

STAFF PERSONNEL POLICY MANUAL

Personnel Policies for American University Staff

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1.0 FOREWORD

1.1 MISSION, VISION, AND VALUES OF THE UNIVERSITY*

American University's mission is to advance knowledge, foster intellectual curiosity, build community, and empower lives of purpose, service, and leadership.

Our vision is to become a leading student-centered research university where passionate learners, bold leaders, engaged scholars, innovators, and active citizens unleash the power of collaborative discovery. We partner with key organizations in the Washington, DC region, and around the globe to better the human condition, learn from a vast array of experiences and internships, create meaningful change, and address society's current and emerging challenges.

We value integrity, excellence, human dignity, community, diversity, equity, accessibility and inclusive excellence, free inquiry and truth seeking, and impact.

1.2 PURPOSE OF THE MANUAL*

This policy manual contains statements of staff policies and procedures. It is designed to be a working guide for supervisory and staff personnel in the day-to-day administration of the university's human resources program. Its purpose is to increase understanding of policy, and to ensure uniformity in human resource administration. This policy guide, however, does not constitute an express or implied contract in whole or in part.

Every staff member is responsible for following these applicable policies. Every supervisor of staff personnel is responsible for carrying out these applicable policies in a consistent and impartial manner. Staff members carry out the mission of the university by performing their assigned duties with high professional standards. In addition, they must conduct themselves as responsible and cooperative members of the university community. The fulfillment of these expectations is a condition of continued employment.

The university encourages responsible and productive working relationships and respect for the personal integrity and growth of all staff members.

Copies of this [Staff Policy Manual](#) are available on the university policy website and the [Faculty/Staff Benefits Manual](#) is available to all staff members on the Human Resources Benefits website. In addition, new full-time staff members will receive orientation materials at the time of employment.

Every staff member can support the university's human resources program by advising the Office of Human Resources whenever problems arise. They also can help by suggesting improvements in the administration of these policies and procedures.

1.3 AFFIRMATIVE ACTION*

American University is an Equal Employment Opportunity/Affirmative Action employer.

University policy mandates affirmative action in every employment action. These include recruiting, providing training and development opportunities, and encouraging upward mobility for members of minority groups and women.

1.4 CHANGES/REVISIONS*

American University reserves the right to add, amend, or delete any policy or procedure stated herein at any time without previous notice.

2.0 EMPLOYMENT POLICIES

2.1 DEFINITION OF FULL-TIME EMPLOYMENT

At American University, a full-time staff employee is one who is appointed to a position which is formally identified as an authorized full-time position in the personnel budget of the employing office and is scheduled to work at least 28 hours a week for more than three consecutive months.

A person who meets these requirements is a full-time employee. Only full-time employees are entitled to the benefits and privileges of regular employment, regardless of the nature of the duties performed or the number of hours worked per week.

Full-time staff members are hired by the submission of a hiring action to the Office of Human Resources in Workday. All hiring actions for full-time employees must be submitted to Human Resources 14 calendar days prior to the employee's proposed start date.

2.2 DEFINITION OF PART-TIME EMPLOYMENT*

A part-time employee is one who is not assigned to a full-time position in the personnel budget and works fewer than 28 hours per week. Part-time employees are not entitled to the benefits and privileges of full-time staff except as required by law, an applicable collective bargaining agreement, or provided specifically in writing by university policy.

A part-time regular employee is one who works less than twenty-eight (28) hours during the work week, but at least twenty (20) hours per week. These assignments are continuous and, subject to the applicable provisions of this manual and/or university policies.

A part-time casual employee is one who works less than twenty (20) hours during the work week. These assignments are normally for up to six months duration but may be longer provided the employee generally works less than twenty (20) hours in a week.

With prior approval of human resources, a part-time employee may be permitted to work any number of hours per week for up to three consecutive months. A part-time employee may only work in excess of the part-time schedule one time during their employment with the university and must return to a regular or casual part time weekly work schedule, or appointed to a full-time position in the personnel budget by the hiring unit.

Part-time staff members are hired by the submission of a hiring action to the Office of Human Resources in Workday. All hiring actions for part-time employees must be submitted to Human Resources 7 calendar days prior to the employee's proposed start date.

2.3 IMMIGRATION AND NATURALIZATION SERVICE REQUIREMENTS*

In accordance with federal law, an employee must complete Form I-9 (Employment Eligibility Verification) with the Office of Human Resources or designated representative in their department within the first 3 business days of the employee's employment. An employee's failure to complete

the I-9 within the required timeframe will result in termination of employment. Form I-9 is completed in the university's Workday system.

2.4 EMPLOYMENT OF FAMILY MEMBERS*

American University requires that all personnel decisions be made on their merits, uninfluenced by personal relationships. Therefore, all staff must avoid personal involvement in decisions concerning those who are relatives, or those with whom they have a personal living relationship. A “relative” includes but is not limited to a person who is related, such as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, domestic partner, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half-brother, half-sister, or any person an individual has responsibility to support as a dependent.

As a general principle, individuals who are relatives, or who have a personal living relationship, cannot be in a reporting relationship (directly or indirectly) to one another. They are prohibited from exerting influence from any decisions that affect the employment status of one another in any way. Specifically, no staff member who directs or approves personnel actions may appoint, employ, promote, advance (either as to position or pay or other employment terms) any other person within the university who is a relative of, or who is in a personal living relationship with, the staff member. Moreover, staff members who advocate, or seek to advocate, on behalf of relatives, must avoid conflicts of interest *See* [Ethics and Integrity Policy](#).

2.5 EMPLOYMENT OF STUDENTS*

Students of American University employed by the university are subject to the applicable definitions and limitations contained in [Sections 2.1](#) and [2.2](#) of this manual, with the following exceptions. AU students may be employed for 28 hours or more per week, for up to 4 months during the summer (May 1 – August 31) without being considered a full-time employee.

The combined numbers of hours worked each week by students of American University may work in any and all of their positions is limited in accordance with the university's Academic Regulations and any applicable collective bargaining agreement.

2.5.1 International Students

Students on F-1 and J-1 must comply with the requirements of their visas and should seek assistance from the International Student & Scholar Services Office before seeking employment with the university if they have questions. Currently, students on F-1 and J-1 Visas who are enrolled full-time and in good academic and immigration standing are eligible to work on-campus on a part-time basis for up to 20 hours per week while school is in a session and for more than 20 hours when school is not in session or during annual vacation. Each semester these students must receive authorization from International Student and Scholar Services prior to beginning work.

2.6 CATEGORIES OF POSITIONS

American University categorizes regular full-time staff positions as described below:

- University executive positions include the president, provost, vice presidents, vice provosts, principal academic deans, associate vice presidents, assistant vice presidents or other comparable managerial or administrative position reporting directly to a university executive or other administrators expressly designated by the cabinet-level executive with oversight of Human Resources or their designee.
- Senior staff positions, exclusive of those at the executive level, manage a substantial academic or administrative program and usually report to a university executive or are expressly designated as senior staff in their offer letter by the cabinet-level executive with oversight of Human Resources or their designee.
- Administrative/professional staff positions require a professional level of training or administrative responsibilities.
- Clerical, secretarial, technical, skilled craft and service positions involve operational duties in university offices, laboratories, and physical plant.

Wherever used in this manual, Department Head refers to the executive, dean, assistant vice president, associate vice president, or equivalent administrator who has oversight for a school or department.

Exempt and non-exempt status for a position is determined by Human Resources on the basis of detailed descriptions of individual positions, and by regulations published by the United States Department of Labor governing the administration of the Fair Labor Standards Act.

2.6.1 Administrative Officers and Staff Members with Faculty Appointments

The assignment to a staff position within the university and the conferral of a faculty appointment represent separate and distinct actions. A member of the faculty appointed to a staff position must understand clearly the dual nature of their relationship with the university. An individual holding both a staff position and faculty rank is expected to comply with university policies applicable to both positions. Staff policies will govern their staff position in accordance with this manual and faculty policies will govern their faculty position in accordance with the Faculty Manual.

When several processes/procedures may be applicable to address a matter, the Associate Vice President for Human Resources and the Dean of Faculty will determine which process or policy to apply. This is to avoid confusion over which procedure applies, and to prevent duplication of efforts to resolve or address a matter.

2.6.2 Limited Term and Externally Funded Positions

Employees in any of the categories listed above may be hired on a limited term (temporary) or externally funded basis. Positions must be designated as either limited term and/or externally funded in the position records in the university's Workday system, the description on file with Human Resources, the job posting, and the duration of a limited term or externally funded position must be provided for in an employee's offer of employment.

2.7 JOB POSTING*

Open positions shall be posted on the Human Resources website. All staff vacancies, including new positions and vacancies, will be posted for at least 5 business days before posting externally. All staff positions will be posted for at least 5 business days before any recommendation to hire is made.

With the approval of Human Resources, this posting requirement may be waived where it is proposed to hire, transfer, or reclassify an individual for a staff position at the university who is already working in that position on an interim or acting basis, or in certain cases involving externally funded positions.

2.8 PROMOTIONS, TRANSFERS AND DEMOTIONS

Staff members should use their abilities to their greatest benefit. Therefore, vacancies may be filled by promotion, transfer, or demotion whenever it is in the best interest of the university and the individual. At any time, a staff member may schedule an appointment with a representative of Human Resources to discuss possible promotion and transfer opportunities.

2.8.1 Employee-Initiated Transfers and Promotions

A staff member becomes eligible for promotion or transfer after satisfactory completion of a [probationary period](#). A staff member may apply for promotion or transfer by applying for an open position posted on the university's Human Resources Website.

Although it is not required, the university recommends that a staff member notify their current supervisor when they apply for a promotion or transfer.

Whenever possible, qualified transfer or promotional candidates, or recent employees, whose positions were eliminated due to reorganization or lack of funds, will receive preferential consideration. However, all hiring processes should be conducted within the guidelines of the university's commitment to equal employment opportunity and affirmative action.

When a transfer or promotion occurs, the current and new supervisors should discuss and agree upon the timing of the move. Normally, the university requires a two-week notification period. Employees who are promoted or transferred after applying for a posted position must serve a [probationary period](#) in their new position.

2.8.2 University-Initiated Transfers

At any time, a Department Head may transfer a staff member from one position to another at the same classification band within the same office or department, providing the staff member meets the qualifications required by the new position. The university also reserves the right to transfer any member of its regular staff to another office or department. In either case, an employee will not be expected to undertake duties for which they are not qualified, and whenever possible will be given at least two weeks' notice of the impending change. Employees transferred at the request of the university will not serve a probationary period in the new position. [The employment of a staff member who is not willing to accept such a change will be terminated](#) and may be offered severance.

2.8.3 Demotions

An employee may be demoted:

1. As a result of a reorganization or other organizational changes.
2. When a newly promoted employee's performance is not satisfactory. If a promoted staff member does not meet the performance standards of the position in the higher classification or new position, they may be demoted without prejudice to a position with the same classification band as the position held before promotion, if such a vacancy exists. If an appropriate vacancy does not exist, the services of the staff member will be terminated and their name will be placed on a priority re-employment list.
3. When an employee voluntarily requests demotion. Such a request is subject to the approval of the Department Head and will be evaluated against the university's academic, administrative and/or operational needs.

When a demotion is being considered because of inadequate performance, supervisors must give a staff member notice of the problem and make reasonable efforts, in consultation with Human Resources, to help the employee recover their effectiveness.

If an employee is unable to recover or maintain adequate performance and a demotion action is necessary, supervisors must provide adequate notice of the position change including the reasons why the demotion action is necessary and document their performance expectations for the demoted role, in writing, with a copy to the staff member's official personnel file in Human Resources.

2.9 PROBATION

The probationary period provides an opportunity for a staff member to demonstrate and their supervisor to determine whether the employee is able to successfully perform the essential functions of the job and can consistently demonstrate the core competencies of American University. [Positions classified as senior or executive staff positions](#) do not serve a probationary period.

2.9.1 Probationary Period for New Hires

Newly hired or rehired full-time staff members serve a probationary period of 120 calendar days. During the probationary period, a staff member may be removed from their position at any time for any reason without prior notice.

2.9.2 Probationary Period Following Transfer or Promotion

Full-time staff serve a probationary period of 60 calendar days following a promotion or transfer for a position to which they have applied.

2.9.3 Supervisors Responsibilities

During the probationary period supervisors are expected to monitor and manage performance more closely by communicating clear expectations, providing orientation, onboarding, and job training, and providing regular coaching and feedback to the staff member.

At the end of the probationary period, or at any time after 21 days of employment, an initial performance review meeting between the staff member and their supervisor should be held. As a result of this conference, one of the following actions will be taken:

- Probation is concluded and regular status in the position is granted.
- Probation is extended for 120 days for new hires or 60 days for employees who were transferred and promoted. Only one extension may be granted.
- In the case of employees who are promoted, the employee may be demoted in accordance with Section 2.8.3 of this policy.
- The staff member is separated from the university.

The results of this meeting must be documented in Workday. If no action is taken before the end of the probationary period, the employee's probation is automatically successfully completed, and the employee is granted regular status.

Prior to extending probation, separating an employee on probation, supervisors must consult with Human Resources. Employees who are terminated during probation are entitled to two weeks' notice of termination (or pay in lieu of notice). Terminations during the probationary period are final and may not be appealed or grieved using the complaint policy and procedure in this manual.

After the completion of a probationary period, staff members may be disciplined and terminated pursuant to the university's discipline and separation policies. They also become eligible to apply for promotion and transfer.

2.10 PAYMENT OF WAGES

Staff members at American University are paid in accordance with the university's payroll schedule, practices, and policies which are available on the [Office of Payroll's website](#).

The Payroll Office issues direct deposit payments to the bank account designated by the employee. While the direct deposit method is strongly encouraged, in the event the employee has not yet signed up for a direct deposit, paper checks are mailed to the employee's current in-session address in the system. American University does not issue salary or pay advances. Employees experiencing financial hardship may be eligible for an [Emergency Loan](#) through the university's Faculty Staff Assistance Program (FSAP).

2.11 EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICIES*

American University is an equal opportunity, affirmative action institution that operates in compliance with applicable laws and regulations. The university does not discriminate on any of the following bases: race, color, national origin, religion, sex, pregnancy or parenting, age, sexual orientation, disability, marital status, personal appearance, gender identity and expression, family responsibilities, political affiliation, source of income, veteran status, an individual's genetic information or any other bases under applicable federal and local laws and regulations in its programs and activities. The university expressly prohibits any form of discriminatory harassment including sexual harassment, dating and domestic violence, rape, sexual assault, sexual exploitation and stalking.

2.12 AFFIRMATIVE ACTION PROGRAM POLICY*

The university maintains an affirmative action program in compliance with the law to promote equal employment opportunity access for all persons, including women, minorities, individuals with a disability, and veterans. Such access is based on individual merit and performance. The affirmative action plan is a management tool to identify obstacles that might prohibit certain groups of individuals from receiving fair consideration and to produce applicant pools of diverse and qualified individuals from which to select employees. The university assesses the effectiveness of the affirmative action program through internal monitoring and reporting systems and updates it on an ongoing basis. If warranted, adjustments are made to recruiting strategies and other related programs and policies to ensure that all applicants and employees receive fair consideration and treatment in all employment decisions.

This plan imposes certain responsibilities on all staff members involved in the employment process, some of which are referred to in this manual. Actions affecting the employment status of staff personnel must be coordinated through Human Resources.

2.13 DISCRIMINATION AND SEXUAL HARASSMENT POLICY*

View the current [Title IX Sexual Harassment](#) and [Discrimination and Non-Title IX Sexual Misconduct](#) policies on the [university policy website](#).

2.14 AMERICANS WITH DISABILITIES ACT POLICY*

American University is committed to treating all applicants and employees with disabilities in accordance with the requirements of the Americans with Disabilities Act as amended and the university's own commitment to inclusive excellence. The university evaluates individuals by their abilities and seeks to give full and equal employment opportunities to all persons capable of performing successfully in the university's positions. American University provides reasonable accommodations to any qualified persons with disabilities who require them and urges employees and applicants with a disability and require accommodations to notify the university of their

particular needs. The university maintains the privacy and confidentiality of disability-related records, including requests for accommodation in accordance with legal requirements and university policies.

When considering a requested accommodation, American University will require medical certification or information from a health care professional concerning the requested accommodation. Medical certification or other information may be requested at the time of the initial request or at any time thereafter, to support the request for accommodation.

Applicants for employment who require a reasonable accommodation during the hiring process should submit a request directly to the recruiter for the position to which they applied. Current employees who need to request a reasonable accommodation should contact Human Resources Employee Relations in accordance with [established procedures](#) by submitting a [Reasonable Accommodation Request Form](#) or by emailing employeerelations@american.edu. Supervisors who receive requests for reasonable accommodations from their employees must refer them to Employee Relations.

Any staff employee or applicant who believes that they may have been discriminated against based on their disability should refer to the Discrimination and Non-Title IX Sexual Misconduct complaint procedures. Employees or applicants may also contact the Associate Vice President of Human Resources to appeal reasonable accommodation decisions.

The university recognizes that the implementation of such a policy requires constant effort and supervision. Every necessary step will be taken to guarantee that this commitment is honored in principle and in practice.

2.15 REPORTING SUSPECTED MISCONDUCT (WHISTLEBLOWER POLICY)*

Visit the [University Board of Trustees Policies page](#), Section XXII to view the current Whistleblower Policy.

3.0 PERSONNEL RECORDS

3.1 RECORDS MANAGEMENT*

Official personnel records of all employees are maintained in Human Resources. This office must be notified of all employee status changes. Address changes should be reported to Human Resources on a Personal Data Change Form. Each employee is responsible for making sure that their records are current. Employees are entitled to inspect their official records in Human Resources. The university prohibits disclosure of official personnel records to third parties without the expressed written consent of the staff member, except:

- when the records are ordered to be produced by court order, required by law, or within the scope of a lawful subpoena;
- when disclosed to university officials performing work for the university under proper authorization;
- to protect health, safety or property; or,
- to protect the legal interests of the university.

3.2 REFERENCES*

All requests for salary verification on current or past employees must be made in writing to Human Resources and accompanied by a letter of release from the employee. References may be given by the employee's department (or former department) only if authorized in writing by the employee.

4.0 HOURS OF WORK

4.1 SCHEDULE AND WORK MODALITY*

View the current [Schedule and Work Modality Policy](#) on the university policy website.

4.2 UNIVERSITY FACILITY AND PERSONNEL OPERATING STATUS (EMERGENCY CLOSING/CANCELLATION PROCEDURES, EMERGENCY MANAGEMENT AND CONTINUITY OF OPERATIONS PLAN, DEPARTMENTAL EMERGENCY OPERATING PLANS)*

View the current [Facility and Personnel Operating Status policy](#) on the university policy website.

5.0 COMPENSATION PROGRAM

5.1 PROGRAM OBJECTIVES

5.1.1 Scope

American University's staff compensation program aims to:

- support the ability of the university to offer market competitive salaries that enable units to attract, motivate and engage talent, without overpaying or underpaying relative to the market;
- be internally fair regardless of gender, race, or ethnic background and other differences and consistently applied throughout the university;
- link with career levels in a meaningful and motivating way to be able to show opportunities for career growth;
- reflect both the market value of staff responsibilities and their internal value to the university and reward higher levels of performance and contribution as measured in the performance management program; and
- be easy to understand and simple to administer.

Inherent in these principles is a desire to encourage and reward staff for acquiring and applying their knowledge, skills and abilities, and contributing to the ongoing success of the organization.

5.2 RESPONSIBILITY FOR PROGRAM ADMINISTRATION

Human Resources is responsible for ongoing administration and maintenance of the compensation program. Managers and supervisors are responsible for day-to-day implementation and communication of the program, with assistance provided by Human Resources, as necessary.

Human Resources reviews the program on an annual basis and recommends appropriate updates to ensure the program's integrity. As the program is updated, written communications will be distributed, as required.

Human Resources has the ultimate responsibility for maintaining the compensation structure.

However, many decisions will be made in conjunction with managers and supervisors, such as:

- recommendations in compensation bands necessitated by changes in compensation levels in the market over time are made by Human Resources;
- the proper placement of new positions, or positions whose responsibilities have changed within the compensation structure is the responsibility of Human Resources; and the establishment of new positions or changes in position descriptions and titles should be

reviewed with Human Resources and approved by the appropriate vice president or their designee.

5.3 ELEMENTS OF THE COMPENSATION STRUCTURE

Establishing a set of compensation bands is the first step in developing a systematic approach to administering salaries for American University. This set of bands is termed the compensation structure.

The compensation structure at American University consists of eight bands, with each band containing at least two market clusters. The number is sufficient to support the compensation levels required for the hierarchy of positions, as well as to allow for job differentiation. Compensation market clusters overlap, allowing for an individual who is at the maximum of a cluster in a relatively lower band to have a compensation level at or above an individual who is near the minimum of a higher market cluster, if appropriate. All American University full-time staff positions are placed into compensation bands and market clusters based on:

- salaries paid to positions with similar responsibilities in the competitive marketplace; and
- each position's impact at American University, both absolute and relative to other positions.

A market cluster facilitates control over fixed compensation expenses, aids in planning and budgeting, and provides for compensation growth for an employee commensurate with performance. American University's market clusters have been divided into three zones to enable the university to consider individual performance and experience in managing an employee's compensation progression.

5.3.1 First Zone

Salaries within the first third of a market cluster are usually reflective of employees who are still learning their jobs. These employees may have been newly hired with minimal prior work experience, newly promoted, or require performance improvement. An employee's progression through the first third of the range will depend upon individual performance versus expectations.

5.3.2 Second Zone

Salaries within the middle third of a market cluster are usually reflective of employees whose job performance fully meets/sometimes exceeds expectations. These employees will tend to be fully experienced and trained in their position responsibilities.

5.3.3 Third Zone

Salaries within the top third of a market cluster are usually reflective of employees who consistently exceed performance expectations, have exceptional skill sets or knowledge, or jobs that are in high demand in the marketplace.

Each market cluster has a minimum and maximum compensation level. The minimum represents the minimum compensation amount that American University would expect to pay an employee whose position is assigned to the range. There is a practical limit to the economic value of any job, beyond which annual compensation increases are generally not given. This limit is the maximum compensation level of the market cluster. Where an individual's compensation equals or exceeds the maximum compensation for their present position, the opportunity for continued progress lies primarily in promotion.

5.4 PLACEMENT OF POSITIONS WITHIN THE COMPENSATION STRUCTURE

- The process of determining compensation bands and market clusters for positions involves the following steps:
- a position description is prepared to document current information on position purpose, key responsibilities, knowledge/skill requirements and scope of accountabilities;
- for jobs commonly found in the market, American University uses available published compensation surveys to identify base compensation levels for positions with comparable responsibilities in the competitive market;
- American University also considers internal equity, i.e., both the absolute and relative value/worth of each position. This involves a comparison of position responsibilities, knowledge/skill requirements, and scope of accountabilities to establish a position hierarchy that reflects how American University values positions;
- when a new position is created, or a position has a significant change in responsibilities, the supervisor needs to update or prepare a position description. Human Resources will then determine a compensation band and market cluster based on a review of market base compensation levels and internal equity.

5.5 OVERVIEW OF SALARY DECISION-MAKING PROCESS

American University management makes three types of compensation decisions. The first is the decision upon hiring a new employee. The second (and most frequent) concerns merit increases by which an employee is rewarded for performance in a given position over a period of time. The third type is an increase that accompanies either a promotion to recognize the different responsibilities of the new position, or an “in-band” increase to recognize job growth.

No type of compensation increase should be considered automatic. The decision must be made on an individual basis. It should be justified by the employee's progress and achievements and by positioning of the employee's compensation within the band and cluster.

5.5.1 Salary Decision – Time of Hire

The compensation decision at the time of hire is important. It often is the major factor in an applicant's decision to accept the position. In addition, the compensation offer has a continuing impact on the employee's future compensation while with the university and on the university's

employee relations as a whole. Before making a salary offer, the hiring manager should work with Human Resources to:

- confirm the competitive market value of the position, if available;
- review and verify the candidate's salary history as stated on their application, through reference checks or, if an internal candidate, confirming with Human Resources;
- identify the individuals currently in the same position or similar positions within the band who fully meet/sometimes exceed expectations for the position;
- evaluate the candidate's qualifications for the position against these incumbents. The qualifications important to determining salary will vary from job to job. The following are types of individual qualifications that will be important in many jobs at American University – amount of directly related job experience, amount of any related education, award of any necessary or preferred certifications. We would expect that individuals whose achievements are less than fully competent incumbents should be offered salaries in the first zone. Similarly, individuals with substantially greater achievements than fully competent incumbents will be offered salaries at the high end of the second zone or in the low end of the third zone; and
- consider whether the salary to be offered provides the individual with the opportunity to move appropriately through the band.

Special recruiting situations are those in which market conditions make it necessary to offer starting salaries that are higher than recommended guidelines. Human Resources needs to coordinate a response to these situations on a case-by-case basis.

5.5.2 Merit Increase Guidelines

Merit increases are awarded to an employee based on the individual's performance as demonstrated by the achievement of their goals and demonstration of competencies, the position of the individual's compensation within the market cluster, and the departmental budget allocated for increases. Merit increases are effective September 1 of each year. To be eligible for a merit increase, the staff member must have been hired, transferred, or promoted into the position prior to May 1.

Staff who are on leave without pay, leave of absence, continuous FMLA, short term medical leave, and military leave are not considered to be actively at work. Employees not actively at work on the date that an increase in annual salary would otherwise have occurred (generally September 1), will receive a merit increase effective the date the employee actively returns to work.

The process for determining a merit increase has four steps:

- A manager reviews both the employee's overall performance rating, as determined in the year-end discussion, and the recommended pay increase range based on the position of the employee's current pay.
- A manager reviews the individual's performance and pay relative to peers and market data available for positions in their units.
- Utilizing the departmental budget available for merit increases, a manager recommends a merit increase. The manager may need to modify increases to stay within budget. Managers will be expected to provide some justification for any recommendations outside of the recommended range and all zero pay increases.
- A manager follows the approval process in place in their department to finalize the merit increases.

All merit increases are subject to review, adjustment and approval up to the provost or appropriate divisional vice president, or their designee, and review by Human Resources. All managers should refrain from discussing merit increase recommendations with their staff until they have received confirmation of the final approval.

5.5.3 Evaluating and Reviewing Performance

Refer to [Section 6.0, Performance Management Program](#) for information regarding evaluating and reviewing performance.

Generally, managers will assess a staff member's performance once a year prior to merit increases.

5.5.4 Exceptions to Policy

On rare occasions, it may be necessary to make decisions that differ from merit increase guidelines. Human Resources will work with the appropriate supervisor in responding to these situations on a case by case basis.

5.5.5 Promotional Increase/Job Growth Decisions

A promotion results when a person moves to a position that is in a higher compensation band and assumes increased scope and responsibility. When an employee is promoted to a new position, the compensation will be reviewed, and consideration will be given to a promotional increase.

Promotional increases should result in a new salary for the employee that is at least equal to the minimum of the market cluster to which they have been promoted and typically, within the first third of the market cluster to which the employee has been promoted.

Job growth occurs when an individual is operating in their same position at a significantly higher level of responsibility or complexity. Increases for job growth typically occur within the current market cluster.

5.6 SPECIAL SALARY ACTIONS

The following is a description of compensation administration guidelines in connection with special compensation actions:

5.6.1 Moving to a Position in a Lower Band

If an employee chooses or is required to take a position in a lower compensation band and the employee's compensation is at or above the maximum of the cluster for the new position, the employee will generally not be eligible for a merit increase until adjustments to the compensation structure result in the employee's compensation being below the cluster maximum.

5.6.2 Compensation for Additional Responsibilities

If an employee assumes a temporary assignment of substantial additional responsibilities or the duties of a higher paid position that exceeds 30 days, they may receive a temporary salary increase (stipend) of 10%. Temporary assignments of this nature may not exceed one year.

Under extraordinary circumstances, and with advance approval of the provost, the appropriate vice president or their designee, administrative and professional staff members may be paid for additional services that are clearly separate from the duties normally associated with their positions. If the special assignment must be completed during the normal working hours of the regular position, the supervisor should be prepared to verify that the responsibilities of the principal position are being met.

5.7 MAINTENANCE OF THE COMPENSATION STRUCTURE

Human Resources will conduct an annual review of the compensation administration program. The review will include an assessment of progress toward implementing intended policies in the current year, as well as an analysis of American University's compensation band positioning versus designated competitive markets. When appropriate, compensation bands will be adjusted to reflect competitive pay practices.

5.8 COMMUNICATION OF SALARY INFORMATION

Nothing in this document should be construed as implying a contractual obligation between American University and any of its employees. The concept of employment at will applies to American University and its employees. American University has the right to change its policies with or without notice.

5.9 COMPENSATION FOR HOURS IN EXCESS OF NORMAL WORK SCHEDULE*

This policy applies to part- and full-time staff.

Non-exempt employees subject to the Fair Labor Standards Act will be paid at the base hourly rate for work up to and including 40 hours a week. Work in excess of 40 hours a week (defined as going from Saturday through Friday) will be paid at one and one-half times the base hourly rate.

In general, all work exceeding the employee's regularly scheduled hours must be explicitly approved in advance by the employee's supervisor.

The Federal Fair Labor Standards Act requires that all hours worked must be recorded on the Time and Attendance Form (Biweekly Time Sheet) in the week in which the work was performed. That Act also prohibits the accrual or awarding of compensatory leave (comp time) instead of recording and paying for actual hours worked exceeding a non-exempt employee's normal work schedule.

Employees who perform two or more jobs that pay a different hourly rate, overtime pay will be calculated in accordance with the Fair Labor Standards Act. Employees who are paid monthly are exempt from the overtime provisions of the Fair Labor Standards Act. They do not receive additional pay for working overtime.

5.10 PERMISSIBLE DEDUCTIONS FROM AN EXEMPT EMPLOYEE'S PAY

This policy applies to part- and full-time staff, except where noted.

American University is fully committed to complying with its obligations under the Fair Labor Standards Act, now and in the future. Therefore, it is our policy not to make deductions from the salary of an exempt employee except for reasons permitted by law.

American University may make deductions from an exempt employee's salary for the following reasons: (1) the employee is absent for one or more full days for personal reasons and does not have accrued paid leave; (2) the employee is absent for one or more full days due to sickness or disability and does not have accrued paid leave under American University's sickness or disability plan; (3) as a penalty imposed in good faith for infractions of safety rules of major significance; (4) the employee takes unpaid leave under the Family and Medical Leave Act (FMLA). In the circumstances of (3) and (4) either partial day or full day deductions may be made.

If an exempt employee believes that an improper deduction has been made from their pay, the employee should immediately contact their direct supervisor or employee relations (extension 2607), who will promptly and fully investigate the situation. If American University determines that the deduction was improper for any reason, American University will reimburse the employee and take steps to ensure that such improper deductions do not reoccur.

5.11 RELOCATION REIMBURSEMENT

View the current [Relocation Reimbursement policy](#) on the university policy website.

6.0 PERFORMANCE MANAGEMENT

The university maintains a performance management program (PMP) for staff that is designed to:

- clearly state performance expectations and set high standards of performance;
- ensure that individual goals are aligned with either the university's goals or the staff member's job duties;
- reinforce the behaviors needed to support the university now and in the future;
- support positive relationships between staff and their managers;
- recognize the contributions and skills of staff; and
- ensure that staff has the skills necessary to contribute.

American University's PMP extends through a full year. The PMP includes three phases – planning, managing, and appraising.

6.1 PLANNING PERFORMANCE

The performance management cycle begins with the planning phase which occurs between August and September each year, or in the case of a newly hired, transferred or promoted staff member, within the first 30 days of hire or change in employment status.

In the performance planning phase, staff members utilize the university strategic plan, any department goals that have been developed, and their own job duties to develop 3-5 goals for the performance period. This cascade and alignment process encourages staff and their managers to identify ways for each person to best contribute in their jobs and what must happen at the department and individual levels to support the university's goals. The performance goals are recorded in a goals worksheet contained in AsuccessfulU, the online PMP system.

In addition to goals, each staff member is assigned competencies, that is, observable behaviors and skills that each staff member is expected to demonstrate in their jobs. A detailed listing of the competencies is maintained in the Staff Competencies Guide and in AsuccessfulU. Staff should familiarize themselves with the competencies that apply to their position during the performance planning phase and may create development goals where the need for skill improvement is indicated. Please refer to [Section 6.6, Development Plans](#).

6.2 MANAGING PERFORMANCE AND MID-YEAR EVALUATION

After goals are established and staff review the competencies against which they will be evaluated, a staff member works to achieve the goals and demonstrate the competencies. The managing phase of PMP is characterized by frequent two-way communication between the staff member and their manager to discuss progress and identify difficulties that might stand in the way of achieving goals. Managers and staff use this time to revise or update goals as needed.

One formal mid-year evaluation is required during the managing phase and it occurs in February.

Staff members are asked to complete a self-assessment of progress towards goals and proficiency demonstrating competencies. Managers and staff members then meet to discuss the status of goals and competencies. Generally, the mid-year evaluation does not include a formal rating of goals or competencies, though the university may on occasion include a formal rating during this phase.

Progress notes for the mid-year evaluation are recorded in AsuccessfulU and the meeting is acknowledged by electronic signature of both staff members and their managers.

6.3 APPRAISING PERFORMANCE

A performance appraisal is conducted at the end of July which marks the end of the annual PMP cycle. The performance appraisal provides an opportunity for managers and staff to look at the past year and compare the achievement of goals and evaluate the level of proficiency with each competency.

Staff members and their managers prepare for the discussion by compiling the tracking sources data gathered throughout the year. Staff complete a self-assessment in advance of the performance appraisal meeting, and in the meeting staff and their managers share their assessments for each goal and competency.

The manager is responsible for appraising each goal and competency using a rating scale.

Seventy percent of the overall performance rating is based on the assessment of goals and thirty percent is based on the assessment of competencies, which results in a single rating or score. The manager documents the content of the appraisal discussion in AsuccessfulU, and both staff members and their manager electronically sign the form.

The performance appraisal concludes the PMP cycle and triggers planning for the next year.

6.4 PERFORMANCE IMPROVEMENT PLANS

AU is committed to providing all staff with the opportunity to improve their performance in order to continue successful employment at the university. In the event a staff member fails to consistently demonstrate the core competencies established for all staff, fails to meet performance expectations, or demonstrate the skills and functions required by their position, a manager may elect to place that individual on a performance improvement plan. This is a short-term plan that determines clear milestones for improvement of work performance within a specified period of time, typically four to eight weeks. Performance improvement plans may be implemented independently or, if necessary, in conjunction with disciplinary action. Communication of a performance improvement plan may replace any warning step under [Section 7.0 Disciplinary Policy](#). Failure to meet the milestones established by the performance improvement plan and maintain acceptable performance will result in termination of employment.

Managers with questions regarding performance improvement plans or seeking guidance in the design and implementation of such a plan should contact the employee relations team in Human Resources.

6.5 REWARDING PERFORMANCE

Several factors are used to determine merit increases. [Section 5.0, Compensation Program](#), describes these factors and the link between pay and performance.

6.6 DEVELOPMENT PLANS

A development plan is an optional, personal action plan, jointly agreed to by a staff member and their manager that identifies short and long-term development goals. A development plan identifies the training and other developmental experiences needed to achieve those goals. The university benefits from having a competent and engaged workforce, capable of continuous learning in order to meet the demands placed on it. A staff member may have a desire to grow in their current job or in other positions at the university and may utilize the development plan to identify the specific developmental experiences necessary to fulfill those goals. Each development plan is uniquely tailored to meet the needs of the staff member.

Staff members may create a development plan in AsuccessfulU and are encouraged to discuss the status of it at least once a year during the mid-year discussion. The development plans are not rated. However, attainment of new skills, or improving others, may be reflected in higher levels of performance.

Managers are encouraged to work with their staff to develop development plans. To that end, managers are evaluated on the degree to which they successfully develop talent of their direct reports.

6.7 ROLES AND RESPONSIBILITIES

Several groups are responsible for ensuring the use of the PMP in their units.

The Provost, University Vice Presidents, Deans, Department Heads, Directors, Managers and Supervisors, including faculty who supervise staff, are responsible for ensuring that the PMP principles, steps and tools are utilized in their respective units, and that performance planning, management and appraisals occur for each staff member. They are responsible for ensuring that the goals of their units are communicated to encourage the alignment of individuals and university goals, that the performance cycle is completed for each of their direct reports, and that staff are encouraged to create development plans to support their professional development.

The Assistant Vice President of Human Resources is responsible for the design and implementation of the performance management program in accordance with the general management philosophy of the university. The Assistant Vice President of Human Resources, or their designee, is responsible for initiating the annual performance planning, mid-year evaluation and appraisal cycles, and for developing and delivering strategies aimed at continually communicating, educating, gathering feedback and refining the program as necessary to meet the needs of the university. The Assistant Vice President is responsible for reviewing the program to ensure fair and consistent application in accordance with the university EEO policies.

7.0 DISCIPLINARY POLICY

American University follows a progressive disciplinary policy. Understanding and accepting of these policies are implied in accepting employment.

Disciplinary action can take one of four forms: oral warning, written warning, suspension, or dismissal. The degree of disciplinary action is based on the nature of the offense.

If disciplinary action is taken beyond a verbal warning, that action will be explained in detail in a written record which will be sent to Human Resources for inclusion in the employee's official personnel file.

If no additional disciplinary actions are recorded after two years, the written record of disciplinary action will be removed. However, when the disciplinary action is for a violation of either the Title IX Sexual Harassment Policy or Discrimination and Non-Title IX Sexual Misconduct Policy, as well as for certain Level III violations, the written record of the disciplinary action may remain on file beyond two years.

Supervisors are required to take disciplinary action when established procedures are not followed, or when rules of conduct are ignored to the disadvantage of a working unit or the university. These guidelines have been set up to prevent misunderstandings when such occasions arise. It is the university's intention to be fair and uniform in the handling of these matters.

However, these procedures should not be interpreted as constituting an employment contract.

At the discretion of the supervisor, a performance improvement plan may be implemented as part of the progressive discipline process. Communication of a performance improvement plan may take the place of any warning step in the process. See [Section 6.0, Performance Management](#).

In general, the disciplinary process should proceed as follows for offenses at each level.

7.1 LEVEL I OFFENSE DISCIPLINARY PROCESS:

(1) Oral Warning, (2) Written Warning, (3) Final Written Warning, (4) Dismissal.

7.2 LEVEL II OFFENSE DISCIPLINARY PROCESS:

(1) Written Warning, (2) Final Written Warning, (3) Dismissal.

7.3 LEVEL III OFFENSE DISCIPLINARY PROCESS:

(1) Immediate Dismissal. A lesser penalty may be imposed if the supervisor thinks it more appropriate.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions that may result in disciplinary action up to and including termination of employment.

7.4 LEVEL I INFRACTIONS (EXAMPLES)

- stopping work, loitering, or leaving office during working hours without permission;
- creating or contributing to unsanitary conditions;
- willful violation of safety rules;
- repeated tardiness;
- unexcused absenteeism;
- failure to turn in time sheets in a timely and accurate manner;
- neglect, waste, and mishandling of equipment or supplies;
- interference with other staff members;
- failure to report accidents which occur in performance of job;
- distribution of literature, or solicitation for any cause without permission;
- failure to obey a reasonable order from a supervisor.

7.5 LEVEL II INFRACTIONS (EXAMPLES)

- sleeping during work hours;
- personal conduct detrimental to others;
- horseplay, threatening, or coercing fellow workers while working on university property, on university business, or attending a university function;
- obscene and abusive language, malicious gossip;
- reckless, careless, or slipshod work;
- irregular attendance (defined as two unexcused absences within a three-month period);
- unprofessional behavior or conduct.

7.6 LEVEL III INFRACTIONS (EXAMPLES)

- stealing;
- falsification of records or misrepresentation of information;
- fighting, committing or threatening to commit an act of physical violence;
- refusing a direct order(s) from a supervisor after the supervisor explains the consequences for continued refusal of that order;
- deliberate destruction or abuse of university property;
- willfully accessing personnel, student, medical or other confidential records without authorization;
- violation of the university's Discrimination and Non-Title IX Sexual Misconduct or Title IX Sexual Harassment policies;

- excessive absenteeism (defined as five unexcused absences within any six-month period);
- refusal to cooperate or interfere with an internal investigation;
- working under the influence of alcoholic beverages; unlawful possession or use of illegal or controlled substances;
- failure to demonstrate baseline performance requirements or meet the requirements of a performance improvement plan;
- other serious misconduct.

8.0 TERMINATION

8.1 SEPARATION POLICIES

These policies are not intended to constitute a contract of employment, or to confer any additional employment rights. Employment may be terminated at any time and for any reason by either the employee or the university.

Termination of regular staff appointments may occur as outlined below. All separations must be processed through Human Resources, even for those whose terminal appointments have ended. Be sure to consult the Faculty/Staff Benefits Manual for information about discontinuation of leave and other benefits.

8.2 VOLUNTARY SEPARATION

In cases of voluntary resignation or retirement, notice equivalent to the length of one pay period is normally expected. A letter of resignation must be sent to the supervisor with a copy to Human Resources. During this period, the employee is provided the opportunity to conduct an exit interview with Human Resources. Separating employees must complete a Separation Clearance Form by their last day of work. Salary will be paid through the effective date of the resignation or retirement. Payment will be made for annual leave accrued as of the effective date of separation. See Annual Leave policy.

Job abandonment is defined as three or more consecutive days of absence from work without notice of intent to return having been provided to the immediate supervisor. It may be considered a voluntary separation. No severance pay is due for job abandonment.

8.3 DEATH

In case of the death of an employee, the employee's supervisor should contact Human Resources.

8.4 LONG-TERM DISABILITY

If the university determines that the incumbent is unable to perform the responsibilities of the position by reason of long-term disability, the employee may be separated under provisions of the Faculty/Staff Benefits Manual. Upon request, the University will consider additional leave as a reasonable accommodation instead of termination.

8.5 SEPARATION WHILE ON PROBATION

During the probationary period, a staff member may be removed from their position at any time, for any reason, and without prior notice. During a probationary period, a staff member removed from a position will receive a two-week notice of termination or pay in lieu of notice.

The supervisor, after consulting with Human Resources and the department head, may initiate the termination process by preparing a separation notification memorandum stating the reasons for the action. Human Resources will review the memorandum and, if the separation follows policy, approve the action. Termination during the probation period may not be appealed or grieved.

8.6 INVOLUNTARY SEPARATION FOR CAUSE

After an employee's probationary period has been completed, involuntary separation for cause may be necessary. An involuntary separation for cause includes for example: the inability, failure, or refusal of the employee to maintain satisfactory performance of the responsibilities of the position; conduct which directly and substantially impairs the effectiveness of the employee in the performance of their responsibilities; conduct which directly and substantially impairs the effectiveness of university operations.

8.6.1 Supervisor's Responsibilities

Each supervisor should foresee the possibility of a need to remove for cause when the adequacy of the employee's performance is in question. It is the supervisor's responsibility to give the employee full and timely notice of the problem, and to make full effort, with the assistance of Human Resources, to help the employee to maintain or recover their effectiveness. See the section on Disciplinary Policy and Performance Management, in this manual, for guidance.

There may be certain situations requiring involuntary separation where such anticipation is not possible. Nevertheless, all involuntary separations must be discussed with Human Resources before the employee is notified. Except for certain Level III offenses, the supervisor must have issued a Final Written Warning to the employee before termination may be considered or have communicated a performance improvement plan in place of a final written warning.

8.6.2 Notice Requirements

Except in cases of serious misconduct, the supervisor either must notify the employee at least two weeks before the effective date of separation or pay the employee for two weeks in lieu of notice. The separation conference may be held at the work site with the supervisor and department head present, or in Human Resources with a Human Resources representative and supervisor present. At the time of notice of separation or at any time in the notice period, the supervisor may relieve the employee from the performance of the duties of the position or change the assignment to other duties. The employee will be paid their salary through the effective date of the separation and for annual leave accrued.

If an employee is removed for cause which requires immediate separation from the position, the termination of employment may be made effective immediately without a notice period. In such a case, salary will cease with payment only of previous salary due and accrued annual leave.

8.7 APPEALS OF SEPARATION

An employee may file a written appeal of an involuntary separation to the Staff Personnel Review Board (SPRB) through the Assistant Vice President of Human Resources except as noted in this policy. An employee involuntarily separated due to a violation of the Title IX Sexual Harassment Policy may appeal the action under the procedures in the Title IX Sexual Harassment Policy. They are not handled by the Staff Personnel Review Board.

An appeal under this policy must state the basis of the complaint on which it is being filed and must state the remedy sought. The appeal must be filed within two weeks of the effective date of separation. Request for Appeal Forms are available to employees in Human Resources.

The Staff Personnel Review Board, upon receipt of this request, may appoint a Hearing Panel to hear the issues of fact relating to the appeal of the separation action. The Hearing Panel will present a written summary of its process and findings to the Assistant Vice President of Human Resources. The decision of the Assistant Vice President of Human Resources is final and concludes the appeal. Executive or Senior Staff members whose appointments are terminated for cause may appeal the action to the Assistant Vice President of Human Resources whose decision is final and concludes the appeal. They are not handled by the Staff Personnel Review Board.

8.8 REORGANIZATION/TERMINATION OF UNIVERSITY FUNDING

In the case of abolishment of a position by reorganization or by termination of funding, the department proposing the reorganization must submit a written plan and justification (“reorganization plan”) to Human Resources and for review and approval and submit the HR-approved reorganization plan to the appropriate Provost or Vice President in charge of the unit for final approval. In the case of abolishment of a position reporting to the Provost or Vice President, such reorganizations require the approval of the University President.

The university will give written notice at least thirty days prior to the effective date of separation, with payment of salary through the notice period and with further payment of any annual leave accrued as of the separation date.

8.9 INVOLUNTARY SEPARATION OF AN EXECUTIVE OR SENIOR STAFF MEMBER

Termination of [Executive or Senior Staff](#) may occur for cause or when it is determined to be in the best interest of the University. These separations must receive prior approval by Human Resources and the appropriate Provost or Vice President. The Provost or Vice President should consult with the University President before separating an Executive or Senior Staff Member who is their direct report.

In case of termination of an Executive or Senior Staff member for best interest reasons, the University will give one-month written notice to the affected Executive or Senior Staff member. The

Executive or Senior Staff member may also be eligible for severance pay benefits if terminated for best interest reasons.

8.10 EXTERNALLY FUNDED POSITIONS – TERMINAL APPOINTMENTS

When an employee’s term of appointment has ended as specified on an Human Resources appointment letter, or when a position that has been funded by an external agency is eliminated due to the end of a grant, payment ceases automatically on the end date unless that appointment is renewed in writing. A supervisor must submit an e-action stating either formal separation or renewal of appointment at least 30-days in advance of the end date of the appointment.

8.11 SEVERANCE PAY PLAN FOR STAFF

8.11.1 Eligibility

Any staff employee may be eligible for severance pay benefits if terminated by or separated at the request of the university and if not terminated for cause, disability, or death. Executives have no probationary period and are therefore eligible for severance pay at any time. For others, eligibility begins after successful completion of the probationary period for the individual’s first full-time position at the university. Later probation in other positions do not count towards length of service until successfully completed. Periods of voluntary unpaid leave do not count towards service.

To receive severance, among other conditions, the affected employee must sign and not revoke a full general release and separation agreement in a form to be provided by the University (“General Release”). This General Release will include but is not limited to a release of legal claims that the employee may have against American University, except any rights to benefits payable under the terms of any benefit plans of American University.

8.11.2 Severance Amount

The severance pay is subject to income tax, FICA contributions, and other lawful withholdings. The severance amount is determined according to the following schedule. The maximum benefit is six months of salary.

Time Period	Executive	Senior Staff	Other Staff
Probation to 1 year	6 months	3 months	2 weeks
2nd year	6 months	4 months	2 weeks
3rd year	6 months	5 months	3 weeks
4th year	6 months	6 months	4 weeks
5th year	6 months	6 months	5 weeks
6th year	6 months	6 months	6 weeks
7th year	6 months	6 months	7 weeks

8th year

6 months

6 months

8 weeks

After the eighth year, all employee groups other than executives and senior staff, earn one week of severance benefit for each year of active service. The maximum benefit of six months is reached in each of the categories after 25 years.

8.12 POLICY INTERPRETATION

This policy is not intended to constitute a contract of employment, or to confer any additional employment rights. Employment may be terminated at any time and for any reason by either the employee or the university. The Assistant Vice President for Human Resources is responsible for implementation and oversight of this Policy and authorized to interpret this Policy (including resolving ambiguities) and may adjust the requirements of this policy if needed to ensure fairness to employees and applicants and to comply with applicable law.

9.0 COMPLAINT POLICY AND PROCEDURE

9.1 PURPOSE*

These policies and procedures provide a forum for staff members to express their complaints. They apply to all matters affecting a staff member's relationship to the university, except as noted in this policy. Retaliation against anyone who files a complaint, who supports or assists an individual in pursuing a complaint, or who participates in the resolution of a complaint is prohibited. Any retaliatory action may be the basis for a separate complaint under this policy.

Complaints or appeals that do not fall under this policy include those that are covered under the following policies: 1) Title IX Sexual Harassment, 2) Discrimination and Non-Title IX Sexual Misconduct, 3) Americans with Disability Act Policy, and 4) appeals of an involuntary separation.

Clear and open channels for the expression of employee complaints are basic principles of sound employee relations. Because employees do on occasion differ with supervisors on important questions, the university has provided subordinates with a mechanism for appealing the action or decision of a superior to a higher level within the organization, without fear of retaliation.

Each staff member is responsible for using this procedure in a timely manner whenever there are unanswered questions or problems which adversely affect any aspect of the employment relationship. A complaint should be initiated within ten working days of the circumstances which gave rise to the complaint. Staff members are counseled to avoid discussing specific problems with members of the university community other than their supervisor or Human Resources before making use of this procedure.

Members of Human Resources are available to any staff member for consultation and advice about how to resolve problems or file a complaint. They are also available to act as an intermediary to assist in problem resolution. All conversations between Human Resources staff and the staff member may be considered confidential.

9.2 INFORMAL PROCEDURE*

The first step is to report the complaint to the employee's immediate supervisor or the supervisor's immediate supervisor. The staff member should discuss the situation, explain the nature of the problem, and then suggest a solution, if they have one. If it is a group problem, one or more staff members should represent the group in advising the appropriate party. Every effort should be made to resolve the problem at this stage. If a satisfactory solution is not reached, the staff member may proceed to the formal procedure.

9.3 FORMAL PROCEDURE*

The formal procedure should be used if the informal procedure fails to produce a satisfactory solution. The staff member may use the following formal procedure without fear of retaliation.

Formal complaints must be filed within 30 calendar days of the event. No more than ten working days should elapse between steps or between the bringing of the complaint and the response of each step. Steps I, II, and III may be abbreviated to only one or two steps, depending on the reporting level of the complainant.

9.3.1 Step I*

The staff member submits a complaint in writing to the supervisor, with a copy to the Assistant Vice President of Human Resources. The supervisor responds in writing to the staff member, with a copy to the Assistant Vice President of Human Resources. If the staff member is dissatisfied with the response, they may proceed to the next step.

9.3.2 Step II*

The staff member forwards to the supervisor's immediate supervisor a written statement explaining why the first supervisor's response is not satisfactory, along with a copy of that response and the original complaint. The supervisor's immediate supervisor also responds in writing. If the staff member is dissatisfied with the response, they may proceed to Step III.

9.3.3 Step III*

The staff member refers the entire matter, in writing, for review by the executive responsible for the office. The staff member's statement should indicate why the outcome of Step II was not satisfactory and should be accompanied by copies of all previous correspondence and pertinent documents. The reviewing executive may make whatever further investigation they think is necessary in an attempt to resolve the matter. They will then prepare a written decision for the complainant and all parties to the complaint. This is the final step in the internal complaint procedures. The decision of the reviewing executive is final.

10.0 PERSONAL USE OF UNIVERSITY SUPPLIES, EQUIPMENT, FACILITIES*

University supplies, equipment, and facilities are for the sole use of the academic and business purposes of the university. Any personal use of university supplies, equipment, or facilities must be approved in writing by the employee's supervisor and the director or department head.

Staff members should consult with their supervisor when in doubt about the use of university supplies, equipment, or facilities.

Violation of this policy may result in disciplinary action up to and including dismissal.

11.0 POLICIES ON HEALTH AND WELLNESS

11.1 FACULTY AND STAFF ASSISTANCE PROGRAM (FSAP)

American University has a sincere interest in the well-being and productivity of its employees and believes that problems, with early identification and professional treatment, may be resolved. Therefore, the university has implemented a Faculty and Staff Assistance Program (FSAP).

The purpose of the FSAP is to assist all full-time employees and members of their immediate families with professional counseling on any of a broad range of human problems. Such problems may include:

- health, physical, or emotional problems;
- alcohol or other substance abuse problems;
- financial or legal problems;
- workplace problems.

The FSAP achieves its purpose through provision of:

- assessment and referral to prescreened community resources;
- short term counseling (up to and including six sessions);
- follow-up contact to assure that assistance received has been effective;
- education;
- consultation with managers.

There are no fees for the use of FSAP services. However, the university does not assume financial responsibility for any other counseling, treatment, hospitalization, or other fees. These are to be the responsibility of the employee or family member where not covered by medical/hospitalization insurance.

11.1.1 How an Employee May Use the FSAP

Employees are responsible for maintaining work performance and standards of conduct.

They are encouraged to use the FSAP voluntarily, on a confidential basis, if they suspect they have a problem, whether or not it is adversely influencing their productivity.

Those individuals who voluntarily access FSAP services, but wish to maintain their privacy, should make appointments on their own time. Others wishing to have release time to participate in the FSAP during usual work hours should have advance approval from their managers. Manager-referred employees will receive the same counseling services as self-referred employees. Employees are not exempt from existing work policies while participating in the FSAP. Follow-up interviews are scheduled at appropriate times.

Family problems may also require consultation or counseling. Family members are encouraged to contact the FSAP if they desire to use its services.

11.1.2 Managers' Responsibilities

Managers are responsible to assess and evaluate work expectations for employees. They should advise employees of any deficiencies in performance, document examples of those behaviors, and allow time for remediation.

If it is determined that usual managerial approaches are not bringing about improved performance and it is suspected that personal problems may be the cause, the manager is encouraged to:

- discuss the situation with an FSAP staff representative;
- offer the employee referral to the FSAP (this referral should be written as well as oral);
- refrain from trying to diagnose the nature of the problem;
- continue to monitor performance. If improvement in performance does not take place, appropriate administrative action must be taken.

Managers should also encourage employees who have problems that do not as yet interfere with work performance to seek assistance on their own by contacting the FSAP Director's office.

Participation in the FSAP will not jeopardize the employee's job security, reputation, career advancement, or future employment.

11.1.3 Confidentiality

All client information is held in strict confidence in accordance with the Privacy Act of 1974 and the Rehabilitation Act of 1973. Identification of particular employees and the nature and extent of their problems is communicated only with written consent of the employees. Similarly, in cases of managerial referral, information is not given to the participating employee's manager without written consent from the employee.

FSAP case records are maintained in a secure place and coded in such a manner as to minimize any possibility of compromise. The maintenance of FSAP records is distinct from all other employee records.

FSAP staff representatives must operate in conformance to federal, state, and local laws in obtaining or disclosing information.

Information may be released without written consent in certain cases of medical emergency, harm to self or others, child abuse, criminal activity, or other cases required by law. Employees will be advised of this action.

11.1.4 Participation in the FSAP

Participation in the FSAP will not require or result in special regulations, privileges, or exemption from standard university policies and procedures that apply to work performance requirements. The FSAP is not intended to be a substitute for or a precondition for, the administrative action process when managers decide that administrative action is warranted.

11.2 EMERGENCY LOAN FUND

American University can provide emergency loans to faculty and staff at no interest with repayment of the loan amount through scheduled paycheck deductions. The loans will be initiated through the Faculty/Staff Assistance Program (FSAP), approved by the Executive Director of Human Resources, and administered by the payroll office.

The Emergency Loan Fund is intended to assist university full-time faculty and staff who have urgent financial needs. Examples of such emergency needs are as follows:

- food or shelter (mortgage or rent, groceries, utilities)
- health/illness care (critical surgery, medical procedures, medications)
- vehicle repairs (vehicle is essential for work transportation)
- death of immediate family member (money is needed for transportation to funeral out of state)

11.2.1 Eligibility

Faculty and staff who apply for an emergency loan must meet the following eligibility requirements:

- hold full-time budgeted positions;
- be employed at American University for at least six months, and successfully completed the probationary period for those positions;
- successfully meet performance standards, and are expected to continue their employment at American University;
- successfully completed the application procedure; and,
- have not exceeded the One Thousand Dollars and No Cents (\$1,000.00) per calendar year limitation and have no outstanding loan balance for at least one year from the date of full repayment of previous loan.

11.2.2 Restrictions on Loan Amount

An employee may apply for one loan only up to One Thousand Dollars and No Cents (\$1,000.00). Employees will not be able to apply for a second loan until one year from the date of full repayment of any previous loan.

Employees will have up to a maximum of twelve (12) months in which to repay any amount borrowed from the HR Loan Fund. The time for repayment will be calculated from the date on which the loan monies are released to the applicant. Under no circumstances will an employee be allowed to borrow from the loan fund until one year has passed since full repayment of any previous loan.

All loans must be made payable to both the employee and the vendor/creditor. No funds will be made payable to the employee only. Stop payments initiated by the employee will not be processed once the employee has received the check.

The loan can be fully prepaid, at any time, without penalty. In the event that the employee becomes disabled or injured or leaves the employ of American University for any reason prior to repayment, they will remain fully liable for the full amount of the loan and, further authorizes American University to deduct any amounts outstanding hereunder from their paycheck. In the event that they leave the employ of American University, any amounts outstanding under the terms of the agreement will immediately become due and payable to the American University HR Emergency Loan Fund. American University may garnish the remaining balance from the employee's wages they may earn at any future place of employment, if necessary, in order to satisfy the terms of this Note. The employee further agrees to pay all costs which may be incurred in the collection of the Note in the event of their default in repayment according to the above terms, including, without limitation, reasonable attorney's fees.

11.2.3 Procedure

Each employee who requests an emergency loan must:

- schedule an appointment with the FSAP Director;
- complete an Emergency Loan Fund Application Form, including the Department Head Verification section;
- submit the Application and Verification, plus documentation of the financial need to the FSAP Director. Documentation must include: name, full address, and telephone number of the vendor or creditor, the item or service for which the charges are made, the exact amount due and the due date; and,
- complete an Emergency Loan Fund Contract.

Based on the stated criteria, the FSAP Director will determine the borrower's eligibility and will review the documentation of financial need. Upon recommendation of the FSAP Director, loan contracts are forwarded to the Assistant Vice President of Human Resources for approval. Upon approval, the contract is forwarded to the payroll office for processing. Employees will collect their checks personally at the FSAP office.

11.2.4 Confidentiality

All information provided as part of the FSAP loan application process is confidential and will not be shared, disseminated or used for any purpose other than determining the applicant's eligibility to participate in the AU Emergency Loan Program, or in collecting the balance of loans due in the event the employee leaves American University.

11.3 ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) POLICY AND GUIDELINES*

Visit the [University Personnel Policies page](#) to view the current Acquired Immune Deficiency Syndrome (AIDS) Policy and Guidelines.

11.4 ALCOHOL AND DRUG ABUSE POLICY*

American University is committed to maintaining a workplace free from illegal drugs and alcohol or drug abuse. The abuse of alcohol and the use of illegal drugs by members of the American University community are incompatible with the goals of the institution. In order to further the university's commitment to provide a healthy and productive educational environment, and in compliance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Work Force rules promulgated by the Department of Defense and other agencies, the university has established the following policy on alcohol and other drugs.

As a condition of employment, university employees agree to abide by the terms of this policy and to notify their supervisor of any criminal drug conviction no later than five (5) working days after the conviction. For the purposes of this policy "employee" refers to all full-time faculty and staff, adjunct faculty, and part-time staff.

11.4.1 Employee Misconduct*

Employee misconduct related to alcohol or other drug abuse will not be tolerated. Violation of the university's Alcohol and Drug Abuse Policy or the Guidelines for Serving Alcohol at University Events will result in appropriate disciplinary action in accordance with university policies. Such disciplinary action may include termination of employment and referral for legal prosecution.

Obvious examples of prohibited conduct include, but are not limited to, the following:

- The unauthorized use, possession, manufacture, distribution, dispensation, or sale of alcohol, drugs, or drug paraphernalia on university premises, on university business, in university-supplied vehicles, during the employee's work hours, or during university sponsored activities. For the purposes of this policy, "drugs" include marijuana, cocaine, opiates, PCP, amphetamines, and any other controlled substances. Unauthorized possession includes on an employee's person, as well as storage in a locker, desk, university supplied or personal vehicle, or any other repository on university premises or while on university business.
- Coming to work or performing any job duties while impaired by alcohol or drugs on university premises, in university-supplied vehicles, in any location while on university business, or during university sponsored activities.
- The possession, use, manufacture, distribution, dispensation or sale of alcohol or drugs off university premises that may adversely affect the individual's work performance, their own or others' safety at work, or the university's reputation in the community.
- Failure to adhere to the requirements of any drug treatment or counseling program in which the employee is enrolled.
- Conviction under any criminal drug statute for a violation occurring in the workplace or in another location while on university business or during university sponsored activities, or conviction under any criminal drug statute under circumstances that adversely affect the university's reputation in the community.
- Failure to notify the university of any conviction, within five (5) days of the conviction, under any criminal drug statute for a violation occurring in the workplace, on university

premises, on university business, in university supplied vehicles, during employee's work hours, or during university sponsored activities.

- Deliberate failure to comply with the requirements of law or federal rules and regulations under the university's Alcohol and Drug Abuse Policy, or refusal or failure to follow reasonable instructions issued by a supervisor implementing this policy.

Improper use of prescription medication is a violation of this policy. Employees are expected to notify their supervisor if they are taking any prescribed medication that may adversely impact their job performance. Employees should keep all prescription medication in its original container bearing a label that shows drug identity; date of prescription, and name of the prescribing physician.

The university reserves the right to test any employee reasonably believed to be under the influence of drugs or alcohol while on the job.

In addition, any employee who serves or provides alcoholic beverages in their official capacity is subject to the Guidelines for Serving Alcohol at University Events. These guidelines should be reviewed by all employees hosting in their official capacities social events attended by students if alcoholic beverages will be served.

11.4.2 Government Grants and Contracts*

Employees of American University engaged in government grants and contracts may be subject to additional drug-free workplace compliance requirements where required by government grant, contract, or law. These requirements may include, but are not limited to, drug and alcohol testing.

11.4.3 Alcohol and Drug Abuse*

The university provides a Faculty Staff Assistance Program (FSAP) for its faculty and staff experiencing problems with alcohol or drugs. Faculty or staff members are encouraged to contact the FSAP for help. Employees who voluntarily disclose their abuse of alcohol or use of illegal drugs to their supervisor prior to an arrest for an alcohol or drug-related offense will be referred to the Faculty Staff Assistance Program (FSAP) for assistance and further referral for treatment.

Additionally, depending upon the nature of their position, an employee's retention may be conditioned upon satisfactory completion of a treatment program. Such an employee may be required to provide proof of compliance with their treatment program throughout the course of the program. Such proof of compliance may include, but is not limited to, satisfactory results on random drug/alcohol testing. These provisions do not affect any disciplinary action for criminal conviction or alcohol/drug-related misconduct on the job. The employee's job may be restructured during that time period.

11.4.4 Cooperation with Law Enforcement Authorities*

American University cooperates fully with law enforcement authorities. Violations of policies which are also violations of federal or local law will be referred to the appropriate agencies. In such situations, cases may proceed concurrently at the university and in the criminal justice system as necessary.

11.4.5 Criminal Sanctions*

In addition to the criminal sanctions described below, employees convicted of drug-related offenses are subject to civil penalties. Such penalties may include suspension or revocation of professional and occupational licenses, restriction from public employment for up to five (5) years, and denial of retirement benefits. Workers' compensation benefits will also be denied in certain instances where alcohol or other drugs are a cause of injury.

11.4.6 District of Columbia Law*

District of Columbia law prohibits the purchase or possession of alcohol by a person under the age of 21, or the furnishing of alcohol to such a person. Purposefully misrepresenting age, possession or presentation of fraudulent identification for the purpose of procuring alcohol is also prohibited. Additionally, driving under the influence of alcohol or other drugs is illegal. The punishment for these offenses may include imprisonment, payment of a fine, mandatory treatment and education programs, community service, and mandatory loss of one's driver's license.

Under District of Columbia law, it is a crime to knowingly or intentionally manufacture, distribute, or possess, with intent to manufacture or distribute, a controlled substance or drug paraphernalia. A conviction under local laws may result in imprisonment, a fine or both. The length of prison term and the amount of the fine depend upon the particular type of controlled substances involved. Subsequent convictions and violations involving distribution to minors carry increased penalties up to twice the usual sanctions.

11.4.7 Federal Law*

Federal laws prohibit possession, use, distribution, manufacture or dispensing controlled substances. As required by federal regulations, charts accompanying this policy detail federal penalties for drug trafficking and possession of a Controlled Substance. See [Table 1 "Federal Trafficking Penalties for Schedules I, II, III, IV, and V \(except Marijuana\)"](#) and [Table 2 "Federal Trafficking Penalties for Marijuana, Hashish, and Hashish Oil, Schedule I Substances."](#) Both tables were retrieved April 24, 2013, from <http://www.justice.gov/dea/druginfo/ftp3.shtml>.

11.4.8 Counseling and Treatment Resources*

American University has a sincere interest in the well-being and productivity of its employees and believes that substance abuse problems, with early identification and professional treatment, may be resolved. The university provides a [Faculty and Staff Assistance Program \(FSAP\)](#) for its staff and faculty which is available to assist employees with substance abuse problems.

In addition, a variety of counseling services and treatment centers are available throughout the District of Columbia metropolitan area for anyone experiencing problems related to substance abuse. Although most counseling and treatment centers charge for their services, some programs are free of charge. FSAP maintains a list of available alcohol and other drug counseling services and treatment centers. Employees are encouraged to avail themselves of the FSAP counselor's referral sources and assistance to identify the services or programs which most closely meet their specific needs.

For a listing of additional on-campus and off-campus resources please see the Student Handbook: Section VIII. Alcohol and Other Drugs. Employees are encouraged to avail themselves of these resources and contact Human Resources for more information.

11.4.9 Health Risks*

The following information on health risks is from “What Works: Schools Without Drugs,” U.S. Department of Education (1992) detailing the possible effects and health risks associated with alcohol consumption.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

11.4.10 Controlled Substances*

Cannabis (Marijuana, Hashish). The use of marijuana may impair or reduce short term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

Hallucinogens. Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Cocaine/Crack. Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock

cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

Amphetamines. Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

Heroin. Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

For further information, download [Drugs of Abuse 2017 Edition, A DEA Resource Guide](#), for additional possible effects and health risks associated with the use of illicit drugs and controlled substances.

11.4.11 Contact Persons*

For additional information regarding:

- health risks or counseling and treatment resources, contact the Faculty Staff Assistance Program;
- university policies on alcohol and other drugs as they pertain to employees, contact employee relations.

11.5 GUIDELINES FOR SERVING ALCOHOL AT UNIVERSITY EVENTS*

Visit the [University Policies page](#) to view the current Alcohol Service at University Events Guidelines.

11.6 UNIVERSITY SANCTIONS FOR VIOLATIONS OF ALCOHOL AND DRUG ABUSE POLICY*

Violation of the university's Alcohol and Drug Abuse Policy may result in disciplinary action, including discharge, in accordance with university policies.

In addition to any disciplinary action, the university, through its FSAP, may refer the employee to a treatment and counseling program for alcohol or drug abuse. Employees referred to such a program by the university must immediately cease any alcohol or drug abuse and must comply with all conditions of the treatment and counseling program. The FSAP shall determine whether an employee it has referred for treatment and counseling should be temporarily reassigned to another position.

For employees working on any federal grant or contract, the university is required by federal law to notify the federal government contracting agency within ten days after learning of an employee's criminal drug statute conviction in the workplace.

11.7 SMOKING POLICY

Visit the [University Policies page](#) to view the current Smoking Policy.

12.0 LEAVE POLICIES

12.1 ANNUAL LEAVE

The university recognizes the importance of providing its regular full-time staff with the opportunity to take leave from their duties for reasonable periods of time without loss of pay, for vacation purposes, to attend to personal affairs, and support a sustainable work life balance. Annual leave must be approved in advance by the employee's supervisor and must be taken at times when it will not interfere with the academic, administrative, and/or operational needs of the department. Executive staff positions and full-time staff with faculty rank do not accrue annual leave but are provided annual leave in accordance with [Section 12.1.2](#) of this manual. Part-time employees do not accrue annual leave.

Annual leave is not accrued while a staff member is on leave without pay, family and medical leave (FMLA), DC Paid Family Leave, AU paid parental leave or short-term medical leave. Staff members receiving Workers' Compensation Benefits, however, will continue to accrue annual leave.

Except as stated below in [Section 12.1.2](#), at an employee's effective date of separation, annual leave is converted to final pay upon separation and paid to the employee. Generally, an employee must be actively at work on their termination date and the effective date of a separation may not be extended beyond the last actual working day through payment of accrued leave. Leave is not accrued on annual leave converted to terminal pay.

12.1.1 Annual Leave Carry Over

No more than 15 days of earned annual leave may be carried forward beyond the end of the fiscal year. All accrued annual leave in excess of 15 days not used by the end of the fiscal year will be forfeited as of the end of the fiscal year. Department heads are expected to develop strategies and plans to minimize the occurrence of staff forfeiting annual leave. The number of hours in a day of carry-over is standardized based on employment classification and the number of hours worked per week.

In extraordinary circumstances when the University identifies an urgent need for a staff member to be at work which requires denial of an employee's request for annual leave and would create unused annual leave as of the end of the fiscal year, a staff member may request to carry over the unused annual leave for four months beyond the end of the fiscal year, and leave that was carried over would be forfeited if unused by the extended time. An Employee must submit a leave carryover request form through their department head to the Office of Human Resources for approval and processing.

12.1.2 Executive Staff & Full-Time Staff with Faculty Rank

Positions categorized as executive staff positions and full-time staff with faculty rank who are contracted on a 12-month basis do not accrue annual leave. Employees in these categories receive four weeks of annual leave each fiscal year, to be taken when conflicts with their duties will be minimal. No leave is carried over into a new fiscal year and is not converted to terminal pay at separation. Supervisors administer leave for employees in these categories.

12.1.3 Senior Staff and Administrative/Professional Staff

Senior staff and administrative/professional staff who were hired on or after May 1, 1995, earn annual leave at the same rate as clerical, secretarial, technical, skilled craft & service staff (see chart below). Employees in this category hired before May 1, 1995, earn 21 days of annual leave during each year of service. Leave is accrued for each month worked at a rate commensurate with the standardized work week for that individual. Employees beginning active service in this category prior to the 15th of the month will accrue leave for the entire month; those separating after the 15th of the month will accrue leave for that month. Any employee in this class who is entering a status in which no leave is accruable (e.g., leave without pay) will be subject to the same guidelines as outlined above.

When senior or professional staff plan to be absent, they must make arrangements with the appropriate supervisor so that another person, who will be present during their absence, will be fully informed about the work status and be able to speak authoritatively in an emergency.

12.1.4 Clerical, Secretarial, Technical and Service Staff

A member of the clerical, secretarial, technical or service staff earns annual leave in accordance with the following schedule:

Completed Years of Service	Vacation Accrual
0 - 1 Year	12 Days
1 - 4 Years	15 Days
4 or More Years	21 Days

Annual leave is accrued for each hour worked at a rate commensurate with the standardized workday for a staff member’s position. Annual leave must be recorded in Workday in increments of no less than one-quarter hour. Part-time employees do not accrue annual leave.

12.1.5 Privileges for Former Employees

A member of the regular staff who terminated employment voluntarily, or as a result of position elimination due to reorganization or funding termination, and who is reemployed in a full-time position at the university within three years of the date of separation, will be entitled to earn annual leave at the rate that is appropriate for the total length of their previous full-time service to the university commencing on the reappointment date.

12.2 SICK LEAVE*

Visit the University Policies to view the current [Accrued Sick and Safe Leave Policy](#).

12.3 EMPLOYEE TRANSFERS: LEAVE STATUS

An employee transferring to a position in another department will be eligible for all accrued leave earned prior to the effective date of the change. When it is not possible to take accrued leave before the change, the new employing unit must assume responsibility for all earned leave at the university.

When an employee transfers from a position that accrues leave to a position that does not accrue leave, accrued leave from the previous position will not carry over. All unused accrued leave prior to the effective date of the transfer to the non-accruing leave position will be forfeited without being converted to pay.

When an employee transfers from a position that does not accrue leave to a position that does accrue leave, the employee will begin to accrue leave at the appropriate rate based on their full-time years of service, subject to the limitations in [Section 12.1.5](#).

12.4 LEAVE POLICIES FOR RESEARCH AND SPECIAL PROJECTS

Leave policies in some university-operated research or similar projects financed by non-university funds, or areas where other policies have been predetermined, may vary from those described here. In such cases, the policies will be announced in writing and will apply to all project employees.

12.5 PARENTAL LEAVE

Absences to bond with a newborn, newly adopted child, newly placed foster child, or child who has been newly placed under an employee's legal guardianship are covered by the Parental Leave policy found on the [university personnel policies website](#).

12.6 WORKPLACE ASSISTANCE FOR NURSING MOTHERS*

In accordance with the law, the university provides nursing mothers with reasonable break times and a private area to express milk as needed for nursing a child for up to two years after the child's birth. Please contact Human Resources if you need assistance locating an appropriate space or need assistance with this policy.

12.7 BEREAVEMENT LEAVE

In the event of the death of a full-time Employee's immediate family member, with their supervisor's prior approval, a full-time Employee will be permitted to be absent with pay for up to ten (10) working days without drawing upon annual leave or sick leave. For the purposes of

bereavement leave, immediate family is defined as the Employee's parent, spouse, domestic partner, sibling, child, grandparent, grandchild, or member of the Employee's household. In the event of the death of a full-time Employee's extended family member, with their supervisor's prior approval, a full-time Employee will be permitted to be absent with pay for up to five (5) working days without drawing upon annual leave or sick leave. For purposes of this bereavement plan, extended family is defined as the sibling, parent, or grandparent of the Employee's spouse or domestic partner.

An Employee may request special consideration to their supervisor for paid bereavement leave to attend a funeral/memorial service of an individual of personal significance to the Employee that would not otherwise fall within the aforementioned definitions of immediate or extended family.

12.8 JURY DUTY*

American University recognizes that jury duty is a civic responsibility. Absence with pay to perform summoned jury duty, or to appear in court as a subpoenaed witness, will not be charged against earned leave provided official documentation indicating the reasons and the period for the absence is submitted to the employee's supervisor.

No employee scheduled to work between the hours of 5:00pm and 7:00am will be required to report to work on the same day they perform jury duty or serve as a subpoenaed witness.

No employee will face disciplinary action or be subjected to harassment, threats, or coercion related to their jury duty service or witness testimony.

12.9 VOTING LEAVE*

American University recognizes that it is the responsibility and duty of employees to exercise the right to vote in elections. Employees who are scheduled to work on the day of any official election held within the jurisdiction where they are registered to vote may be granted two hours of paid administrative leave to vote in person without having to take accrued leave. Employees must request the administrative leave as far in advance of the election day as possible. The leave should be taken at the start or end of the scheduled work hours to minimize disruption to departmental operations.

No employee will face disciplinary action or be subjected to harassment, threats, or coercion related to exercising their right to vote or otherwise engaging in the electoral process.

12.10 MILITARY LEAVE*

The purpose of this policy is to ensure that employees are afforded the opportunity to perform military service and ensure they are not penalized for taking leave to fulfill any related service obligations.

A faculty or staff member who spends not more than 30 calendar days during a calendar year in active-duty training with Military Reserve or National Guard components of the Armed Forces of

the United States will be granted a paid leave absence for such training when documented with appropriate time sheet and/or leave report.

A faculty or staff member who is called to active Military Reserve or National Guard duty will be placed on military leave of absence. The faculty or staff member must give advance or written notice unless precluded by military necessity or such notice is unreasonable or impossible. For periods of active duty of 31 days or more, the returning employee must provide documentation, upon request, that establishes length of and character of the service and timeliness of the application for reemployment. All National Guard and Reserve members are encouraged to provide a copy of orders or other type of documentation as soon as available and if possible before the commencement of military duty.

An employee on military leave will not receive pay from the university but may elect to continue to participate in the benefits plans. If the employee chooses to continue to participate in the benefits plans, American University will cover the full cost of the benefits for the first month of the military leave of absence. After the first month, the employee is responsible for the full cost of participation in the benefits plans. The benefits office will notify individuals about the procedures for benefits continuation.

A full-time staff member who has accrued annual leave may elect to take that leave and delay the effective date of the military leave. While a staff member is receiving accrued leave, benefits remain active. Some restrictions may apply to these benefits as they coordinate with military benefits.

An employee who is released from active duty under honorable conditions and applies for reinstatement within the required time period will be reinstated into the position previously held or into another position that is of like seniority, status and pay, provided the employee is qualified to perform the duties of the position.

The period an individual has to make an application for reemployment or report back to work after military service is based on time spent on military duty. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. Reservists who serve more than 30 days, but less than 181 days must submit an oral or written application for reemployment to Human Resources within 14 days of release of service. For service of more than 180 days, an application for reemployment must be made within 90 days of release of service. If there is reasonable certainty that an employee would have received a promotion, and/or a salary increase during the period of military service, that employee may be rehired at the higher position and/or pay level. Similarly, if an employee would have been demoted, or received a reduction in pay, that employee may be rehired at the lower level. Individual situations are normally reviewed on a case-by-case basis.

In case of a faculty member on military leave, personnel actions will be processed on a case-by-case basis, after consultation with the Deputy Provost & Dean of Faculty. The relevant processes are resumed when the faculty member returns to the university.

Reemployment rights do not apply to employees who occupy a position that is limited to a specific time period or project. Employees on grants or contracts fall into this category. However, the university will make an effort to reemploy individuals in this situation.

Upon reinstatement, reservists are entitled to enroll in the insurance programs they maintained before taking a military leave of absence. The period of time that an individual was on active-duty service will be included as service time at the university in determining any benefits that use length of service as a determinant in the amount of the benefit.

Reservists who are reinstated are offered job protection for a period of time based on the length of service. Reservists who are reemployed cannot be discharged, without cause, from employment within one year after the date of reemployment if the person's period of service before reemployment was more than 180 days. If the person's period of service was more than 30 days but less than 181 days before reemployment, the person may not be discharged, without cause, within 180 days after the date of reemployment.

This policy does not apply to state call-ups for National Guard for disaster relief, riots, or circumstances other than call to active duty. Faculty or staff should contact Human Resources in these situations.

Employees with a spouse, child or parent who is a qualified service member may be eligible for [Federal Family and Medical Leave \(FMLA\)](#) in some circumstances.

12.10.1 Civil Air Patrol Leave*

A faculty or staff member who is a member of the Civil Air Patrol Maryland Wing may take up to 15 days of accrued or unpaid leave each year to respond to emergency missions of the Maryland Wing of the Civil Air Patrol. The faculty or staff member must provide verification of their eligibility for the leave requested and give advance written notice to their supervisor. Faculty or staff should contact Employee Relations for more information.

12.10.2 National Guard Leave*

A faculty or staff member who is a member of the National Guard may take up to 15 days of accrued or unpaid leave each year for state call-ups of the National Guard for disaster relief, riots, or circumstances other than call to active duty. The faculty or staff member must provide verification of their eligibility for the leave requested and give advance written notice to their supervisor. Faculty or staff should contact Employee Relations for more information.

12.11 LEAVE WITHOUT PAY

In unusual circumstances, a specified period of leave without pay may be granted by a supervisor with the approval of the department head. A full-time staff member granted leave without pay does not earn annual or sick leave while in that status.

When it can be shown to be in the best interests of the university, a staff member may be granted a “University Leave of Absence” without pay for a period up to one year from the last day of active service. Employees on a “University Leave of Absence” may continue to participate in the University’s benefit plans including medical and dental plans by paying the full cost. Retirement benefits stop while on leave without pay. However, the university may decide to terminate a staff member on a University Leave of Absence if there is a change to the University’s academic, administrative, and/or operational needs. Prior to termination, the University will provide an employee on a University Leave of Absence at least 30 days’ notice to return prior to termination.

12.12 OTHER LEAVE

Any approved paid absence not covered by one of the leave types described herein may be charged to annual leave.

12.13 HOLIDAY LEAVE

The university recognizes 12-13 paid holidays each fiscal year. Please refer to the [Holiday Schedule](#) on the Human Resources website for the specific days the university is closed each year.

Non-exempt full-time employees who are required to work on a university recognized holiday, receive holiday pay in addition to pay for any hours worked. Exempt employees who are required to work on a university recognized holiday may take an alternate day off during the same pay period. The date of the alternate day off must be approved by the employee’s supervisor and otherwise in accordance with Section 12.15 Alternative Time Off.

Holiday pay is provided to full-time staff who work or use paid leave the day before and the day after a paid holiday. Holiday pay is not provided for holidays that fall after the last actual working day. Generally, the effective date of separation may not be extended beyond the last actual working day (see “[Voluntary Separation](#)” section under [Termination](#)).

Holiday pay is not provided for holidays that fall during a short term medical leave or AU paid parental leave. Employees on unpaid FMLA leave may be paid for a holiday that falls within the approved FMLA leave period; if paid, the holiday does not extend the FMLA leave period.

12.14 LEAVE SHARE

Visit the University Policies to view the current [Leave Share Policy](#).

12.15 ALTERNATIVE TIME OFF

American University prohibits the accrual or awarding of compensatory leave (“comp time”) for work performed in excess of an employee’s normal work schedule. In accordance with federal and local law, non-exempt employees must report all hours worked on their time sheet. Non-exempt employees may request flexible scheduling options (e.g. flex time, compressed work weeks,

etc.) in accordance with the [Schedule and Work Modality Policy](#) following major projects, events, or emergencies which require additional effort beyond their regular schedules.

An exempt employee may request alternative time off from their supervisor following major projects, events, or emergencies which require additional effort beyond their regular schedules. The scheduling of such alternative time off will be evaluated based on the University's needs, the operational requirements of the department or unit, and job functions. Generally, alternative time off should occur during the same pay period the additional effort was made.

13.0 FAMILY AND MEDICAL LEAVES (FMLA) POLICIES*

The university offers faculty and staff members the opportunity to take unpaid leave for specific family or medical related issues and military-service related events, in compliance with the District of Columbia Family and Medical Leave Act of 1990, as amended, and the Federal Family and Medical Leave Act of 1993, as amended. See the [FMLA Policy](#) on the American University Policies page.

14.0 TABLE 1*

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		First Offense: Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid		Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		First Offense: Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Any Amount Of All Schedule V Drugs		First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

15.0 TABLE 2*

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
Hashish More than 10 kilograms	<p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
1 to 49 marijuana plants	
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

APPENDIX A: REVISIONS TO THIS MANUAL

Policy sections that do not have dates in the “Last Revised” column have not been revised since 1999.

Section	Policy Description	Last Revised
1.0	Foreword	
1.1	Mission of the University	07/20
1.2	Purpose of the Manual	
1.3	Affirmative Action	
1.4	Changes/Revisions	
2.0	Employment Policies	9/24
2.1	Definition of Full-time Employment	
2.2	Definition of Part-time Employment	
2.3	Immigration and Naturalization Service Requirements	
2.4	Employment of Family Members	
2.5	Employment of Students	9/24
2.6	Categories of Positions	
2.7	Job Posting	
2.8	Promotions, Transfers, and Demotions	9/24
2.9	Probation	9/24
2.10	Payment of Wages	9/24
2.11	Equal Employment Opportunity EEO Policies	9/24
2.12	Affirmative Action Program Policy	07/13
2.13	Discrimination and Sexual Harassment Policy	07/99
2.14	Americans with Disabilities Act Policy	9/24
2.15	Reporting Suspected Misconduct (Whistleblower Policy)	9/24
3.0	Personnel Records	
3.1	Records Management	
3.2	References	
4.0 – 4.6 replaced by Schedule and Work	Hours of Work	3/22
	University Schedule	3/22
	Work Schedule of Employees	3/22
	Flex Work Arrangement	3/22
	Participation in Educational Activities	3/22
	Attendance at University Classes	3/22

Section	Policy Description	Last Revised
Modality Policy	Conflict of Interest	3/22
4.7 (4.2 as of 3/22)	University Facility and Personnel Operating Status (Emergency Closing/Cancellation Procedures, Emergency Management and Continuity of Operations Plan, Departmental Emergency Operating Plans)	04/10
5.0	Compensation Program	03/14
5.1	Program Objectives	03/14
5.2	Responsibility for Program Administration	03/14
5.3	Elements of the Compensation Structure	03/14
5.4	Placement of Positions within the Compensation Structure	03/14
5.5	Overview of Salary Decision-Making Process	03/14
5.6	Special Salary Actions	03/14
5.7	Maintenance of the Compensation Structure	03/14
5.8	Communication of Salary Information	03/14
5.9	Compensation for Hours in Excess of Normal Work	03/14
5.10	Permissible Deductions from Exempt Employees' Pay	03/14
5.11	Relocation Reimbursement	05/09
6.0	Performance Management	03/14
6.1	Planning Performance	03/14
6.2	Managing Performance and Mid-Year Evaluation	03/14
6.3	Appraising Performance	03/14
6.4	Performance Improvement Plans	
6.5	Rewarding Performance	03/14
6.6	Development Plans	
6.7	Roles and Responsibilities	03/14
7.0	Disciplinary Policy	08/20
8.0	Termination	05/18
8.1	Separation Policies	05/18
8.3	Death	
8.4	Long-term Disability	
8.5	Separation While on Probation	
8.6	Involuntary Separation for Cause	
8.7	Appeals of Separation	08/20
8.8	Reorganization/Termination of University Funding	05/18

Section	Policy Description	Last Revised
8.9	Involuntary Separation of an Executive or Senior Staff	05/18
8.10	Externally Funded Positions – Terminal Appointments	05/18
8.11	Severance Pay Plan for Staff	05/18
8.12	Policy Interpretation	05/18
9.0	Complaint Policy and Procedure	10/12
9.1	Purpose	07/13
9.2	Policy	10/12
9.3	Informal Procedure	08/20
9.4	Formal Procedure	10/12
10.0	Personal Use of University Supplies, Equipment, Facilities	07/13
11.0	Policies on Health and Wellness	
11.1	Faculty and Staff Assistance Program (FSAP)	01/99
11.2	Emergency Loan Fund	
11.3	Acquired Immune Deficiency Syndrome (AIDS) Policy and Guidelines	
11.4	Alcohol and Drug Abuse Policy	05/05
11.5	Guidelines for Serving Alcohol at University Events	05/05
11.6	University Sanctions for Violations of Alcohol and Drug Abuse Policy	05/05
11.7	Smoking Policy	05/05
12.0	Leave Policies	
12.1	Annual Leave	05/05
12.2	Sick Leave	9/24
12.3	Employee Transfers: Leave Status	9/24
12.4	Leave Policies for Research and Special Projects	
12.5	Parental Leave	07/20
12.6	Workplace Assistance for Nursing Mothers	07/13
12.7	Bereavement Leave	09/24
12.8	Jury Duty	
12.9	Voting Leave	
12.10	Military Leave	09/24
12.11	Leave Without Pay	
12.12	Other Leave	
12.13	Holiday Leave	03/22
12.14	Leave Share	

Section	Policy Description	Last Revised
12.15	Alternative Time Off	
13.0	Family and Medical Leaves (FMLA) Policies	07/20
	Table 1	04/13
	Table 2	04/13