer or other appropriate official designated to review and investigate sexual harassment and sexual violence complaints, in consultation with the administration, may initiate a formal investigation after making a preliminary inquiry into the facts.

NOTE: In a sexual harassment or sexual violence inquiry, unlike a complaint or formal grievance, the inquirer/complainant is not asked to reveal the identity of the alleged harasser or department when requesting information about sexual harassment or violence. This preserves the anonymity of the case, and allows the inquirer the full range of options available.

The primary purpose of the complaint resolution procedure is to attempt resolution of the complaint at the earliest stage possible. In cases where a complainant states he or she does not want to pursue a formal investigation, the Title IX Officer should inform the complainant that the ability to investigate may be limited. In determining whether to go forward with a formal investigation, the Title IX Officer may consider:

1. The seriousness of the allegation,
2. In the case of a student complainant, the age of the student,
3. Whether there have been other complaints or reports against the accused, and
4. The rights of the accused individual to receive information about the complainant and the allegations if formal proceedings with sanctions may result.

Even if a complainant does not want to pursue an investigation, under some circumstances, the Title IX Officer may have an obligation to investigate, such as when there is a risk to the campus community if the accused remains on campus. The complainant should be made aware of this independent obligation to investigate the complaint.

If the alleged conduct is also the subject of criminal investigation, the campus may not wait for the conclusion of the criminal investigation to being an investigation pursuant to this policy. However, a campus may need to delay temporarily the fact-finding portion of the sexual harassment or sexual violence investigation while the police are gathering evidence. Once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation of the filing of any criminal charges), the campus must promptly resume and complete its fact-finding for the sexual harassment or sexual violence investigation.
Upon request, the complainant and the accused may each have a representative present when he or she is interviewed, and at any subsequent proceeding or related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by applicable University policy.

The complaint resolution procedure is available to Charles R. Drew University students, faculty, and staff.

3. **Time Limits**

There are no time limits for initiating a sexual harassment or sexual violence complaint. There are, however, time limits for filing a formal complaint with outside agencies.

**a) Relationship of complaint resolution process to other University grievance procedures.**

There are two circumstances under which a complainant may wish to use a formal University grievance procedure:

i) If the complainant wishes to use a formal grievance procedure instead of the Complaint Resolution Procedures, the complainant must follow the time limits set forth in the relevant grievance procedure. In most cases, this is 30 days after the last alleged incident of harassment or from the time the complainant knew or reasonably should have known of an action (for example, an act of retaliation) taken as a result of the allegation of sexual harassment or sexual violence.

ii) If the complainant has filed a complaint under these Sexual Harassment and Sexual violence Procedures but is not satisfied that management action has resolved the complaint or believes that there has been no action, the complainant may utilize the relevant grievance procedure. The grievance procedure time limit is measured from the time of the act complained of, that is, commencing upon completion of the investigation or mediation process, which shall be deemed concluded upon the date a decision is issued under the Sexual Harassment and Sexual Violence Complaint Procedures.

**b) Relationship of complaint resolution process to outside agency time limits.**

The filing of a complaint under the Complaint Resolution Procedure does not excuse the complainant from meeting the time limits of outside agencies, which are described below.

i) The California Department of Fair Employment and Housing (DFEH): 365 days from the last alleged incident of harassment or from the time the complainant knew or reasonably should have known of an action taken as a result of the alleged sexual harassment or sexual violence.
ii) The Equal Employment Opportunity Commission (EEOC): 300 days from the last alleged incident of harassment or from the time the complainant knew or reasonably should have known of an action taken as a result of the alleged sexual harassment or sexual violence. EEOC has responsibility for investigating allegations of sexual harassment or sexual violence under Title VII and Violence Against Women Act, relating to employment.

iii) The Office for Federal Contract Compliance: 180 days from the alleged violation.

iv) The Office of Civil Rights (OCR): 180 days from the last incident. OCR has responsibility for enforcement of Title IX as it relates to educational opportunities.

4. Complaint Resolution Procedures

Initiating an Investigation Alleging Sexual Harassment and Sexual Violence

- Inquirer (including complainant, department, head, manager, and supervisor) contacts Title IX Officer to file a complaint of sexual harassment or sexual violence.
- Title IX Officer provides information regarding applicable laws, University policies, and procedures. The information provided must be written and will include: names and locations of Complaint Resolution Officers, how to initiate a complaint, and if applicable, information about possible steps to prevent further sexual harassment or sexual violence.
- Title IX Officer will advise the inquirer/complainant regarding available options, including mediation and the fact-finding investigation, timeframes, and possible remedies.
- Upon request of complainant or alleged harasser and with consent of both parties, Title IX Officer may attempt early informal mediation without filing of a written complaint or at any point after a complaint is filed. Both parties may also be referred to mediation. Informal mediation does not negate or defer the requirement for completion of a fact-finding investigation by the University, if circumstances so warrant.
- Title IX Officer informs complainant that in order to initiate a fact-finding investigation, a written statement will be required.
- Title IX Officer informs complainant that any records kept by HR after a written complaint is filed shall be kept confidential to the maximum extent permitted by law, but that disclosure of those records may also be required by law.
- Title IX Officer provides written record of complaint to appropriate administrator or designee.
- Title IX Officer conducts investigation which may include:
  1. Interviewing the complainant,
  2. Interviewing the alleged harasser,
3. Interviewing witnesses, as appropriate,
4. Collecting written documentation, as appropriate.

Participants in an investigation shall be advised that maintaining confidentiality is essential to protect the integrity of the investigation.

**Note:** At the initial interviews with the complainant or alleged harasser, the CRO provides information regarding the fact-finding process (e.g., estimated timeframes and other pertinent information).

If the alleged harasser is not subject to Academic Personnel Policies, HR submits an investigatory report to the appropriate administrator(s).

**The following administrators have been designated for these procedures:**

- Administrator - Academic Personnel
- Administrator - Student Affairs
- Administrator – Office of the President

The Administrator may initiate or refer discipline against the alleged harasser. The person to be disciplined must be provided with a copy of the charges and materials on which discipline is based and an opportunity to respond.

- If the alleged harasser is subject to the Academic Personnel Policies, HR submits fact-finding report to the Assistant Provost - Academic Personnel.
- If there is a finding that a basis of probable cause has been substantiated, the Assistant Provost - Academic Personnel informs the appropriate administrator. Either the administrator or complainant may file a charge with the Charges Committee of the Academic Senate.
- If probable cause is not found, the investigation is considered concluded. HR advises complainant of his/her right to file a charge with the Charges Committee of the Academic Senate.

**Based on the results of the fact-finding investigation, the remedies may include:**

- Restoring complainant to pre-harassment status (e.g., restoration of pay, benefits, or rights lost).
- Initiating other corrective measures as appropriate.
- Taking other steps to effect resolution of the complaint.
- Based on Title IX Officer’s report, informs complainant of the results of the investigation and the outcome. If complaint is not resolved to the complainant's satisfaction, informs complainant of available grievance procedures.
- Based on Title IX Officer’s report, informs alleged harasser of the results of the investigation and if actions are to be taken to effect resolution of the complaint.
The complainant shall be informed if there were findings made that the policy was or was not violated and actions taken to resolve the complaint, if any, that are directly related to the complainant, such as an order that the accused not contact the complainant. In accordance with University policies protecting individuals’ privacy, the complainant may generally be notified that the matter has been referred for disciplinary action, but shall not be informed of the details of the recommended disciplinary action without the consent of the accused.

**Remedies and Referral to Disciplinary Procedures**

Findings of violations of the policy may be considered in determining remedies for individuals harmed by the sexual harassment or sexual violence and shall be referred to applicable disciplinary procedures. Procedures under this policy shall be coordinated with the applicable complaint resolution, grievance, and disciplinary procedures to avoid duplication in the process whenever possible. Violations of the policy may include engaging in sexual harassment or sexual violence, retaliating against a complainant reporting sexual harassment or sexual violence, violating interim protections, and filing intentionally false charges of sexual harassment or sexual violence. Investigative reports made pursuant to this policy may be used as evidence in subsequent complaint resolution, grievance, and disciplinary proceedings as permitted by the applicable procedures.

**NOTE:** The alleged harasser may have the right to file a grievance. That right is derived from grievance policies and procedures applicable to the alleged harasser.

### 5. Confidentiality

During the complaint resolution process, and in accordance with existing policies and laws, every reasonable effort shall be made to protect the privacy of all parties. Extremely sensitive information is gathered during the processing of a sexual harassment complaint. California law provides constitutional and statutory protection for the privacy of individuals. The right of privacy includes both limitations on disclosure of personal information about an individual and a right of access to information about oneself. Disclosure of information gathered in the processing of a sexual harassment complaint requires a balancing of privacy interests of the complainant and the accused. The University cannot make an absolute guarantee that information that is provided regarding possible sexual harassment or sexual violence will remain confidential. The University can assure individuals that it will keep the information confidential to the extent required by law and to the extent the due process protections afforded the accused are protected.

The University shall identify confidential resources with which members of the CDU community can consult for advice and information regarding making a report of sexual harassment or sexual violence. These resources provide individuals who may be interested in bringing a report of sexual harassment or sexual violence with a safe place to discuss their concerns and learn about the procedures and potential outcomes involved. These resources shall be posted on
the University’s website and prominently displayed in common areas. Confidential resources include licensed counselors in the employee assistance programs or student counseling centers. Individuals who consult with confidential resources shall be advised that their discussions in these settings are not considered reports of sexual harassment or sexual violence and that without additional action by the individual, the discussions will not result in any action by the University to resolve their concerns.

a) Files pertaining to investigations conducted by HR shall be kept confidential to the maximum extent permitted by law, but disclosure of these records may also be required by the applicable law. The Department of Human Resources shall maintain records of complaints, investigative reports, and the outcome of recommendations in conformance with privacy requirements.

b) Written records of mediation agreements may be retained by HR.

c) As permitted by law and University policy, information about the final results of the investigation may be disclosed to the complainant.

6. Privacy

A report of sexual harassment or sexual violence may result in the gathering of extremely sensitive information about the individuals in the CDU community. While such information is considered confidential, University policy regarding access to records and disclosure of personal information may require disclosure of certain information concerning a report of sexual harassment or sexual violence. In such cases, every effort shall be made to redact the records in order to protect the privacy of individuals. An individual who has made a report of sexual harassment or sexual violence may be advised of sanctions imposed against the accused when the individual needs to be aware of the sanctions in order for it to be fully effective (such as restriction on communication or contact with the individual who made the report).

In addition, when the offense involves a crime of violence or a non-forcible sex offense, the Family Education Rights and Privacy Act (FERPA) permits disclosure to the complainant the final results of a disciplinary proceeding against the alleged accused, regardless of whether the University concluded that a violation was committed. Information regarding disciplinary action taken against the accused shall not be disclosed without the accused’s consent, unless permitted by law as noted above, or unless it is necessary to ensure compliance with the action or the safety of individuals.

The resource location shall notify the CDU community that certain University employees, such as Title IX Officer, managers, executives, supervisors, and other designated employees have an obligation to respond to reports of sexual
harassment or sexual violence, even if the individual making the report requests that no action be taken. An individual’s request regarding the confidentiality of reports of sexual harassment or sexual violence will be considered in determining an appropriate response; however such requests will be considered in the dual contexts of the University’s legal obligation to ensure a working and learning environment free from sexual harassment and sexual violence and the due process rights of the accused to be informed of the allegations and their source. Some level of disclosure may be necessary to ensure a complete and fair investigation, although the University will comply with requests for confidentiality to the extent possible.

7. **Intentionally False Reports**

   Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action under the applicable University disciplinary procedures. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

8. **Reprisals**

   No person shall be subject to reprisal for using or participating in the informal process or complaint resolution process, or for using or participating in the formal grievance process. A claim that a person has been subject to reprisal or retaliated against for using or participating in the informal process or complaint resolution process or for using or participating in the formal grievance process on account of a claim of sexual harassment shall be treated for the purposes of these procedures as though it were a claim of sexual harassment.

9. **Formal Grievance Procedures Alleging Sexual Discrimination**

   If the complainant chooses not to use the Complaint Resolution Procedures or, having chosen to use the Complaint Resolution Procedures, is not satisfied that management action has resolved the complaint, the complainant may file a grievance. For that process, the grievance must meet all the conditions for acceptability under the applicable complaint or grievance policy. The appropriate Human Resources Officer, as determined by the complainant's status, should be consulted if there is a question regarding which of the policies apply to a specific complainant. The investigation and mediation process performed by HR, as detailed in the APM, may constitute the first step of the grievance procedures.

10. **Retention of Records Regarding reports of Sexual Harassment and Sexual Violence**

    The Department of Human Resources is responsible for maintain records relating to sexual harassment and sexual violence reports, investigations, and resolutions.
Records shall be maintained in accordance with University records policies, generally five years after the date the complaint is resolved. Records may be maintained longer at the discretion of the Title IX Officer in cases where the parties have a continuing affiliation with the University. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.

Applicability: All Employees, Faculty, and Students
CDU Policy I.E. 00405 Bullying and Anti-Harassment

ISSUING OFFICER: Chief Human Resources Officer

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: May 1, 2012

REVISED DATE:

SUPERSEDES:

POLICY I.E. 00405 Bullying and Anti-Harassment

REFERENCES AND RELATED POLICIES

CDU - APM I.E. 00330 (Non-Discrimination in Employment)
CDU – APM I.E. 00360 (Code of Conduct)
CDU – APM I.E. 00400 (Sexual Harassment)
CDU – APM I.E. 00410 (Violence in the Workplace)
CDU – APM I.E. 00640 (Grievance and Complaint Process)
CDU – Faculty Manual Revised 2011 (I. Workplace Violence)
CDU – Faculty Manual Revised 2011 (K. Harassment)
CDU – Faculty Manual Revised 2011 (L. Sexual Harassment)
CDU – Faculty Manual Revised 2011 (VIII. Faculty Grievance and Complaints)
CDU – Faculty Manual Revised 2011 (M. Non-Discrimination Policy)
University Catalog 2011-2012 (Non-Discrimination)
University Catalog 2011-2012 (Student Conduct)
University Catalog 2011-2012 (Sexual Harassment)
University Catalog 2011-2012 (Student Responsibility)
University Catalog 2011-2012 (Complaint Process)

The University has a zero tolerance policy for harassment, bullying, violent acts or threats of violence against staff, students, faculty, or visitors. The University is committed to providing a workplace, learning, study, and social environment free of harassment and bullying and which is healthy, conducive to productivity, comfortable, where the rights and dignity of all members of the campus community are respected. This includes staff, students, faculty, and visitors to the University.

The University expects all members of the university community to treat each other with respect, courtesy and consideration. All members of the university community have the right to expect professional behavior from others, and a corresponding responsibility to behave professionally towards others (refer to CDU – APM I.E. 00360 Code of Conduct, University Catalog 2011-2012 Student Conduct, and University Catalog 2011-2012 Student Responsibility).
A. DEFINITIONS

**Bullying** is defined as mistreatment of a person that is deliberate, violates another person’s dignity, creating an intimidating, hostile, degrading, humiliating, or offensive environment for someone, hurtful and repeated, repeated oppression, usually psychological of a less powerful person by a more powerful person or group of persons and that prevents the person from performing his or her job (refer also to CDU – APM I.E. 00410 Violence in the Workplace and CDU – Faculty Manual Revised 2011 I. Workplace Violence).

**Harassment** is when a person subjects another to or engages in unwanted and unwarranted conduct which has the purpose or effect of violating that other’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person. Harassment may involve repeated forms of unwanted and unwarranted behavior, but a one-off incident can also amount to harassment (refer also to CDU – APM I.E. 00410 Violence in the Workplace and CDU – Faculty Manual Revised 2011 I. Workplace Violence).

Harassment on the grounds of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination [1] (refer to CDU – APM I.E. 00400 Sexual Harassment, CDU – Faculty Manual Revised 2011 L Sexual Harassment, University Catalog 2011-2012 Sexual Harassment, CDU – Faculty Manual Revised 2011 M. Non-Discrimination Policy, CDU I.E. 00330 Non-Discrimination in Employment, and University Catalog 2011-2012 Non-Discrimination). Harassment may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provisions of the Protection from Harassment Act 1997.

Reasonable and proper management instructions administered reasonably, or reasonable and proper review of a member of staff’s or a student’s work and/or performance will not constitute harassment or bullying.

Behavior will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive. The intention or motives of the person whose behavior is the subject of a complaint is not conclusive in deciding if behavior amounts to harassment or bullying. Bullying can take many forms and can include but are not limited to:

- Slander
- Offensive comments or body language
- Name Calling
- Yelling
- Comments about appearance or lifestyle
- Insulting, abusive, embarrassing, teasing, or patronizing behavior or comments
- Verbal threats or intimidation
- Unfair, humiliating, intimidating, and/or demeaning criticism
- Ignoring
- Open hostility and/or aggression
- Physical threats/assaults
- Hitting, punching, shoving
• Deliberately undermining a competent person by overloading with work
• Unreasonable work assignments
• Menial task assignments
• Gossiping
• Spreading rumors
• Leaving people out on purpose; isolating from normal work or study place, conversations, or social events
• Publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures, language, or other materials
• Unwanted physical contact, ranging from an invasion of space (personal or otherwise) to a serious assault
• Breaking up friendships
• Cyberbully: using the internet, mobile phones or other digital technologies to harm others

Many of these examples of behavior may occur through the use of the Internet, email, social networking sites, or telephone. All of the examples above may amount to bullying, particularly when the conduct is coupled with the inappropriate exercise of power or authority over another person. Being under the influence of alcohol, illegal drugs or otherwise intoxicated is not an excuse for harassment, and may be regarded as an aggravating feature.

B. RETALIATION

Charles R. Drew University prohibits retaliation against any employee or person for bringing a complaint of discrimination, bullying, or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination, bullying, or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination, bullying, or harassment.

Retaliation occurs where a person is subjected to detrimental treatment because she or he has, in good faith, made an allegation of bullying or harassment, or has indicated an intention to make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.

The University seeks to protect any member of the university community from retaliation arising as a result of bringing a complaint or assisting in an investigation where they act in good faith. Retaliation is a form of misconduct which may itself result in a disciplinary process.

C. COMPLAINTS

Information regarding applicable policies and procedures for resolving complaints of discrimination, bullying, and harassment and for pursuing available remedies is available in HR, Students Affairs, or Academic Personnel (refer to CDU – APM I.E. 00640 Grievance and Complaint Process, CDU – Faculty Manual Revised 2011 VIII Faculty Grievance and Complaints, and University Catalog 2011-2012 Complaint Process).
D. MALICIOUS COMPLAINTS

If a complaint is judged to be malicious; or if the complainant knew or could reasonable have been expected to know that the complaint was unfounded, disciplinary action may be taken against the complainant; however, such action will not be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

E. CONFIDENTIALITY

All information concerning allegations of bullying and harassment must and will be treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action. All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation) should maintain the confidentiality of the process (refer to CDU – APM I.E. 00640 Grievance and Complaint Process, CDU – Faculty Manual Revised 2011 VIII Faculty Grievance and Complaints, and University Catalog 2011-2012 Complaint Process).

PROCEDURE I.E. 00405 Bullying and Anti-Harassment

For the purposes of this procedure, “harassment” is taken to include bullying and victimization. Incidents of harassment that occur within the University environment will normally be dealt with under the appropriate University procedure.

The references in this procedure to the “Department Head” should be taken to mean the head of the department, department chairman, head of division, head of a school, or their equivalent or the person to whom any of these has formally delegated his/her responsibility.

A. COMPLAINTS INVOLVING STUDENTS

1. Complaints of bullying or harassment against students which arise within the University environment will normally be dealt with under the appropriate University and student policy and procedures.
2. Other complaints of bullying or harassment against students may be considered by the Provost’s Office under Student Affairs (refer to University Catalog 2011-2012).
3. Advice may be sought from the Provost’s Office if the subject of the complaint is a student.

B. COMPLAINTS INVOLVING UNIVERSITY STAFF

1. Any complaints against University staff relating to supervision will be dealt with under University policy and procedures.
2. The procedure below applies in all cases where the person who is the subject of the complaint is a member of University staff on campus (refer to CDU – APM I.E. 00640 Grievance and Complaint Process).

C. COMPLAINTS INVOLVING UNIVERSITY FACULY

1. Any complaints against University faculty relating to college teaching or supervision will be dealt with under University and faculty policy and procedures.
2. The procedure below applies in all cases where the person who is the subject of the complaint is a member of University faculty on campus (refer to CDU – Faculty Manual Revised 2011 VIII. Faculty Grievance and Complaints).

D. COMPLAINTS INVOLVING VISITORS TO CAMPUS

1. Any complaints against University visitors will be dealt with under University policy and procedures.
2. The procedure below applies in all cases where the person who is the subject of the complaint is a University visitor on campus.

E. INITIAL ACTION

An individual who feels that she/he is being harassed in the course of their University activities such as work, studies, or university leisure activities may feel able to approach the person in question to explain what conduct she/he finds upsetting, offensive or unacceptable and ask that person to refrain from that behavior. Such an informal approach may be all that is required to resolve the issue. The University does not wish to be prescriptive as to the form of any such action that the complainant or the person who is the subject of the complaint may wish to make.

If the complainant is unable or reluctant to approach the person complained against, she/he may approach his/her immediate supervisor, departmental administrator, department head or equivalent to ask for help in achieving a resolution of the problem. Human Resources, Students Affairs, Provost’s Office, Office of the Dean, Academic Affairs, or Public Safety will also be available to advise and assist.

F. COMPLAINTS PROCEDURE

1. If informal action does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the complainant should make a written complaint to his/her department head or,
2. If the complainant feels it is not appropriate to approach that person, the relevant head of division.
3. If any of the parties considers that the department head has a conflict of interest in the complaint, the complaint may be referred to the head of division.
4. In cases where it is not immediately clear to whom a complaint should be addressed, advice and/or complaint filed with:
   a. Human Resources
   b. Student Affairs
   c. Office of the Dean
   d. Provost’s Office
   e. Academic Personnel
   f. Public Safety
5. The complainant should set out as clearly and succinctly as possible:
   a. The nature of the behavior that she or he is concerned about;
   b. The effect of this behavior on him/her; and
   c. The resolution she/he is seeking.
d. Dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence.

e. Explain what attempts, if any, have been made to resolve the difficulties and the outcome she/he is seeking.

6. A copy of all written complaints should be sent to the Chief Human Resources Officer, Public Safety, and the Risk Manager for information.

Every effort will be made to achieve a prompt resolution to the complaint – the aim being to conclude the complaint within a reasonable period of time. Both the complainant and the person who is the subject of the complaint will be expected to co-operate with the University in achieving that result.

There may be circumstances in which an aggrieved party is not willing, or able, to make a formal complaint but the department head considers that the implications for the aggrieved person or others actually or potentially affected are serious. In this case, the department head will consult the:

1. Chief Human Resources Officer in the Department of Human Resources (Staff and Faculty),
2. Chief Operating Officer in the Office of the President (Staff, Students, and Visitors),
3. President in the Office of the President (Staff, Faculty, Students, and Visitors), or
4. Provost in the Office of the Provost (Students and Faculty)

who may initiate an investigation and make a decision of further action on the basis of such evidence as is available.

G. ACTION BY THE DEPARTMENT HEAD ON RECEIPT OF A COMPLAINT

On receipt of a complaint, the department head (or his/her nominee) will in consultation with Human Resources or Office of the Provost take such steps as she/he thinks necessary or appropriate to understand the nature of the complaint and the outcome sought including:

1. Informing the person against whom a complaint has been made of the allegations against him/her;
2. Meeting separately with the complainant and the alleged;
3. Speaking to other relevant people on a confidential basis; and /or
4. Obtaining further relevant information.
5. The department head will then decide how to proceed and will inform the parties in writing.
6. She/he may make such enquiries as are necessary to determine the complaint, or may commission an investigation.

H. INVESTIGATION

The purpose of an investigation is to establish the relevant factual evidence in connection with the allegation(s) made by the complainant. As a general rule, the investigator should not have
had previous involvement with the issues in the case. The investigation should be concluded as soon as is reasonably practicable.

1. The investigator will prepare a report and make recommendations on possible courses of action.
2. The department head will inform the complainant and the person who is the subject of the complaint in writing of the conclusions she/he has reached having reviewed the evidence, including any investigation report of the action the department head intends to take; and of the reasons for any such action.
3. The head of department will also inform any other parties who have been asked to participate in an investigation that the investigation has been concluded.

I. POSSIBLE OUTCOMES OF A COMPLAINT

Depending on the nature of the complaint and the evidence found, including the findings of any investigation report, the department head, in consultation with Human Resources or the Provost’s Office, will either:

1. Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable working relationships between the parties. This approach will usually be appropriate where the claim(s) of bullying or harassment are considered to be unfounded and where there is a continuing relationship between the parties.
2. Initiate resolution of the issues (e.g. by requiring that certain individuals undergo specific training or implementing practical arrangements to improve working relationships).
3. If a successful resolution is achieved the case will be closed, but the situation will be monitored for an appropriate period. This approach will usually be appropriate where the evidence does not support a claim of harassment but it is clear that either party has demonstrated behaviors that are likely to lead to further issues between them if unresolved or, alternatively that there are structural issues within a department that require management attention.
4. Institute disciplinary proceedings where the department head is reasonably satisfied that there is sufficient evidence to support allegations of bullying or harassment of a sufficiently serious nature as to merit disciplinary action. Such proceedings may include paid or unpaid investigatory leave, suspension, termination, and/or expulsion from the University.
5. In rare cases disciplinary action may be instituted against the complainant if the department head is satisfied that the complaint of bullying or harassment is unfounded and not made in good faith.

Applicability: All Staff, Faculty, Students, and Visitors

1. Harassment and bullying may occur not only on grounds of characteristics or perceived characteristics of the recipient of the behavior but also on grounds of the characteristics or perceived characteristics of a person associated with him or her.
CDU Policy I.E.00410 Violence in the Workplace

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00410, dated September 1, 2004

POLICY I.E.00410 Violence in the Workplace

The University has a zero tolerance for possession of weapons or for violent acts or threats of violence against employees, students, faculty, vendors or applicants for employment. No employee should commit or threaten to commit any violent act against a co-worker, student, faculty, vendor or applicant. Any employee who is subjected to, or threatened with, violence by a co-worker, student faculty, or vendor, or is aware of another individual who has been subjected to or threatened with violence, is to report this information to the Department of Human Resources or Campus Security as soon as possible.

Employee notification of a problem is essential to the University. The University cannot address a problem unless it is made known. Therefore, it is every employee’s responsibility to bring these types of situations to the attention of the University so that the University can take whatever steps are necessary to address the problem.

Assume that any threat is serious. Please bring all threats to the attention of your manager, Public Safety, Human Resources, Administration, Academic Personnel, or Student Affairs so that the University may deal with the issue appropriately.

The University provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy which strives to maintain a workplace free from violence and threats of harm. Violent or threatening incidents can be prevented through recognition of early warning signs. Adequate response procedures can work to stop violent acts in progress as well as prevent threats from escalating to violence. To ensure an expedient and appropriate response to an actual threat or act of violence, all employees must be informed of whom to notify once they become aware of such an incident.
A. PROHIBITED CONDUCT

Charles R. Drew University does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person;
- Intentionally damaging University property or property of another employee;
- Possession of a weapon while on University property or while on University business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

B. THREATENING BEHAVIOR

All threatening behavior must be treated as a serious matter. Threatening behavior consists of any words or actions that create a reasonable perception of intent to harm persons or property. Threatening behavior includes, but is not limited to making a verbal threat to harm others or destroy property; throwing objects; expressing significant grudges against other employees; attempting to intimidate or harass others.

C. IMMINENTLY DANGEROUS THREAT OR VIOLENCE

In situations which escalate beyond threatening behavior, as described above, emergency assistance should be obtained immediately. Under these circumstances, the employee should call 911 then contact Public Safety.

PROCEDURE I.E.00410 Violence in the Workplace

WORKPLACE VIOLENCE PREVENTION AND RESPONSE

Actual or Imminent Violent Behavior
Contact the Los Angeles County Police Department immediately by dialing 911.

Threats of Violent Behavior
If you are concerned about the possibility that a workplace situation might escalate and result in violence, contact any of the offices below for assistance.

CDU Public Safety (323) 563-4800
Student Affairs Office/Counseling Services (323) 563-5886
The Department of Human Resources (323) 563-5827
Academic Senate Office (323) 563-5978
Academic Personnel Office (323) 563-4840
A. REPORTING THREATENING BEHAVIOR

1. All threatening behavior should be immediately reported to a supervisor, who is responsible for notifying the Department of Human Resources or Public Safety depending on severity of threatening behavior. The Department of Human Resources and or Public Safety will conduct an investigation in order to obtain an accurate account of the incident and the circumstances surrounding it. Individuals who may be included in the investigation are:

   Public Safety Manager, individual(s) making the threat and his/her supervisor; intended victim(s); witnesses; Dean(s) of the department/program involved; and the Risk Manager.

2. Based on the investigation, the Department of Human Resources will determine the course of action to be taken. Where appropriate, the perpetrator of the threat may receive disciplinary action, up to and including termination of employment, be required to receive counseling or referred for mandatory assistance to the University Employee Assistance Program.

B. REPORTING IMMINENTLY DANGEROUS THREAT OR VIOLENCE

After calling for emergency assistance, the employee should contact a supervisor who is responsible for notifying the Department of Human Resources. The Department of Human Resources will conduct an investigation in the same manner noted in Section 2 above.

C. REPORTING PROCEDURES

Any potentially dangerous situations must be reported immediately to a supervisor or the Department of Human Resources. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them. The University will actively intervene at any indication of a possibly hostile or violent situation.

D. RISK REDUCTION MEASURES

1. Hiring: HR takes reasonable measures to conduct background investigations to review candidate's backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

2. Safety: The University will conduct inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

3. Individual Situations: While we do not expect employees to be skilled at
identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Department of Human Resource if any employee exhibits behavior which could be a sign of potentially dangerous situations. Such behavior may include:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Displaying irrational or inappropriate behavior.

4. **Employees at Risk:** HR will identify and maintain a list of employees who have been determined to be at risk for becoming victims of violence because of the nature of their job or because they are subject to harassment, violence, or threats from a non-employee. Human Resources and Security will design a plan with at-risk employees to prepare for any possible emergency situations.

**E. DANGEROUS/EMERGENCY SITUATIONS**

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

**F. ENFORCEMENT**

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Any other persons found to have engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted, if found to have made:

- menacing gestures
- showing an intense or obsessive interest in an employee (romantic or otherwise) that exceeds the normal bounds of interpersonal interest
- behavior indicating that the individual is significantly out of touch with reality and that he or she may pose a danger to him/herself or others
- bringing weapons to the workplace

Applicability: All Staff and Faculty Members
CDU Policy I.E.00420 Drug and Alcohol Free Workplace

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  October 29, 2010

SUPERSEDES:  CDU Policy I.E.00420, dated September 1, 2004

REFERENCES AND RELATED POLICIES

CDU-APM I.E.00305 (Employment-At-Will)
CDU-APM I.E.00330 (Non-Discrimination in Employment)

POLICY I.E.00420 Drug and Alcohol Free Workplace

In accordance with Federal mandates, the University will maintain a drug and alcohol free workplace. In keeping with its commitment, the University strictly prohibits the use, transfer, possession, distribution or sale of alcohol, illegal drugs or the misuse or abuse of legal drugs controlled by law. The University will not tolerate substance abuse and is committed to a policy prohibiting the use of illegal drugs or the abuse of legal drugs or alcohol. This policy applies to all employees while on duty (whether or not on University premises), while on University premises (whether or not on duty), or while operating a vehicle. The University prohibits employees from coming to work with illegal substances in their system or with a quantity of any legal substance in their system that prevents them from working in a safe and productive manner.

Alcoholic beverages may be available at University-sponsored functions. As stated in this Handbook, attendance at University-sponsored social events is optional and no one is expected to drink alcohol unless they wish to do so. The University does not encourage or condone intoxication at such events. Employees have an obligation to conduct themselves properly at all times while at University-sponsored functions or while representing the University.

Drinking and driving while on work duty is unacceptable and will lead to disciplinary action up to and including termination.

Legally prescribed medications are excluded from this policy and are permitted only to the extent that the use of such medication does not have an adverse affect the employee's job performance and, the safety of the individual or any other person.
PROCEDURE I.E.00420 Drug and Alcohol Free Workplace

This Procedure outlines the practice designed to correct instances of identified alcohol and/or drug use in the workplace. This procedure continues to apply to all employees and all applicants for employment of Charles r. Drew University.

A. WORK RULES

1. Whenever employees are working, are operating any University vehicle, are present on University premises, or are conducting University related work off-site, they are prohibited from:

   • using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);

   • being under the influence of alcohol or an illegal drug as defined by the Department of Transportation in conjunction with this policy; and

   • possessing or consuming alcohol.

2. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee’s body system, while performing University business or while in a University facility, is prohibited.

3. The University will also not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee’s ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.

4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

B. EMPLOYEE ASSISTANCE PROGRAM and REHABILITATION

1. The University recognizes drug dependency (including addiction to controlled or prescribed medications, over-the-counter medications, alcohol or tobacco), as an illness and a major health problem. Further, the University recognizes drug dependency as a potential safety and a security problem.

2. HR may be consulted for information or to assist with referrals to the Employee Assistance Program (EAP) and/or their health insurance program. These programs offer professional and confidential counseling and treatment.

3. Employees needing help in dealing with drug dependency problems are encouraged to use our employee assistance services and available health insurance plan services, as
appropriate. Students requiring assistance are encouraged to use Student Affairs assistance services and health plan referral services, as appropriate.

4. Conscientious efforts to voluntarily seek such help, before initiation of disciplinary or other adverse action, will not, in most instances, jeopardize an employee's job standing.

5. Employees must, as a condition of employment, abide by the terms of the University policy and report any conviction under a criminal drug statute for violations occurring on University premises or off premises while conducting University business. A report of conviction must be made within five (5) days after the conviction (This requirement is mandated by the Drug-Free Workplace Act of 1988).

6. An employee who violates this policy may, where appropriate and at the sole discretion of the University, be referred for mandatory treatment with the Employee Assistance Program (EAP) and enrollment in a substance abuse program as a condition of continued employment. The required rehabilitation program will vary depending on the nature of the substance used and the severity of the drug and/or alcohol dependency. These types of programs range from short to long-term counseling, with both in and out-patient treatment. Written documentation of enrollment is required, in addition to documented clearance to return to work. Failure to provide this information within a reasonable timeframe may result in further disciplinary action, including termination of employment.

7. Following completion of a mandatory treatment program and release to return to work, the employee will be subject to mandatory, post-rehabilitative controlled substance/breath alcohol testing for a period of two (2) years after return to work. The employee will also be subject to a minimum of six (6) unannounced controlled substance/breath alcohol tests within the next 12 month period. The employee will be subject to immediate termination of employment following any subsequent, positive, on-duty tests results and/or failure to submit to a random test.

8. Violation of this policy may have further legal consequences. Legal consequences could include referral for prosecution, arrest and penal or probationary disposition under appropriate sections of the California Health and Safety Code, the California Penal Code and/or the United States Code.

9. Where there is any violation of this policy, the University reserves the right to initiate immediate termination of employment.

10. A written statement of this policy, requiring agreement to abide by the terms of the statement, will be distributed annually to each employee. All new employees will be provided with a copy of this policy during orientation.
C. REQUIRED TESTING

1. **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

2. **Reasonable Suspicion:** Employees are subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. The Department of Human Resources, the Department, or the Director of Risk Management shall be consulted before sending an employee for testing. All levels of supervision making this decision must utilize the “Observation Checklist” to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs and/or alcohol. If the results of the “Observation Checklist” indicate further action is justified, the manager/supervisor should confront the employee with the documentation or with another member of management.

   **Note:** Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of supervision/management must escort the employee; the supervisor/manager will make arrangements for the employee to be transported home.

3. **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a University vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention. A probable belief circumstance will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including, but not limited to, fork truck, University pickup truck, overhead cranes, aerial/man-lifts) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.

4. **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including termination. Depending upon the circumstances and the employee’s work history/record, Charles R. Drew University may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the University for a minimum of one (1) year but not more than two (2) years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.
D. CONSEQUENCES

1. Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.

2. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. *If the employee refuses to be tested yet we believe they are impaired, under no circumstances will the employee be allowed to drive himself or herself home.*

3. The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

4. Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision, and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

E. CONFIDENTIALITY

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the Medical Review Officer shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

F. INSPECTIONS

The University reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including termination.

G. CRIMES INVOLVING DRUGS

Charles R. Drew University prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on the University premises or while conducting company business. The University employees are also prohibited from misusing legally prescribed or over the counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.
The University does not desire to intrude into the private lives of its employees, but recognizes that employee’s off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the University reserves the right to take appropriate disciplinary action for drug usage/sale/distribution while off company premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to the department of Human Resources within five days. Failure to comply will result in automatic termination. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee’s past record with Charles R. Drew University.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00430 Smoking in the Workplace

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00430, dated September 1, 2004

POLICY I.E.00430 Smoking in the Workplace

The University wishes to provide a workplace and study environment which is healthy, conducive to productivity, and comfortable for all members of the campus community. Smoking by all employees, students, and visitors is prohibited in all University buildings and vehicles. Smoking must be confined to designated areas around the campus during scheduled meal and rest breaks only.

PROCEDURE I.E.00430 Smoking in the Workplace

1. Employees and visitors who wish to smoke must leave the building and use only designated areas outside which have appropriate smoking waste disposal receptacles. Employees are permitted to leave the building to smoke only during scheduled break times.

2. All faculty, staff, students and visitors are required to adhere to this policy. Suspected violations against this policy should be brought to the attention of the supervisor or individual in charge, who should then promptly contact the Department of Human Resources or Campus Security to discuss possible disciplinary action.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00440 Wireless Devices

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00440, dated September 1, 2004

POLICY I.E.00440 – Wireless Devices

Wireless Device Policy (i.e., Cell Phones, Texting, BlackBerry, PDA’s, Laptop computers)

The Wireless Communications Device Law (effective January 1, 2009) makes it an infraction to write, send, or read text-based communication on an electronic wireless communications device, such as a cell phone, while driving a motor vehicle.

Two additional laws dealing with the use of wireless telephones while driving went into effect July 1, 2008. The first law prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle, (California Vehicle Code [VC] §23123). Motorists 18 and over may use a “hands-free device. The second law effective July 1, 2008, prohibits drivers under the age of 18 from using a wireless telephone or hands-free device while operating a motor vehicle (VC §23124).

USE OF WIRELESS DEVICES WHILE DRIVING

CDU employees and faculty are required to be familiar with and comply with local laws before using a wireless device while operating a University motor vehicle for business purposes. Safe operation of any University vehicle in the performance of University business is the responsibility of the driver and must be given appropriate attention at all times. In every situation, do not use a wireless device while the University vehicle is in motion if doing so distracts attention from driving. Additionally, all employees and faculty are prohibited from using data services on their wireless devices, such as texting or accessing the mobile web or other distracting activities, while driving. Employees and faculty are prohibited from texting or making use of electronic mail functions while the University vehicle is in motion. This prohibition includes the time waiting for a traffic signal to change.
USE OF WIRELESS DEVICES IN MEETINGS

The success of Charles Drew University is dependent on the trust and confidence we earn from our students, faculty, employees, customers and shareholders. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching goals through honorable conduct. It is easy to say what we must do, but the proof is in our actions. Ultimately, we will be judged on what we do. When considering any action, it is wise to ask: will this build trust and credibility for CDU? Will it help create a working environment in which CDU can succeed over the long term? Is the commitment I am making one I can follow through with? The only way CDU will maximize trust and credibility is by answering “yes” to those questions and by working every day to build our trust and credibility.

We all deserve to work in an environment where we are treated with dignity and respect. Charles Drew University is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to our success. We cannot afford to let anyone’s talents go to waste.

PROCEDURES I.E.00440 Wireless Devices

The University understands that on occasion, faculty, employees, and administrative members may have to occasionally use a personal wireless devise for various reasons (i.e., expecting a call, emergency situations, medical practice, etc.). However, the use of personal wireless devices during University meetings will be prohibited, if not limited.

1. All wireless devices are to be turned off or set to vibrate before entering a business meeting, conference, or brainstorming session.

2. Employees, administrative, and faculty members will be prohibited from using wireless devices (includes, taking calls, making calls, emailing, web-browsing, and text messaging) while business meetings, conferences, or brainstorming sessions are being held.

3. In the event of an emergency or an expected phone call, notify the meeting facilitator of the circumstances surrounding the emergency or the expected phone call prior to the start of the meeting.

4. The employee, faculty, or administrative member will be instructed to step out of the meeting for a short duration to take the call.

5. When taking a phone call, keep a low voice or find a quiet area to talk.

Failure to abide by the guidelines of this University policy will result in disciplinary action up to and including termination of employment.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00450 Alert Line

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: July 1, 2009

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00450, dated September 1, 2004

POLICY I.E.00450 Alert Line

The Charles Drew University’s Codes of Conduct requires all employees and University representative to observe the highest standards of business and regulatory ethics in the conduct of their duties and responsibilities. Employees and representatives of the University must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws, regulations and University policies.

This policy should be read in conjunction with the University’s Codes of Conduct Policy. The Alert Line policy does not replace the existing Academic Senate, faculty, student, or employee grievance policies.

REPORTING RESPONSIBILITY

Employees of the University have an obligation to report in accordance with this Alert Line Policy (a) questionable or improper accounting, reporting or processing matters (b) suspected violations of the University’s Codes of Conduct and Conflict of Interest policies, and (c) unsafe, illegal and unethical behavior (hereinafter collectively referred to as Concerns).

NO RETALIATION

This Policy is intended to enable employees to raise Concerns within the University for review and appropriate action. Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information reported is unsafe, illegal and/or unethical behavior and/or actions. With this goal in mind, no employee who reports a Concern shall be subject to retaliation or adverse employment consequences. Moreover, an employee who retaliates against someone who has reported a Concern is subject to discipline up to including termination of employment.
PROCEDURE I.E.00450 Alert Line

REPORTING CONCERNS

Employees should first discuss their Concern with their immediate supervisor. If, after speaking with his or her supervisor, the individual continues to have reasonable grounds to believe the Concern is valid, the individual should report the Concern to the University Auditor or take advantage of the University’s Alert Line, a toll-free and online incident reporting service operated by MySafeCampus, an independent company. Employees may either log on to www.MySafeCampus.com or call toll-free 800-716-9007 to make a report 24 hours a day, 7 days a week.

ACTING IN GOOD FAITH

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed is believed to be unsafe, illegal and/or unethical behavior. The act of making allegations that prove to be unsubstantiated, malicious reckless, or with the foreknowledge that the allegations are false will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment.

CONFIDENTIALITY

Reports of Concerns and investigations pertaining thereto shall be kept confidential to the extent possible, consistent with the need to conduct an adequate review.

Applicability: Staff and Faculty
CDU Policy I.E.00460 Classification of Positions

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00460 Classification of Positions

At Charles R. Drew University, positions are established and classified based on the level and scope of assigned duties and responsibilities as documented in approved job descriptions. Positions with similar duties and responsibilities are grouped together in the same job series. As duties and responsibilities undergo significant changes, positions may be reviewed for reclassification.

Departments may submit a request for classification review for employees whose duties and responsibilities have undergone significant changes. Employees also may request that their assigned duties and responsibilities be reviewed for appropriate classification level. Changes in the following factors may indicate a need for a classification review:

- Position duties
- Essential functions
- Level of complexity and responsibility of duties
- Nature of contacts with others
- Organizational impact of the position
- Level of supervision received and or exercised
- Knowledge, skills, and abilities required to successfully perform in the position
- Special requirements (e.g. changes in required licenses, certificates, or credentials)
- Physical requirements

PROCEDURE I.E.00460 Classification of Positions

REFERENCES AND RELATED POLICIES

CDU – APM I.E.00530 (Types of Appointment)
CDU – APM I.E.00490 (Recruitment)
CDU – APM I.E.00540 (Salary)
CDU – APM I.E.00560 (Overtime)
CDU – APM I.E.00460 (Classification of Positions)
A. AUTHORITY

Authority for maintaining the position classification system resides with the Department of Human Resources. Staff positions are assigned to a classification title and pay grade on the basis of the work performed and skill and competency requirements of the position. As the core functions and job duties of a position change, a position may be reclassified.

B. RESPONSIBILITY

1. It is the responsibility of the Department of Human Resources in conjunction with the department to determine the appropriate title of a position based on various factors (i.e., grants).
2. It is the responsibility of the Department of Human Resources to determine the classification and pay grade of a position, except where such authority is specifically redelegated.
3. It is the responsibility of Organization Heads (or designees) to:
   a. Determine the essential functions and requirements for positions within their organization and ensure that job descriptions are established and maintained in accordance with this policy.
   b. Submit job descriptions for new or replacement positions to the Department of Human Resources for classification and pay grade determination.
   c. Submit job descriptions where there is a significant and lasting change in the core functions and job duties of an existing position to the Department of Human Resources for classification and pay grade determination. This approval shall be obtained prior to making any commitment concerning reclassification to the employee.

C. JOB DESCRIPTIONS

1. Job descriptions shall include:
   a. Summary statement (major purpose of position and its role in the department)
   b. Core functions and essential and marginal job duties
   c. Degree of supervision indicating who assigns work, degree of independence and other guidelines
   d. Requirements (skills, knowledge, ability, physical, and behavioral competencies)
   e. Signatures of the employee, immediate supervisor, and department head on the Job Description
   f. Date when the job description is approved or updated
   g. Current organization chart
   h. Special requirements (e.g., critical position, conflict of interest, licenses, certificates, credentials, etc.)
   i. Physical demands.
2. The incumbent and supervisor review the job description as needed to ensure that it accurately describes the core functions and duties of the position.
D. CLASSIFICATION REVIEW PROCEDURES

1. New or Replacement Positions
   o The organization head or designee prepares the job description for new or replacement positions.
   o Master job descriptions may be used when a department has multiple positions performing the same core functions and duties.
   o The job description is forwarded to the Department of Human Resources for review.
   o The Department of Human Resources in conjunction with the department determines the appropriate classification title and pay grade and notifies the department.
   o When a new or replacement position is to be posted, a job requisition is also submitted.

2. Reclassification of Existing Positions
   a. In the event of a significant and lasting change in the job duties and responsibilities of an existing position, the organization head or designee submits the following to the Department of Human Resources for review:
      1. Current job description
      2. Proposed job description with both management and employee signatures
      3. Cover letter outlining the changes in the position since last reviewed
      4. Organizational chart indicating the position under review
      5. Supplemental information as required (e.g., questionnaire, survey)
      6. Signature of organization head or designee
      7. Last performance evaluation of incumbent
      8. Date of request

3. Classification Review Process
   The Department of Human Resources determines the appropriate classification and pay grade by evaluating the core functions and duties of the position and comparing them to pre-defined job families or classification specifications and comparable positions within the organization and or external to the organization.

   Factors considered include, but are not limited to:
   ▪ scope of responsibility,
   ▪ degree of complexity,
   ▪ nature of contacts with others,
   ▪ innovation,
   ▪ scope of leadership,
   ▪ supervision received and exercised,
   ▪ degree of independence,
resource management,
- potential impact of errors, and
- skill and competencies required to perform the position.

The classification review process will include one or more of the following:

a. Review of job descriptions
b. Review of the organizational chart
c. Review of and any supplemental information such as a cover letter or internal analysis
d. Interviews with incumbent(s), supervisor(s), and or manager(s), individually or in groups
e. Review of a position questionnaire or survey
f. Review of other positions (internal and or external) with like or similar job duties and responsibilities
g. Interviews with subject matter experts
h. Department Notification

4. Effective Date
Reclassifications are typically effective the first of the month after the Department of Human Resources receives a complete classification review request from the department.

5. Notification
The Department of Human Resources normally notifies the organization head or designee of the classification determination, effective date, and any changes in Fair Labor Standards Act (FLSA) status. The organization head or designee notifies the supervisor and the employee.

6. Implementation
The Department of Human Resources updates the personnel/payroll system as appropriate and retains the original signed Personnel Action Form (PAF). Copies of the approved job description will be returned to the respective department.

Applicability: All Staff and Faculty Members
At Charles R. Drew University, segregation of duties is critical to effective internal control because it reduces the risk of mistakes and inappropriate actions. It is an internal control activity to help prevent or decrease the occurrence of undetected innocent errors or intentional fraud. This is done by ensuring that no single individual has control over all phases of a transaction: authorization, custody, and record keeping. When there is a good segregation of duties, there has to be collusion between two or more employees for irregularities to occur without detection.

When assigning duties, you should think about the entire transaction and whether or not a single person can make errors (either innocent or intentional) without timely detection in the course of their day to day activities or in their backup roles. If they can, then try to determine a way to eliminate the assignment of incompatible duties to an employee or to establish compensating controls.

In general, the following functions should be separated among employees:

- Approval
- Accounting/reconciling
- Asset custody

A detailed supervisory review of related activities is required as a compensating control activity if these functions cannot be separated in smaller departments.

Examples of segregation of duties:

- The person who requisitions the purchase of goods or services should not be the person who approves the purchase.
• The person who approves the purchase of goods or services should not be the person who reconciles the monthly financial reports.
• The person who approves the purchase of goods or services should not be able to obtain custody of checks.
• The person who maintains and reconciles the accounting records should not be able to obtain custody of checks.
• The person who opens the mail and prepares a listing of checks received should not be the person who makes the deposit.
• The person who opens the mail and prepares a listing of checks received should not be the person who maintains the accounts receivable records.
• The person who enters new hire information should not be the person who processes a payroll check.
• The person who is the head of a department and or delegation of authority should not be able to approve his or her own Personnel Action Form (PAF) or that of a Near Relative(s).
• The person who enters employee timecards and processes checks should not be the person who distributes payroll checks.
• The person who processes employee terminations should not be the person who has custody of distributes payroll checks.
• The person who approves timecards should not be the person who has access to payroll checks or have the ability to change direct deposit information.

No one person should:

• Initiate a transaction
• Approve a transaction
• Record a transaction
• Process a check
• Reconcile balances
• Handle assets
• Review reports

active role in the day to day operations by approving and/or reviewing transactions or related reports. Sometimes, it is more efficient to separate the duties.

**Note:** At least two sets of eyes are required for any transaction!

Applicability: All Employees and Faculty
At Charles R. Drew University, the objective of dual employment is to provide that an employee who is appointed at 100% time shall not receive additional compensation for any work which is related to the employee's appointment, except for overtime earned by non-exempt employees, in the form of payments for administrative stipends.

However, full-time employees may receive an additional appointment for work in another department or in a different class in the same department provided that:

a) it is impractical to employ another person;

b) the additional appointment will not exceed a total of twelve calendar months;

c) the time worked on the additional appointment will not be detrimental to the employee's performance; and

d) the employee's full-time Organization Head or designee agrees to the arrangement.

Part-time appointments that total more than 100% may also be permitted.

Appointments that exceed 100% time under the conditions listed above are known as "Dual Employment."

Individual requests for dual employment must be submitted in writing to the Department of Human Resources for consideration for review and approval by the Department of Human Resources. The request should contain:

1. a brief description of the duties to be performed,

2. the hours of work,

3. the percent of time
4. the title
5. pay rate

The dual employment agreement requires the mutual endorsement of both the Department Head and designee temporarily needing the employee's services and the Department Head or designee having jurisdiction over the employee's regular full-time position, and the approval of the Department of Human Resources.

Any extensions must be endorsed by both Department Heads and designees and be approved by the Department of Human Resources.

A. PAYMENT OF DUAL EMPLOYMENT FOR EXEMPT EMPLOYEES

Dual employment is permitted for employees whose full-time positions are exempt as long as the additional appointment is established and paid at the same (fixed) percent of time every pay period for the duration of the dual employment. Dual employment is not permitted for exempt employees if the employee will be required to report hours worked for purposes of pay or if payment for the dual employment is expected to vary based on the number of hours worked.

If an employee works full time in a class that is exempt from premium overtime, including any academic position, and works additional hours in another class that is non-exempt, no premium overtime will be paid as long as the time spent performing non-exempt duties in both positions totals less than 20%, in which case the time spent in the non-exempt position will be compensated at the straight time rate of that position.

B. PAYMENT OF DUAL EMPLOYMENT FOR NON-EXEMPT EMPLOYEES

If an employee works full time in a non-exempt class and works overtime in a class that is exempt from premium overtime, including any academic position, the overtime shall be compensated at the premium rate.

C. FINANCIAL LIABILITY FOR PREMIUM OVERTIME PAID TO EMPLOYEES ON DUAL EMPLOYMENT

Both the department in which a non-exempt employee works full-time and the department requesting dual employment may be responsible for paying premium overtime depending on when the employee works over 40 hours in a work week. If a non-exempt employee works 40 hours in Department A, Monday through Friday, and eight (8) hours in Department B on Saturday, Department B is responsible for all the premium overtime. If, however, the same employee works eight (8) hours each day, Monday through Friday, in Department A and also works two (2) hours each evening, Monday through Friday, in Department B, both departments must pay premium overtime for all the hours worked on Friday.
D. DUAL EMPLOYMENT PROCESS

The department requesting the employee's additional work initiates the approval process using a "Request for Dual Employment" form.

1. Prior approval is required before the dual employment work can begin.
2. No payment of dual employment should be processed without a notification of approval from the Department of Human Resources and the Finance Department.
3. The employee's full-time department and the department requesting the dual employment will be notified, in writing, when approved.

Note: The work schedule should be coordinated between the two departments to insure that the employee is compensated for the correct number of hours at the appropriate rate of pay. See the following examples.

EXAMPLES

1. In this example, Department B is liable for all overtime pay at the premium rate. The employee completes 40 hours of actual work in the primary department. The time worked in the dual employment position (Department B) is compensated at 1½ times regular rate of pay (premium) and is paid by the department that requested the dual employment.

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<thead>
<tr>
<th>Example 1</th>
<th>MON</th>
<th>TUES</th>
<th>WED</th>
<th>THUR</th>
<th>FRI</th>
<th>SAT</th>
<th>WEEKLY TOTAL</th>
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<td>40 REG 8 DEP</td>
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</tbody>
</table>

2. In this example, Department A and B are liable for overtime pay at the premium rate, (1½ times regular rate of pay). The employee works dual employment 2 hours each day after completing 8 hours in primary department. Employee completes 40 hours of actual work on Thursday at 8 p.m. Employee is eligible for 1½ times regular rate of pay
premium) beginning on Friday at 8 a.m. and continuing the end of the dual employment at 8 p.m.

<table>
<thead>
<tr>
<th>Example 2</th>
<th>MON</th>
<th>TUE</th>
<th>WED</th>
<th>THUR</th>
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<td>Total Hrs.</td>
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<td>Daily Total</td>
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<td>40 REG, 8 OTP 2 DEP</td>
</tr>
</tbody>
</table>

**PROCEDURE I.E.00480 Dual Employment**

**HOW TO SUBMIT A REQUEST FOR DUAL EMPLOYMENT**

1. The department requesting the employee's additional work will initiate the approval process (which includes approval by the home department) by completing the "Request for Dual Employment" form and distributing it for proper signatures.

2. Approval by the Department of Human Resource, Finance Department, and OSP is required before the dual employment work can begin and before the appointment can be entered into Great Plains (GP).

Applicability: All Staff Members
CDU Policy I.E.00490 Recruitment and Employment

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00490, dated September 1, 2004

POLICY I.E.00490 Recruitment and Employment

As appropriate, Charles R. Drew University will recruit both within and outside its workforce to obtain qualified applicants. To support career progress of qualified internal candidates, internal recruitment may be utilized so long as it is consistent with equal employment and affirmative action objectives and results in a diverse pool of qualified applicants.

All staff positions must be posted in order to provide a consistent approach to recruiting, selection and eventual hiring of qualified applicants, and to assure equal employment opportunities. Departments may not recruit or advertise for a position until that position has been posted. This policy does not apply to a position which is being reclassified because the incumbent has assumed additional responsibilities. Reclassification requires approval of the appropriate dean or administrator and review and approval of OSP, Finance, and the Department of Human Resources. Questions regarding job posting procedures should be directed to the Department of Human Resources at 323-563-5827.

All staff positions must be advertised in such a way that qualified individuals have an opportunity to apply. All staff position openings must be listed in the “Employment Opportunities” website, which serves as the official posting site for the University.

Departments wishing to place advertisements in any external publication (e.g., newspaper, journal, magazine, Website, etc.) must make arrangement to do so with the Department of Human Resources and are responsible for paying for the advertisement. Before a position can be advertised, it must be posted. Departments should display job posting notices prominently so that all qualified employees are aware of position openings.

A. EMPLOYMENT AT WILL

With the exception of employees holding faculty appointments, all employees of Charles R. Drew University are employed on an "at will" basis. This means employees have the right to terminate their employment at any time, for any reason, and CDU can also terminate their employment at any time with or without cause and with or without notice. This Manual does not constitute a contract between the University and the employee. All policy statements,
procedures, manuals or documents as well as statements by an employee or representative shall not in any way modify this at will status.

B. NON-DISCRIMINATION

It is the policy of Charles R. Drew University not to engage in discrimination or harassment against any person employed by or seeking employment with the Charles R. Drew University on the basis of race, color, national origin, religion, sex, gender identity, pregnancy¹, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994)² This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

C. INTERNAL APPLICANTS

The University encourages qualified employees to apply for positions as they become available. Those involved in recruiting are encouraged to consider University employees as well as external applicants from the job market

D. AVOIDANCE OF FAVORITISM

Consistent with Charles R. Drew’s policy on equal employment opportunity and non-discrimination in employment, the employment of near relatives in the same department shall be permitted when concurrent employment would be in the best interest of the University, however, such employment relationships are strongly discouraged and should be avoided.

For the purpose of this policy, a “near relative” is defined as a spouse, domestic partner, parent, child (including the child of a domestic partner), or siblings. In-laws and step-relatives in the relationships listed, including relatives of the domestic partner who would be covered if the domestic partner were the employee’s spouse, are also defined as near relatives.

PROCEDURE I.E.00490 Recruitment and Employment

A. RECRUITMENT

An approved Staffing Requisition form authorizes the hiring department to begin recruitment. Following is an outline of the University recruitment and hiring process.

1. **Authorizations** - The hiring supervisor submits a Staffing Requisition Form along with an updated job description to the Department of Human Resources. The Staffing Requisition is reviewed for accuracy and completeness (job title, job status, salary grade, salary range, account number, signatures, etc.) The job description is reviewed for edit changes. For new positions or changes to an existing positions that impact title and/or grade, the hiring supervisor should contact the Department of Human Resources for preparation or modification of the job description, classification and grade.
2. **After the Staffing Requisition is reviewed by the Department of Human Resources,** a recruitment number is assigned to the Staffing Requisition and forward to OSP and/or the Finance Department for approval. Recruitment can only begin after the approved Staffing Requisition form is returned to the Department of Human Resources for job posting.

3. **Job Posting and Selection** – the Department of Human Resources meets with the hiring supervisor to discuss recruitment strategies and processes including advertising options. New job openings are posted within 48 hours of receipt of approved Staffing Requisition from Finance on the CDU website, and any other sites approved by the hiring supervisor. Positions should be posted for a minimum of 10 days. All resumes and applications must first come to the Department of Human Resources for record. The resumes/applications with attached comments sheets are forwarded to the hiring supervisor for review.

4. **The hiring supervisor reviews applications/resumes** and contacts the most qualified candidates for interviews. Candidates are asked to complete an employment application on the date of interview. During the interview the candidate is asked questions related to his or her knowledge, skills, abilities, and experience. The hiring supervisor completes a comment sheet for each applicant interviewed and returns the form, resume and application to the Department of Human Resources. The hiring supervisor makes a selection after the interview process. Once the selection is made, the hiring supervisor notifies the Department of Human Resources and returns the applications/resumes and comment sheets of those interviewed to the Department of Human Resources.

5. **Background Investigations** - the Department of Human Resources reviews the application/resume of the selected candidate to verify qualifications for the position. The final candidate is advised of the background investigation process by the Department of Human Resources. The investigation includes employment and salary verification, reference checks, education verification, and criminal history.

6. **Offer of Employment** – While the background check is in process, a salary recommendation is prepared by the Department of Human Resources, taking into consideration the experience and qualifications of the candidate, the approved hiring range, and equity within the salary grade and department. The salary recommendation is then discussed with the hiring supervisor.

7. **If the results of background investigation are favorable,** and a salary is agreed upon, an offer of employment is made. An offer of employment may only be made by the Department of Human Resources. Following acceptance of the verbal offer, the Department of Human Resources advises the employee of a start date, new employee orientation, pre-employment physical schedule, and other requirements. The hiring supervisor is notified, and a written offer of employment is prepared by the Department of Human Resources.
8. **The new employee is invited to an orientation session.** During the orientation, the employee receives an overview of University history, organizational structure, policies, procedures, benefits program, and completes required documentation.

9. **Closing the Recruitment** – Once an offer of employment has been accepted, the hiring supervisor must return the application, resumes, comment sheets, and all other documents related to the recruitment to the Department of Human Resources. According to Employment Law regarding Retention of Records, these documents must be retrained by the University in the Department of Human Resources as the Custodian of Records for a specified period of time.

**B. TEMPORARY EMPLOYEES**

1. All temporary employees must be secured through the Department of Human Resources. Temporary employees are obtained through staffing agencies, by referral, or from the applicant pool in the Department of Human Resources.

2. To request a temporary agency worker, the requesting department must complete a Request for Temporary Services form, secure the signature of the Department Head or Principal Investigator, and submit the form to the Department of Human Resources.

3. Temporary employees not obtained from an agency are paid through the University payroll. Please contact the Department of Human Resources for additional information at 323-563-5827.

**C. VOLUNTEERS**

Federal and state guidelines allow for volunteering only in specified work environments, limiting the scope of work that can be performed on a volunteer basis. Since the University does not meet federal and state guidelines for those services, volunteering is strictly prohibited by the University. Individuals performing services for the University must be paid for services in accordance with wage and hour laws and in accordance with the University’s salary compensation structure. For additional information, please contact the Department of Human Resources and 323-563-5827.

**D. EXCEPTIONS TO RECRUITMENT**

Recruitment is not required when a position is to be filled by:

1. Demotion;
2. Transfer or reemployment of an employee in accordance with CDU – APM I.E.00340 (Reasonable Accommodation); CDU – APM I.E.00760 Medical Separation; CDU – APM I.E.00680 Pregnancy Disability Leave; or CDU – APM I.E.00680 Family and Medical Leave);
3. A qualified employee who has become disabled;
4. An employee whose responsibilities or title have changed as a result of a reorganization or reassignment of functions among positions within the same organizational unit; or
E. WAIVER OF RECRUITMENT

Departments may waive recruitment in special circumstances in accordance with equal opportunity and affirmative action objectives. Waivers of recruitment are approved by the Director of Human Resources in consultation with Legal Counsel. Special circumstances may include:

1. When a candidate possesses unique skills, knowledge, and abilities and there is no other viable candidate available;
2. When there are demonstrated recruitment difficulties;
3. When there are time or funding constraints, or other demonstrated business necessity;
4. When there are health and safety reasons.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00501 Staff Credentials Verification

ISSUING OFFICER:  Department of Human Resources

RESPONSIBLE OFFICE:  Director of Human Resources

EFFECTIVE DATE:  May 27, 2011

REVISED DATE:

SUPERSEDES:

POLICY #I.E. 00501 Staff Credentials Verification

It is the policy of Charles Drew University that the claimed academic degrees of all prospective staff be verified as earned degrees awarded from regionally accredited institutions. This includes applicants who have earned their degrees outside the United States, whereby an evaluation of degree equivalency is conducted. All vacancy announcements or advertisements for employment—including administrative roles that carry a degree requirement—must include explicit reference to these requirements.

As an institution of higher education that is committed to excellence in teaching, research, and service, and which is accredited by the Western Association of Colleges and Schools, CDU must ensure that all posts that require a degree possess appropriate credentials commensurate with the requirements of the job descriptions and that academic degrees have been awarded by officially accredited institutions.

PROCEDURE #I.E. 00501 Staff Credentials Verification

A. VERIFICATION

It is the applicant’s responsibility to provide the academic credentials according to the position he or she is applying for. In addition to earned degrees, a college/school may require documentation of other forms of professional credentials, including but not limited to claims of licenses to practice or board certifications. Credentialed records shall be forwarded to the Department of Human Resources, which will conduct the background check to verify that such credentials meet the requirements for the position and have been issued by appropriately accredited institutions.

B. NON-COMPLIANCE CONSEQUENCES

If transcripts and/or diplomas have not been provided prior to the first day of employment, continued employment shall not commence until all required documents have been received by the Department of Human Resources. Falsification or misrepresentation of academic degrees and professional credentials or evidence that degrees offered in support of employment have
been issued from non-accredited institutions, shall invalidate an application for employment, or shall be grounds for immediate separation from the University if employment is already provisionally approved.

Applicability: All Staff Members
CDU Policy I.E.00500 Background Checks

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00500 Background Checks

A. GENERAL

At Charles R. Drew University, a check of a candidate’s background is intended to serve as an important part of the selection process when hiring new and re-hired employees into critical positions. A background check is conducted with the goal to assess risks and promote a safe environment for students, faculty, employees, guests; to protect key organizational assets such as people, property and information; and to enable hiring authorities to make prudent employment decisions based upon comprehensive job-related information.

Background checks shall be performed on all positions in addition to other employment checks generally performed for all positions, such as reference checks and verification of employment history. The University recognizes that its need to conduct background checks on applicants and employees must be balanced with the need to protect the privacy of those individuals and will adhere to any state and federal law or University policy pertaining to those rights.

B. CATEGORIES

The categories of background checks include, but are not limited to:

1. confirmation of a person's identity;
2. review of criminal conviction records;
3. verification of any educational degree, license or certificate required for the position;
4. review of Department of Motor Vehicles (DMV) records;
5. government security clearance; and
6. drug testing as required by law
PROCEDURE I.E.00500 Background Checks

A. THE DEPARTMENT OF HUMAN RESOURCES IS RESPONSIBLE FOR:

1. Documenting the requirement for background checks in the job description;
2. Including in any job posting and communication with applicants appropriate language stating that a background check will be conducted, the category of background check, and that future (or continued) employment in a position is contingent upon satisfactorily completing a background check;
3. Obtaining a signed authorization from the candidate prior to initiating a background check (use background check (criminal record) authorization form);
4. Ensuring that background checks, with the exception of criminal record reviews, are conducted prior to employment;
5. Complying with the investigative consumer reporting agencies act (icra), the information practices act (ipa), and the fair credit reporting act (fcra) and any other law pertaining to background investigations;
6. Initiating any required criminal background checks or reviews of driving records in accordance with the procedures below.

B. DISPUTES

If a candidate disputes the accuracy of any information obtained in a background check, he or she should be referred to the agency that provided the information. Such dispute will not necessarily serve to delay the hiring authority’s decision to fill the position.

Falsification of information submitted to the University on application materials may be cause for corrective action, up to and including dismissal, or release during the employee’s probationary period.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00510 Reference Checks/Employment Verification

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00510 Reference Checks/Employment Verification

A. CDU REFERENCES

The University operates as a single employer and has the right and responsibility to share with other University departments accurate employment information concerning the job history and performance of current or former employees. The individual responsible for gathering reference data on an employee who is a job candidate must contact all of the candidate’s previous CDU supervisors. Former supervisors must provide this information to other CDU departments and may not withhold any information related to performance. It is especially important that the communication between CDU departments regarding work performance be accurate, candid and objective. If an applicant does not want his or her supervisor to know he or she is seeking a new position, an offer must be made contingent upon receiving an acceptable employment recommendation.

B. Non-CDU REFERENCES

It is Charles R. Drew University’s policy to provide minimal information to reference inquiries from non-CDU entities for current or former employees. The Department of Human Resources is the only entity authorized to respond to employment inquiries or to engage the services of a third party vendor to do so on the University’s behalf. In either case, only the employee’s job title, most recent hire date, termination date (if no longer employed by CDU), and total time with CDU will be provided.

The individual responsible for gathering reference data on employees who are candidates from non-CDU entities must document the source of the data, the date of contact and summarize the information received. Applicants also may, on their own initiative, provide letters of reference to the hiring authority.
C. EMPLOYMENT VERIFICATION

Any University employee (or former employee) may authorize the release of his or her own employment and income information (e.g., for purposes of credit evaluation) by providing to the Department of Human Resources or the Payroll Office a specific authorization to release the information to the institution requesting the information.

Questions regarding employment references should be directed to the Department of Human Resources at 323-563-5827.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00520 Work Authorization

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  October 29, 2010

SUPERSEDES:  CDU Policy I.E.00520, dated September 1, 2004

POLICY I.E.00520 Work Authorization

Charles R. Drew University encourages all qualified candidates who are legally authorized to work in the United States, to seek employment with the University. The University will not discriminate against any qualified job applicant based on national origin or citizenship status. Federal law requires all employees to show proof that they are legally authorized to work in the United States within the first three (3) days of employment. In addition, employers may accept only those documents specified by the government.

In some instances, the University will sponsor and or assist individuals who wish to obtain a work-related Visa. These requests are considered on a case by case basis, taking into consideration federal guidelines for sponsorship and University funding. Please contact the Department of Human Resources for information regarding Visa processing.

PROCEDURE I.E.00520 Work Authorization

1. All employees are required to show proof of eligibility to work in the United States.
2. Documents verifying eligibility to work will be requested after an offer of employment is made and will be accepted no later than the third day of employment.
3. If documentation is not provided by the third day of employment, the employment relationship will be terminated.
4. A list of acceptable documents can be obtained in the Department of Human Resources.
   - Providing documentation that establishes both their identity and employment authorization (List A documents on the I-9 form)
   - Providing documentation that separately establishes their identity (List B documents on the I-9 form) and their employment authorization (List C documents on the I-9 form).
5. Individuals who are made an offer of employment and can show authorization to work in the United States will be placed on the University payroll in the manner described in CDU – APM I.E.00490 (Employment).
Employees who are re-hired must provide proper documentation if the documents produced to complete the prior I-9 form have expired, are about to expire or if the date on the initial I-9 form is dated prior to June 5, 2007.

Applicability: All Staff and Faculty Members
**CDU Policy I.E.00530 Appointments**

**ISSUING OFFICER:** Director of Human Resources

**RESPONSIBLE OFFICE:** Department of Human Resources

**EFFECTIVE DATE:** September 1, 2004

**REVISED DATE:** October 29, 2010

**SUPERSEDES:** CDU Policy I.E.00530, dated September 1, 2004

**POLICY I.E.00530 Appointment**

**A. SELECTION**

The individual who, in the judgment of the hiring authority, possesses the qualifications required to perform the duties of the position most effectively is to be selected for the position. The hiring authority shall give due consideration to providing promotional opportunities to Charles R. Drew University employees.

**B. SELECTION PROCEDURES**

Selection methods and criteria shall be job related. The President shall designate those departments and positions for which medical examinations shall be required of all persons prior to entrance to duty. The University shall bear the cost of the medical examinations.

**C. BACKGROUND CHECKS**

To ensure that individuals are selected who possess the qualifications to perform the duties of the position most effectively and who are best able to serve the University's interests, the University requires job-related background information on final candidates for critical positions and employees who are re-hired. Background checks may include but will not necessarily be limited to confirmation of an individual's identity, review of an individual's criminal conviction record, if any, or verification of any license, certificate, or degree required for appointment.

Appointment to or continued employment in a critical position is contingent upon successful completion of a background check. A background check that includes fingerprinting may be completed after appointment, and the results shall be used to assess the employee's suitability for continued University employment. Employment and educational reference checks normally are conducted for all positions.
D. CITIZENSHIP, WORK STATUS, AND IMMIGRATION REQUIREMENTS

Under Federal law, the Charles R. Drew University may employ only individuals who are legally eligible to work in the United States as established by providing documents specified in the Immigration Reform and Control Act of 1986.

The University must verify the work status of an employee who is hired after November 6, 1986 and is directly performing work under a federal contract or subcontract that contains an E-Verify requirement clause. Use of the E-Verify employment verification system requirements is in addition to the requirements currently specified in the Immigration Reform and Control Act of 1986. Nonimmigrant aliens authorized to work in the U.S., including student employees, must have or agree to acquire minimum health insurance coverage. (See Group Insurance and Health Plan Regulations available in Student Services or the Departments of Human Resources)

E. NEAR RELATIVES

Consistent with Charles R. Drew’s policy on equal employment opportunity and non-discrimination in employment, the employment of near relatives in the same department shall be permitted when concurrent employment would be in the best interest of the University, however, such employment relationships are strongly discouraged and should be avoided. For the purpose of this policy, a near relative is defined as a spouse, domestic partner, parent, child (including the child of a domestic partner), or siblings. In-laws and step-relatives in the relationships listed, including relatives of the domestic partner who would be covered if the domestic partner were the employee’s spouse, are also defined as near relatives.

F. GRANTS AND CONTRACTS APPOINTMENTS

At Charles R. Drew University of Medicine and Science, Employee Classifications (California Industrial Wage Order no. 4, para 1, 2) are as follows:

**Regular Employees:** Employees hired or assigned to work with full-time or part-time status in a position funded by the University.

**Full-Time Employees:** Employees regularly scheduled to work 40 hours per week.

**Part-Time Employees:** Employees regularly scheduled to work fewer than 40 hours per week.

**Temporary Employees:** Employees working on grants or special projects or on a fill-in basis, either full or part-time.

**Conditional Employees:** Employees hired or assigned to work with full-time, part-time or temporary status in a position funded by a grant or fiscal award that has a fixed expiration date at which time the position will end and the Employee will be terminated unless a transfer to another position or funding source is approved.
All staff appointments to the staff of instruction and research which are funded from non-
University sources (e.g., federal or state appropriations, research or other service contracts or
grants) shall be subject to modification or termination in the event that such funding shall cease
to be available to the University for such purposes.”

Non-faculty Appointments

Appointments to these positions are normally for one year or less because of the uncertainty of
funding. To recruit the most promising candidates, it is sometimes necessary to discuss the
possibility of reappointment. Letters of appointment in such cases should state as criteria for
reappointment both satisfactory performance and the availability of funds. Even though funds
from federal grants and contracts may be awarded for more than one year, there is usually a
disclaimer limiting assurance of funding to one year.

The initial notification to each employee of the Contracts and Grants Appointment policy is
stated explicitly in the employment offer letter as follows:

_The employment status of this position is classified as “Conditional.” Conditional
Employment means this job exists contingent upon funding limitation of restricted funds.
The duration of the budget period is from (specified month, day, and year) through
(specified month, day, year). Please note that if the University does not receive a
renewal of this funding or a reduction of funds occurs, your final date of employment will
coincide with the non-renewal/reduction date._

Faculty Appointments

Problems arise in the definition of “availability of funds.” Professors frequently have federal
funds from a variety of sources for different purposes and may receive new funds but at a
reduced level. A suggested statement, with two modifications to be used if appropriate, is as
follows:

_Reappointment is dependent on satisfactory performance [or, in the case of those already
in service, “continued satisfactory performance”] and contingent on the level of funding
I receive in support of my research project, __________ [or, in the case of larger
projects, “continued support of the ___________ project”]._

When longer-term appointments are necessary, the college or the school must state in writing its
willingness to back up the appointment with a stable source of funds in case federal money is not
forthcoming, or qualify the appointment as follows:

_This appointment may be terminated or modified before the end of the term of
appointment if continued federal funding for my research in the area of __________ [or
“for the ___________ project”] is withdrawn or reduced._
In the case of foundation and some other types of sponsored research, funds are committed for the entire period of the activity, making it possible to make unqualified appointments for the period of support, within the allowable term for such appointments.

Faculty may charge a portion of their academic year salaries directly to research grants and contracts. The salary and fringe benefits charged to a research grant or contract during the period (nine or twelve months per year) of a faculty member’s full-time appointment do not flow to the faculty member as extra compensation, since they represent remuneration for work done during the time of the faculty member’s obligation to the university. These funds may be placed in university accounts under the jurisdiction of the faculty member and expenditures there from used for any legitimate university purpose.

If no vacant budgetary line exists, a college or a department cannot make a faculty appointment on external funds without prior approval from the dean and the provost. Such approval will be granted only for a short period and only if it can be demonstrated that unrestricted funds will soon be available.

**PROCEDURES I.E.00530 Appointment**

1. The hiring authority shall follow the procedures for a nondiscriminatory selection process and shall follow practices that foster nondiscrimination and promote equal opportunity. Candidates who will be interviewed must complete a University application form.

2. A record of the process should be provided to the Human Resources Department for reporting and auditing purposes. Those records should consist of:
   a. The University application form and resume for each interviewee.
   b. Job-related standards used to screen the applicants.
   c. Questions used for the interviews, including those used by search committees and panels.
   d. Rating guides used by all interviewers.

3. The hiring department may choose an interview format that best facilitates the department's selection process.

4. If a search committee or panel includes members from outside the department, consideration should be given to diversity in the composition of the committee or panel. The Department of Human Resources may serve as a consultant to the hiring authority and search committee chair. Normally, a search committee is charged to screen, interview, and recommend a group of qualified candidates for consideration by the hiring authority. Thereafter the hiring authority can make a selection from the candidates recommended.

5. The Department of Human Resources is responsible for demonstrating good faith efforts to obtain and refer a diverse, qualified applicant pool for consideration. If a diverse pool is not identified, the hiring authority and The Department of Human Resources shall determine if further recruitment would produce a more representative pool.
6. The hiring authority may begin the assessment after all information is gathered from the applications, interviews, reference checks, background checks, and other job-related sources. The hiring authority is responsible for documenting the selection decision by completing the Applicant Tracking Form and sending it, along with the selected candidate's resume to the Department of Human Resources.

7. Additionally, the Department of Human Resources will complete the Affirmation Action Form A and retain it for three years, unless there is a pending complaint or grievance.
   a. A letter confirming the job offer and the candidate's acceptance will be sent to the successful candidate. Other candidates interviewed but not selected should be notified after the job offer to the successful candidate has been finalized.
   b. The Department of Human Resources is the Office of Record for the employment requisition.

Applicability: All Staff and Faculty Members
CDU Policy I.E00540 Salaries

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E 00540 Salaries

The principal objective of establishing a salary program at Charles R. Drew University is to be externally competitive and provide equal or equivalent salary ranges for employees performing similar jobs.

PROCEDURE I.E.00540 Salaries

A. It is the responsibility of the Department of Human Resources to administer salary programs for the purposes of:

1. Reviewing and approving salary structures and job titles for all positions covered by these policies; responding to, and adjudicating, concerns and inquiries regarding classification standards, benefits, salary rates, or ranges for classes. Refer to CDU – APM I.E.00640 (Grievance and Complaint Resolution).

2. Reviewing and formulating equitable solutions to issues related to equal pay or salary discrimination, and monitoring the progress of the campus in dealing with such issues.

3. Developing guidelines to insure standard application of pay policies.

4. Reviewing and recommending and/or approving exceptions to salary policy and procedure limitations where appropriate.

B. It is the responsibility of the Organization Head (or designee) to:

1. Establish appointment rates for new hires and rehires in accordance within the limits set forth in the policy.

2. Develop merit increase recommendations in accordance with published merit guidelines.

3. Determine salary adjustments upon reclassification, promotion and demotion and stipend amounts in accordance with the limits set forth in the policy and procedures.
4. Determine equity increase adjustments in accordance with the limits set forth in the procedures.

C. Merit Increases

Specific guidelines and procedures are announced each year by the Department of Human Resources.

- Employees in merit-based pay plans will be eligible for merit consideration based on the following:
  - must be below the salary range maximum, and
  - must be appointed to the same position for a minimum of 6 (six) months or more.

D. Promotional Increases

1. Salary Adjustment upon Promotion or Upward Reclassification

The Organization Head or designee may approve salary increases upon promotion or upward reclassification not to exceed 15 percent of current salary unless a larger increase is necessary to bring the salary to the minimum of the new salary range.

Individual requests for exception to grant increases in excess of 15 percent upon promotion or upward reclassification must be submitted for consideration for review and approval by the Department of Human Resources.

2. Salary Adjustment Upon Lateral Transfer or Lateral Reclassification

Salary increases upon lateral transfer and lateral reclassification are normally not granted. However, the Organization Head or designee may approve salary increases upon lateral transfer and reclassification not to exceed 15 percent of current salary.

Individual requests for exception to grant increases in excess of 15 percent upon lateral transfer and reclassification must be submitted for consideration for review and approved by the Department of Human Resources.

E. Salary Adjustments Upon Demotion or Downward Reclassification

The Organization Head or designee may approve salary adjustments upon demotion to a salary rate within the salary range of the new class.

Upon downward reclassification, an employee's salary is normally decreased. However, under special circumstances, the employee's current salary rate may be retained even though the salary is above the maximum of the salary range of the new classification.
Individual requests for exception to retain employee salaries above the maximum must be submitted for consideration for review and approved by the Department of Human Resources.

Employees whose salaries are above the maximum of the salary range shall not be granted salary increases until such increases are appropriate within the salary range.

F. Equity Increases

The Organization Head or designee may approve equity increases not to exceed 15 percent to remedy a salary inequity caused by any of the following reasons:

1. increased duties in a position insufficient to warrant upward reclassification;
2. staff retention;
3. changing market conditions; and
4. internal equity within the unit, department, College, or School.

Individual requests for exception to grant equity increases in excess of 15 percent must be submitted for consideration for review and approved by the Department of Human Resources.

G. Annual Increases

Individual requests for increases that exceed 25 percent must be endorsed by the appropriate Organization Head prior to being sent to the Department of Human Resources for consideration for review and approval.

H. Administrative Stipends for Temporary Assignments

The Organization Head or designee may approve stipends for employees in temporary assignments for an amount not to exceed 15 percent of base salary and for a period of time not to exceed 12 months (CDU – APM I.E.00480 Dual Employment).

Individual requests for exception to stipend amounts that exceed 15 percent of base salary and for a period of time that exceeds 12 months (including extensions) must be submitted for consideration for review and approved by the Department of Human Resources.

Stipend amounts are fixed monthly or bi-weekly amounts that generally remain constant during the temporary term of the stipend.

Applicability: All Staff and Faculty Members
CDU Policy I.E00541 Merit and Pay Equity Increase

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: April 1, 2011

REVISED DATE:

SUPERSEDES:

POLICY I.E.00541 Merit and Pay Equity Increase

Departments need to be familiar with and follow the HR APM Policy CDU I.E.00541. Annual pay increases are merit-based and should vary according to individual performance and the amount of funding available. There are to be no across-the-board increases, uniform cost of living increases, or commitments for future increases determined prior to the annual budget development process. Typically, only one merit increase is allowed during each fiscal year, effective on July 1. Every employee should be informed, in writing, of his or her annual merit increase and new rate of pay, if applicable, before July 1st. The reason for the amount of the increase, or lack thereof, should be described, documented, and retained in the employee’s personnel file. Performance evaluations must be given to the employee and the employee allowed the opportunity to comment on evaluation documentation.

All requests for increases must be accompanied by justification based on specific performance measures and these records must be maintained in the employee’s personnel file in the Department of Human Resources.

Merit increases in excess of 5%

1. Mandatory review and recommendation by Department Head
2. Mandatory review and approval by Division Head/Dean
3. Mandatory review and recommendation by the Chief Human Resources Officer
4. Final approval by the Provost, Chief Operating Officer, or President.

Exceptions to the requirements, restrictions or procedures described in these guidelines require approval by the Provost, Chief Operations Officer, or President.

Merit Increase Review and Approval for Faculty

1. Chief Academic Officers (Provost, EVP Research, Deans) will decide faculty merit increases, with input from academic department chairs, directors, and principal investigators (PI).
2. All relevant Chief Academic Officers must concur on the merit increases for faculty when faculty have payroll across college/school lines or for both educator and researcher effort.
3. Principal investigators (PI) retain discretion on maintaining or reducing effort to fulfill grant project or program objectives within budget constraints when IBS increases.

Funding
Each year during the budget development process, the University will communicate to senior management the availability of additional funding or expectation for internal funding for increases in compensation (including increases based on merit, bonuses, and adjustments due to pay equity). Departments considering merit pay increases should address the requests during the budget approval process.

When completing the budget or payroll process for the new fiscal year, merit based pay increases for employees funded by grants must be included. To ensure adherence to federal regulations concerning institutional base compensation, the lack of grant funding prior to July cannot be used as the justification for a mid-year pay increase. Increased availability of funding (unrestricted, restricted, or contracts and grants) is not, in and of itself, a valid reason(s) for requesting a mid-year pay increase.

Equity Pay Increases
Departments are required to reference benchmarking data to justify equity pay increase requests. Internal and external benchmarking data is available from the Department of Human Resources. Equity pay increases are often facilitated during the annual compensation review and budget approval process.

Proposed adjustment and pay levels based solely on equity or that include a component of equity up to and including 5%:
1. Mandatory review and recommendation by Department Head
2. Mandatory review and recommendation by Division Head/Dean
3. Final approval by the Chief Human Resources Officer

Transactions will not be processed until the appropriate documents and signatures have been obtained. Transactions and authorizations will be audited to confirm appropriate approvals have been obtained.

PROCEDURE I.E.00541 Merit and Pay Equity Increase

SUMMARY
CDU will be administering a 2% merit increase pool for Regular and Conditional staff/faculty (hereinafter referred to as employees). These merit increases will be effective July 1, 20XX. There is no “cost of living” component in this salary increase.

ELIGIBILITY
1. The employee must be in a Regular or Conditional employment status as of December 31st of the fiscal year and be in a good and regular status, not be a new hire, or on corrective action probation.
2. Regular employment status is defined as hired or assigned to work with full-time or part-time status in a position funded by the University:
a) Conditional employment status is defined as hired or assigned to work with full-time or part-time status in a position funded by a grant or fiscal award that has a fixed expiration date at which time the position will end and the employee will be terminated unless a transfer to another position or funding source is approved:
   - Temporary employees, Consultants, Independent Contractors, Interns, and Work Study Students that have a working relationship with the University are not considered to be in a Regular or Conditional employment status and are therefore, not eligible for a merit increase.
   - Since clinical stipends are negotiated on an individual basis, clinical stipends are not eligible for this merit increase.

b) Regular or Conditional employees who are on approved leave as of May 31, 20XX are eligible for this merit increase.

c) There must be a written Annual Performance Evaluation for the current fiscal year on file in the Department of Human Resources with an overall rating of “Meets Expectations” or above in order to be eligible to receive this merit increase.

3. The source of funding (Restricted or Unrestricted) does not affect eligibility. Restricted funds (Grants, Contracts, etc.) are expected to cover the increased costs of salaries and benefits. The OSP and Finance-Grants Departments will be asked to review all merit increases (and resultant benefit costs) on restricted funded programs.

**ADMINISTRATION OF RAISE POOL**

1. Department Leaders will receive an excel worksheet(s) comprised of separate merit pools for staff and faculty from the Department of Human Resources that lists all of the Regular and Conditional employees in their unit by employee FTE, funding source, base salary, and their merit increase pool.
   a. Department Leaders will divide their raise pool among their Regular and Conditional employees. There are to be no trade-offs between faculty and staff outcomes.
   b. It is expected that there will be a correlation between the overall ratings on the Annual Performance Evaluations and the amount of merit increases given.
   c. Once raises have gone through all levels of approval and are final, Department Leaders will be expected to have a private conversation with each of their Regular and Conditional employees to let them know what their merit increase percent and amount will be verbally and in writing.
   d. A copy of the written notification to the employee should be forwarded to the Department of Human Resources to be filed in the employee’s personnel file.

2. Department Leaders will return their excel worksheets to the Budget Office by June 30th, of the fiscal year. These worksheets must be reviewed and approved by each units cognizant Vice President.

3. Merit Increases for those paid on restricted funds need to have been reviewed by OSP and Finance Grants Departments by July 1st, of the fiscal year. Department Leaders need to coordinate this review with those units.
4. The Vice Presidents will approve and review their summary and detail with the President or his designee by July 10th, of the fiscal year.

5. The Department Heads will notify EPAF Preparers to begin preparing merit increase EPAFs by July 10th, of the fiscal year. The EPAF Action/Change justification should indicate “Merit Increase”.

6. Merit Increase EPAFs will be entered into GP by the Department of HR by July 15th, of the fiscal year. Any fully approved EPAFs received and entered into GP after August 1st, of the fiscal year will be processed retroactively (Retro Request Form required) and paid on the August 25th payday.

INSTRUCTIONS FOR FILLING OUT SALARY INCREASE WORKSHEETS

1. The available raise pool dollars are in the column F labeled “X% Raise Pool”.

2. If you have both faculty and staff in your Department, you may not move raise pool dollars from one group to the other group.

3. The raise pool is X% of the “Salary Per Department” Column E. The Salary Per Department Column E is the base salary for the employee that is in your department.

4. The only column on the excel worksheet that you will manipulate is Column G (FY 20XX Raise Amount).

5. Enter the ($) dollar amount of the raise you want to give in the “FY 20XX Raise Amount” Column G.

6. The Raise Percent Column H and the FY 20XX New Base Salary Column I will automatically populate.

7. Do not enter data into any column except the “FY 20XX Raise Amount” column G.

8. Make notes below the last line of data on the worksheet if necessary

9. You may only spend the total of Column F (X% Raise Pool). Also please note:

10. The raise eligibility date is 12/31/20XX. If you had someone vacate their position after 12/31/20XX, you may still spend the raise pool on that line.

11. Individuals who are not eligible for raises on your worksheet, their raise pool may be spent on your other employees.

12. Please do not post a raise percent for yourself. Your supervisor will determine your raise on their worksheet.

13. If you do not spend all of your raise pool, please contact your supervisor. They may spend your remaining raise pool in their other units.

Please return your completed worksheets to The Budget Office by June 30, 20XX.

EFFECTIVE DATE

This merit increase is effective July 1st, 20XX. The new salary rate will be reflected in the pay period for July 1st-15th and is paid out on the July 25th, 20XX paycheck, assuming a fully approved merit increase EPAF has been processed in GP.

Applicability: Staff and Faculty Members
CDU Policy I.E.00542 Stipends for Temporary Assignments

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: May 9, 2011, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00541 Stipends for Temporary Assignments

REFERENCES AND RELATED POLICIES

CDU-AMP I.E.00480 (Dual Employment)
CDU-AMP I.E.00540 (Salaries)

ADMINISTRATIVE STIPENDS
An administrative stipend may be paid to an employee who is temporarily assigned responsibilities of a higher level position or other significant duties not part of the employee's regular position. The sum of stipend and current salary shall not exceed the maximum salary of the higher level position.

The Organization Head or designee may approve administrative stipends for employees in temporary assignments for an amount not to exceed 15 percent of current salary and for a period of time not to exceed 12 months (CDU – APM I.E.00480 Dual Employment).

Individual requests for exception to administrative stipend amounts that exceed 15 percent of current salary and for a period of time that exceeds 12 months (including extensions), must be submitted for consideration for review and approved by the:

- Chief Operating Officer and the Director of Human Resources for staff,
- Provost and the Director of Human Resources for faculty.

Stipend amounts are fixed monthly or bi-weekly amounts that generally remain constant during the temporary term of the stipend.

ACADEMIC STIPENDS
Administrative stipends may be paid to eligible academic appointees. Each Dean shall develop guidelines for the establishment of administrative stipends based on such criteria as:

- budgeted department funds,
- the size and complexity of the unit,
- the number of full-time employees supervised, and
• the relevant administrative experience and academic leadership of the appointee.

FACULTY CONSULTANT
If not engaged on the project concerned, a member of the faculty may, on occasion, receive additional compensation for consultant services on projects conducted under the auspices of CDU. If the project is financed by extramural funds, the grant or contract should be examined to determine whether it prohibits such compensation.

Faculty consultants are paid at a negotiated rate which is approved by the Provost and Dean at the location where the consulting is done. The maximum amount per day which is permitted is the daily rate plus an additional 30 percent which may be paid in consideration of the fact that there are no benefits for such services.

The daily rate for academic-year appointees is determined by dividing the appointee’s regular nine-month salary by 171. For fiscal-year appointees, the daily rate is determined by dividing the annual salary by 236.

ELIGIBILITY
Academic appointees in the following titles are eligible for administrative stipends. The Provost may designate additional eligible titles as appropriate.

Provost
Dean
Associate Dean
Interim or Acting appointees in the titles listed above

PROCEDURE L.E.00542 Stipends for Temporary Assignments

Stipends Request Form is completed by the requesting department to the COO or Provost and HR for approval.

• Stipends are strictly temporary, and thus must have beginning and ending dates.

Duration may not exceed 12 months; extensions beyond 12 months or any retroactive application of a stipend must be approved by:

• Chief Operating Officer and the Director of Human Resources for staff, and
• Provost and the Director of Human Resources for faculty.

If the stipend action reflects the assignment of temporary duties at a higher classification level, the combination of current salary plus stipend may not exceed the range maximum of the higher level position. Any actions that exceed the applicable pay range require advance review by:

• Chief Operating Officer and the Director of Human Resources for staff, and
• Provost and the Director of Human Resources for faculty.

Stipends may not exceed 15% of current salary and must be within the applicable pay range. Once Stipend Request Form is approved, a Check Request form must be completed for non-employees and approved by:
• Department head or designee, and
• Finance Department

Once Stipend Request Form is approved, a Personnel Action Form (PAF) must be completed for employees and approved by:

• Department head or designee, and
• Office of Sponsored Projects (if necessary)
• Finance Department
• Human Resources

If the combination of current salary plus stipend(s), including any other form of cash compensation, exceeds $200,000, review by the Chief Operating Officer, the Provost, HR Director, and approval by the President is required. Other forms of cash compensation would include relocation allowances, cash incentive or bonus awards, etc. For questions regarding applicability, please contact the Department of Human Resources.

Stipend Payments:
1. Payments from the Payroll Department include those stipends paid to anyone who is an employee of Charles R. Drew University of Medicine and Science and paid through the Great Plains (GP) payroll system. These payments will insure that proper IRS guidelines are being followed and proper taxes are being deducted.
2. Payments from the Accounts Payable Department (AP) include those who are not a regular employees of Charles R. Drew University of Medicine and Science.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00550 Health and Welfare Benefits

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00550, dated September 1, 2004

POLICY I.E.00550 Health and Welfare Benefits

A. GENERAL

Charles R. Drew University offers a wide selection of health and welfare benefits:

- Medical, Dental and Vision
- Basic Group Term Life Insurance
- Short & Long-Term Disability
- Voluntary Life Insurance
- Dependent Life Insurance
- Voluntary Retirement Annuity 403(b)
- Long-Term Care
- Dependent Care Flexible Spending Account
- Health Care Spending Account
- Accidental, Death & Dismemberment (AD&D)

Regular and Conditional employees who work a minimum of 20 hours or more per week are eligible for the above benefits. Coverage is effective on the first of the month following date of employment. The University and eligible employees share in the premium cost of medical, dental and vision insurance benefits.

The premium for Short-Term Disability, Long-Term Disability, Group Term Life and AD&D benefits are paid by the University. The amount of the life insurance benefit that is currently available is one (1) times the employee’s annual salary up to $100,000. This benefit is fully paid by the University.

In addition, the University provides the following state and federally mandated coverages:

- California State Disability Insurance (SDI)
- Workers' Compensation Insurance
• Unemployment Insurance
• Social Security Benefits

Coverage is effective on the first day of employment. Eligible employees contribute a percentage of their base salary towards SDI and Social Security Benefits. Workers Compensation Insurance and Unemployment Insurance is paid by the University.

B. COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) gives employees and their qualified dependents who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Benefits may continue for up to 18, 24, 29 or 36 months, depending on the cause for the loss of benefits Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

COBRA generally requires that group health plans sponsored by employers with 20 or more employees in the prior year offer employees and their families the opportunity for a temporary extension of health coverage (called continuation coverage) in certain instances where coverage under the plan would otherwise end. COBRA outlines how employees and family members may elect continuation coverage. It also requires employers and plans to provide notice.

C. Cal-COBRA

Federal law and California state law require that most employers sponsoring group health plans, or their insurance carrier, offer employees and their qualified dependents the opportunity to elect a temporary extension of health coverage (called "continuation coverage" or "COBRA/CALCOBRA coverage") in certain instances where coverage under the plan would otherwise end. Employees do not have to show that they are insurable to elect continuation coverage. However, employees will have to pay some or the entire premium for their continuation coverage. At the end of the maximum coverage period, the employee must be allowed to enroll in an individual conversion health plan if it is otherwise available under the plan.

D. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The University pays the full premium for an EAP to provide confidential and professional assistance to eligible employees and their families. The program provides support in a variety of areas:

• Substance Abuse
• Marital Counseling
• Family Counseling
• Emotional Therapy
• Child and Elder Care
• Financial Counseling and Referral
• Legal Assistance and Referral

PROCEDURE I.E.00550 Health and Welfare Benefits

A. GENERAL

1. Eligible employees complete enrollment and deduction authorization forms in the Department of Human Resources on or before New Employee Orientation or Open Enrollment.
2. The Department of Human Resources will notify the employee when he/she is eligible for participation in all health and welfare benefits plan.

1. The Payroll Department processes enrollment for state and federally mandated insurance coverages and initiates applicable payroll deductions.
2. Detailed summaries of benefit plans can be obtained in the Department of Human Resources and online.
3. The Department of Human Resources can be contacted at 323-563-5827 for contact information and or brochures to the EAP, COBRA/Cal-COBRA, or any of the Health and Welfare Benefits Plans. Brochures and Summary Plan Descriptions are also made available online.

Applicability: All Staff and Faculty Members
POLICY I.E.00555 Hours of Work

A. EXEMPT EMPLOYEES

At Charles R. Drew University, the workweek for full-time exempt employees is normally considered to be 40 hours, and for part-time employees the proportion of 40 hours equivalent to the appointment percentage; however, greater emphasis is placed on meeting the responsibilities assigned to the position than on working a specified number of hours. Exempt employees do not receive overtime compensation or compensatory time off, or additional compensation beyond the established salary for the position.

B. NON-EXEMPT EMPLOYEES

The regular number of hours worked by full-time, non-exempt employees is 40 hours in a workweek and over 8 hours in a workday for the first eight hours of work on the seventh consecutive day of work in a workweek. Employees must be paid double time for all hours worked in excess of 12 hours in a workday and in excess of eight hours on the seventh consecutive day of work in a workweek. Work beyond 40 hours in a week is subject to additional compensation only under the circumstances described in CDU – AMP I.E.00560 (Overtime).

1. Meal Periods.

The University allows its Employees to take up to a (1) one-hour meal break each workday. It is the University’s policy and the law that non-exempt employees who work more than five (5) hours per day must be provided with at least a 30-minute meal period. If the employee works no more than six (6) hours, the meal period may be waived by written mutual consent of both the employer and employee.

In addition, any time an employee works more than ten (10) hours in one day, he or she must receive a second meal period of at least 30 minutes. However, if an employee works a total of no more than twelve (12) hours in one day, then the second meal period may be waived by written mutual consent of both the employer and employee.
Unless an employee is relieved of all duty during a 30-minute meal period, the meal period shall be considered an “on-duty” meal period and counted as time worked. An “on-duty” meal period shall be permitted only when the nature of the work prevents an employee from being relieved of all duty and when an on-the-job paid meal period is agreed to in writing by all parties. The written agreement must state that the employee may, in writing, revoke the agreement at any time.

If the employer requires the employee to remain at the work site or facility during the meal period, the meal period must be paid. This is true even when the employee is relieved of all work duties during the meal.

2. Rest Periods.

Nonexempt employees are required to take a paid rest period that must, insofar as practicable, be taken in the middle of each work period. The rest period is based on the total hours worked daily and must be at the minimum rate of ten (10) consecutive minutes for each four (4) hour work period or major fraction thereof. A rest period is not required for employees whose total daily work time is less than three and one-half hours.

3. Activities Before or After the Work Schedule.

When the University requires that the employee must change into or out of uniform, engage in special washing or cleaning procedures, or perform other activities on or at a University facility before or after the work period, the time spent in such activities shall be considered as time worked.

4. Travel Time.

Assigned travel during an employee's regular working hours on work days is counted as time worked. Travel time between home and the work place is not time worked. Travel that keeps an employee away from home overnight and that occurs outside the employee's normal working hours is considered as hours of work. However, travel that does not keep an employee away from home overnight is considered as hours worked, as is travel that occurs during the hours an employee normally works when the travel occurs on the employee's days off.

5. Call-Back.

When an employee is called back to work after completing the regular work schedule and leaving the premises, the employee shall be paid for time actually worked upon return or a minimum of three hours, whichever is greater. Call-back time actually worked must be included in the calculation of the regular rate.
6. On-Call.

- An employee is considered to be in on-call status only when assigned by the University. On-call will be considered hours worked when an employee is required to restrict personal activities so that the employee cannot use his or her time effectively for the employee's own purposes. Under such circumstances, the employee will be paid at the employee's normal pay rate (or overtime when appropriate).

- On-call will not be considered hours worked when employees are free to engage in activities for their own purposes, but are required to inform the employer how they can be reached or to carry a beeper or radio. It is not mandatory to compensate for this type of on-call; however, locations may establish on-call rates according to local needs.

- Payment for on-call time is included as part of compensation in calculating the regular rate for determining premium overtime pay. An employee in on-call status is not eligible for minimum call-back payments.

PROCEDURE I.E.00555 Hours of Work

REFERENCES AND RELATED POLICIES

CDU – APM I.E.00555 (Hours of Work)
CDU – APM I.E.00560 (Overtime)

A. EXEMPT EMPLOYEES

1. Exempt employees regularly receive a predetermined salary each pay period, and the amount is not subject to reduction because of variations in the hours they work.
2. Exempt employees are not eligible to receive any compensation for straight overtime, premium overtime, compensatory time, call-back, on-call, shift differential, or extra compensation for holiday work.
3. Use of vacation and sick leave will be recorded in one-day increments. Absences of less than a day will not be charged against accrued leave time.
4. When an employee has exhausted all available accrued vacation and sick leave, salary will not be reduced ("docked") for absences of less than a full day.
5. Work schedules may fluctuate and vary based on operational need, but exempt employees are not required to record their work time for purposes of receiving their established salary.
B. NON-EXEMPT EMPLOYEES

PENALTIES

When an employer does not provide an employee with a required meal period, it must pay the employee one hour of pay at the employee’s regular rate of compensation for each workday that the employee does not receive his or her meal period.

1. Non-exempt employees are required to account for time worked as well as the use of sick, vacation, compensatory, and other leave time to the nearest one-quarter hour.
2. When a non-exempt employee has exhausted all available accrued vacation leave, sick leave, and compensatory time, salary will be reduced ("docked") in proportion to any absences from scheduled work time.
3. Non-exempt employees are compensated for qualified overtime hours at the premium (time and one-half) rate. Refer to CDU – APM I.E.00560 (Overtime).

Meal Periods

Refer to CDU – AMP I.E.00555 (Hours of Work)

1. If a work period of not more than six hours will complete the day’s work, the meal period may be waived by written mutual consent of the employer and the employee using the Meal Period Waiver Form.
2. If the total work period of an employee is more than ten (10) hours, a second meal break of at least thirty (30) minutes will be provided. If an employee works no more than twelve (12) hours, non-exempt employees may waive the second meal period, by written mutual consent of the employer and the employee using a Meal Period Waiver Form.

Rest Periods

3. A rest period shall not be added to a meal period or taken at the beginning or end of a work period except that the department head may approve adding rest periods to meal periods when circumstances require such action.
4. Time not used for rest periods shall not be accumulated for use on another day.
5. Rest periods are scheduled by the supervisor and rest period privileges may be withdrawn by the supervisor if such privileges are abused.

Activities Before or After the Work Schedule

The Department Head may establish internal work rules to define the maximum amount of time employees may spend in changing clothes or performing other activities covered by CDU – AMP I.E.00555 (Hours of Work).
Travel Time

University travel during the employee’s normal working hours, including scheduled days off, shall be considered time worked. Travel outside normal working hours is not time worked, except as follows:

a) An employee who normally finishes work on campus at 5:00 p.m. is working on a job at an alternate site until 8:30 p.m. The employee is required to return to the campus after completing the assignment and arrives at the campus at 9:00 p.m. All of the time, including time spent in travel between the alternate job site and the campus, shall be counted as hours worked. On the other hand, if the employee goes directly from the alternate job site to home, the travel shall not be considered as hours of work, unless the alternate work site is outside the normal commuting areas of the campus.

b) An employee who normally starts work at 8:00 a.m. is required to report to work on campus at 7:00 a.m. for instructions, tools, etc., before proceeding to an alternate work site. The time spent traveling to the alternate work site shall be considered as hours of work. On the other hand, if the employee goes directly from home to the alternate work site, the travel time shall not be considered as hours of work, unless the alternate work site is outside the normal commuting area of the campus.

c) An employee who normally starts work at 8:00 a.m. is required to travel by airplane to another campus. The employee’s scheduled departure time is 7:00 a.m. The time spent traveling from home to the airport shall not be time worked. Hours of work begin with the scheduled departure of the plane. The employee returns by airplane, lands at 9:00 p.m. on the same day (or a subsequent day), and returns directly home. Hours of work end at the time of arrival at the airport.

d) An employee who normally works until 5:00 p.m. departs from the home city on a 4:00 p.m. flight which arrives at the alternate work site at 6:00 p.m., where the employee remains overnight. The time between 4:00 p.m. and 5:00 p.m. shall be time worked; the time between 5:00 p.m. and 6:00 p.m. shall not be time worked.

e) An employee who normally works until 5:00 p.m. departs from the home city on a 6:00 p.m. flight which arrives at the alternate work site at 8:00 p.m., where the employee remains overnight. The travel time shall not be considered time worked.

On-Call for Non-Exempt Employees

Payment for on-call time shall be in accordance with the provisions of CDU – APM I.E.00555 (Hours of Work).
C.  STANDARD AND ALTERNATE WORKWEEKS

The standard workweek is from 12:01 am Monday to 12:00 midnight the following Sunday. When circumstances require such action, alternate workweeks of any other 7 consecutive 24 hour periods may be approved by the President, Organization Head or designee following consultation with the Department of Human Resources regarding Fair Labor Standards Act (FLSA) and notice requirements.

D.  WORK SCHEDULES

Work schedules are established and approved by the Department Head or designee following consultation with the Department of Human Resources regarding FLSA and notice requirements.

Applicability: Exempt and Non-exempt Staff Members
CDU Policy I.E.00560 Overtime

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00560 Overtime

Charles R. Drew University may periodically require overtime or weekend work from non-exempt or exempt employees in order to meet business or production needs. As much advance notice as possible will be given to scheduled employees. Employees will be expected to work scheduled overtime unless otherwise excused by their supervisor. All overtime work performed by non-exempt employees must be pre-approved, in writing, by the employee’s supervisor, but if worked. Non-exempt employees working unapproved overtime must be compensated but may be disciplined, up to and including termination.

Non-exempt employees are required to accurately record their own hours worked on an official timecard or using any system designated by the University. Each non-exempt employee is responsible for the accuracy of time reported and timeliness of submission. Falsification of time or attendance records may be grounds for immediate termination. All employees are responsible for the accuracy of any other records for which they are responsible. Should the employee discover an error on a paycheck, whether an overpayment or underpayment, they are expected to report the error to the Payroll Office within 48 hours of check issuance. Overtime pay rates shall be determined by the then-applicable law.

A. DEFINITION

Overtime is time worked that exceeds the hours of a full-time employee's regular daily schedule on pay status or exceeds 40 hours on pay status in a workweek and over eight hours in a workday for and for the first eight hours of work on the seventh consecutive day of work in a work week. Employees must be paid double time for all hours worked in excess of 12 in a work day and in excess of eight hours on the seventh consecutive day of work in a work week. Pay status includes time worked and paid leave such as sick leave, vacation leave, holidays, military leave, compensatory time off, and administrative leave with pay. Overtime shall be reported and compensated on the basis of the nearest 1/4 hour.
PROCEDURE I.E.00560 Overtime

REFERENCES AND RELATED POLICIES
CDU – APM I.E.00540 (Salary)
CDU – APM I.E.00560 (Overtime)
CDU – APM I.E.00680 (Leave of Absence)

A. NEED FOR OVERTIME

1. As soon as possible after the need for overtime is determined, the Department Head or designee shall notify the employee that overtime must be worked.
2. Upon request, an employee is expected to work overtime.
3. In assigning overtime the Department Head or designee will take into account employee preference for overtime assignments.

B. PAYMENT OF OVERTIME UPON TRANSFER

An employee who is transferred to another department shall be paid for any authorized overtime by the department in which the time was worked.

C. PAYMENT OF OVERTIME FOR MULTIPLE PART-TIME APPOINTMENTS

In the case of employment in two or more classes, one of which is subject to premium payment, the overtime worked is subject to compensation at premium rates as follows:

1. If more than 20% of the total hours worked in a workweek is in a class subject to premium overtime rates, all overtime shall be subject to compensation at the premium rate.
2. If 20% or less of the total hours worked in a workweek is in a class subject to premium overtime rates, all overtime shall be compensated at the straight time rate.

D. DETERMINING REGULAR TIME, OVERTIME STRAIGHT, AND OVERTIME PREMIUM

1. To compute the hours of overtime in a workweek, it is necessary to determine the number of hours on pay status. Hours on pay status over 40 hours during a workweek are overtime.
2. Time spent on-call but not actually worked is not considered as hours of work nor as hours on pay status for the purpose of determining hours of overtime. Refer to CDU – APM I.E.00555 (Hours of Work).
3. Payment for on-call time shall be included as a part of total straight time compensation in calculating the premium overtime rate. If an employee is called, the time actually worked shall be reported as Regular Time, Overtime Straight, or Overtime Premium, as appropriate.

Applicability: All Staff Members
CDU Policy I.E.00570 Holidays

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 30, 2011

REVISED DATE: September 30, 2011

SUPERSEDES: CDU Policy I.E.00570, dated October 29, 2010; September 1, 2004

POLICY I.E.00570 Holidays

A. GENERAL

At Charles R. Drew University, holiday schedule provides for up to 12 paid holidays each calendar year. Fixed holidays are so called because the day of observance is tied to a specific event (e.g., Thanksgiving, Christmas Memorial Day). When a holiday falls on a Saturday, the preceding Friday will be observed. When the holiday falls on a Sunday, the following Monday will be observed.

To be paid for a holiday, exempt and non-exempt employees must have a Regular or Conditional employment status and must have worked the day before and the day after the holiday, unless on an approved leave. In order to be eligible for holiday pay, the employee must have worked the day before and the day after the holiday, unless on an approved leave. Employees scheduled to work on a holiday will be paid for hours worked and, in addition, will receive holiday pay. There is no special compensation should a holiday occur during the time an employee is on jury duty or performing military service. The employee will receive regular pay for that day.

An employee, who has an unexcused absence on the workday before or after a holiday, will not be paid for the holiday. An employee, whose last day of employment precedes a holiday, will not be paid for the holiday. If a holiday occurs during an employee's vacation, the employee will receive holiday pay for that day. For example, if an employee takes vacation from Monday through Friday (5 days) and Friday is a University holiday, then the employee would receive pay for four vacation days and one holiday. An employee who is required to work on a holiday or leave day may, if possible, be given alternative time off. If this is not feasible, the employee will be compensated in accordance with Wage and Hour laws and University policy. An employee on a paid leave of absence is entitled to pay for holidays.
B. PROVISIONS

1. Special or Religious Holidays

An employee may observe a special or religious holiday, provided that work schedules can be accommodated without undue hardship to the department and provided that the time off is charged to vacation or is without pay.

2. Alternate Full-Time Work Schedule

An employee on an alternate full-time work schedule is entitled to the same number of holidays and the same amount of paid holiday time as are granted to regularly scheduled employees.

3. Other

Full-time employees whose regular day off falls on a holiday observed by the University, receives either another day off or compensating holiday pay.

C. UNIVERSITY HOLIDAYS:

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<thead>
<tr>
<th>Holiday</th>
<th>Date or Details</th>
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<tbody>
<tr>
<td>New Year's Day</td>
<td>Thanksgiving Day</td>
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<tr>
<td>Martin Luther King Jr. Day</td>
<td>Friday following Thanksgiving Day</td>
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<tr>
<td>President’s Day</td>
<td>December 24 (or announced equivalent)</td>
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<tr>
<td>Cesar E. Chavez Day</td>
<td>December 31 (or announced equivalent)</td>
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<tr>
<td>Memorial Day</td>
<td>New Year’s Eve</td>
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<td>Independence Day</td>
<td>University Holiday Closure (announced)</td>
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<td>Labor Day</td>
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<td>Veteran's Day</td>
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In addition the University grants unpaid holiday closure between Christmas Day and New Year's Day.

PROCEDURE I.E.00570 Holidays

1. During New Hire Orientation, the Department of Human Resources distributes the approved holiday schedule for the coming year.
2. Absences for holidays are recorded on timecards by the supervisor.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00580 Personal Time

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  September 1, 2004

REVISED DATE:  October 29, 2010

SUPERSEDES: CDU Policy I.E.00580, dated September 1, 2004

POLICY I.E.00580 Personal Time

At Charles R. Drew University, Regular and Conditional employees who have completed six (6) months of continuous service will be awarded a maximum two (2) personal days per fiscal year (Jul 1 to June 30 each year). Employees are entitled to compensation for unused personal days upon termination.

A personal day must be used in 8-hour increments. Personal time off may be used in conjunction with sick leave, vacation leave, holidays, to take care of personal business or personal emergencies.

PROCEDURE I.E.00580 Personal Time

1. It is the employee's responsibility to discuss with his or her supervisor, in advance, (except in the case of an emergency) the dates he or she wishes to take as a personal day. This will allow the supervisor to ensure adequate work coverage prior to approving the request.
2. The personal day should be recorded on the timecard.
3. The Payroll office will maintain the official employee accrual records.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00590 Probationary Period

ISSUING OFFICER: Chief Human Resources Officer

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: November 1, 2012

REVISED DATE: November 1, 2012; October 29, 2010

SUPERSEDES: CDU Policy I.E.00590, dated October 29, 2010

POLICY I.E.00590 Probationary Period

At Charles R. Drew University, all Regular and Conditional employees (excluding faculty) hired into a position with supervisory responsibilities over one or more employees, shall serve a one (1) year probationary period from the date of employment or re-employment with the University. All Public Safety Officers shall serve a one (1) year probationary period from the date of employment or re-employment with the University. All other Regular and Conditional employees (including faculty) shall serve a six (6) month probationary period from the date of employment or re-employment with the University.

Charles R. Drew University employees will be placed on a new probationary period for six (6) months if selected for promotion or transfer into a new position. During this time, the employee’s work performance and general suitability for University employment shall be evaluated in writing. The supervisor should provide the employee with adequate instructions for carrying out the duties and responsibilities related to the employee’s new job.

Prior service in a temporary position will not be considered a part of the probationary period. Time on leave with or without pay is not qualifying service for the completion of the probationary period. An employee who has satisfactorily completed the probationary period shall be informed in writing of the attainment of regular employee status. If an employee's performance is unsatisfactory during the probationary period, the employee will be dismissed from the University before the probationary period ends, without any right to appeal. The supervisor must consult with the Department of Human Resources prior to initiating separation actions.

PROCEDURE I.E.00590 Probationary Period

1. Supervisors must complete the Probationary Review Form, prior to the completion of the 6-month or 1 year probationary period.
2. The supervisor should schedule a confidential meeting with the employee to discuss the successful completion of probation. The employee should make comments, sign, and receive a copy of the form.
3. The original Probationary Review Form should be forwarded to the Department of Human Resources for recording and filing in the employee's personnel file.

Applicability: All Staff and Faculty Members in Administrative Roles
At Charles R. Drew University, Performance Management is an ongoing process of communication between a supervisor and an employee that occurs throughout the year, in support of accomplishing the strategic objectives of the organization. The communication process includes setting objectives, identifying goals, providing feedback, and evaluating results. All Regular and Conditional employees employed for at least six (6) months shall receive a performance evaluation annually, in writing by the employee's immediate supervisor, or more frequently. In addition, academic Deans and Provosts receive a performance evaluation. The objective of this policy is to encourage and recognize high-level performance, enhance and improve employee's development and efficiency, as well as to recognize any performance deficiencies. Annual appraisals are prepared and conducted by supervisors and submitted to the Department of Human Resources by June of each year. Probationary employees shall receive a six-month probation review (CDU – APM I.E.00590 Probation). Completed evaluations and probation reviews will be placed in the employee’s personnel file.

The written performance evaluation is an opportunity for the supervisor and employee to review whether previously discussed performance expectations and goals have been met, to discuss professional development opportunities, and to identify options for acquisition of additional skills and knowledge to foster performance improvement and career growth. Additionally, the evaluation provides appropriate documentation to support any recommended merit increases and/or other performance-based awards.

PROCEDURE I.E.00600 Performance Management

1. The Department of Human Resources will send a reminder to management personnel requesting completed performance evaluations and review forms and advise management of the timelines.
2. Performance objectives should be established by the supervisor at the beginning of each review cycle and probationary period.
3. The supervisor should periodically review, evaluate and discuss with each employee their performance during the evaluation and probationary period.
4. Supervisors may submit interim written performance appraisals at anytime on the basis of the employee's performance, conduct and/or progress.

5. Performance evaluations are not grievable; however, employees may write a rebuttal to their performance evaluations, which will be placed in their personnel file.

Applicability: All Staff Members
CDU Policy I.E.00610 Professional Development

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00610, dated September 1, 2004

POLICY I.E.00610 Professional Development

REFERENCES AND RELATED POLICIES

CDU-APM I.E.0680 (Leave of Absence)

A. UNPAID EDUCATIONAL LEAVE

Charles R. Drew supports both career-related and job-related professional development activities. The purpose of the leave is to assist employees in furthering their career and educational goals. Employees may be permitted to attend University classes if they meet certain eligibility requirements and have the authorization of their supervisor. This management approved benefit is a privilege not a right.

It is expected that employees and supervisors meet at mutually agreeable intervals to discuss professional development issues. Department heads may support an employee's request to participate in a development program by approving flexible or alternate work schedules, leave without pay, or full or part payment of fees and expenses provided that:

1. the employee has completed the probationary period, if required, and
2. the employee's performance is satisfactory or better.

B. REQUIRED PROGRAM ATTENDANCE

When a department head requires an employee to attend a training or development program, the time spent in attendance shall be counted as time worked, and the full fees and related costs, i.e., materials, travel, and per diem, shall be paid by the department.

Continuing education courses for the maintenance of State licenses which are a requirement for employment in the employee's present position are not automatically considered professional development programs and do not necessarily qualify for fee reimbursement.
C.  ELIGIBILITY

Full-time employees who have been employed for 180 continuous days may be eligible, subject to management approval. Four (4) hours per workweek to do course work that applies to the employee’s job at the University.

PROCEDURE I.E00610 Professional Development

Professional Development activities may include but are not limited to: opportunities for on-the-job training, cross training, coaching, and internships; attendance at courses, workshops, seminars, conferences, institutes, lectures, and meetings; and participation in professional and technical associations.

A.  NOTICE

To propose a professional development leave, the employee and his or her supervisor develop a mutually agreed-upon, written plan describing the proposed activity. A statement, acceptable to the University, from the employee indicating:

1. the reason for the leave,
2. the relationship of the proposed class to the employee’s position with the University,
3. the date the leave will commence is required prior to the start of the leave,
4. how the activity may assist the employee's transition into future CDU career-related positions,
5. the quality of the particular training activity, as compared to similar activities available to the employee, and/or an assessment of the reputation and reliability of the institution, organization, or other sponsor who will provide this activity,
6. the relation of the activity to the department's mission and goals,
7. a statement on the relative importance of this activity to the overall needs of the department and available resources, and
8. the impact, if any, on employee workload and other employees in the department.

In approving Professional Development activities, the department head considers scheduling, staffing, budget, and other related considerations.

The employee must provide at least 30 days advance notice to their supervisor or Department Manager of the desire for leave.

B.  APPROVAL

Approval of time off for educational leave will be solely at the University’s discretion and will be based on the University’s business needs, workload and staffing requirements during the requested time period.

It is anticipated that time off for educational leave will be on an intermittent basis for a limited amount of time, and that return to work will not be an issue.
C. BENEFITS AND ACCRUED TIME

Employees may use accrued vacation time to cover absences or take time off without pay. Employees will continue to accrue time off and benefits will continue as long as they are working the minimum required hours to qualify under the University’s policies for such benefits.

D. GUIDELINES FOR GRANTING LEAVE

The amount of leave to be granted depends upon the specific requirements within the individual professional development plan.

For example, exempt employees may be granted 10 workdays of approved paid release time annually, and non-exempt employees may be granted 80 hours of approved paid release time annually.

E. DOCUMENTATION

A copy of the approved development plan is placed in the employee's personnel file.

Applicability: All Staff Members
Charles R. Drew University of Medicine and Science’s dedicated staff play a vital role in fulfilling the University’s Mission: The University develops a diverse group of health professional leaders who seek social justice, promote wellness, provide care with excellence and compassion, and are uniquely qualified to transform the health of underserved populations through outstanding education, research, and clinical services in the context of community engagement. The Staff Recognition Program provides opportunities to recognize a staff member’s dedication, commitment and contributions to the strength, success and reputation of the University.

PURPOSE

To recognize and provide an incentive/reward for full-time and part-time staff each month; to encourage and recognize the outstanding job performance of full-time and part-time staff, and recognize one staff from those chosen each month in the previous calendar year, as Staff Member of the Year. The staff member selected as Staff Member of the Year will exemplify Charles R. Drew University of Medicine and Science’s Mission.

ELIGIBILITY

Who is eligible?

An eligible staff is any CDU staff person, in good standing, who has been employed for a minimum of one (1) year. All CDU full-time and part-time staff are eligible to be nominated for Staff Member of the Month with the exception of the following:

- Faculty
- Student workers/interns
- Temporary or seasonal staff
- Staff on probation
- Assistant Vice Presidents and above
- Staff who have previously been selected as Staff Member of the Year for a period of two (2) years.
• Staff who have been selected as Staff Member of the Month within the past twelve (12) months.

One award may be presented monthly to an eligible staff member and can only be selected as Staff Member of the Month one time every twelve (12) months.

NOMINATIONS/SELECTION

Who can nominate someone for Employee of the Month?
Any staff, faculty, student, visitor, or Executive Management Team can nominate a staff member for a Staff Member of the Month award.

How can an employee be nominated for Employee of the Month?
Nominations can be submitted by completing a Staff Member of the Month Nomination Form. The Staff Member of the Month Nomination Form can be submitted through the CDU website (intranet), submitted directly to the Department of Human Resources, or mailed yet marked “confidential” to the Department of Human Resources. The Staff Member of Month (SMMO) Nomination Form is available on the Human Resources website www.cdrewu.edu and in hard copy in the Department of Human Resources.

Nominations for a month must be received by the Department of Human Resources no later than the 7th of the month following the month the nomination is for. Once a nomination is received, the Staff Member of the Month Committee will review it to confirm eligibility. If the nomination meets CDU’s criteria, it will be presented to the Chief Human Resources Officer for review and consideration. Eligible nominations will then be forwarded to the Chief Operating Officer for final selection.

Nominations will be considered for a total of two (2) consecutive months. If selected, the staff member and their immediate supervisor will be notified and a letter acknowledging their selection sent to the staff member with a copy placed in their personnel file.

COMMITTEE

Who selects the Staff Member of the Month?
The Staff Member of the Month Selection Committee may be constituted by the following positions:

• One rotating member of the Staff Management Council,
• A rotating independent staff member whose department is not a nominee that month,
• One ex-officio, non-voting member of the Department of Human Resources,
• One Faculty Member
• One Student Member
• Chief Human Resources Officer (CHRO), and
• Chief Operating Officer (COO)
It will be the function of the Selection Committee to evaluate nominees each month and decide the winner for the month. The Selection Committee will meet after the 15th of each month, schedules allowing, selecting the Staff Member of the Month for the preceding calendar month.

The Selection Committee will review and discuss the nomination forms and decide amongst it the Employee of the Month. In the event there is no nomination, the Selection Committee may decide to select an alternative to constitute a Staff Member of the Month with appropriate justification in writing to present to the CHRO and COO.

Committee members cannot be considered for the award while serving on the selection committee. Staff Member of the Month winners will typically be announced during the first work week of each month or when permissible.

**CRITERIA**

**Staff Member of the Month Award**

The Staff Member of the Month Award program will be implemented January 1, 2012, and is designed to acknowledge those eligible staff members who have demonstrated job excellence that benefits the department/unit, school, and/or campus in one or more of the following areas:

- **Outstanding Performance**: The staff member demonstrates continued outstanding performance in work and genuine customer service to the students, staff, faculty, parents, or other customers whom he or she serves.

- **Teamwork**: Serves as a highly effective and cooperative team member in carrying out the goals of the department or unit.

- **Attitude**: Enthusiastic and is a positive influence on managers, peers, supervisors, subordinates, and the University community.

- **Creativity**: Originates an innovative/creative activity that benefits the University community.

- **Organizational Abilities**: Shows special leadership skills in accomplishing department or unit goals and objectives.

- **Dedication**: Goes beyond and above expectations. Makes a difference to CDU and/or to members of the campus community.

- **Responsiveness**: Exceeds the managers, peers, subordinates, and or students expectations.

- **Safety**: Minimize risk for all individuals both personally and environmentally.
• **Communication:** Communicate with everyone in a timely, direct, truthful, respectful, and kind manner.

**RECOGNITION/PRIZES**

What does the winner of the Staff Member of the Month Award receive?

The Staff Member of the Month will be recognized by the President of University or designee, and presented with a framed Staff Member of the Month certificate. In addition, the Staff Member of the Month will receive:

- A Reserved Staff Member of the Month Parking space in the CDU lot for one (1) month,
- A Premium Prize
- Two Movie Passes to either AMC, Pacific, or Edwards Theatre,
- A photograph, and small article announcing and containing information about the Staff Member of the Month will appear in the CDU Newsletter,
- A photograph of the Staff Member of the Month will be placed on the Recognition Programs website,
- A photograph will be placed on the Staff Member of the Month Wall/Year located in COBB for a period of one (1) year, and
- A formal invitation to the Staff Member of the Year and Service Award Luncheon.

Additionally, **nominators** will receive two AMC movie tickets each time they nominate a successful candidate for Staff Member of the Month.

At the end of the calendar year, the Staff Member of the Month Selection Committee will make a recommendation to the President and the Executive Staff for the selection of the **Staff Member of the Year**. The winner will receive a plaque and a one-time bonus of $500.

**Annual Staff Member of the Year and Service Award Luncheon**

After completion of each calendar year, a staff member will be selected from the previous twelve (12) Staff Members of the Month, as Staff Member of the Year. Selection of the Staff Member of the Year will be made by the President or designee. The selection of the Staff Member of the Year will be made having regard to the original nomination, selection criteria and ongoing performance throughout the year.

The Staff Member of the Year will be announced at the Staff Member of the Year Luncheon. All previous Staff Members of the Month are invited to attend the Luncheon and allowed to bring one (1) guest. During the Staff Members of the Year Luncheon, the selection will be announced and the winner presented with a plaque and a one-time bonus for $500. In addition, the Staff Member of the Year’s picture will be placed on the Staff Member of the Month/Year Wall in COBB for the duration of the year.

During the Annual Staff Member of the Year and Service Award Luncheon, (scheduled to be held in late January or early February), recognition is given to staff and faculty for their years of service as CDU employees. Years of service recognized will be in increments of five years (five,
ten, fifteen, twenty years, etc.). Thirty and thirty-five year recipients receive a plaque and may select a close colleague to offer brief remarks regarding their employment during the Luncheon. All other recipients receive a covered certificate reflecting their years of service.

**PROCEDURE LE00611 Staff Recognition Program**

Applicability: All Staff Members
CDU Policy I.E.00620 Job Transfers

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00620, dated September 1, 2004

POLICY I.E.00620 Job Transfers

A. GENERAL

Charles R. Drew University wishes to provide opportunities for employee growth and advancement. The University encourages employees who are otherwise qualified to apply for positions within the University as they become available. Transfer opportunities assist employees with growth and development and helps the University retain competent employees.

B. NON-DISCRIMINATION

It is the policy of Charles R. Drew University not to engage in discrimination or harassment against any person employed by or seeking employment with the Charles R. Drew University on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994). This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

C. INTERNAL APPLICANTS

The University encourages qualified employees to apply for positions as they become available. Those involved in recruiting are encouraged to consider University employees as well as external applicants from the job market.

D. OTHER TERMS AND CONDITIONS

1. An employee who accepts a job offer from another department within the University must notify his or her supervisor at least two (2) weeks prior to the transfer taking place.
2. The effective date of transfer is determined by the supervisors of the departments that are losing and gaining the employee.
3. Normally, there is no salary increase when an employee transfers to a position in the
same grade.
4. A transfer to a position in a higher grade is considered a promotion and may warrant a salary increase.
5. A transfer to a position in a lower grade is considered a demotion and may warrant a salary decrease.

**PROCEDURE I.E.00620 Job Transfers**

1. To apply for another position within the University, the employee must be processed in the same manner as the application for employment.
2. To process a transfer, the department gaining the employee must initiate a Personnel Action Form (PAF) as outlined in the policy entitled CDU – APM I.E.00490 (Employment).
3. Salaries for all transfers will be determined in the same manner as described in the policy entitled CDU – APM I.E.00490 (Employment).
4. Positions are posted each Monday in the job bulletin, on the University web site, on the Job Information Line, and on other sites as requested by the hiring supervisor.

Applicability: All Staff Members
CDU Policy I.E.00630 Disciplinary Action

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00630, dated September 1, 2004

POLICY I.E.00630 Disciplinary Action

REFERENCES AND RELATED POLICIES

CDU-AMP I.E.00730 (Investigatory Leave)

With the exception of employees holding faculty appointments, all employees of Charles R. Drew University are employed on an "at will" basis. This means employees have the right to terminate their employment at any time, for any reason, and CDU can also terminate an employee’s employment at any time with or without cause and with or without notice. Nothing in the following policy is intended to create any contractual rights or alter the at-will nature of the employment relationship.

All employees at Charles R Drew University are subject to disciplinary action when their conduct or performance does not meet acceptable standards. Disciplinary problems will be addressed by oral and/or written reprimand, suspension, demotion or dismissal. Disciplinary action is normally progressive in nature with the intent of improving the conduct or performance issue and focus on the employee’s development. Progressive discipline is intended to give an employee advance notice, whenever possible, of problems with their conduct or performance in an effort to give them an opportunity to improve. Dismissal shall be considered as a last resort or gross misconduct.

Written reprimands, suspensions and dismissals should always be discussed with the Department of Human Resources prior to taking action. Suspensions should not be greater than 10 business days based on the severity of the performance problem or severity of misconduct. The appeal of a suspension greater than five (5) days or dismissal shall be initiated at Step 1 of the Complaint and Grievance Process.

Only Regular and Conditional employees, who have passed probation, are eligible to appeal a disciplinary action. In situations requiring immediate actions due to severe behavior or threat, a paid or unpaid investigatory leave may be imposed until a full investigation has been conducted and subsequent discipline action determined.
It is expected that supervisors and management will apply these policies equitably and consistently, and that appropriate consideration will be given to previous action that may have been taken under these policies.

**PROCEDURE I.E.00630 Disciplinary Action**

**A. GENERAL**

1. Consistency in the application of discipline is important. Although different situations involving different employees and circumstances call for discretion in determining appropriate disciplinary action, similar offenses should be met with approximately equivalent discipline.

2. Discipline should be applied in proportion to the magnitude of the offense. In most cases, discipline should consist of a series of disciplinary actions. These disciplinary actions may include oral warnings, written warnings, and/or investigative leaves. Immediate dismissal may be initiated for the most serious offenses.

3. All discipline must be fully documented. Verbal warnings should be documented with a notation to the personnel file at the time the warning takes place.

When an employee's performance or conduct is not in accordance with University policy and/or job duties and responsibilities, the supervisor or manager should consider the following when applying discipline:

1. **Oral Reprimand**

Oral Reprimands are initiated by the immediate supervisor and documented. The discussion should take place in a confidential and private space, as close to the incident as possible. The employee is advised of the behavior or performance that needs correction and instructed that it be corrected. Oral reprimands should explain why the employee’s behavior or performance is unacceptable, supervisor expectation, and describe the possible consequences of further or repeated violations.

2. **Counseling Memo**

If after the oral reprimand the employee's performance or conduct does not improve, or if an informal discussion is not reasonable under the circumstances, the supervisor may review all of the factors with the employee and provide him/her an opportunity to explain.

The supervisor should make expectations clear and warn the employee that continued failure to meet performance or conduct standards could result in additional disciplinary action. The supervisor should document this *formal discussion* using a template called a “Counseling Memo” (Contact the Department of Human Resources for the *Counseling Memo Template*) from the Department of Human Resources.

The Counseling Memo formally documents the discussion between the supervisor and the employee, states what the behavior or performance problems are, list the expectations, and the
time frame for which the employee will be reviewed again by the supervisor. A copy of the Counseling Memo is provided to the employee and a copy is placed in the employee’s personnel file.

3. Written Warning

If after the counseling memo is issued and the employee’s behavior or performance continues not to improve, the issuance of a written warning is the next step. The discussion will be similar to the formal discussion, but with greater emphasis placed on the negative impact of continued misconduct or poor performance. It should be stressed that further discipline action, up to and including suspension and termination of employment may be the next step in the progressive process. The supervisor should document this formal discussion using a template called “Written Warning” (Contact the Department of Human Resources for the Written Warning Template) from the Department of Human Resources.

The Written Warning formally documents the discussion between the supervisor and the employee, states what the behavior or performance problems are, list the expectations, and the time frame for which the employee will be reviewed again by the supervisor. The Written Warning also states a failure to improve will result in disciplinary action up to an including termination of employment. A copy of the Written Warning is provided to the employee and a copy is placed in the employee’s personnel file.

4. Suspension

If the employee’s behavior or performance has not been corrected despite oral or written warning(s) within a reasonable period of time or if the misconduct is egregious, the employee may be placed on paid or unpaid Investigatory Leave (CDU – APM I.E.00630) and or suspended. Suspension involves removing the employee from the workplace for a predetermined number of days based on the severity of the misconduct. The supervisor must discuss the proposed action with the Department of Human Resources and the supervisor's manager.

The discussion will notify the employee of why the employee is being placed on suspension and what the outcome will be if their behavior or performance is not corrected, including the possibility of termination. A Suspension Letter (Contact the Department of Human Resources for the Suspension Letter Template) should be prepared with assistance from the Department of Human Resources. The Suspension Letter formally documents the discussion between the supervisor and the employee, states what the behavior or performance problems are, list the expectations, and the time frame for which the employee will be reviewed again by the supervisor once the employee returns from suspension. The Suspension Letter also states a failure to improve will result in disciplinary action up to an including termination of employment. A copy of the Suspension Letter is provided to the employee and a copy is placed in the employee’s personnel file.
5. Termination

Termination from employment is generally used as a last resort. The supervisor must contact the Department of Human Resources and the supervisor's manager before any separation action is taken. An employee being released for a cause such that he/she should not remain on the premises may immediately be placed on suspension or paid or unpaid investigatory leave depending on the severity of the action until the matter can be fully investigated. The supervisor prepares the official notification along with the following:

- Final timecard
- Final paycheck
- Notification to the Department of Human Resources
- Notification to the Manager of Public Safety
- Notification to University Legal Counsel (where applicable)

The Termination Letter (Contact the Department of Human Resources for the Termination Letter Template) formally documents the discussion between the supervisor and the employee, states what the behavior or performance problems were, effective date of termination, COBRA/Cal-COBRA, and Benefit information. The Termination letter also asks that employees return University property. A copy of the Termination Letters is provided to the employee and a copy is placed in the employee’s personnel file.

B. STANDARDS OF CONDUCT

Like all organizations, Charles R. Drew University requires order and discipline to succeed and to promote efficiency, productivity and cooperation among employees. Any action by an employee at the University which interferes with the proper operation of the University may result in discipline. Following are some examples of conduct that are impermissible and could lead to disciplinary action, including termination of employment. This list is not intended to be exhaustive:

1. Misconduct
2. Insubordination
3. Unsatisfactory performance
4. Attendance and Timekeeping
5. Breach of confidentiality
6. Computing resources use
7. Conflict of interest
8. Misappropriation of University Assets
9. Discrimination or Harassment; Sexual Harassment
10. Violation of a department policy
11. Violation of a University policy
12. Violation of a Federal, State, Local or Administrative Laws and/or Regulations Governing the Institution
13. Dishonesty; Altering or falsifying time records, destroying a timecard or removing a time record without authorization. Falsifying or making a material omission on the
14. Insubordination, including improper conduct toward a supervisor or refusal to perform an assigned task
15. Possession, distribution, sale use or being under the influence of alcohol or illegal controlled substance, during working hours, while operating equipment or driving a University leased or owned vehicle
16. Theft or unauthorized removal or possession of property belonging to the University, employees, students or visitors
17. Possession of explosives, firearms or other dangerous/unauthorized items while on University property;
18. Safety; Use of force or threat of force; violent behavior
19. Misusing, defacing, destroying, or damaging property belonging to the University, employees, students, or visitors
20. Gambling on University property
21. Improper work practices
22. Inappropriate behavior
23. Inefficient/Unproductive work practices

Applicability: All Staff. Faculty Members refer to the Faculty Manual.
It is the objective of Charles R. Drew University to provide an effective way for staff members to bring problems concerning their well-being at the University to the attention of management and to facilitate the resolution of those complaints. An employee shall attempt to resolve complaints with his or her immediate supervisor or manager informally although this does not extend the deadline for filing a written request for a formal review.

The policy provides an orderly method for staff members’ complaints and grievances to be fairly and objectively resolved and to resolve complaints and grievances at the lowest possible supervisory level. No discrimination, coercion, restraint or reprisal shall be applied to any staff member who submits or is involved in a complaint of grievance process.

A. SCOPE

A Complaint is defined as:

1. a claim by an individual employee regarding a specific management act which is alleged to have adversely affected the employee’s existing terms or conditions of employment;
2. a claim by an individual employee adversely affected by a management action that a provision of the Charles R. Drew University Employee Handbook has been violated.

B. ELIGIBILITY

All Regular or Conditional status employees shall be eligible to file a grievance or complaint.
C. TIMELINESS

To qualify for formal review, a written request must be received by the Department of Human Resources within thirty (30) calendar days after the date on which the employee knew or could reasonable be expected to have known of the event of or action which gave rise to the complaint, or within thirty (30) calendar days after the date of separation from University employment, whichever is earlier.

When a complainant alleges sexual harassment, the complainant may elect to substitute the Sexual Harassment Complaint Resolution Procedure for attempted resolution with the employee’s immediate supervisor under CDU – APM I.E.00400. If the Sexual Harassment Complaint Resolution Procedures are substituted for informal discussion with the employee’s immediate supervisor, and the complaint is timely filed under this policy, the final date for filing a Step I of this policy shall be pursuant to those under the Sexual Harassment Complaint Resolution Procedures. When both parties agree, a complaint previously filed under the Sexual Harassment Complaint Resolution Procedures may proceed directly to Step II of this policy.

D. APPEAL

The Department of Human Resources shall administer this policy and shall determine whether a complaint is timely and whether it qualifies for review at any step of this policy.

An employee may appeal the decision only on whether the complaint is timely and/or within the scope of this policy to the Chief Operating Officer, who has final authority for interpreting this policy. An appeal to the Chief Operating Officer shall include copies of the original grievance/complaint and related documents, and shall be received within 20 calendar days of the date of the initial decision.

E. REPRISAL

No employee shall be subject to reprisal for using or participating in the grievance or complaint resolution process.

PROCEDURE I.E00370 Grievance and Complaint Process

REVIEW PROCESS

An employee with a grievance or complaint must complete each of the steps outlined in the informal and formal process prior to further consideration of the grievance.

A. INFORMAL PROCESS

1. Misunderstandings or conflicts can arise in any organization and should be resolved before serious problems develop. When a staff member believes a work condition or treatment is unjust, inequitable, a hindrance to effective operation or creates a
problem he or she is strongly encouraged to discuss the condition with the supervisor or management as a first step.

2. When an employee has a complaint, he or she may request a meeting with their immediate supervisor within five (5) days of the occurrence giving rise to the complaint. The supervisor and the staff member will meet in an attempt to equitably settle the matter. The immediate supervisor will give a verbal decision to the employee within five (5) business days of the informal discussion.

3. If a supervisor does not render a decision to the employee during the informal process and within the prescribed time limits, the employee may within five working days submit his or her grievance/complaint to the next supervisory level.

4. If it is the judgment of the next supervisory level that he or she does not have the authority to resolve the grievance/complaint, the employee shall be informed in writing. The employee may file a grievance/complaint in accordance with the next procedural step.

B WAIVER

1. By mutual consent of the employee and the supervisory officials concerned, at any step in the Informal Process, the time limits for processing the grievance/complaint may be waived. If an employee does not present a grievance/complaint or does not appeal the decision rendered regarding the grievance/complaint within the time limits, the grievance/complaint shall be considered resolved or closed.

2. By mutual consent and written agreement of the employee and the supervisory officials concerned, the Informal Process may be waived. The employee may proceed to the Formal Processing of the grievance/complaint.

C. APPEALS

Appeals of employee dismissal, demotion and suspension greater than five (5) days will be processed beginning with Steps 1 of the Formal Process. All preceding steps will be waived.

D. FORMAL PROCESS

Step 1: The employee submits his or her grievance/complaint to the Department of Human Resources, by completing the Complaint Form stating:

1. Nature of the complaint;
2. Identify the specific management act(s) to be reviewed;
3. Specify how the employee was adversely affected;
4. List the section(s) and specific provision(s) of the Employee Handbook alleged to have been violated, if any, and how the provisions were violated;

5. Specify the remedy requested; and

6. Provide any other information that may be required pursuant to local procedures.

An acknowledgement response will be provided to complainant from the Department of Human Resources.

**Step 2:** At any time during the process, a representative from the Department of Human Resources will attempt to resolve the complaint/grievance through mediation with the employee and supervisor, with clarification and interpretation of University policies and procedures and or employment law.

1. If the complaint is not resolved at Step 2, it may be presented to the next higher supervisory level within five (15) business days following receipt of the decision to each successive supervisor, manager, director/department chair within the employee’s department.

2. Each supervisor, manager, director/department chair shall render a written decision within five (15) business days following receipt of the complaint.

**Step 3:** If not resolved at Step 2, it may be presented to the Vice President or Dean within five (15) business days following receipt of the decision of Step 2. The Vice President or Dean shall render a written decision within fifteen (15) business days following receipt of the grievance/complaint.

**Step 4:** If the grievance or complaint is not resolved at Step 3, the employee may appeal to the Chief Operating Officer who will render a decision, which shall be final and binding on all parties.

**F. RESPONSIBILITIES**

**Supervisors are responsible for:**

1. Assuring that staff member's complaints and grievances are acknowledged, investigated and that responses are submitted in a timely manner.
2. Making every possible effort to resolve informal complaints and grievances fairly and objectively.
3. Assuring that employees who submit informal and formal complaints and grievances are not subjected to retaliation.

**The Director of Human Resources is responsible for:**

1. Interpreting policies and procedures for employees and supervisory officials.
2. Assuring that all grievances and complaints are properly processed.
The Chief Operating Officer is responsible for:

1. Submitting a formal and binding decision on the complaint or grievance.
2. Reaching the final step of the grievance/complaint procedure.

Applicability: All Staff Members
CDU Policy I.E.00650 Employment Records

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE: 

SUPERSEDES:

POLICY I.E.00650 Employment Records

Employee personnel files at Charles R. Drew University are considered the confidential property of the University. So that information in personnel files is current, employees must notify the Department of Human Resources whenever they have a change in data such as address, phone number or emergency contact. Employees may inspect their personnel file in the presence of a representative of the University at reasonable times and upon reasonable notice to the Department of Human Resources. Employees may request a copy of any document in their personnel file that they have signed. Personnel files may not be removed from University premises by anyone at anytime.

A. GENERAL

An employee's personnel records shall contain only material which is necessary and relevant to the administration of the employee’s employment and personnel record. The records shall be maintained with accuracy, relevance, timeliness, completeness, be appropriate and have reasonable safeguards established by the Department of Human Resources to ensure security and confidentiality.

The types of personnel information which the University considers to be non-personal, are the individual's name, the date of hire, the current position title, the current rate of pay, the organizational unit assignment (including office address and telephone number), and the current job description. These types of records are public records and are available to governmental agencies upon request.

If a representative of a governmental agency requests access to personal information about any employee, it will be made available only if the governmental agency has a statutory right to such access, or if the individual to whom the information pertains has authorized release of such information. The governmental agency should agree to not release personal information obtained from the University except to the subject of the information or to authorized individuals.
B. LOCATION OF RECORDS

Personnel records are maintained in the Department of Human Resources.

C. PERIOD OF RETENTION

Personnel records of an employee shall be maintained according to the Records Retention Schedule.

D. LEGAL REQUIREMENTS

Questions regarding an employee's personnel records should be directed to the Department of Human Resources.

PROCEDURE I.E.00650 Employment Records

REQUEST FOR REVIEW/COPIES BY THE EMPLOYEE

1. Employees who wish to view any data related to their compensation must give at least 21 days verbal or written notice to the Department of Human Resources.
2. Employees who wish to receive a copy of their employment records; within 60 (sixty) calendar days from the receipt of a written request for records that are geographically dispersed, inactive, or in storage and within 30 (thirty) calendar days from the written receipt of a request for other records, an employee shall be provided a copy of the employee's own personnel records.
   1. There will be no charge for the first copy.

Note: Records protected by recognized legal privilege and records exempted from disclosure by the Information Practices Act may be withheld.

REQUEST FOR REVIEW/COPIES BY A GOVERNMENTAL AGENCY

In applying the general policies regarding use of confidential documents in the personnel process, and in order to balance the need to protect the confidentiality of certain records against the legitimate needs of access by governmental agencies, the following procedures should be adhered to when dealing with representatives of governmental agencies who have requested records:

1. Allow the governmental agent to view on-site the complete files which are relevant to the governmental review, but only after the names of evaluators and any identifying particulars have been removed.
2. If the governmental agent asks to remove copies of or make and remove notes about documents from the physical custody of the University, the following officers should be consulted prior to response:
   a. the Director of Human Resources
   b. Academic Personnel
   c. Legal Counsel
3. If a representative of a governmental agency other than DOL or DFEH requests access to material in University personnel records which includes items that are "confidential academic review records" (peer review records) such request must be in written form. In response to the written request, the requester should be informed that: Charles R. Drew University is in full support of (name of agency)'s need and duty to acquire information pertinent to carrying out its functions.

4. If a representative of a governmental agency requests access to confidential academic, staff, or other employee personnel information, such request must be in written form and the information should be made available only if the governmental agency has a legal right to such access. Because of the sensitivity of confidential information and the University's policy of protecting individual rights of privacy, the requester should be informed that: Charles R. Drew University is in full support of (name of agency)'s need and duty to acquire information pertinent to carrying out its functions. Our personnel policies specify, however, that certain materials in personnel records are confidential documents, and take into account the rights of access of third parties, as well as the need to protect individual rights of privacy. In light of these policies and in conformance with the law, the University is prepared to make available for your authorized representative on-site review of confidential personnel files relevant to your review, provided that your agency has a statutory right to review these records and shall maintain their confidentiality.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00660 Privacy and Confidentiality

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00660, dated September 1, 2004

POLICY I.E.00660 Privacy and Confidentiality

All records and files at Charles R. Drew University are the property of the University and considered confidential. Employees are prohibited from copying or disclosing any file or record. As an Employee of the University, an Employee may not disclose any confidential or trade secret information of the University to any other person during or following employment with the University. Employees may not make use of any confidential or trade secret information of the University for their personal benefit or for the benefit of any person, organization, company, corporation, partnership or entity other than the University under any circumstance during or after their employment. Employees may not, either during, or after the term of their relationship with the University utilize any confidential or trade secret or any other information concerning the University or its actual or proposed business or operations in any manner or for any purpose which is directly or indirectly competitive with the University and its business or operations.

Confidential information includes, but is not limited to financial data; business plans; sales and/or marketing information; student names and data, academic history and special needs; data regarding past, current or potential students, donor and patrons; bidding and cost information; confidential personnel information relating to other Employees (excluding information an Employee may choose to disclose about themselves); product data; supplier data; budgets; marketing data; information regarding the skills and compensation of Employees; data concerning methods, forms and contracts used by the University; and any documents generated by the University or by any Employee in the course of their employment.

It is the policy of the University to maintain confidential records for all faculty and staff members. In California courts, the legal boundaries of employee privacy rights continue to expand. Consequently, this policy can not cover all privacy issues. It is the policy of the University that supervisors and employees should avoid seeking personal information relating to an employee or applicant unless there is a legitimate business reason to do so. When in doubt whether an action or decision will affect an applicant's or employee's privacy rights, supervisors and employees should consult with the Department of Human Resources.

For personnel files, benefit/medical, and legal files, the Custodian of Record is the Director of...
PROCEDURE I.E.00660 Privacy and Confidentiality

REFERENCES AND RELATED POLICIES

CDU - APM I.E.00670 (Subpoenas and Summons)
CDU - APM I.E.00650 (Employment Records)
CDU - APM I.E.00500 (Verification of Employment)

A. PERSONNEL RECORDS

1. All inquiries by telephone, mail, or other requests for information about current or former Employees or any information about the University's business should be immediately directed to the Department of Human Resources.

2. Faculty and staff personnel files are maintained in the Department of Human Resources. Managers and supervisors may have access to employee information on a need-to-know basis. A supervisor considering hiring a former employee or transferring a current employee may be granted access to the “personnel” file.

3. Personnel files are to be reviewed only in the Department of Human Resources following a scheduled appointment. Personnel files may not be taken outside of the Department of Human Resources.

4. Representatives from government or law enforcement agencies, in the course of their business, may be allowed access to employee information. This decision may be made at the discretion of the Director of Human Resources (or designee) in response to the request, of a legal subpoena or court order.

5. Personnel file access by current employees upon request will be permitted (refer to CDU – APM I.E.00650 Employment Records). Personnel file access by former employees upon request may be granted when the file is available on site (refer to CDU – APM I.E.00650 Employment Records).

B. ARREST RECORDS

1. Supervisors are prohibited by California law from asking an applicant or employee to disclose any information regarding an arrest or detention which did not result in a conviction, or any information regarding a pre-trial or post-trial diversion program.

2. The same law prohibits the supervisor from obtaining such information from any other source or from using it as a basis for making an employment decision about that individual.

3. If a supervisor determines that an individual has a record of criminal conviction the Director of Human Resources should be contacted before taking any action or making any decisions. A decision not to hire a job applicant based on a criminal conviction may violate California law if, among other things, the conviction is not job-related and has a disproportionate effect on a protected class. On the other hand, the University may be subject to a negligent hiring claim if the applicant is hired and the
conviction is job-related.

C. CREDIT CHECKS AND CONSUMER INVESTIGATIVE REPORTS

The use of credit information or investigative credit reports in the hiring process is regulated by federal and state laws. Supervisors must never attempt to obtain this type of information on applicants or current employees without prior approval from the Department of Human Resources.

D. DEPARTMENT OF MOTOR VEHICLES RECORDS

Verification of a good driving record is a condition of employment for some University positions. The University will check the driving records of applicants applying for positions which require operation of a University-owned vehicle. The driving records of current employees will also be checked if the job requires them to operate a University owned vehicle.

E. MEDICAL RECORDS

1. Federal and state laws govern the use, disclosure, collection and maintenance of employee medical records. Specifically, the California Confidentiality of Medical Information Act limits an employer's use and disclosure of employee medical information and the Americans With Disabilities Act requires that employee and applicant medical information and history be collected on separate forms and maintained in files separate from his/her personnel file.

2. The Department of Human Resources has established procedures to ensure the confidentiality of employee medical information and its protection from unauthorized use and disclosure. Those procedures include providing instructions regarding confidentiality to individuals handling files containing medical information and maintaining security systems restricting access to such files. Unless required by a subpoena, the use and disclosure of employee medical information is prohibited unless the employee has signed an authorization permitting use or disclosure.

F. PERSONAL RELATIONSHIP AND MARITAL STATUS

Supervisors are prohibited by state and federal law from unwarranted employee lifestyle intrusions. The issue of employee lifestyles involves, among other things, living arrangements as well as romantic and social relationships. Supervisors must also avoid intruding into, and basing employment decisions on an employee’s marital status, non-marital personal relationships, and association with individuals in a protected class, political affiliations, or sexual orientation.

G. PHOTOGRAPHS AND FINGERPRINTS

The University does not require a photograph of an individual until after a hiring decision is made, and then only to provide the new employee with an identification card. Supervisors must
not ask job applicants to submit photographs or fingerprints because of their potential for use in impermissibly screening out persons from protected classes.

H. PHYSICAL EXAMINATIONS

Successful completion of a pre-employment physical is a condition of employment. Federal and state laws place a number of restrictions on the use of physical examinations for applicants and employees. However, by law, an employee’s fitness to return to work after a medical or disability leave should be supported by medical certification. The supervisor must notify the Department of Human Resources when an employee is out ill for more than five (5) days. The employee should contact the supervisor and the Department of Human Resources when she or she wishes to return to work after a medical or disability leave.

I. SEARCHES, SURVEILLANCE, AND ELECTRONIC MONITORING

1. Charles R. Drew University may, at any time, with reasonable suspicion and in consultation with the Vice President for Administration, the Director of Human Resources and the Manager of Public Safety inspect or search any property of the University, including but not limited to employee lockers, employee work areas, employee desks, all file cabinets, and any form of electronically recorded information, including computer files and telephone voice recordings, whether or not such property is designated as being for the exclusive use of that particular employee.

2. Prior to conducting a search of University property or an employee’s personal items, monitoring electronic mail or voice mail, or confronting an employee regarding suspected drug abuse, supervisors must first consult with the Department of Human Resources.

Applicability: All Staff and Faculty Members
The purpose of this policy is to establish uniform procedures for receiving subpoenas and
arranging for excused absences for employees who must appear in court.

Occasionally Process Servers will come to the campus to serve legal documents on University
employees or officials. These documents are of two basic types: (1) Summons and Complaints,
and (2) Subpoenas. This policy and the associated procedure have been designed to assist you in
such situations.

1. For Summons and Complaints, the defendant is required to respond to the Complaint
when he or she is served with a copy of it, together with a copy of the Summons. The
deliveries of copies of the Summons and Complaint to the defendant are commonly
called service of process.

2. The other type of legal process which may be served is a Subpoena, a Subpoena Duces
Tecum or a Deposition Subpoena. The law allows the recipient of a Subpoena Duces
Tecum and a Deposition Subpoena to furnish copies of business records by mail in lieu of
a personal appearance under certain circumstances. (Note: The production of
employment records shall not be less than 15 days from the date the Subpoena is issued.)

PROCEDURE I.E.00670 Subpoenas and Summons

1. Subpoena for Persons
   
   • Subpoenas related to an individual's job function will be accepted by the Department of
   Human Resources on behalf of the employee. Should an employee be served personally
   with a job-related subpoena, he/she shall immediately present the subpoena to his/her
   supervisor, whom will in turn forward it to the Department of Human Resources.
   
   • An employee who has been served with a subpoena related to his/her job function should
not communicate with the contact person identified on the subpoena without authorization from the Department of Human Resources.

- Subpoenas not related to an employee's job function must be served to the named individual personally. Under no circumstances should a University employee accept this type of subpoena on behalf of another employee.

2. Subpoena for Records

- All subpoenas seeking records from the University shall be forwarded to the Department of Human Resources. The appropriate Custodian of Record will then be contacted to provide the required documentation.

3. Where the Subpoena Relates to an Employee’s Job Function

- In those cases where the subpoena relates to the employee's job function, the employee will be granted an excused absence with regular base pay for all time during which he/she is required to be present from work while furnishing testimony in court and during arbitration, depositions and administrative hearings.

- Where the subpoena does not relate to the employee's job function, the employee will be granted an excused absence and receive his/her regular base pay, for one workday. If the employee is required to be absent from work for more than one workday, and if the employee has provided reasonable notice to his/her supervisor, the employee's absence on subsequent workdays will be excused. However, the employee will not receive his/her regular wages beyond the first day of excused absence. The employee must either take time off without pay or use vacation leave hours to cover the lost time.

4. Summons and Complaints in Civil Cases

- Where the university is the party names in the summons and complaint
  The Marshall or other process server shall be referred to the Department of Human Resources.

- Where both the university and an employee are named as parties in the summons and complaint
  The employee named in the summons and complaint may accept service of the summons only on his/her behalf. The process server shall be referred to the Department of Human Resources for service of the summons and complaint on the University.

- Where an employee alone is a party named in the summons and complaint
  This situation normally arises where an employee is being sued based on conduct occurring outside the course and scope of University employment. A summons or complaint must be served to the named individual personally.
Under no circumstances should a University employee accept a summons or complaint on behalf of another employee. In this situation, the process server shall be referred to the Department of Human Resources. A representative from the Department of Human Resources will not accept the summons or complaint. Instead, pertinent information will be obtained from the process server and the named employee will be informed of the summons and complaint as soon as possible.

5. **Witness Fee**

- In all civil cases, an individual served with a subpoena is entitled to a witness fee. An employee with a subpoena in a civil case where the University is not a party should request payment of the witness fee at the time he/she is served with the subpoena or, at the latest, before the scheduled appearance. The demand for witness fee is the responsibility of the employee.

6. **Other Terms and Conditions**

- An employee seeking to adjust his/her work hours for purposes of performing witness service should discuss the matter with his/her immediate supervisor. The Department of Human Resources can provide assistance for supervisors.

- All benefits shall remain in effect and the employee will continue to accrue vacation and sick leave while serving as a witness.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00680 Leaves of Absences

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00680, dated September 1, 2004

POLICY I.E.00680 Leaves of Absences

REFERENCES AND RELATED POLICIES

CDU – APM I.E.00710 (Vacation)
CDU – APM I.E.00699 (Sick Leave)
CDU – APM I.E.00680 (Leave of Absence)
CDU – APM I.E.00740 (Work-Incurred Illness and Injury)
CDU – APM I.E.00700 (Military Leave)
CDU – APM I.E.00610 (Professional Development)

A. GENERAL

At Charles R. Drew University, a leave of absence is defined as an authorized paid or unpaid absence from work. Depending on the type of leave, an employee may use accrued sick and/or vacation hours. A leave of absence is granted to protect the employee's job and rights to certain benefits. Normally, an employee should be granted a leave of absence under the terms and conditions outlined in this policy.

All requests for leave should be made, where possible, in advance and in writing to the immediate supervisor. In collaboration with the Department of Human Resources, approved leaves of absence will be processed. Under certain circumstances, an employee may be required to be cleared by the University-designated Health Care Facility to returning to work. The Payroll Office will credit and deduct all leaves, to and from the employee's official leave records.

An employee may be granted a pregnancy disability leave, family and medical leave, work-incurred disability leave, or a bereavement leave, except that a leave of absence shall not extend beyond a predetermined separation date. Leaves, transfers for medical reasons, or reduced work schedules granted for an employee's own health condition or the health condition of a family member, including a domestic partner, shall require written confirmation from a health care provider.
B. BEREAVEMENT LEAVE

Paid bereavement leave is granted to all Regular and Conditional Employees in order to make arrangements for and or attend the funeral or memorial service of a member of the employee’s immediate family. Paid bereavement leave is granted for three (3) days. For services that are more than 200 miles from the employee’s home, one (1) additional day will be authorized. If out of state travel is required to attend services, two (2) additional days will be authorized. Bereavement days do not accrue or carry forward. Additional time needed in excess of paid bereavement leave may be taken in conjunction with vacation time or without pay upon approval of the employee’s supervisor.

Immediate family member is defined as:

• Employee’s Spouse
• Domestic Partner
• Significant Other
• Child
• Parent; Parent In-Law
• Siblings
• Grandchildren
• Grandparents
• Any person living in the same household as the employee

C. EDUCATIONAL LEAVE

The purpose of educational leave is to assist employees in furthering their career and education goals. Employees may be permitted to attend University classes if they meet certain eligibility requirements and have the authorization of their supervisor. This management approved benefit is a privilege not a right.

Full-time employees who have been employed for 180 continuous days may be eligible, subject to management approval.

Employee are eligible to take four (4) hours per workweek to do course work that applies to the employee’s job at the University.

The employee is required to provide notice and documentation such as a statement, acceptable to the University, indicating the reason for the leave including:

1. the reason for the leave,
2. the relationship of the proposed class to the employee’s position with the University,
3. the date the leave will commence is required prior to the start of the leave,
4. how the activity may assist the employee's transition into future CDU career-related positions,
5. the quality of the particular training activity, as compared to similar activities available to
the employee, and/or an assessment of the reputation and reliability of the institution,
organization, or other sponsor who will provide this activity,
6. the relation of the activity to the department's mission and goals,
7. a statement on the relative importance of this activity to the overall needs of the
department and available resources, and
8. the impact, if any, on employee workload and other employees in the department.

For an employee on educational leave, it is anticipated that time off for educational leave will be
on an intermittent basis for a limited amount of time, and that return to work will not be an issue.

The employees may use accrued vacation time to cover absences or take time off without pay.
Employees will continue to accrue time off and benefits and will continue as long as they are
working the minimum required hours to qualify under the University’s policies for such benefits

D. PAID FAMILY LEAVE (PFL)

Paid Family Leave (PFL) provides partial wage replacement under the Paid Family Leave Act
(PFLA) for an employee who needs to care for an immediate family member (spouse, child,
stepchild, foster child, legal ward, parent, stepparent, foster parent, adoptive parent, registered
domestic partner or the child of a registered domestic partner) who has a serious illness or for
bonding with a child following birth, adoption or foster care placement.

Eligibility and Amount of Leave
All employees are eligible to participate in PFL. The amount of leave is dependent upon partial
wage replacement from the California Employment Development Department (“EDD”) and is
available for up to six (6) weeks. PFL may be taken intermittently. For up to six (6) weeks in a
12-month period, employees will not receive their regular wages from the University but may
apply for partial wage replacement through the EDD.

Return to Work
Employees must be aware that the Paid Family Leave Act does not require employers to hold
their job, or any job, for them to return to. Therefore, employees who opt to take time off and
collect PFL benefits are not guaranteed the ability to return to work with the University unless
they are protected by some other leave statute (i.e., Family Medical Leave Act).

Effect on Benefits
Employees will be required under the Paid Family Leave Act to use up to a maximum of seven
(7) sick or accrued vacation days before partial wage replacement will begin. Benefit accruals
(such as vacation and sick time) will continue to accrue during the time the employee is using
their accrued benefit time, but will not accrue once that time is exhausted and the Employee is
eligible for or receiving partial wage replacement through the EDD.
E. FAMILY AND MEDICAL LEAVE ACT (FMLA)

Pursuant to the Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), eligible employees may take an unpaid family or medical leave of absence (“Family/Medical Leave”) of up to 12 weeks in a 12-month period. The 12-month period is measured backward from the date you take any FMLA and/or CFRA leave. Eligible employees may take up to twenty-six (26) weeks of FMLA leave in a single 12-month period to care for an Injured Servicemember, as described below.

Any leave taken pursuant to this policy, other Company policies, or law which qualifies as leave under the FMLA and/or the CFRA will be counted against the employee’s available leave under the applicable Company policy(s) and law, as well as the available leave under the FMLA and/or the CFRA, to the extent permitted by applicable law.

**Reasons For Leave**

If eligible, you may take Family/Medical Leave for any of the following reasons:

- **Birth/Placement.** The birth of your child, or the placement of a child with you for adoption or foster care.

- **Family Care.** To care for your spouse, child, parent, or registered domestic partner (covered by CFRA only) with a serious health condition.

- **Employee Medical.** Because of your own serious health condition, which makes you unable to perform one or more essential functions of your job.

- **Qualifying Exigency (covered by FMLA only).** Because of any qualifying exigency as defined in the FMLA final regulations, arising out of the fact that your spouse, parent, or child is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces in a foreign country. [Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment reintegration briefings, and other activities associated with the family member’s call or order to service.] Contact the Human Resources Department for additional information regarding what constitutes a qualifying exigency.

- **Injured Servicemember (covered by FMLA only).** To care for your parent, child, spouse or individual for whom you are next of kin, who is either (1) a current member of the Armed Forces (including the National Guard or Reserves) and who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is otherwise on the temporary disability retired list, for a serious illness or injury incurred in the line of active duty (or aggravated by service in the line of active duty) that may render the military member medically unfit to perform the duties of the member’s office, grade, rank or rating; or (2) a veteran who was a member of the Armed Forces (including the National Guard or Reserves) at any time during the five years preceding the date the veteran undergoes treatment, recuperation, or therapy, and who is undergoing medical treatment,
recuperation, or therapy for a serious illness or injury incurred in the line of active duty (or aggravated by service in the line of active duty). [To be considered “next of kin,” you must be the nearest blood relative of the injured servicemember (other than the individual’s parent, spouse or child).] Such leave may be taken for up to 26 weeks in a single 12-month period, which period begins on the first day you take leave for this purpose and ends 12 months after that date. An eligible employee who takes Injured Servicemember Leave may not take more than a combined total of 26 weeks of FMLA Leave in a single 12-month period, including any leave taken for other FMLA-covered reasons. Under such circumstances, only a total of 12 weeks of FMLA Leave in a 12-month period may be taken for reasons other than to care for an Injured Servicemember.

The basic minimum duration of Birth/Placement Leave is two weeks, except on two occasions you may request such a leave of less than two weeks’ duration, and you must conclude the leave within one year following the child’s birth or placement.

[You may not be granted a Family/Medical Leave to gain employment or work elsewhere, including self-employment.] [If you intend to work at a second job during your leave, then you must notify the Company.] [If you misrepresent facts in order to be granted a Family/Medical Leave, you will be subject to discipline, up to and including immediate termination.]

**Additional Leave Available In Connection With Pregnancy Disability Leave**

Leave for your pregnancy-related disability is covered under the FMLA, but not the CFRA. Therefore, if you take a Family/Medical Leave for a pregnancy-related disability, then you may be eligible for up to an additional 12 weeks of Family/Medical Leave in the 12-month period under the CFRA for reasons other than pregnancy-related disability. The amount of any such available Family/Medical Leave will be reduced by any other CFRA Leave taken during the 12-month period.

The University may designate a leave as FMLA if the leave meets the requirements listed above, even when an employee does not specifically request FMLA.

**Eligibility**

To be eligible for a Family/Medical Leave, you must: (1) have worked for the University for at least 12 months, (2) have worked at least 1,250 hours during the 12 months before the leave is to begin, and (3) work at a location with at least 50 employees within 75 miles of your worksite. “Hours worked” means actual hours worked and generally does not include paid or unpaid time off. Additional qualifications under federal or state law may apply.

**Concurrent Leaves**

The Department of Human Resources shall designate all paid and/or unpaid leaves (including accrued sick leave and vacation) due to medical reasons (including work-incurred) to run concurrently with, and be counted against, the employee's family medical leave entitlement, provided the employee qualifies for FMLA and receives written notice.
All leaves, whether paid or unpaid, which meet the qualifications for FMLA should be designated as Family and Medical Leave at the beginning of the leave period.

**Required Notice and Documentation**

Employees must provide at least 30 days’ advance notice to the Department of Human Resources of the need for leave, or in case of an unforeseen circumstance in which 30 days’ advance notice is not possible; the employee must provide as much advance notice as possible. Failure to comply with these notice requirements is grounds for, and may result in, deferral of the requested leave until the employee complies with this notice policy. A statement acceptable to the University from the employee or relative’s health care provider or a copy of the military service member’s orders certifying that the leave is needed must accompany any request for FMLA leave.

**Medical Certification for Employee Medical and Family Care Leaves**

If you are requesting Employee Medical or Family Care Leave, then you and the appropriate health care provider must supply medical certification supporting the need for leave. If the need for leave is foreseeable, the medical certification should be provided to the University before the leave begins. If the need for leave is not foreseeable, then the medical certification must be provided within fifteen (15) days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested certification in a timely manner may result in denial or delay of leave or other adverse consequences. The University also may require medical recertification periodically during the leave and may ask for clarification and authentication of any medical certification submitted. Certification forms are available from the Department of Human Resources.

For Employee Medical Leaves, at its own expense, the University may require a second medical opinion, and if the first and second opinions differ, may request a third medical opinion. If a third opinion is requested, you and the University will jointly approve of the health care provider and the third opinion will be binding.

**Certification for Injured Servicemember and Qualifying Exigency Leaves**

If you are requesting Qualifying Exigency or Injured Servicemember Leave, you must provide certification of your need for leave. Such certification must be provided to Human Resources within 15 calendar days after it is requested. Certification forms are available from the Human Resources Department.

**Reporting Your Status While On Leave**

During a Family/Medical Leave, you may be required to contact your manager periodically to report on your status and intention to return to work.

**Return to Work**

Employees who satisfy all the conditions of the University’s policies and who return to work immediately following the expiration of an approved FMLA leave will be restored to their former position (or equivalent), provided such a job would still be available had they not taken a
leave. Employees who have taken a leave due to their own serious medical condition will be required to provide certification of their fitness to return to work. Failure to report to work as scheduled following a leave of absence may result in dismissal of the Employee. Requests to return from leave made by certain highly compensated “Key Employees” may be denied under certain circumstances.

**Effect on Benefits**
FMLA leave is unpaid time off. Subject to certain conditions, Employees may choose or be required to use accrued benefit time such as vacation or sick time while on FMLA leave. Time spent on FMLA leave will not be used for computing seniority or benefits such as vacation or holidays.

During an approved FMLA leave of absence, the Employee can keep insurance benefits in effect for up to 12 weeks by continuing to pay any share of the premium that the employee normally pays while working. Under some circumstances, if the employee does not return to work at the expiration of the leave, the employee may be required to reimburse the University for its share of the premium paid during the leave. After the expiration of a 12-week leave, an employee who has not returned to work may elect, as a provision of COBRA/CALCOBRA, to continue insurance coverage by paying the entire cost of the insurance premium, plus a nominal administration fee.

**Exemption For Highly Compensated Employees**

*Highly compensated “key” employees (i.e., the highest paid 10% of employees employed within a 75-mile radius of a particular location) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial and grievous economic injury to the Company. Employees will be notified if they qualify as a “key” employee, if the Company intends to deny reinstatement, and of their rights in such instances.]*

**Legal Compliance**
This policy will be interpreted and applied in accordance with applicable federal, state and local laws, and to the extent that this policy may conflict with those laws, they are controlling over this policy. Further, the University retains all available rights and defenses under applicable law, whether or not specifically set forth in this policy.

**F. PREGNANCY DISABILITY LEAVE (PDL)**

Pregnancy Disability Leave (PDL) is available to employees who are disabled by pregnancy or a condition related to pregnancy as certified by a healthcare provider. All employees who are disabled by pregnancy or a condition related to it as certified by their healthcare provider are eligible.

**Amount of Leave**
PDL is available for the length of the employee’s disability up to a maximum of four (4) months. In addition, a transfer to a less strenuous or hazardous position may be available pursuant to the
employee’s request, if such a transfer is medically advised by the employee’s healthcare provider. Leave may be taken incrementally prior to delivery.

**Required Notice and Documentation**

Employees should give 30 days’ advance notice of the need for pregnancy disability leave, including the estimated time the leave will begin and end to the immediate supervisor and the Department of Human Resources, when 30 days’ notice is not practicable, as much notice as possible should be given.

Prior to the start of the leave, the Department of Human Resources will require a statement from the employee’s physician indicating an inability to perform the current job and the anticipated date of return. In the event the leave exceeds the anticipated date of return, it is the employee’s responsibility to provide further verification from the attending physician that the employee is unable to perform the job and the revised anticipated date of return.

**Return to Work**

Employees who are granted leaves for pregnancy will be returned to their same or similar position in accordance with California law if they return at the end of their disability and within four (4) months of the start of their leave.

**Effect on Benefits**

Depending on an employee’s eligibility, medical insurance may be continued during the leave. Benefit accruals (such as vacation and sick time) will continue to accrue during the time the employee is using their accrued benefit time, but will not accrue once that time is exhausted. The employee is required to use all accrued sick leave at the start of the leave. The employee may elect to use any accrued vacation during the leave.

**F. UNPAID FAMILY SCHOOL PARTNERSHIP LEAVE**

(California Labor Code §230.7 - .8)

The purpose of the Unpaid Family School Partnership Leave is to permit employees to attend school meetings in the event their child is suspended or otherwise disciplined. The leave allows employees to participate in school or day-care facility related activities for their child, grandchild or ward. Leave is given for active participation by the employee and not to attend school activities such as a school play or sporting event as an audience member. All employees are eligible to participate.

**Amount of Leave**

Leave is not for a specific period of time, but generally needs to be adequate to the employee’s need without being overly burdensome to the University.

**Required Notice and Documentation**

Employees should notify their supervisor as soon as they become aware of the need for time off. Employees will be required to produce documentation acceptable to the University from school officials verifying the need for time off.
Return to Work
It is anticipated that Family School Partnership Leave will be in short increments of a few hours, so employees may return to their usual position at the conclusion of the meeting. Additional time off to deal with school-related child issues may be taken under a different category and may or may not be protected leave.

G. California Family Rights Act Leave

Similar to the FMLA, eligible California associates can take up to 12 weeks of unpaid leave in a 12-month period under the California Family Rights Act (“CFRA”) for:

Birth/Placement (Bonding) — to care for a child born to or placed for adoption or foster care with you;

Family Medical — to care for your parent, child, spouse, or registered domestic partner with a serious health condition; or

Employee Medical — because of your own serious health condition, which renders you unable to perform one or more essential functions of your position.

The eligibility requirements are the same under the FMLA and CFRA. Similar certification procedures also apply to CFRA leave. Group health benefits will be continued during a CFRA leave [for a maximum of 12 weeks in a 12-month period, including any benefits provided during an FMLA leave during the 12-month period].

Reinstatement rights are also the same under both the FMLA and the CFRA. If leave is covered by both the FMLA and CFRA, then leave taken under the CFRA will run concurrently with leave taken under the FMLA.

Intermittent Bonding Leave

Under the CFRA, you may be eligible for intermittent Birth/Placement leave. However, such intermittent leave generally must be taken in periods of at least two weeks’ duration, except on two occasions you can request such leave for a period of less than two weeks’ duration.

Additional Leave Available In Connection with Pregnancy Disability Leave

Leave for pregnancy-related disability is covered under the FMLA, but not the CFRA. Therefore, if you take FMLA leave for a pregnancy-related disability, you may be eligible for up to an additional 12 weeks of leave in the 12-month period under the CFRA for reasons other than pregnancy-related disability. The amount of any such available CFRA leave will be reduced by any other CFRA leave taken during the 12-month period.

Leave Is Unpaid/Substitution of Accrued Paid Leave

If you request CFRA for other than Employee Medical reasons, any accrued paid vacation and other paid time must first be substituted and used for otherwise unpaid CFRA leave. If you request Employee Medical leave, any accrued vacation and other paid time off must be
used for otherwise unpaid CFRA leave. In addition, you may be eligible for Paid Family Leave (PFL) benefits or state disability insurance (SDI) benefits through the State of California, or workers’ compensation benefits during all or part of the leave. If you are receiving PFL, SDI, or workers’ compensation benefits during your leave, then you will not be required to use accrued paid vacation during that time, but you may elect to do so, although you generally may not receive more than an amount equal to 100% of your regular pay from a combination of paid time and PFL, SDI or workers’ compensation benefits. If you are eligible for PFL insurance benefits through the State of California, then you will be required to use up to two (2) weeks of accrued paid vacation before you will be entitled to receive PFL benefits. The receipt of PFL, SDI or workers’ compensation benefits or the substitution of paid leave for unpaid leave time does not extend the maximum 12-week CFRA leave period.

**PROCEDURE I.E.00680 Leaves of Absences**

**A. GENERAL**

1. Employees must inform their immediate supervisor and the Department of Human Resources as soon as they are aware that they have a family situation for all Leaves of Absences.
2. Employees must provide the Department of Human Resources with a certification by a health care practitioner who has examined the family member with the serious illness (or documentation of the birth, adoption or foster care placement) verifying the need for the leave and, if applicable, providing certain information concerning the illness of the family member.
3. All medical documentation must be forwarded to the Department of Human Resources as the Custodian of Records. No medical documentation or certifications can be kept in the employee’s home department.
4. Employees on a leave of absence without pay will not accrue vacation and sick leave.
5. If an employee becomes ill while on an approved vacation, accrued sick leave may be authorized upon receipt of a physician's certification.
6. Holidays occurring during authorized leave will not be charged against leave accruals.
7. While on leave without pay, employees are responsible for the employee portion of their health and welfare premiums. Once FMLA has exhausted, the employee is responsible for the total premium.
8. The probation period will be extended by the length of time the employee is on leave. Leave of absence without pay shall not be credited toward continuous service.
9. An employee returning from certain leaves must report to the Department of Human Resources prior to reporting to their assigned work area.
10. Supervisors should contact the Department of Human Resources to discuss procedures for leave and necessary completion of the personnel action form (PAF).
11. Supervisors must complete the Supervisor's Report of Injury Illness within 24 hours of a mishap on the job and forward to the Risk Manager.
12. The EDD can provide Employees with the necessary forms, or Employees may obtain a copy from its website at www.edd.ca.gov. Application is made directly to the EDD on forms that are provided by the EDD.
B. FAMILY AND MEDICAL LEAVE PACKET

Contact the Department of Human Resources regarding FMLA actions and to receive a Family and Medical Leave Packet. The packet may include:

1. FMLA Department Checklist
2. Leave of Absence Request form
3. Your Rights and Obligations Under the Family and Medical Leave Act of 1993
4. Family and Medical Leave Benefits Checklist
5. Family and Medical Leave Certification form
6. Family and Medical Leave Return to Work Certification form
7. Record of Reduced Work/Interrmittent Leave Schedule

1. Employee Not FML Eligible
2. Employee FML Eligible but Leave Entitlement Exhausted
3. Employee FML Eligible — For Leave for Employee's Serious Health Condition
4. Employee FML Eligible — For Leave for Family Member's Serious Health Condition
5. Employee FML Eligible — For Military Caregiver Leave
6. Employee FML Eligible — For Qualifying Exigency Leave
7. Employee FML Eligible — For Parental Leave (when Employee is not Birth Mother)
8. Employee FML Eligible — For Combined PDL and Parental Leave
9. Employee Not FML Eligible — For Requests for PDL only
10. Employee FML Eligible but Leave Entitlement Exhausted — For Requests for PDL only
11. Employee FML Eligible — For Requests Limited to PDL
12. Certification and/or Declaration Not Received — For all FML Leaves
13. Certification Incomplete or Insufficient — For all FML Leaves
14. Designation Letter — For All Approved and Denied FML Requests except Approved Requests for Combined PDL & Parental Leave
15. Designation Letter — For Approved Combined PDL and Parental Leave
16. PDL Confirmation Letter — Employee Not FML Eligible or Employee FML Eligible but Leave Entitlement Exhausted
17. Letter for Change in End Date of PDL — For Approved Combined PDL and Parental Leave
18. Recertification — For Leave for Employee' or Family Member's Serious Health Condition
CDU Policy I.E.00690 California Paid Sick Leave

ISSUING OFFICER: Chief Human Resources Officer

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: January 1, 2015 and July 1, 2015

REVISED DATE: December 23, 2014; October 29, 2010

SUPERSEDES: CDU Policy I.E.00690, dated September 1, 2004

POLICY I.E.00690 Sick Leave

Pursuant to the Healthy Workplaces Healthy Families Act of 2014, at Charles R. Drew University, all employees (full and part-time, temporary, seasonal, student workers) will accrue sick time beginning the first day of employment. All employees will be eligible to use sick time as of the 61st day. Sick time is provided in case of employee illness, doctor appointments, sexual violence, sexual assault, stalking, or other unexpected health matters that prevent an employee from reporting to work. Up to 50% of accrued sick time may be used to care for a sick child (regardless of age or dependency status), biological, adopted, or foster child, step child, legal ward, or a child to whom the employee stands in loco parentis; biological, adoptive, or foster parent or step parent, legal guardian of the employee or the employee’s spouse, or a person who stood in loco parentis to the employee when the employee was a minor child; parent, spouse, registered domestic partner or child of a domestic partner, grandparent, grandchild, and sibling.

A. RETALIATION

Charles R. Drew University of Medicine and Science prohibits retaliation against employee who exercises use of this policy, for bringing a complaint of discrimination, harassment, or sexual violence pursuant this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination, harassment, sexual violence or participates in any manner in an investigation or resolution of a complaint of discrimination, harassment, or sexual violence. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

B. ACCRUAL SCHEDULE

Full-Time employees accrue sick time at the rate of 1 day (8 hours) per month. In the event an employee has the equivalent of 60 days (480 hours) of accrued and unused sick time, additional sick time will cease to accrue until some or all of the accrued time has been used and unused sick days fall below such amount. Once accruals begin again, accruals will not be retroactive, and again will be capped at 60 days (480 hours).
Part-time employees may accrue sick time on a pro-rated basis, at the following rate per month based on hours worked per week:

<table>
<thead>
<tr>
<th>Hours Worked Per Week</th>
<th>Accrual Rate Per Month</th>
<th>Maximum Accruals Cap</th>
</tr>
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<tbody>
<tr>
<td>1 - 19 hours per week</td>
<td>3</td>
<td>180 hours</td>
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<tr>
<td>20 – 40 hours per week</td>
<td>8</td>
<td>480 hours</td>
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In the event a part-time employee has the equivalent of the stated unused sick time that has reached the maximum accruals per year, additional sick time will cease to accrue until some or all of the accrued time has been used and unused sick days fall below such amount. Once accruals begin again, accruals will not be retroactive, and again will be capped at the appropriate maximum accruals per year.

Exempt full-time and part-time employees must take sick time in the equivalent full-day increment that coincides with their normal workday, and are not permitted to perform work during such sick time, including making calls, checking emails, and attending meetings.

Non-Exempt full-time and part-time employees must take sick time off in no less than 30-minute increments. Non-Exempt full-time and part-time employees should record sick time to cover absences (late arrivals, early departures or absences during the day) due to medical appointments, or may take unpaid time off for such appointments if no accrued sick time is available.

Abuse of the use of sick time can be cause for disciplinary action up to and including termination.

C. GENERAL

Employees who need time off for surgery or medical or injury recovery should notify the Department of Human Resources immediately so that the appropriate leave of absence processes can be initiated. Employees who need to use sick time to recover from a work-related injury or illness must notify their supervisor immediately so that workers’ compensation forms can be provided.

Employees with frequent on-going sick time requirements or those who are absent for (3) three or more consecutive days, must provide a written release from their doctor on their first day back to work. Employees should not return to work without a written release from their doctor. Most CDU positions require high levels of attendance as part of their job descriptions and poor attendance may be grounds for termination.

Calling in sick on the day immediately before or after a vacation day or a paid holiday will not be honored and no pay will be made for the sick day unless the employee returns with a note from a physician excusing the absence as necessary.

Within (1) one year of an employee’s employment separation from CDU, accrued and unused
sick time will be restored to the employee upon rehire. Additional paid sick time will begin to accrue upon rehire.

Employees are not entitled to compensation for accrued and unused sick time upon termination. Benefit accruals (such as vacation and sick time) will continue to accrue during the time the employee is using their accrued benefit time, but will not accrue once that time is exhausted.

**PROCEDURE I.E.00690 Sick Leave**

1. Employees are required to call their supervisor or leave a voicemail on their supervisor’s phone no later than 30 minutes after their start time. Calling another person [unless they are standing in for an absent supervisor] or e-mailing a notice is not an acceptable substitute for this call requirement. Employees in positions that will require scheduling a backup for their work should call as soon as they know they will not be reporting to work or use the designated procedure set up by the department supervisor.

2. Sick time is to be recorded accurately on the appropriate attendance or time card.

3. Accurate reporting of attendance is required on University timecards.

4. It is the responsibility of the supervisor to notify the Department of Human Resources and the Department of Payroll when an employee has been out ill for more than five (5) days. Benefit eligibility and payroll deductions will be processed accordingly.

5. The Department of Payroll maintains the official records of sick leave accruals based on information provided on the employee's timecard records.

Applicability: All Staff and Faculty Members
CDU Policy I.E. 00691 Catastrophic Leave

ISSUING OFFICER: Chief Human Resources Officer

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: January 1, 2014

REVISED DATE:

SUPERSEDES:

POLICY I.E. 00691 Catastrophic Leave

REFERENCES AND RELATED POLICIES

CDU – APM I.E. 00680 Leaves of Absences
CDU – APM I.E. 00710 Vacation Leave

A. CATASTROPHIC LEAVE
The Catastrophic Leave Program provides salary and benefits continuation for eligible employees who have exhausted all paid leave due to their own serious illness or injury, or due to the need to care for an immediate family member who has experienced a catastrophic illness or injury. Catastrophic Leave may also be used when employees are unable to report to work due to a natural disaster or emergency. It is a voluntary program that allows employees to donate a portion of their vacation leave into a bank that is available to assist employees who are eligible under the program.

B. DEFINITIONS

1. Catastrophic Illness or Injury: an acute or prolonged non-industrial illness or injury which is physically debilitating or life threatening and requires the employee's continued absence from work when the employee has exhausted all paid leave.

2. Catastrophic Casualty Loss: a situation in which employees are unable to report to work due to a natural disaster or emergency such as earthquake, wildfire or flood.

3. Family Members: Except for purposes of Family and Medical Leave, an employee’s spouse, domestic partner, children (including children of the employee’s domestic partner), parents, siblings, grandparents, and grandchildren, step-relatives, in-laws, and individuals residing in the employee’s household.
Immediate family includes the employee's spouse or domestic partner, and children (natural, step, adopted, and foster children), or if the employee is the primary custodian and caregiver of grandchildren or siblings.

Only one (1) CDU employee from a family may use Catastrophic Leave at a time to take care of an eligible family member and that employee must be solely responsible for the physical care of the family member.

4. Paid Leave: includes sick leave, vacation, and personal leave. For purposes of this Catastrophic Leave Program, only vacation leave may be donated.

5. Recipient: the employee who is eligible to accrue and use vacation, has exhausted all paid leave accruals, and is in need of temporarily extending his/her salary and benefits.

6. Donor: the employee who is donating vacation leave to an employee or to the Catastrophic Leave Bank.

C. ELIGIBILITY
All CDU employees who are eligible to accrue and use vacation time are eligible to participate in the Catastrophic Leave Program. The Recipient and Donor may be from the same department or from different departments; or, employees may contribute and receive hours from the Catastrophic Leave Bank maintained by the Departments of Human Resources and Payroll.

A CDU employee is eligible to receive Catastrophic Leave if they:

1. Are a Regular or Conditional employee who has completed the probationary period and is eligible to accrue and use vacation;

2. Have exhausted all paid leave (vacation, sick, personal leave), or will do so before the return to work date;

3. Have submitted all required leave of absence paperwork in relation to the catastrophic illness, injury or casualty loss;

4. Are not presently receiving University disability benefits or Worker’s Compensation payments. An employee who has applied to receive Workers’ Compensation benefits is not eligible to apply for Catastrophic Leave. However, that employee may apply if his/her claim is denied.

In order to receive leave under this policy, the employee's illness, injury, or casualty loss must meet the definition of "catastrophic" as outlined above. The employee must have exhausted his or her own sick and annual leave, and must be facing unpaid time of three (3) or more workdays due to the illness or injury. Other exclusions as noted below apply.
D. CATASTROPHIC ILLNESS AND/OR INJURY

1. Examples of Catastrophic Illness or Injury

Examples of a catastrophic illness or injury include, but are not limited to:

- Serious, debilitating illness, impairment, or physical/mental condition that involves treatment in connection with an overnight stay in a hospital, hospice, or residential medical facility.

- High intensity/high frequency of treatment encounters necessary for a chronic or long-term condition that is so serious that, if not treated, would likely result in an extended period of incapacity or death.

- Terminal illness.

The University retains the right to determine whether the illness is "serious" based on the information it receives from the medical provider.

2. Exclusions

- Paid Catastrophic Leave is not applicable unless the employee has exhausted his/her annual and sick, vacation, and personal leave banks.

- Elective surgery does not qualify as a catastrophic illness or injury. If complications arise resulting in a serious health condition, the situation may qualify as a catastrophic illness or injury.

- Most leave associated with pregnancy is not covered by Catastrophic Leave. If complications arise resulting in a serious health condition for the mother or child, the situation may qualify as a catastrophic illness or injury.

- Requests for Catastrophic Leave less than three (3) workdays in duration are excluded.

- This Program does not cover time off due to a job-related injury or illness covered by Workers Compensation benefits.

- An employee must not have a written record of disciplinary action for leave abuse or misuse of leave within the past twelve (12) months.

E. PARTICIPATION IN THE CATASTROPHIC LEAVE PROGRAM

The Catastrophic Leave Program is funded through donations from each participating employee’s vacation leave accruals. Eligible employee donors may contribute vacation time in hourly units, with a minimum donation of eight (8) hours. The annual maximum donation is 50 percent of the donor's annual leave accrual entitlement or 50 percent of the donor's vacation balance at the time of transfer, whichever is less.
a. Donations cannot be made in advance of accrual.
b. Donations are not tax deductible.
c. Only vacation time may be donated.
d. Vacation time that is donated is irrevocable.
e. Anonymity of donation is greatly appreciated.

**PROCEDURE I.E. 00691 Catastrophic Leave**

1. **Process for Donating Hours**
   An employee who wishes to donate may authorize the donation by completing the Catastrophic Leave Donation Form the following donation periods:
   
   - 1st of the month
   - 16th of the month

   The form should be submitted to the Department of Human Resources or Payroll.

2. **Process for Requesting Catastrophic Leave**
   
   To request benefits, an employee or any individual acting in the interest of the employee must complete and submit an Application for Catastrophic Leave Program and Health Care Provider Statement for an initial application, and the Application for Continuation of Catastrophic Leave and Health Care Provider Recertification Statement for recertification to the Department of Human Resources.

   The University reserves the right to request continual updates, second opinions, and other medical information as needed. The application includes a release for the Department of Human Resources to speak with the physician if it is determined that additional information or a second opinion is needed.

3. **Leave Hours Requested**
   
   The employee or representative should include on the application an estimate of the number of hours of catastrophic leave needed based on the physician's certification, not to exceed 6 work weeks or 240 hours for full-time employees (part-time requests will be pro-rated based on the employee's regularly scheduled hours).

4. **Maximum Leave Coverage for an Employee**
   
   Total requests from the bank shall not exceed one (1) request in a calendar year. When the employee reaches the maximum allotment of catastrophic leave, the catastrophic leave terminates (see Section Termination of Leave below for additional information). If the maximum leave has been exhausted and the employee is not released by his or her health care provider to return to work, the employee should contact the Department of Human Resources for further information.
5. Termination of Leave
Catastrophic leave terminates when the:

- Employee is separated from the University,
- Catastrophic illness or injury no longer requires absence from work,
- Health care provider releases the employee to return to work, or
- Maximum catastrophic leave benefit has been exhausted.

6. Family and Medical Leave
Any and all leave received by an FML-eligible employee under this policy is considered as Family and Medical Leave (FML) and will count towards the employee's FML entitlement. If Catastrophic Leave is denied, it is possible that the employee may still be eligible for unpaid time under Family and Medical Leave. Refer to the Family Medical Leave and California Family Rights Act of the Leaves of Absence Policy.

7. Payment of Leave
The hours withdrawn from the Catastrophic Leave Bank will be based on the employee's regular rate of pay. Existing payroll deductions including benefit premiums will continue to occur.

8. Administration
Catastrophic leave payments will be charged to the University’s Catastrophic Leave Bank account and will include an amount sufficient to cover the University's share of the employee's health benefit premiums and other benefits. Departments will not incur any charges. The employee receiving the donated leave will remain on "regular" or “conditional” status during this period.

9. Unused Balance in the Catastrophic Leave Bank
Unused and undistributed hours donated to the Catastrophic Leave Bank will roll over at the end of each fiscal year. Hours will not be returned to donating employees.

10. Confidentiality
All information received on Catastrophic Leave Program Applications, Health Care Provider Statements, and any additional information is confidential. Its use is for determining eligibility for the program.

11. Return to Work
Employees who return to work must be cleared by their physician and must meet with the Human Resources Manager and bring the physician's documentation in order to obtain a release to return to work. The Department of Human Resources will determine if the person has fulfilled all requirements to be able to return to work.
12. Effect on Benefits

Depending on an employee’s eligibility, medical, dental, and vision insurance may be continued during the Catastrophic Leave.

During the duration of the leave, the availability of insurance benefits, the opportunity for reinstatement, and other privileges associated with this leave are limited to the requirements of state and federal law. No express or implied contractual rights should be inferred from this policy.

An employee may not directly or indirectly intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce, another employee for the purpose of interfering with that employee, with respect to donating, receiving or using annual vacation, sick, or personal leave accruals. Any report of such described instances shall be reported in writing to the Department of Human Resources. All written reports of such described instances shall be investigated thoroughly and appropriate disciplinary action may be taken for any substantiated violations.

Applicability: All Staff and Faculty Members
A. PERSONAL LEAVE OF ABSENCE
The University recognizes that personal circumstances may necessitate that an employee focus their attention outside the workplace for short periods of time.

Personal Leaves of Absence may be granted for reasons such as extended illness, need to provide care for family members, or education and professional development which will directly increase job effectiveness.

In cases of personal necessity, emergency, or other compelling individual circumstances, Regular or Conditional full-time or part-time employees who have completed 2 years of continuous employment may be granted an unpaid Personal Leave of Absence for a period not to exceed three (3) months. Personal Leaves of Absence are not guaranteed and are subject to University approval based on individual circumstances, length of employment, and the needs of the department/college.

A Personal Leave must be designated on the Request for Leave of Absence form as either personal medical (for an employee’s own serious health condition or the serious health condition of a child, spouse, registered domestic partner, or parent) or personal non-medical (in situations for other reasons besides the employee’s, child’s, spouse’s, registered domestic partner’s, or parent’s serious health condition).
Duration and Approval of Leave

Leave may be granted up to a maximum of three (3) months. Departmental approval of a Personal Leave is based upon operational issues, availability of replacements, the nature of the request, and job performance.

<table>
<thead>
<tr>
<th>Type of Leave</th>
<th>Approval Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-medical</td>
<td>At department’s discretion in consultation with the Department of Human Resources</td>
</tr>
<tr>
<td>Medical</td>
<td>Department of Human Resources</td>
</tr>
</tbody>
</table>

Exclusions

Examples of reasons that are **not eligible** for Personal Leave of Absence include:

- To accept other employment (unless such employment relates to the employee’s responsibilities in their current position with the University or is for government service)

- To pursue an independent business venture, or

- To use in lieu of any other leave of absence provision offered by the University (e.g. Vacation, Sick Leave, Bereavement, FML, Pregnancy Disability Leave, Educational Leave, Military Leave).

Benefits During the Leave

Personal Leaves are unpaid. Employees taking personal medical leave for their own health condition or the serious health condition of a family member are required to use all of their available sick time. Once all sick time has been exhausted, the employee may choose, but is not required to use any available vacation.

Employees taking personal non-medical leave are required to use all of their available vacation and personal time.

Benefit accruals (such as vacation and sick time) will continue to accrue during the time the employee is using their accrued benefit time, but will not accrue once that time is exhausted. Holidays are not paid during the leave.

Health and Welfare Benefits (medical, dental, vision, voluntary life insurance, dependent life insurance, voluntary retirement annuity, long-term care, and flexible spending accounts) may be continued by the employee at full premium cost. If the employee elects to continue Health and Welfare Benefits, payment must be remitted by the 20th day of each month to the Department of Human Resources. Failure to pay may result in cancellation of coverage.
PROCEDURES I.E. 00692 Personal Leave of Absence

1. Employees should complete a Time Off Request form with full details of the reason for the leave to the Department Head and to the Department of Human Resources (for personal non-medical and medical) at least thirty (30) days prior to the first date of the requested leave, or as soon as reasonably possible.

2. Personal Leaves cannot be approved unless the employee provides all of the requested documentation, such as the Request for Leave of Absence form and, when applicable, a Personal Certification of Health Care Provider Form.

Return to Work

1. Employees returning from an approved Personal Leave of Absence of 30 days or less return to the same position they held prior to the leave.

2. If the initial request exceeds 30 days or a leave extension beyond 30 days is requested, the department may review operational needs to decide if, and how long, the employee’s position can be held open.

3. Failure to return to work as scheduled following a Personal Leave of Absence may result in dismissal of the employee.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00700 Military Leave

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00700 Military Leave

REFERENCES AND RELATED POLICIES
   CDU-APM I.E. 00710 (Vacation)
   CDU-APM I.E.00680 (Leave of Absence - FMLA) section E

At Charles R. Drew University shall be granted military leave as specified below, provided that the employee gives advance verbal or written notice of the leave except when such notice is precluded by military necessity, impossibility, or unreasonableness. In the granting of such leave, the University may require verification of an employee's military orders.

A. UNPAID MILITARY SERVICE LEAVE
   (38 USC 4301 et seq.; California Military Veterans Code §395.10)

All employee who serve in the military whether as active, reserve or National Guard service members or who enlist in a branch of military service are permitted unpaid time off to fulfill their commitment as ordered.

The leave is granted according to the orders received by the employee up to a maximum of five (5) years. Employees who require time off from work to fulfill military duties will be treated in accordance with applicable requirements of state and federal laws.

Employees may be permitted to return to the position held prior to the start of their military service leave. Employees on a military leave of up to 30 days must return to work on the first regularly scheduled workday after the military leave ends plus one rest day. Employees on a military leave of more than 30 days must apply for reinstatement upon their return from the military leave in accordance with Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws.

Continuation of health insurance benefits is available, as required by USERRA, based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans. Employees on military leave are afforded benefits under an “escalator” type plan so that any...
benefits that have accrued to a similarly situated active employee will also accrue to an employee who is absent for military service.

B. UNPAID LEAVE FOR MILITARY SERVICE SPOUSES/DOMESTIC PARTNERS
(California Military Veterans Code §395.10)

An Employee whose spouse or domestic partner is deployed for active military service in a combat zone is permitted unpaid time off to spend with the spouse or domestic partner when they are on furlough from such deployment. All employees who are regularly scheduled to work at least 20 hours per week are eligible.

Employees may take up to ten (10) days off during the spouse’s or domestic partner’s furlough. Employees must request leave in writing within two (2) business days of receiving notice of their spouse’s or domestic partner’s furlough and produce documentation acceptable to the University of the dates of the military spouse’s or domestic partner’s furlough. Employees will be permitted to return to their same job. Leave taken in short increments as is anticipated will not impact University benefits or benefit accruals.

Escalator Principle:
The position the veteran would have held had employment not been interrupted by the period of military service will be the same as the position held when the period of service began. When there would have been a change, however, the “escalator principle” requires that the veteran receive any change in position or benefits to which he would have been entitled had he remained continuously employed.

PROCEDURE I.E.00700 Military Leave

9. Employees are expected to notify the Department of Human Resources of upcoming military duty by providing a copy of the employee’s orders as soon as possible.
2. An employee who is not eligible for military leave with pay may have such absence charged to accrued vacation or compensatory time off, or the military leave may be without pay.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00710 Vacation Leave

ISSUING OFFICER: Chief Human Resources Officer

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: January 1, 2015

SUPERSEDES: CDU Policy I.E.00710, dated October 29, 2010; September 1, 2004

POLICY I.E.00710 Vacation Leave

A. GENERAL

Charles R. Drew University provides vacation for rest, relaxation, and renewal. Employees are encouraged to plan, request and use their accrued vacation within the current year. However, the University recognizes that there are circumstances where carrying over vacation time is required to meet employee needs (see Maximum Accrual below).

Employees must obtain written approval for use of accrued vacation time of more than two consecutive days at least 30 days prior to the requested time off. Vacation time off cannot be taken unless and until written supervisor approval has been given and employees are advised not to make plans or commit funds until such permission is granted. Vacation time off is granted subject to the operational needs of the University. Vacation time off must be recorded by the employee on the applicable time card.

CDU reserves the right to require employees to take vacation days off and will provide 30 days notice if such a requirement is made of an employee.

Following successful completion of their six (6) month introductory period, Regular and Conditional employees are eligible for paid time off for vacation subject to approval by the employee’s supervisor(s). Vacation time cannot be taken until it is accrued. Vacation accruals begin at the seventh month. Advances on vacation time off, either in time off or cash payment, are not permitted.

B. ACCRUAL SCHEDULE

The amount of vacation accrual is based on the eligible employee’s length of employment as follows:
Employees Working 40-Hours Per Week:

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Accrual Rate</th>
<th>Maximum Accrual Cap</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Hire – 6 months</td>
<td>Vacation time does not accrue.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>7 months – 5 years</td>
<td>Accrues at the rate of 10.00 hours per month.</td>
<td>120 hours</td>
</tr>
<tr>
<td>5 years/1 month to 14 years</td>
<td>13.33 hours</td>
<td>160 hours</td>
</tr>
<tr>
<td>14 years 1 month and above</td>
<td>16.66 hours</td>
<td>200 hours</td>
</tr>
</tbody>
</table>

In the event an employee has reached the equivalent full-time or part-time maximum accrual of vacation time, additional vacation time will cease to accrue until some or all of the accrued time has been used and unused vacation time falls below the maximum accrual cap. Once accruals begin again, accruals will not be retroactive, and again will be capped at the appropriate full-time or part-time maximum accrual cap.

Employees Working Less than 40-Hours Per Week are Pro-rated based on the following:

Part-time employees will accrue vacation time on a pro-rated basis, and will maximize accruals on a pro-rated basis based on the standard accrual rate worked per week.

<table>
<thead>
<tr>
<th>Work Hours</th>
<th>Accrual Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 or more hours per week</td>
<td>Accrues at the rates shown above</td>
</tr>
<tr>
<td>20 – 30 hours per week</td>
<td>Accrues at 60% of the standard accrual rate</td>
</tr>
<tr>
<td>Less than 20 hours per week</td>
<td>0</td>
</tr>
</tbody>
</table>

In the event a part-time employee has the equivalent of the stated unused vacation time that has reached the maximum accruals per year, additional vacation time will cease to accrue until some or all of the accrued time has been used and unused vacation time falls below such amount. Once accruals begin again, accruals will not be retroactive, and again will be capped at the appropriate maximum accruals per year based on the standard accrual rate.

Exempt full-time and part-time employees must take vacation time in the equivalent full-day increment that coincides with their normal workday, and are not permitted to perform work during such vacation time, including making calls, checking emails, and attending meetings.

Non-Exempt full-time and part-time employees must take vacation time off in full or half time increments that coincide with their normal workday, and are not permitted to perform work during such vacation time, including making calls, checking emails, and attending meetings.

**PROCEDURE I.E.00710 Vacation Leave**

1. Employee should submit a written request, at least 30 days in advance when possible, to their supervisor and receive approval.
2. By law, once vacation has been accrued, it cannot be taken away by the employer.
3. Supervisors should encourage employees to take their vacation during the year in which it was accrued so that:
a) the employee takes off to rest;
b) vacation accruals are kept under the maximum limit.

4. Actual use of vacation should be recorded on the employee's timecard.
5. The Payroll Office will maintain the official records of vacation accrual.

Applicability: All Staff and Faculty Members
At Charles R. Drew University, eligible employees may be granted administrative leave to participate in specified University and civic activities, or because of natural or other emergencies. Administrative leave status shall not be required for exempt employees for absences of less than one full day or less than that portion of a day during which an employee on less than full-time pay status is normally scheduled to work when the absence occurs because of activities covered by this policy.

A. CIVIC DUTIES

1. Appearance in Court or Witness Duty

At Charles R. Drew University, if an employee is required to appear in court or serve as a witness, the employee is to notify the supervisor immediately so that plans for the absence may be made with as little disruption to work as possible. Employees who are required to appear in court or serve as a witness on behalf of the University will be paid their regular wages for this time.

For non-exempt employees, time taken off for appearance in court or witness duty not requested by the University will not be paid by the University. Exempt employees will receive regular pay while appearing in court or serving as a witness if they have performed work for any portion of a workweek in which they appeared in court, provided the University expressly permitted the exempt employee to work on behalf of the University during that time.

Employees are permitted to use accrued vacation in place of unpaid time off for appearance in court or witness duty. If requested, employees must provide the University with a copy of their court appearance subpoena/summons.
2. **Jury Duty**

If an employee receives a call to jury duty, the employee is to notify their supervisor immediately so that plans for the absence may be made with as little disruption to work as possible.

Employees are to provide the University with a copy of their jury duty summons and, if they are selected to serve on a jury, proof that they served as a juror.

An employee who is summoned to serve on a jury on a holiday observed by the University is eligible for holiday pay and receives no alternate day off.

Non-exempt employees are eligible to receive ten (10) days paid leave per calendar year to serve on a jury. If exempt employees have performed work for any portion of a workweek in which they serve on a jury, they will receive regular pay for the week provided the University expressly permitted the exempt employee to work on behalf of the University during such jury service, not to exceed the pay for the employee's normal work day, and the employee's normal work week. If not, exempt employees are eligible to receive ten (10) days paid leave per calendar year to serve on a jury.

Employees who are released from jury duty before the end of their regularly scheduled workday or who are not asked to serve on a jury panel are expected to call their supervisor as soon as possible and immediately report to work unless otherwise approved by their supervisor. Employees are permitted to use any accrued vacation and/or accrued personal days in place of unpaid time off for jury duty.

3. **Voting**

**State law (California Elections Code Section 14001)** Employees are eligible for paid time off for the purpose of voting only if they do not have sufficient time outside of working hours to vote. The intent of the law is to provide an opportunity to vote to workers who would not be able to do so because of their jobs. Voting hours are from 7am to 8pm. Employees can be given as much time as they need in order to vote, but only a maximum of two hours is paid. Employers may require employees to give advance notice that they will need additional time off for voting. Employers may require time off to be taken only at the beginning or end of the employee's shift.

B. **EMERGENCIES**

An employee may be granted administrative leave with pay due to natural or other emergencies for the period of time authorized by the President.

- **Unpaid Leave for Volunteer Firefighters, Reserve Police Officers & Emergency Rescue Personnel**
  
  *(California Labor Code §§230.3, 230.4)*
Leave is given to permit employees to train and work in designated volunteer positions. All Employees who serve their communities as volunteer firefighters, reserve police officers or emergency rescue personnel are eligible.

Leave is usually available for a few hours or days at a time in order to perform required duties. Employees are also eligible for up to fourteen (14) days per year of unpaid time off for training assignments.

**PROCEDURE I.E.00720 Administrative Leaves**

**A. VOTING**

- Employees who need to arrange an alternate voting schedule must put their request in writing to their supervisor:
  - in writing
  - with 24 hours advance notice.

**B. EMERGENCIES**

1. Required notice and documentation:
   - Employees should advise their supervisor of their need for time off as soon as they are aware of their service or training assignment.
   - The University may require documentation of such service or training assignment.

4. It is anticipated that leave will be in short increments of a few days or hours, so employees may return to their usual position at the conclusion of the leave.

5. Benefit time will continue to accrue while the employee is on the unpaid leave.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00730 Investigatory Leave

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  October 29, 2010

REVISED DATE:

SUPERSEDES:

POLICY I.E.00730 Investigatory Leave

To permit Charles R. Drew University to review or investigate actions including but not limited to dishonesty, theft or misappropriation of University property, fighting on the job, insubordination, acts endangering others, or other conduct which warrants removing the employee from the work site, The University may place an employee on a paid or unpaid investigatory leave, with or without notice. The leave shall be confirmed in writing, stating the reason and the expected duration of the leave. Upon conclusion of the investigation, the employee shall be informed in writing of the actual dates and pay status of the leave.

PROCEDURE I.E.00730 Investigatory Leave

REFERENCES AND RELATED POLICY

CDU-APM I.E.00680 (Leave of Absence)
CDU-APM I.E.00630 (Disciplinary Action)

A. PAY STATUS

Employees placed on a paid or unpaid investigatory leave may remain on pay status for the period of the leave. Exempt employees placed on paid investigatory leave shall be paid an established weekly (5 days) wage.

B. NOTIFICATION

A letter confirming that an employee has been placed on paid or unpaid investigatory leave shall be given to the employee as soon as practicable but no later than three (3) working days following the incident giving rise to the paid or unpaid investigatory leave. (Contact Department of Human Resources for Investigatory Leave Letter Template)

Applicability: All Staff and Faculty Members
A. WORKERS’ COMPENSATION

Charles R. Drew University pays the entire amount of the workers’ compensation insurance premium that provides benefits to employees who experience injury or illness connected with employment. To be eligible for workers’ compensation benefits, the injury must be a direct result of the job. It is essential that employees report all work-related accidents, injuries and illnesses immediately.

Employees should be aware that it is a felony to file a knowingly false or fraudulent claim for workers’ compensation benefits or to submit knowingly false or fraudulent information in connection with any workers’ compensation claim. Violation of this law is punishable by imprisonment and a severe fine. Filing a false or fraudulent workers’ compensation claim is also a violation of University policy, and will result in disciplinary action, up to and including immediate termination.

Note: Labor Code 132a makes it illegal for the University to punish, fire, or retaliate against an employee for having a job injury or illness, for filing a claim, or testifying in another person’s worker’s compensation case. If proven, the employee may receive lost wages, job reinstatement, increased benefits, and cost and expenses up to limits set by the state.
Neither the University nor its insurer will be liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any activity that is not part of work-related duties.

B. TRANSITIONAL RETURN-TO-WORK PROGRAM

The Transitional Return-To-Work (TRTW) Program at Charles R Drew University supports the mission of the University by maximizing human and financial resources and complying with applicable Federal, State and Charles R. Drew University’s disability policies. The TTRTW Program achieves this by providing uniformity, and by coordinating the program to help CDU employees who have work-incurred injuries or illnesses, return to work as soon as possible. The TTRTW Program can also be applied for non-industrial injuries.

It is a University workers’ compensation program policy to provide Transitional Return-To-Work (TRTW) Job Assignments to all eligible employees as soon as possible following the onset of an industrial disability. By provisions of the California Labor Code, employees who do not accept TTRTW Job Assignments are subject to the loss of WC temporary disability benefits.

Eligibility

All Charles R. Drew University employees with temporary partial disabilities are eligible for TTRTW Job Assignments if they are anticipated to progress in their recovery from an industrial injury or illness and require temporary, short-term modification of their job duties.

Employees with restrictions that would permanently prevent him/her from returning to the job and hours worked at the time of their injury are not eligible for participation in the TTRTW Program.

In no event shall the TTRTW Job Assignments for casual or temporary employees exceed the period of duration of the casual/temporary appointment. All TTRTW Agreements must end no later than the last day of an employee’s casual or temporary appointment.

PROCEDURE I.E.00740 Worker’s Compensation and Transitional Return-To-Work Program

A. GENERAL

Charles R. Drew University does not discriminate toward employees who have filed or made known their intent to file a workers’ compensation claim. An employee who sustains a work-related injury and reports the same will obtain all of the benefits he or she is entitled to under California law. All matters relating to a job-related illness or injury must be referred to the Restructuring and Risk Management Department at (323) 563-4995 or the Department of Human Resources at (323) 563-5827. This includes but is not limited to, eligibility for medical leave, benefits eligibility, medical certifications, the length of the leave, the transition to work program, and accommodation for return to work.
B. WORKERS’ COMPENSATION

1. TREATMENT AND DESIGNATION OF PHYSICIAN

Employees who are injured on the job are required to be evaluated and treated at an industrial medical clinic appointed by the University.

- Employees wishing to pre-designate a physician (rather than being evaluated and treated at an industrial medical clinic appointed by the University) must provide the University with a written notice of the pre-designation prior to the date of injury.

- The pre-designation must include the physician’s signature of agreement to the pre-designation and the physician must be the employee’s regular physician or primary care provider who has previously directed the employee’s medical treatment and retains records of the employee’s treatment and medical history.

- Employees should check with the Restructuring and Risk Management Department or the Department of Human Resources for additional information on the pre-designation option and forms.

2. USE OF ACCRUED SICK LEAVE AND VACATION

Under the California Workers’ Compensation Act, the application of accrued sick leave and vacation leave for employees who are unable to work due to a work-incurred injury or illness is compensable in order to continue full salary. The use of accrued sick and vacation leave may be used to supplement temporary disability payments received under the California Workers’ Compensation Act.

- Employees who need to use sick time or vacation accruals to recover from a work-related injury or illness must notify their supervisor immediately so that workers’ compensation forms can be provided.

- The supervisors must notify the Payroll Department and the Department of Human Resources of an employee’s anticipated use of sick time and or vacation accruals while on a workers’ compensation leave.

- Employees on workers’ compensation do not accrue additional vacation or sick time benefits while on leave. Accrual of time off begins once the employee returns to work, but is not retroactive.

C. TRANSITIONAL RETURN-TO-WORK PROGRAM

1. Written Documentation of Work Restrictions

Employees must obtain written medical documentation from their TP/THP indicating their specific work restrictions. A functional capacity evaluation provides a description of
the injured employee’s current physical limitations, capacities, and abilities as given by the TP/THP.

2. **Department Supervisor or Representative Responsibilities**

A. Directs injured employees to Occupational Health Facility (OHF) for initial medical treatment.

B. Reminds employees with work-related injuries or illnesses of the CDU TRTW program. Notes that every effort will be made to accommodate all temporary medical restrictions.

C. Advises employees to request written documentation from their physician, indicating the employee’s work capacities. Reminds employees to provide such documentation to the direct supervisor or representative immediately.

D. Contacts Vocational Rehabilitation Counselor (VRC) immediately upon receipt of any employee release to return to work-with new or revised-medical restrictions. Agrees to review the restrictions, discuss temporary job modifications, and develop a TRTW Job Assignment that complies with employees work restrictions and is feasible for the Department.

E. Meets with injured employee (and VRC as required) to engage in the Interactive Process discussion of proposed temporary job modifications for the TRTW Job Assignment.

F. Prepares TRTW Agreement using information obtained from VRC consults and the interactive process employee meeting, which covers a period not to exceed the shorter of the length of the employee’s CDU appointment or 90 calendar days. Designates dates, and hours (if applicable), of TRTW Job Assignment. Makes written offer of TRTW Job Assignment to employee.

G. Monitors employee progress in the TRTW Job Assignment to assure employee compliance with TP/THP medical restrictions and satisfactory performance of the clearly defined job duties. Assures that the TRTW Job Assignment does not exceed the end date in the TRTW Agreement or ninety (90) calendar days, whichever occurs first.

H. Advises appropriate staff members, only as deemed necessary, that the injured employee is in a TRTW Program. Provides appropriate staff members with information about the employee's modified duties and what assistance, if any, may be required for the injured employee.

I. Keeps accurate records of days and hours worked.

J. No later than 14 calendar days before the end of the TRTW Agreement, contacts VRC to determine what action to take upon expiration of the TRTW Agreement.
3. Termination of TRTW Program

All TRTW Programs shall terminate on the earliest of the dates specified below:

1. The end date specified in the TRTW Agreement.
2. The date the injured employee is determined to be permanent and stationary (P&S) and a qualified injured worker (QIW).
3. Ninety calendar days from the begin date specified in the TRTW Agreement.
4. The last day of a temporary or casual employee's University appointment.
5. Upon receipt by the University of a Medical Report indicating that the employee will be unable to return to the job the employee performed at the time of injury.
6. The employee's acceptance of disability retirement.
7. The University's grant of FMLA to the injured employee.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00750 Employment Separations

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: September 1, 2004

REVISED DATE: October 29, 2010

SUPERSEDES: CDU Policy I.E.00750 dated September 1, 2004

POLICY I.E.00750 Employment Separations

At Charles R. Drew University, employees may be separated from employment for a variety of reasons:

- Lack of work
- Lack of funding
- Department re-organization
- Unsuccessful completion of probation
- Medical
- Misconduct
- Failure to maintain work standards of performance
- Voluntary
- Retirement

The above is only representative of reasons for separation. Whenever possible, employees are asked to provide at least ten (10) working days written notice of intent to resign. An employee is considered to have voluntarily resigned (abandonment) after five (5) consecutive days of unauthorized absence.

By law, a paycheck for all time worked by the employee must be prepared by the Payroll Office according to the following schedule:

- immediately, if the termination is employee-initiated;
- within 72 hours of the employee's last hour worked if he/she resigns without notice,
- on the employee's last day of employment if he/she resigns with 72 hours notice

The Payroll Office maintains official vacation accrual records and will determine the amount due in the employee's final paycheck.
PROCEDURE I.E.00750 Employment Separations

1. If an employee resigns, he or she should notify the supervisor in writing at least ten (10) working days in advance of their intent to resign.
2. The supervisor should prepare a Personnel Action Form (PAF) and forward the PAF with the resignation letter to the Department of Human Resources immediately for processing.
3. A voluntary Exit Interview process will be initiated by the Department of Human Resources.
4. On the last day of employment, the employee is responsible for returning all University property (e.g., keys, equipment, uniforms). A Separation Clearance Form must be completed before the final check is released.
5. In cases where an Exit Interview cannot be completed, the supervisor is responsible for taking all reasonable steps to secure University property.
6. An employee to be released is initiated by the supervisor. The supervisor should first notify the Director of Human Resources to discuss and develop an appropriate action plan and prepare the PAF.
7. The Director of Human Resources, in collaboration with the supervisor, will prepare the termination letter and arrange a meeting with the employee.
8. An employee being released where there may be a possibility of an adverse reaction or threat of violence may be placed on paid or unpaid investigatory leave until the matter can be investigated and the appropriate disciplinary action administered.
9. The Director of Human Resources will notify University legal counsel, where applicable, and the Public Safety Manager if there is a threat of danger or violence.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00751 Layoffs and Reduction in Time

ISSUING OFFICER: Department of Human Resources

RESPONSIBLE OFFICE: Director of Human Resources

EFFECTIVE DATE: May 23, 2011

REVISED DATE:

SUPERSEDES:

POLICY #I.E. 00751 Layoffs and Reduction in Time

A. GENERAL

It is the policy of Charles R. Drew University of Medicine and Science to minimize the effects of indefinite layoffs and reductions in time on employees in staff positions when layoffs or reductions in time are necessary due to lack of funds, lack of work, reorganization, or restructuring. If, in the judgment of the University, budgetary or operational considerations make it necessary to curtail operations, reorganize, restructure, reduce the hours of the workforce and/or reduce the workforce, staffing levels will be reduced in accordance with this policy. It is solely the University’s responsibility to determine the layoff unit and the classification of employees to be laid off or reduced in time.

The Department Head and the Department of Human Resources may set a shorter than normal notice period if it is determined that continuing the employee’s services for the normal notice period would be contrary to the University’s interest. In such cases, the Department of Human Resources may approve payment to such employee of an amount not to exceed payment for the number of weeks remaining in the applicable layoff or reduction notice period described below. Payment will be at the employee’s base wages.

To minimize the effects of indefinite layoff:

1. If a laid-off employee is rehired within 6 (six) months, to any regular job at CDU, his or her previous continuous service date will be reinstated.
2. Affected employees will receive pay for any earned but unused vacation.
3. An employee who on his or her own initiative does not serve out a period of notice before a layoff or reduction in time will be paid through the last day he or she actually worked, plus any vacation pay due him or her in accordance with University policy. By accepting such a payment, the laid-off or reduced in time employee relieves the University of any further liability or obligation.
B. RESPONSIBILITY

For purposes of this policy, and in conjunction with the Department of Human Resources, the Provost may designate units other than established departments to be considered as departments, and shall designate layoff department heads (LDHs) for such units. The LDH shall determine when layoffs or reductions in time are necessary due to lack of funds, lack of work, reorganization, restructuring, including lack of work due to reorganization and restructuring.

The LDH shall select employees for layoff or reductions in time, but shall minimize indefinite layoffs and reductions in time from staff positions by first reviewing the necessity for existing temporary positions within the layoff unit. When an employee has been given notice of an indefinite layoff or reduction time and a vacancy exists in an active staff position in that employee’s unit at the same classification and salary grade as the employee’s current position, the LDH shall reassign the employee to that position, provided the employee is qualified to perform the duties and responsibilities of the position.

C. REEMPLOYMENT FROM INDEFINITE LAYOFF

Trial Employment. The Provost may establish procedures whereby a regular status staff employee who is rehired may, upon prior written notification, be required to serve a trial employment period of up to six months upon rehire or reassignment. An employee who is required to serve a trial employment period may at any time during the trial employment period return to layoff status at the employee’s or at the department head’s discretion.

D. SERVICE UPON REEMPLOYMENT

Benefits and seniority accrue only when on pay status.

E. DEFINITIONS

Demotion in Lieu of Layoff Placement into a different position in a lower salary grade in the same department as part of a reduction in force or reorganization.

Layoff Notice Written notification to an employee at least two weeks before the date of layoff or placement. Departments are encouraged to provide as much notice as feasible to employees to be affected by layoff. The final notice must be given to employees immediately prior to the effective date of the layoff.

Seniority One of the criteria used by departments to determine which employees will be impacted by position abolishment.

Unit Designation that an organization may use to define the scope of the layoff to organizational units smaller than the entire organization. The Unit designation may be by geographic area(s) or business
unit(s) to be impacted. If such a designation is used by the organization, the designation must be made prior to implementing a layoff.

**PROCEDURE #I.E. 00751 Layoffs and Reduction in Time**

1. An employee shall be given written notice of the effective date and the ending date of an indefinite layoff.
2. Indefinite layoffs are affected by unit, by classification, and by salary grade (in the event of a classification assigned to different salary grades) in inverse order of seniority.
   a. An exception to this procedure is when an employee may be retained irrespective of seniority if that employee possesses special skills, knowledge, or abilities that are not possessed by other employees in the same classification and same salary grade (in the event of a classification assigned to different salary grades), and which are necessary to maintain the operations of the department.
3. A letter of justification will be required to justify an “Out of Order of Seniority” layoff. Template form may be obtained from the Department of Human Resources.
4. Seniority shall be calculated by full-time-equivalent months (or hours) of University service in any job classification or title.
5. Employment prior to a break in service shall not be counted.
6. In those cases in which employees have the same number of full-time-equivalent months (or hours), the employee with the most recent date of appointment shall be laid off first. An employee will receive at least two (2) week’s advance written notice prior to indefinite layoff, or shall receive pay in lieu of notice. The employee must sign an appropriate release before such payment can be made.
7. The University will inform employees who may be impacted by indefinite layoff as soon as feasible. Template layoff notices are obtained from the Department of Human Resources.

Applicability: All Staff and Faculty Members
POLICY I.E.00770 Unemployment

Most employees (hereafter referred to as claimant) are covered for unemployment insurance benefits in accordance with the California Unemployment Insurance Code. Claimants not covered may be: 1) students of the University, not classified as faculty or staff; 2) claimants who receive less than $100 in wages in a calendar quarter.

Claimants eligible for unemployment insurance benefits are determined by the State of California Employment Development Department (EDD), which administers the program. After a one week (7 calendar days) waiting period, a claimant is eligible to receive benefits. Weekly benefit amounts, based on an earnings formula set by State law, are normally payable up to 26 weeks with a specified maximum amount.

During periods of severe economic difficulty which result in widespread, prolonged unemployment of a significant portion of the California population, a special program of extended benefits is set into action by law. Under the extended program, those unemployed after the 26 week period may qualify for up to 26 additional weeks of benefits. The University pays the entire cost of unemployment insurance.

PROCEDURE I.E.00770 Unemployment

1. An employee who becomes unemployed and believes he or she is entitled to unemployment insurance benefits should report directly to the local EDD office to receive instructions on how to file a claim.

2. A weekly benefit amount to which a claimant may be entitled is based on the highest wages received in a quarter during a twelve month base period. The base period is determined by the unemployment insurance code.

3. Eligibility for unemployment insurance benefits requires the employee:
   a. not voluntarily leave work without good cause, or not be discharged for work-related misconduct;
   b. is able to work;
c. is available for work;
d. have a minimum amount of earnings during a defined qualifying period;
e. is registered for work with the EDD office;
f. complies with EDD regulations regarding the filing of a claim

4. The EDD may send various forms related to an unemployment claim to the University. These are sometimes addressed to the former employee's supervisor or some other office. All forms from the EDD are extremely time sensitive and must be forwarded immediately to the Department of Human Resources for processing. Calls and letters from EDD should be handled in the same manner.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00780 Rehire After Separation

ISSUING OFFICER:  Director of Human Resources

RESPONSIBLE OFFICE:  Department of Human Resources

EFFECTIVE DATE:  April 1, 2011

REVISED DATE:

SUPERSEDES:

POLICY I.E.00780 Rehire After Separation

Charles R. Drew University recognizes the value of its employees, their skills, knowledge, and the time that has been invested in their training. It is, therefore, to the University's advantage when vacancies occur to give full consideration to employees in layoff status for positions for which they are qualified.

REHIRE AFTER SEPARATION

Definition:
Rehire occurs when a separated employee applies for and is selected for any position. Rehire also occurs when a separated employee applies and has been selected for a position that is different from the one held prior to separation in the same or different unit, where the essential functions, requirements, and/or conditions of employment differ from the position held prior to separation.

Applying for Vacant Positions
Former employees or employees who are in a separated status must be qualified for positions for which they are applying and must participate in the normal employment process (refer to CDU Policy I.E. 00490 Recruitment and Employment) in order to be considered for vacancies at the University.

The date of rehire is the first day of re-employment.

Probationary Period
A former employee who has been rehired to the same or substantially similar position in the same work unit will not have a new probationary period. If the individual is rehired into a different position in the same unit or any position in a different unit, the employee will complete a new probationary period for the new position (refer to CDU Policy I.E. 00590 Probation).
PROCEDURE I.E.00780 Rehire After Separation

Supervisor

1. Consults with the Department of Human Resources to determine whether the separated staff member is eligible to be recalled to the available position.

2. Considers all candidates for the position. Consults with the Department of Human Resources to be certain that qualified individuals separated from the University who applied are given full consideration.

3. Trains and evaluates the employee's performance during the probationary period (if a probationary period is necessary). Consults with the Department of Human Resources, if necessary.

Applicability: All Staff and Faculty Members
Charles R. Drew University of Medicine and Science recognizes the value of its employees and faculty, their skills, knowledge, and the time that has been invested in their training. It is, therefore, to the University's advantage to give full consideration to the reemployment of employees and faculty into positions for which they are qualified.

The Internal Revenue Code imposes restrictions on the timing of the distribution of benefits to participants in defined contribution plans. Generally, payments are permitted when an employee retires or attains normal retirement age. Otherwise, retirement benefits should remain in the plan so they will be available to provide support to participants after they cease working. Failure to satisfy the distribution timing restrictions could disqualify the plan, which could cause the vested benefits to members to become immediately taxable.

If an employee retires before reaching the normal retirement age under a pension plan, the Internal Revenue Service (IRS) may question whether the employee’s retirement is a true separation from service or a strategy to access retirement funds that otherwise would not be available to the employee. Normal retirement age under the University’s Defined Contribution Plan is age 59½. Once an employee attains normal retirement age, the IRS no longer is concerned about an employee’s access to retirement funds because those funds were intended to be available at that age.

The following factors support a determination that a true separation from service has occurred for an employee who has not reached normal retirement age:

- The employee and the employer did not engage in discussions regarding reemployment before the employee’s separation from service.
  - The IRS has singled out this factor as critical to support the occurrence of a true separation. Therefore, for employees who have not reached normal retirement age, discussions about reemployment are prohibited until after the employee has received his or her first monthly payment or lump sum cash out or 30 days after separation, whichever is later. (For employees who have reached normal
retirement age, discussions about reemployment prior to actual separation are not prohibited)

- The length of the break in service before reemployment is reasonable
- Both the employer and the employee intended that a separation from service occur and that it be permanent
- Upon separation from service, the employee surrendered something of value, such as seniority rights or access to benefits available only to active employees
- The employer processed the employee as if he or she were separating from service.
  - For example, a COBRA election or information on retiree health insurance coverage was provided to the employee upon separation, or benefits not available to anyone other than active employees were terminated, or a separation date was entered into the payroll/personnel system
- The employee is reemployed into a position that requires different skills from those used in his or her prior position or is with a different department or supervisor
- The employee was employed by an unrelated employer prior to reemployment

**Phased Retirement**

Full-time faculty who have submitted their retirement forms shall be eligible to receive a transitional part-time leave, with half-time (or greater) duties at proportionate compensation, for up to two years (or three years with the Provost’s approval.) Such a leave is not available beyond the effective date of termination or non-reappointment under other policies, and use of such a leave requires Provost’s approval if formal discipline is pending or under investigation.

At the individual’s option, the individual will use his or her normal academic title during the transition period. A retired faculty member is eligible to be invited to serve on a year-to-year or other fixed term basis for whatever services, compensation, and percentage of effort are agreed between the individual and the Dean with the approval of the Provost. Unless the Provost gives special permission, the percentage of effort must be less than 50% and thus under current policies the individual is not eligible for benefits. As agreed between the individual and the dean with the approval of the Provost, the retired faculty member (whether with or without compensation) may be authorized to continue to be principal investigator of grants and contracts, have research space as allocated, direct graduate students, and continue active participation in departmental and university activities as agreed.

**University Policy Restrictions**

The following restrictions on the reemployment of Retired Employees are based on University policy which has been developed to reflect responsible stewardship of the University related to the perception of individuals drawing a retirement benefit and another CDU income simultaneously, and to provide public accountability, transparency, and sound succession planning. Individuals receiving monthly retirement income who are reemployed into staff and or faculty (includes non-compensated) appointments and suspend their monthly retirement payments are exempted from complying with certain restrictions as delineated in Section 5. below.
1. University Need

Reemployment must be as a result of University need, such as the:

- The retired employee possesses skills and institutional knowledge that the hiring department cannot otherwise obtain with equal cost effectiveness;
- The hiring department anticipates a prolonged process for hiring a replacement, or the hiring department anticipates that the Retired Employee will assist a replacement to acquire necessary skills and knowledge.

For situations in which a Retired Employee is reemployed on a temporary basis into a regular position (such as the same position held before retirement or another vacant regular position), the job must be posted and a search begun within 30 days of the vacancy being created and a minimum 30-day recruitment period must be held.

Written documentation on “University Need” must be provided for all reemployment actions, including specification of the duration of the appointment in order to support the existence of “University Need”.

The Provost must endorse a request based on “University Need” before submission to The President for approval for retired faculty reemployed into faculty positions. The Director of Human Resources must review and sign off on a request based on “University Need” before submission to the President for approval for retired employees reemployed into regular positions.

2. Break in Service

A retired employee must not be reemployed until there has been a break in service of at least 90 days, but preferably 180 days. The break in service restriction is not required to preserve the tax-qualified status of Defined Contribution Plan if the retired employee has reached normal retirement age at the time of separation from service; however, this policy requires that the break in service restriction be applied to all Retired Employees. In addition, employees who have not reached normal retirement age must not engage in discussions concerning reemployment until after they have received their first monthly payment or lump sum cash out or 30 days after separation, whichever is later.

3. Appointment Percentage

Due to potential Medicare complications and to minimize situations where individuals draw a retirement benefit and another CDU income simultaneously, this policy requires that retired employees be reemployed with an appointment of no more than 43% during any 12 month period. Appointments may not normally exceed 12 -36 months. Appointments in excess of 43% time may be requested by following the process outlined later in this section. Extensions beyond 12 -36 months may be requested by following the process outlined in Section 4. below. Appointments at 43.75% time or more provide eligibility to retired employees for CDU sponsored employee health and welfare medical coverage, which makes Medicare become the secondary payer. It is the intent of this policy that retired employees be reemployed with limited
appointments that do not qualify them for active employee health and welfare benefits, regardless of whether the retired employee has elected monthly retirement income or a lump sum cash out.

4. Duration of Reemployment

Reemployment in one or multiple positions must not exceed a total of 12 – 36 months. If reemployment is necessary after 12 months has expired, the request must be approved as follows:

- The Provost must endorse the request prior to submission to The President for approval for retired employees reemployed into faculty positions.
- The Director of Human Resources must review and sign off on the request prior to submission to the President for approval for retired employees reemployed into regular positions.

5. Reemployment and Suspension of Monthly Retirement Income

A retired employee who is receiving Defined Contribution Plan monthly retirement income, but agrees to suspend the payments, may be reemployed temporarily, or reemployed in a regular appointment subsequent to an appropriate recruitment and break in service, subject to Section 2 policy restrictions but not Sections 1, 3 and 4 above.

A retired employee who took a lump sum cash out may not be reemployed into a regular appointment and is subject to the above Sections 1, 2, 3 and 4 above.

PROCEDURE I.E.00790 Rehire After Retirement

Reporting Requirements and Disclosure

1. Reporting Requirements

For each retired employee/faculty reemployed into a regular/faculty position, the hiring locations must submit a completed Retired Employee Election Form [not required for Retired Employees who received a lump sum cash out] to the Department of Human Resources at the time the retired employee/faculty is reemployed.

In addition, the local department must submit a summary report semi-annually by June 30 and December 31 of each year to the Director of Human Resources that incorporates a list of all reemployed retired employees, with identification of appointments greater than 43% within a 12-month period, and appointments for which other types of variations from policy have been approved; the local department must also provide documentation that required approvals were obtained.
2. Disclosure

In accordance with University policy, individuals inside or outside the University are entitled to have access to information in employees' personnel records (CDU Policy I.E. 00650) in conformance with State of California statutes and University records policies. The Department of Human Resources is to establish procedures for the release of information.

Applicability: All Staff and Faculty Members
CDU Policy I.E.00800 Death Policy

ISSUING OFFICER: Director of Human Resources

RESPONSIBLE OFFICE: Department of Human Resources

EFFECTIVE DATE: April 1, 2011

REVISED DATE:

SUPERSEDES:

Policy I.E.00800 Death Policy

REFERENCES AND RELATED POLICIES

CDU-APM I.E00750 (Employment Separations)

At Charles R. Drew University of Medicine and Science, the purpose of the death policy is to establish certain responsibilities concerning the notifications that need to be made to the various campus administrative and service departments in the event of the demise of a campus community member and to coordinate such actions expeditiously and sensitively with regard to the feelings of the family, relatives, and friends of the decedent.

PROCEDURE I.E.00800 Death Policy

In the event of the death of a current CDU staff, faculty, or student of CDU, notifications must be confirmed only with the Department of Human Resources (staff and faculty members), Office of the President (staff and faculty members), or the Office of the Provost (faculty and students). Any one of the three can be the first to learn of the death of a staff, faculty, or student of CDU.

Notification works best if notice delivered immediately to the aforementioned Department Head(s) expediently.

NOTIFICATION RESPONSIBILITIES

The responsibilities of campus staff and departments in the event of the death of a staff, faculty, or student of CDU are as follows:

1. Campus staff or departments who are informed of a CDU Death shall inform the appropriate department(s) (i.e., Department of Human Resources, Office of the President, or Office of the Provost) of the death immediately or as soon as practical. Provide the name of the deceased, department, date, time, and cause of death (if known), and contact information of the surviving relative(s).
2. Department of Human Resources staff is responsible for preparing a CDU Death Notice for any report of a CDU death received which is determined to be reliable. The completed CDU Death Notice shall be sent to the campus offices specified on the form. At their discretion and in accordance with the procedures, The President’s Office may direct the lowering of the flag to half-mast, may prepare a letter of condolence, and may prepare an Obituary notice.

3. Campus administration departments that receive notification of a CDU Death either directly or from the Department of Human Resources are responsible for confirming that the appropriate administrative actions have taken place. Refer to CDU Policy I.E. 00750 Employment Separations.

Upon notification of the death of a staff or faculty member, the Department of Human Resources must notify the Payroll Department immediately. In addition, the department must complete an EPAF to separate the deceased staff or faculty member. The Department of Human Resources will determine and contact the next of kin regarding the processing of health and welfare benefits.

Upon the death, the salary of a full-time staff or faculty member shall terminate at the end of the two-week pay period in which the death occurred. The staff or faculty member’s final check will be disbursed per the normal routine for that staff or faculty member. The staff or faculty member’s final W-2 will be mailed to the home address unless otherwise directed by the executor of the estate.

If a death occurs during the last quarter of the calendar year (Oct. 1 - Dec. 31), the Department of Payroll needs to be notified. According to Internal Revenue Service rules, withholding from a staff or faculty member’s final check differs from the usual withholdings when the payment is made in the calendar year after the death. Payroll will monitor the final payment(s) to make sure the withholding is correct. The final check will not be released to a surviving relative without an Affidavit to Collect Compensation required by California Probate Code. The affidavit authorizes a Survivor to collect salary or other compensation owed including compensation for unused vacation.

BENEFIT ADMINISTRATION

The Department of Human Resources works with the respective health, dental, retirement, and life insurance plans to process claims and work with the surviving family members and/or executor to continue coverage, if desired. Spouse/domestic partner and/or children of an active staff or faculty member whose death occurs while employed may continue the University insurances until such time that the children lose their dependent status or the spouse either remarries or obtains employment that includes an insurance coverage.

RETURNING UNIVERSITY PROPERTY

The Department of Human Resources will accept the deceased staff or faculty member’s University items from the family, as well as answer questions and direct family members,
executors and/or representatives from employing departments regarding the following topics: email, ID cards, paychecks, work materials, the self-service website, University property located at home, personal property at the worksite, keys, etc.

Applicability: All Staff, Faculty, and Students
DEFINITION OF TERMS

Active duty or call to active duty status. For purposes of Family and Medical Leave Act Qualifying Exigency Leave, "active duty or call to active duty status" is defined as duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation, as defined under the FMLA.

Administrator

Affirmative Action Plan (AAP). A written document by which the University is committed to eliminate and remedy past discrimination against protected classes and underutilization of women and minorities, disabled persons, and veterans.

Applicant Anyone who applies for a position open for recruitment. The campus does not have the responsibility to collect applicant flow data for all applicants, only for those applicants that are defined as "candidates."

Applicant Flow Data The gender/ethnic demographic profile of all candidates for a position open for recruitment. As a federal contractor, the University is required to maintain applicant flow data.

Call Back The period an employee is called back to work without prior notice after completing his or her regular work schedule and having left the premises.

Candidate An applicant who meets the minimum requirements for the job and will be considered further in the selection process. The campus has the responsibility to collect applicant flow data on all candidates considered for a position open for recruitment.

Class. The term "class" applies to an established job title, published in the University wide Title and Pay Plan, and designated by a four-digit title code.

Classrooms Includes but are not limited to, rooms provided for instruction or other activities related to the learning experience, as well as laboratories, libraries, auditoriums.

Company Premises Includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by Charles R. Drew University or on any site on which the Company is conducting business.

Conflict of Interest Conflict of interest occurs when a University member in a position to influence decision on policy, activities or purchases where he/she might directly or indirectly receive financial benefit or give improper advantage to associates. Conflict of interest is also considered to exist when the conflict prevents an employee from exercising the care, skill and judgment on behalf of the University in the performance of her/his assigned duties.

Covered military member For purposes of Family and Medical Leave Act Qualifying Exigency Leave, a covered military member is a member of the reserve components (Army National Guard of the United States, Army Reserve, Navy Reserve, Air National Guard of the United
States, Air Force Reserve, and Coast Guard Reserve) or a retired member of the regular Armed Forces or Reserve who is on "active duty or call to active duty status" in support of a contingency operation.

**Delegation of Authority** The transfer of authority for specific administrative functions from a central office level to an organizational level.

**Demotion** The change of an employee from one position to another position which has a lower salary range maximum is termed a demotion.

**Department Head** The chairperson of a department or the head of an administrative or other unit as designated by the *Campus Organizational Hierarchy*.

**Designee.** Representative to whom the Organization Head has re-delegated authority.

**Direct Threat to Safety** A significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

**Domestic Partner.** A domestic partner means the individual designated as an employee's domestic partner under one of the following methods: (i) registration of the partnership with the State of California; (ii) establishment of a same-sex legal union, other than marriage, formed in another jurisdiction that is substantially equivalent to a State of California-registered domestic partnership; or (iii) filing of a Declaration of Domestic Partnership form with the University. If an individual has not been designated as an employee's domestic partner by any of the foregoing methods, the following criteria are applicable in defining domestic partner: each individual is the other's sole domestic partner in a long-term, committed relationship with the intention to remain so indefinitely; neither individual is legally married, a partner in another domestic partnership, or related by blood to a degree of closeness that would prohibit legal marriage in the State of California; each individual is 18 years of age or older and capable of consenting to the relationship; the individuals share a common residence; and the individuals are financially interdependent.

**Dual Employment.** Employment status that permits a full-time employee to work overtime in another department, or in a different class in the same department.

**Essential Job Function.** Those activities of a job that are the core to performing said job for which the job exists that cannot be modified.

**Exempt Employee.** Exempt employees are defined as employees who, based on duties performed and manner of compensation, shall be exempt from the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions. Because of hourly pay practices, an employee appointed to a per diem position in an exempt title shall be treated as a non-exempt employee subject to FLSA minimum wage and overtime provisions.

Exempt employees shall be paid an established monthly or annual salary and are expected to fulfill the duties of their positions regardless of hours worked. Exempt employees are not eligible
to receive overtime compensation or compensatory time off, and are not required to adhere to strict time, record keeping, and attendance rules for pay purposes. Exempt titles are identified in University wide title and pay plans.

**Illegal Drug.** A substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.).

**Interview Pool.** The interview pool consists of the candidates who will be interviewed for the position. The UCLA *Affirmative Action Form A-Interview and Hire Record* must be completed and retained within the department for three years.

**Merit Increase.** A within range salary increase granted to employees in career positions based on performance and other factors.

**Near Relative.** For the purpose of this policy, a near relative is defined as a spouse, domestic partner, parent, child (including the child of a domestic partner), or siblings. In-laws and step-relatives in the relationships listed, including relatives of the domestic partner who would be covered if the domestic partner were the employee’s spouse, are also defined as near relatives.

**Next of kin.** For purposes of Family and Medical Leave Act Military Caregiver Leave, next of kin is defined as (a) the nearest blood relative of the covered servicemember (other than the covered service member’s spouse, domestic partner, parent, son or daughter) or (b) the person who the covered servicemember has designated in writing as his or her nearest blood relative, for purposes of Military Caregiver Leave.

**Non-Exempt Employee.** Non-exempt employees are defined as employees who, based on duties performed and manner of compensation, shall be subject to all FLSA provisions. Because of hourly pay practices, an employee appointed to a per diem position shall be treated as a non-exempt employee subject to FLSA minimum wage and overtime provisions.

Non-exempt employees shall be required to account for time worked on an hourly and fractional hourly basis and are to be compensated for qualified overtime hours at the premium (time-and-one-half) rate. Non-exempt titles are identified in title and pay plans.

**Occupational Injury or Illness.** Any injury or illness arising out of, in the course of, or during the course of employment with Charles R. Drew University and compensable under the WC laws of the State of California.

**Organization Head.** The head of each organization (e.g., Vice Chancellor, Provost, Dean or Librarian), as defined by the *Campus Organizational Hierarchy*.

**Outpatient status.** For purposes of Family and Medical Leave Act Military Caregiver Leave, "outpatient status" is the status of a servicemember assigned to a military medical treatment facility as an outpatient, or assigned to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
Overtime. Time worked that exceeds the hours of a full-time employee's regular daily schedule on pay status or exceeds 40 hours on pay status in a workweek. Pay status includes time worked and paid leave such as sick leave, vacation leave, holidays, military leave, compensatory time off, and administrative leave with pay. Overtime shall be reported and compensated on the basis of the nearest 1/4 hour.

Parent of a covered military member. For purposes of Family and Medical Leave Act Qualifying Exigency Leave, a parent of a covered military member is a biological, adopted, or foster parent or any other individual who stood in loco parentis to the covered military member. The definition does not include parents "in law".

Parent of a covered servicemember. For purposes of Family and Medical Leave Act Military Caregiver Leave, a parent of a covered servicemember is a biological, adopted, or foster parent or any other individual who stood in loco parentis to the covered servicemember. The definition does not include parents "in law".

Pay Status. Pay status includes any period of time for which an employee receives pay for time worked, including compensatory time off, or for time on paid leave. Paid leave time includes sick leave, extended sick leave, vacations, administrative leave with pay, holidays, or military leave with pay.

Period of military conflict. For purposes of Military Spouse/Domestic Partner Leave, a period of military conflict is a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to activity duty as defined in Military & Veterans Code Section 395.10.

Permanent & Stationary (P&S). A medical statement from the injured employee's treating physician (TP) stating that the employee's condition is now stable and will not get appreciably better or worse. At this point, the injured employee is released to return to work with or without work restrictions, or is medically determined to be precluded from engaging in his/her usual and customary occupation or the position in which s/he was engaged in at the time of injury.

Personal Information. That information which is not confidential or non-personal, and the disclosure of which would constitute an unwarranted invasion of personal privacy of the individual.

Probationary Employee. A probationary employee is an employee in a career position who has not completed the probationary period.

Procedures. Processes or practices used to implement policy, and generally describe "how" the university intends to carry out its policies. Procedures have narrow application and prone to change as new tools emerge, new processes are designed, and as a response to internal or external environmental changes.

Promotion. The change of an employee from one position to another position which has a higher salary range maximum is termed a promotion.
Protective Work Clothing. Attire worn over or in place of regular clothing to protect the employee's clothing from damage or abnormal soiling or to maintain a sanitary environment. This includes such items as serving aprons, laboratory coats or dresses, shop coats, and surgical gowns.

Qualified Individual with a Disability. An individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

Qualified Member. For purposes of Military Spouse/Domestic Partner Leave, a "qualified member" is a person who is (1) a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, (2) a member of the National Guard who has been deployed during a period of military conflict, or (3) a member of the Reserves who has been deployed during a period of military conflict.

Reasonable Accommodation. Making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

Reclassification, Lateral. The movement of an employee's current position to a different class having the same salary range maximum is termed a lateral reclassification.

Reclassification, Upward. The movement of an employee's current position to a different class or salary grade having a higher salary range maximum is termed an upward reclassification.

Re-delegation of Authority. Authority transferred to the next level.

Refuse to Cooperate. Means to obstruct the collection or testing process; to submit an altered, adulterated, or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

Re-grading. An action to move an employee's current position to a different salary grade based on market analysis or job evaluation.

Regular Rate. The regular rate of pay applicable to non-exempt employees only is specifically defined in the provisions of the Fair Labor Standards Act and is integral to the formula used to calculate premium overtime pay. The regular rate of pay is derived by dividing the total remuneration in a workweek (excluding pay for sick leave, vacation leave, holidays, premium overtime, and other types of non-productive pay) by the total number of hours actually worked in that workweek. The regular rate of pay is an hourly rate, either actual or derived.
**Regular Status Employee.** A regular status employee is a career employee who is not required to serve a probationary period, or a career employee who has successfully completed a required probationary period and any extension thereof.

**Rehire.** Any return to pay status of a person following a break in service is a rehire. Prior University service is not included for purposes of staff personnel policy, retirement policy, or employee group health and insurance plans, unless specifically provided in the appropriate policy.

**Safety Equipment.** Protects the employee and includes such items as head covers, gloves, goggles, prescription safety glasses, safety shoes, handguns, batons, and handcuffs.

**Salary Grade.** A salary grade consists of a group of job classifications in a given salary range.

**Salary Range:**

*Minimum Salary* — The lowest salary rate within a given job title. No individual salary shall fall below the minimum.

*Salary Midpoint* — Calculated sum of the salary range minimum and maximum divided by two.

*Maximum Salary* — The highest salary rate in the range within a given job title. No individual salary shall be above the maximum salary rate in the range of a job title.

**Segregation of Duties.** Means roles and responsibilities have been divided between employees so that no single employee will have the ability to both initiate and approve financial transactions.

**Serious injury or illness.** For purposes of Family and Medical Leave Act Military Caregiver Leave, a serious injury or illness is an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

**Smoking.** Includes but is not limited to, the combustion of any cigar, cigarette, pipe, or any similar item, using any form of tobacco or other combustible substance.

**Son or daughter of a covered military member.** For purposes of Family and Medical Leave Act Qualifying Exigency Leave, a son or daughter of a covered military member is of any age and is a biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered military member stood in loco parentis.

**Son or daughter of a covered servicemember.** For purposes of Family and Medical Leave Act Military Caregiver Leave, a son or daughter of a covered servicemember is of any age and is a biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis.
Temporary Partial Disability (TPD). A disability resulting from an industrial injury or illness which prevents an employee from performing one or more of his/her regular job duties, but does not prevent the employee from performing work that is dependent on capabilities not affected by the disability.

Transfer. The change of an employee from one position to another position which has the same salary range maximum is termed a transfer.

Treating Physician/Treating Health Care Professional (TP/THP). A physician or other health care professional who has examined the injured employee at least once for the purpose of rendering or prescribing treatment and has thereafter monitored the effect of the treatment. In the event of a conflict between the medical disability information provided by treating physicians or health care professionals, disability medical information provided by the Primary Treating Physician (PTP) as defined in Labor Code Section 9785, shall control.

Trial Employment. Temporary employment which may be offered under the following circumstances:

to a disabled employee or former employee who was medically separated, when recommended by the Vocational Rehabilitation. Such trial employment may be offered to evaluate the disabled individual's interests and abilities.

TRTW Job Assignment. A temporary work assignment within the injured employee's department, which complies with all medical restrictions indicated by the employee's treating physician or treating health care professional (TP/THP). A TRTW Job Assignment may involve:

- Modification of the injured employee’s job duties, i.e., tailoring work duties to the injured employee's medical limitations and vocational abilities to maximize recovery, or
- Alternate work that is compatible with the employee's job skills and experience, and is in compliance with the employee's temporary medical restrictions.

The TRTW Job Assignment is documented by a Transitional Return-To-Work Agreement (Attachment D) that is written for a period not to exceed 90 calendar. The TRTW Agreement is signed by the injured employee and Department Supervisor or Representative (DS/R).

Under the Influence of Alcohol. An alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

Under the Influence of Drugs. A confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over-the-counter) where there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient’s name, the name of the substance, quantity/amount to be taken, and the period of authorization).

Undue Hardship. An action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable
accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the company; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire company; and (8) the relationship of the particular facility to the company. These are not all of the factors but merely examples.

Uniforms. Attire, excluding shoes, which are worn for the purpose of ready visual identification of personnel, such as those used in the police, parking, and guard occupations. Uniform components include items such as shirts, ties, pants, dresses, skirts, blouses, and jackets which are of the same design, color and style.

University Policy. Is a rule that generally has university-wide applicability. A policy may include governing principles, it may either mandate or constrain action, it may ensure compliance with laws, or it may mitigate the university's risk. It must be approved by the President and Executive Council and the Board of Trustees before it becomes official policy.

Work Areas. Includes but are not limited to, areas normally reserved for the exclusive use of faculty, staff, or students (e.g., office or desk), as well as conference/meeting rooms, adjacent common areas, restrooms and elevators.

Workweek. A workweek for non-exempt employees is generally a fixed period of seven consecutive 24-hour periods.
ACRONYMS

ACR. American College of Rheumatology
APM. Administrative Policy Manual
COI. Conflict of Interest
COM. College of Medicine
COSH. College of Science and Health
DFEH. Department of Fair Employment Housing
DHHS.
DOL. Department of Labor
DS/R. Department Supervisor or Representative
DWC. Division of Worker’s Compensation
DWC1. Worker’s Compensation Claim Form
EDD. Employment Development Department
EEOC. Equal Employment Opportunity Commission
EPAF. Electronic Personnel Action Form
EPAFS. Electronic Personnel Action Form System
ESIGA. Electronic Signatures in Global and National Commerce Act of 2000
FCE. Functional Capacity Evaluation
HCO. Health Care Organization
HR. Human Resources
INOA. Notice of Award
JA. Job Analysis
MIDARP. Minority Institution Drug Abuse Research Program
MRO. Medical Review Officer
OA. Office of Administration
OSP. Office of Sponsored Programs
PA. Physician Assistant
PAF. Personnel Action Form
PCP. Primary Care Physician
PD. Permanent Disability
PI. Principal Investigator
PIF. Payroll Inquiry Form
P&S. Permanent and Stationary
PTP. Primary Treating Physician
OHF. Occupational Health Facilities
OT. Occupational Therapist
OTC. Over the counter drugs
QID. Qualified Individual Disability
QIW. Qualified Injured Worker
RTRN.
RTW. Return-To-Work
SESC. Student Education Services Center
SDI. State Disability Insurance
SJDB. Supplemental Job Displacement Benefit
SON. School of Nursing
TEP. Transitional Employment Program
THP. Treating Healthcare Physician
TP. Treating Physician
TPA. Third Party Administrator
TPD. Temporary Partial Disability
TRTW. Transitional Return-To-Work Program
TTD. Total Temporary Disability
UECC. United Employee Concerns Council
UR. Utilization Review
USERRA. Uniformed Services Employment and Reemployment Rights Act
VR. Vocation Rehabilitation
VRC. Vocational Rehabilitation Counselor
WC. Worker’s Compensation
WCCC. Workers’ Compensation Claims Coordination
WCPM. Workers’ Compensation Program Manager