

Grievance of Termination

This policy provides terminated employees an opportunity to assert that his or her rights under University policy have been violated, and to seek review of same under this policy. It applies to all **regular** employees with the exception of **employees within their Introductory (Probationary) Period**; faculty, who should refer to the Faculty Handbook for grievance procedures.

This process does not apply to the following matters for which separate processes are otherwise established:

1. Matters involving sexual harassment; and
2. Matters involving discrimination or harassment based on race, color, national origin, age, sex, religion, disability, or sexual orientation.

ENHANCEMENT OF EMPLOYEE WHISTLEBLOWER PROTECTION

Employees working on federal, grant, or contract issued beginning July 1, 2013, are subject to the rights and remedies of the Program for Enhancement of Employee Whistleblower Protection. An employee of a contractor, subcontractor, grantee, or sub-grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for “whistleblowing”.

Whistleblowing is defined as making a disclosure that the employee reasonably believes is evidence of:

- Gross mismanagement of a federal contract or grant
- A gross waste of federal funds;
- An abuse of authority relating to a federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a federal contract or grant (including the competition for, or negotiation of, a contract or grant)

To qualify, the employee’s disclosure must be made to:

- The employee’s manager, an administrative or executive officer of the university, or the Office of Compliance;
- A court or grand jury;
- An official from the Department of Justice, or other law enforcement agency;
- A federal employee responsible for contract or grant oversight or management at the granting agency;
- The Government Accountability Office;
- An Inspector General;
- A member of Congress, or a representative of a Congressional committee.

An employee who believes that he or she has been subjected to prohibited reprisal may submit a complaint regarding the reprisal to the Inspector General of the agency that awarded the grant or contract.

Whistleblower protections cannot be waived by any agreement, policy, form, or condition of employment.

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EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at the University of Central Oklahoma. Employment and career advancement is based upon personal capabilities and professional qualifications without consideration of personal characteristics such as race, gender, or age. On February 19, 2013, the University adopted the following Equal Opportunity Statement:

“The University of Central Oklahoma (University) is committed to an inclusive educational and employment environment that provides equal opportunity and access to all qualified persons. The University will continue its policy of fair and equal employment and educational practices

without discrimination or harassment because of actual or perceived race, creed, color, religion, alienage or national origin, genetic information, ancestry, citizenship status, age, disability or handicap, gender, marital status, veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by applicable federal, state, or local law. Discrimination or harassment in violation of this policy should be reported to the Affirmative Action Officer (Office of Legal Counsel) in person at 114 Lillard Administration, or by phone at (405) 974-3377, or fax at (405) 974-3807. After office hours or on holidays, the report may be made by contacting University Police services at (405) 974-2345.”

Please note that “sexual orientation” and “gender identity or expression” are not protected personal characteristics under federal or state law, but were added to the Equal Opportunity Statement by the University.

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NON-HARASSMENT POLICY STATEMENT

The University of Central Oklahoma is committed to an inclusive employment environment that provides equal opportunity and access to all qualified persons. Therefore, it is the policy of the university to provide and maintain fair and equal employment practices. Discrimination or harassment because of race, creed, color, religion, alienage or national origin, genetic information, ancestry, citizenship status, age, disability or handicap, gender, marital status, veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by applicable federal, state, or local law, is prohibited.

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INITIATING COMPLAINTS OF DISCRIMINATION AND/OR HARASSMENT, INCLUDING SEXUAL HARASSMENT

Any employee (faculty, staff or student employee) or applicant for employment may initiate a complaint during normal office hours of 8:00 a.m.-5:00 p.m., Monday-Friday by contacting Employee Relations, ~~the Head of Human Resources,~~ or the Office of Legal Counsel as indicated below.

~~Carrie Irwin, Manager Employee Relations~~ **Erika Cerda, Director Employee Relations**
Employee Relations, Offices of Human Resources
Room 317D, Nigh University Center
100 N University Drive
Edmond, OK 73034
Phone: (405) 974-~~2327~~ **2932** or (405) 974-2366
Fax: (405) 974-3827
~~eirwin3@uco.edu~~ **ecerda@uco.edu**

~~Brad Morelli, Senior Legal Counsel~~
~~Office of Legal Counsel~~
~~Room 114, Lillard Administration Building~~
~~100 N. University Drive~~
~~Edmond, OK 73034~~
~~Phone: (405) 974-3377~~
~~Fax: (405) 974-3807~~
~~Email: bmorelli@uco.edu~~

Elizabeth H. Kerr, Legal Counsel
Office of Legal Counsel
Room 114, Lillard Administration Building
100 N. University Drive
Edmond, OK 73034
Phone: (405) 974-3377
Fax: (405) 974-3807

Email: ekerr@uco.edu

Adrienne Martinez, EEO/Title IX Coordinator
Office of Legal Counsel
Room 114, Lillard Administration Building
100 N University Drive
Edmond, OK 73034
Phone: (405) 974-3377
Fax: (405) 974-3807
Email: amartinez9@uco.edu

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ADA

Upon notice of an accommodation request or **otherwise recognized** need, a representative from the Offices of Human Resources will expeditiously meet with the employee and supervisor to discuss and identify the precise limitations resulting from the disability and the potential accommodation the University might make to help overcome those limitations

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PAY CHECK

In accordance with State procedures, payroll is only paid through direct deposit. All paystub information and benefit leave balances can be monitored through personalized, private UConnect accounts accessible from any computer on or off campus. Reductions in leave balances as a result of time off taken can be delayed ~~by as much as a month or two~~. It is an employee's responsibility to know his or her available leave balances to avoid overpayment of leave benefits. Questions regarding current leave balances should be directed to Payroll Services.

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EMPLOYEE CLASSIFICATION AND PAYROLL

Full-Time

An employee, exempt or non-exempt, who is regularly scheduled to work at least 30 hours each week, is considered full-time and is eligible for benefits. ~~For classification purposes~~ The standard working hours are typically a minimum of 6 hours per day, 5 days per week. ~~Exempt employees are classified as such if their job duties are exempt from the overtime provisions of the federal and State Wage and Hour laws.~~

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CALL-IN COMPENSATION (ADDED)

Compensation may occur when an hourly employee (deemed as essential, or not) is called in, called back, or otherwise expected to physically respond to work in response to an emergency or essential work situation directly related to his/her official duties and responsibilities per the [Call-In Compensation Policy](#).

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LEAVING EMPLOYMENT (ADDED TO “ESSENTIAL EMPLOYMENT POLICY STATEMENTS” SECTION)

Grievance of Termination

Initial Review

The Vice President ~~Administration~~ of Finance/CFO will review the submitted Grievance to evaluate whether he/she believes UCO policy has been, or may have been, violated. This may involve asking questions of the Complainant, his or her supervisor, the Office of Employee Relations in the Offices of Human Resources and the Office of Legal Counsel.

Within ten (10) calendar days of receipt, the Vice President ~~Administration~~ of Finance/CFO shall evaluate whether the Complainant has presented compelling reason to believe UCO policy was, or may have been, violated in the termination of the Complainant. The Vice President ~~Administration~~ of Finance/CFO will return a decision to the Office of Legal Counsel to either 1) forward the matter for hearing by a grievance committee, or 2) to dismiss the grievance on grounds that there is insufficient evidence from the Complainant to indicate UCO policy was violated, thereby ending the process.

In the event the matter is forwarded for hearing, the direct supervisor, further referenced here as the “Respondent,” will be contacted by the Office of Legal Counsel and requested to submit a written response within ten (10) calendar days to the Complainant, departmental director, Employee Relations, and the Office of Legal Counsel. The response shall also contain a witness list and/or any other supporting documentation or evidence.

Unless precluded by law, UCO may, at its discretion, informally resolve any grievance by stipulation, agreed settlement, consent order, or default. Informal agreements may be proposed to the Office of Legal Counsel at any time during the formal grievance process. The agreements must be made in writing and agreed upon by the Complainant and the President or designee of the University. The Office of Legal Counsel shall coordinate such agreements.

Requests for Extension

Requests by the Complainant, The Vice President ~~Administration~~ of Finance/CFO or Respondent for an extension from 10 calendar days up to 30 calendar days to submit the written grievance, decision, or response, respectively, will be considered for good cause only when the request is communicated in writing to Office of Legal Counsel. Such requests shall fully explain the reasons for the request for extension, and shall be received by the Office of Legal Counsel at least four (4) days prior to the expiration of the initial ten (10) calendar days. The Office of Legal Counsel may, at its discretion, grant the extension, or deny the request if good cause cannot be shown.

Confidentiality

The names of the parties and any witnesses or Grievance Committee members, all testimony and evidence, any determinations or conclusions, and any other information related to a grievance hearing

~~must~~ remains confidential. Both parties, any witnesses or advisors, the Grievance Committee, and other necessary officers of UCO shall maintain strict confidentiality with these matters.

Parties may submit written requests for a copy of the official recorded minutes to the Office of Legal Counsel. Copies also may be provided to other authorized representatives on a need-to-know basis.

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PERFORMANCE MANAGEMENT

~~The University promotes a system of planning goals and objectives, encouraging ongoing performance dialogue throughout the year between employees and supervisors, and closing the year with an evaluation process. Ongoing dialogue includes timely, specific feedback that includes early intervention when there is a gap in performance expectations, balanced with recognition and reinforcement of good performance.~~

PERIODIC PERFORMANCE REVIEWS

~~Depending on position and classification, the University of Central Oklahoma strives to review performance at least annually. An exception is tenured faculty members, who are evaluated triannually. This is accomplished by establishing personal goals, objectives and personal development in a planning document. The process is completed and brought to closure when the actual performance is documented and celebrated, by capturing accomplishments and rating results, during an evaluation/review phase some 12 months later. The document used for staff is referred to as an Individual Performance Plan (IPP).~~

~~Staff employees may receive a performance plan and evaluation (IPP) as part of the introduction process (also referred to as the probationary period). Following a successful introduction, an employee most likely will fall naturally into the annual cycle.~~

~~A positive performance evaluation does not guarantee an increase in salary, a promotion, or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and are at the discretion of management.~~

~~In addition to these formal performance evaluations, UCO encourages employees and supervisors discuss job performance on a frequent and ongoing basis.~~

The University encourages a high feedback environment that involves two-way interactions between employees and their supervisors. Supervisors, in particular, have a role in the success of their employees that includes early intervention when there is a gap in performance expectations, balanced with recognition and reinforcement of good or exemplary performance.

Positive performance is an expectation of all employees at the University and documentation of such does not guarantee advancement or continued employment. Compensation changes or any other terms or conditions of employment are determined by and are at the discretion of campus leadership. Employees are encouraged to discuss their professional goals and objectives with their supervisors as part of an interactive feedback process.

ADDRESSING UNACCEPTABLE PERFORMANCE OR BEHAVIOR ISSUES

Provisions

Listed are the levels of discussion and documentation, progressing in seriousness as needed, up to and including termination. The supervisor should communicate the specific variation(s) between expectation and actual performance. To the extent possible, the employee should be involved in determining the remedial initiatives required to bring about full compliance and/or acceptable performance to ensure employee agreement and acceptance of personal accountability.

- Correction Discussion
- Written Reminder
- Final Written Reminder
- Decision-Making Leave
- Termination of Employment

As with positive feedback, Counseling Discussions should be recorded with the date, a summary description of expectation vs. actual performance or behavior, and made a part of the employees next IPP.

Correcting and maintaining performance or behavior for a period of time will allow an employee to deactivate the corrective action documentation in his or her file. Deactivation is accomplished through neutralization. That is, electronic employee files don't permit "removing" the document, so documentation is neutralized (deactivated) by the employee requesting his or her current supervisor document the employee's performance/behavior now that the active duration period has expired. Below is the eligibility timeframe for neutralization.

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SERVICE AWARDS

Employees are regularly recognized and thanked for their service through honorable mention in the monthly employee newsletter. ~~Upon reaching 5 years of service employees are further recognized with a Certificate of Appreciation.~~ At 10 years of service, and with every 5 years of service thereafter, employees also select a personalized gift and enjoy a Celebration Reception in their honor.

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Retirement

Oklahoma Teachers' Retirement (OTRS) is **required** for ~~exempt or salaried employees~~ **all permanent full-time employees at the University of Central Oklahoma**. OTRS is **optional** for non-exempt, hourly employees working an average of 20 or more hours per week. The employee contributes 7% of the first \$10,000 of OTRS base wages, which includes cost of benefits paid by the University per fiscal year. UCO

contributes on OTRS base wages that exceed \$10,000 per fiscal year. Eligibility for participation with 100% vesting begins on the first day of employment.

Retirement benefits for those with at least 10 years of service may include, but are not necessarily limited to:

- University-paid UCO Wellness Center Membership
- Non-expiring parking permit
- Retiree/Emeritus Campus ID
- UCO Library Privileges

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Leave Share

~~The University funds and offers a Leave Share Program for employees who have exhausted all annual leave and sick leave due to illness, injury, impairment, physical or mental condition, which is of an extraordinary or severe nature that involves the employee or a related person of the employee.~~

~~Full-time active employees with 80 hours of sick leave accrued and at least one year of service will be enrolled in the Leave Share Program each year in the month of January. Those participating in the program must have on-going sick leave balance of at least (80) hours immediately prior to the hardship caused by a severe illness or injury. This will allow participation in the program for the calendar year should the need arise.~~

~~Employees must be employed a minimum of twelve (12) consecutive months to be able to participate in the program. Those wishing to participate, but have not been employed 12 months, will be enrolled in the month of their first anniversary if they have 80 hours of sick leave accrued.~~

The University funds and offers a Leave Share Program to alleviate hardship and bridge the financial gap for employees who have exhausted their leave (including vacation and compensatory time) due to a hardship caused by a severe or extraordinary illness or injury.

1. Full-time active employees with 80 hours of sick leave accrued and at least one year of service will be enrolled in the Leave Share Program each year in the month of January. Those participating in the program must have on-going sick leave balance of at least (80) hours immediately prior to the hardship caused by a severe illness or injury. This will allow participation in the program for the calendar year should the need arise.
2. Employee has exhausted, or will exhaust all annual leave and sick leave due to illness, injury, impairment, physical or mental condition, which is of an extraordinary or severe nature, and involves the employee or a related person of the employee. To receive Leave Share for the care of a related person, an appropriate licensed medical professional's statement must be submitted to the Human Resources Office documenting the employee as the primary caregiver.
3. Employee must be off work for at least two (2) weeks, whether paid or unpaid, prior to application for Leave Share.
4. Employee's injury or illness is not covered by the Oklahoma Workers' Compensation System.
5. Leave Share ends when the employee (or their related person) has been released by an appropriate licensed medical care professional's statement, death, or the employee has been on leave for three (3) months, whichever comes first.
6. Leave Share will run concurrently with the Family Medical Leave Act. Employees will

contact the Human Resources Office to complete FMLA forms.

- 7. If Leave Share is requested more than once during a 12-month period measured backward from the date an employee uses any Leave Share, the Leave Share committee will review the request and make a judgment based on their findings. Regardless, a maximum of three (3) months full pay is available in any twelve (12) month period.
- 8. Approval or denial of Leave Share is final and is not subject to any appeal, grievance or arbitration procedure applicable to employees.

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Employee Assistance Program (EAP)

~~Mersey EAP is a confidential program offered to employees and eligible dependents, as part of contracted services through an outside provider. Everyone needs extra support at times. Life presents challenges in many different forms, be it caring for an ailing loved one, alcohol or drug misuse, troubled relationships, worry over a child's behavior, need for financial counseling, etc. It is at these times that advice from a caring, professional counselor can make all the difference. Counselors are available 24 hours a day, seven days a week. The EAP coordinates with UCO benefits and insurance providers when referrals are needed for extended counseling, medication, etc~~

Deer Oaks EAP is a confidential program offered to employees, dependents and household members as part of contracted services through an outside provider. Everyone needs extra support at times. Life presents challenges in many different forms, be it caring for an ailing loved one, alcohol or drug misuse, troubled relationships, worry over a child's behavior, need for financial counseling, etc. It is at these times that advice from a caring, professional counselor can make all the difference. Counselors are available nationwide 24 hours a day, seven days a week. The EAP coordinates with UCO benefits and insurance providers when referrals are needed for extended counseling, medication, etc.

Deer Oaks work/life specialists provide a concierge service that can assist with identifying resources for a wide variety of providers or services. Additional legal, financial planning, and identity theft recovery support is available at no to reduced charge.

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FAMILY POSITIVE WORK ENVIRONMENT (ADD)

LACTATION SUPPORT

UCO has been recognized as a **Breastfeeding Friendly Worksite – Gold Star Employer** by the Oklahoma State Department of Health, the Coalition of Oklahoma Breastfeeding Advocates, and the Oklahoma Healthy Birth Alliance. UCO provides designated lactation areas on campus for faculty, staff, and students. Each location offers a clean, comfortable, and private environment for nursing parents to express their breast milk during their time on campus. Please visit our Worksite Lactation Policy for additional information.

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VACATION

- 15 days - 1st – 3rd year (pro-rated 1st year, eligible to take after 6 months)
- 16 days - 4th year
- 17 days - 5th year
- 18 days - 6th year

- 19 days - 7th year
- 20 days - 8th – 10th year
- 21 days - 11th – 14th year
- 22 days - 15th year and beyond

Any compensatory time balance must be exhausted before using vacation leave ~~unless~~ **even if** this action will result in a loss of vacation leave due to the maximum accrual. See complete policy for specific, length of service maximums. Note: Executive level accruals will vary from this schedule.

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PERSONAL LEAVE

- Reduces sick leave accrual
- Up to 40 hours, or 5 days per ~~calendar year~~ **fiscal year**
- Used for events which only the employee can attend to such as, last minute repair needs; child’s school; closing on the purchase or sale of a home; etc.

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OTHER BENEFITS AND PERKS AS A UCO EMPLOYEE

- Tuition assistance (that can be used by the employee or eligible dependents)
- Customizable learning and training tracks through Professional Education
- ~~Products and services discounts through UCO’S dedicated Smart Savings Marketplace website~~
- Discounted admission to most UCO athletic games
- University-paid UCO Wellness Center membership
- UCO Library Privileges
- University-paid parking
- Barnes & Noble Bookstore (employee discounts)
- Post Office
- Print Shop
- Banking facilities
- Central Tech Store (Apple Authorized Reseller; **employee discounts**)
- ~~Discounts on Apple and Dell products~~
- Free *New York Times* and *VISTA* newspapers
- Free University-paid** anti-virus software for home and office use
- Access to meal plans and “flex” dollars for savings at on-campus eating establishments
- Special order “take home” dinners from on-campus catering
- Additional UCO Perks and Discounts can be found [here](#)**

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~~MERCY CLINIC AT UCO~~ **OU PHYSICIANS AT UCO**

~~Located in the Wellness Center, Mercy at UCO is a medical facility where students, employees and the surrounding community can access medical care. Services include diagnostic x rays, lab and access to Mercy's comprehensive electronic health record.~~

Located in the Wellness Center, OU Physicians Health & Wellness Clinic at UCO is a medical facility where students, employees and the surrounding community can access medical care. Services include immunizations, annual wellness exams, sports physicals among other services.

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BUM-A-BIKE PROGRAM

Employees can be a part of the nationally recognized Bum-A-Bike program. UCO's sturdy Bronze and Blue cruisers are available at no charge with a UCO ID through a simple check-out ~~at the on-campus Cycology bike maintenance shop~~ [at Parking & Transportation Services \(NUC 309A\) Monday – Friday, 8am -5pm](#). These bikes are a great way to get exercise, improve health, and get from one place to another, both on and off campus! Bikes are checked out for two weeks at a time and then returned for a safety check. Bum-A-Bikes can continue to be checked out for as long as they are available.

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STAY GET CONNECTED

Information and access is but a click away! Below are links to sites of personalized information like UConnnect, ~~the Individual Performance Plan (IPP)~~, and the Learning Center. Remaining links and information further demonstrate UCO's commitment to provide access and otherwise stay in contact with employees to receive input, and deliver the latest information about what's happening around campus.

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~~WIKI CENTRAL~~

MANAGER'S TOOLKIT

~~Wiki Central is the name for our wiki system at UCO. Wikis are becoming more and more commonplace in both education sectors and the business environment. Many users feel that wiki spaces actively promote collaboration by centralizing information. With traditional e-mail, information is exchanged back and forth and never really collected in one space. With a traditional website only a select few have the access to update information, causing a delay between decisions and information exchange. Wikis can help to solve both of these issues by allowing any user to update, edit or create content. The other users can then see the changes and have access to the most current information.~~

Human Resources has developed the Management Toolkit for those who supervise others. Our goal is to give you anytime access to information and resources we hope you find helpful in supervising

faculty, staff and/or student employees. In the Content section you will find information related to:

- Hiring - updating and posting job descriptions; setting up a search committee; learning the dos and don'ts of interviewing.
 - Processing changes for current employees - adding or changing duties; promotions; salary changes.
 - Identifying professional development and training opportunities for you and your employees.
 - Dealing with extended absences - illnesses; maternity; FMLA; unpaid leaves of absence; income protection pay; leave share.
 - Addressing employee relations issues in need of your attention and correction.
 - Gaining ideas and support from HR in recognizing, reinforcing and rewarding good performance.
 - Performance management - creating goals and objectives; options for completing assessments/evaluations; recording annual ratings.
 - Records management - information on document storage requirements.
- The Management Toolkit is located in D2L, and can be found at learn.uco.edu.

UCO SMARTSAVINGS MARKETPLACE

~~Employees can easily gain access to exclusive discounts from thousands of top brands. New discounts are added daily and live customer care support is available if you have any questions.~~

~~To get started, log on to Smart Savings Marketplace to create an individual account. The username is "UofCenOK1" and the password is "Marketplace1". Once you've created your personal login, you will be able to create your own favorites list from hundreds of participating merchants.~~

~~<https://smartsavings.motivano.com/login.aspx>~~

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INDIVIDUAL PERFORMANCE PLAN

~~<https://jobs.uco.edu/hr> — IPP is the acronym for Individual Performance Plan, the official employee evaluation tool used by UCO. This is the document that an employee and his or her supervisor should annually create to establish an employee's goals, objectives, and development for the upcoming year. It is finalized with an assessment of the employee's performance at year end. It is only one tool of the University's overall performance management system. In summary, the purpose of the IPP is to:~~

- ~~• Provide direction (what do you want me to do?)~~
- ~~• Describe purpose and meaning (how do I fit in?)~~
- ~~• Establish accountability (what gets measured gets done!)~~
- ~~• Support personal growth, learning, and career aspirations~~
- ~~• Celebrate and recognize success (annual acknowledgement)~~
- ~~• Provide a place to "file" Corrective Actions (annual acknowledgement)~~
- ~~• Identify those to consider for rewards, promotions, transfers, increases~~

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