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II. Introduction

Section 2.01 Mission Statement

The University of the Virgin Islands is a learner-centered institution dedicated to the success of its students and committed to enhancing the lives of the people of the U.S. Virgin Islands and wider Caribbean through excellent teaching, innovative research and responsive community service.

Section 2.02 Seven Management Values

The seven management values enumerated are expected to serve as the framework within which we deliver programs and services as well as address challenges and embrace the opportunities.

1. High performance Institution with a focus on Quality (Time and quality are our greatest assets).

2. Service Oriented. (Recognize that our ultimate client is the student.)

3. Uncompromised Integrity (Our individual and collective integrity are never compromised.)

4. Informed decision making. (Decisions are made in a thoughtful, reflective, data-informed, and transparent manner).

5. Fiscal responsibility. (Care in the management and growth of resources).

6. Performance assessment. (Individual and Unit performance are regularly evaluated and assessed based on articulated goals and objectives and a system of rewards is established.)

7. Emotional and spiritual health. (The emotional and spiritual well-being of individuals is nurtured.)

Section 2.03 Applicability

This Human Resources Policy Manual outlines the rights of all employees of the University of the Virgin Islands.

The Human Resources Policy Manual language will be interpreted consistently with the Faculty Policy Manual and all other University policies.

Section 2.04 Human Resources Office's Roles and Responsibilities

The Human Resources Office's responsibility is to fulfill the University of the Virgin Islands' ("University") overall mission ethically and in compliance with applicable laws, policies, regulations, and rules as an equal opportunity employer designation. Accordingly, the University is committed to hiring and retaining the highest qualified individuals and ensuring all employees are treated fairly and consistently in compliance with these policy and procedures.

All administrators, faculty and staff of the University have a responsibility to support and enhance the mission of the University, to ensure it fulfills legal and equal employment obligation to internal and external stakeholders, to safeguard the University's financial, human, information and physical assets, and to faithfully honor all its obligations as a public trust.

III. Staff Personnel Policies

Section 3.01 Employee Rights; University's Obligations; Anti-discrimination Policy; Affirmative Action Policy

The University of the Virgin Islands is committed to assuring that its workplace is free from unlawful discrimination and harassment based upon race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation (including gender identity), status as a U.S. veteran (disabled, Vietnam or other), or any other status protected by University policy, local or federal law.

The University of the Virgin Islands reaffirms and emphasizes its commitment to provide a professional working and learning environment that is fair and responsible; that supports and nurtures educational and employment growth on the basis of relevant factors, such as ability and performance; and that is free of unlawful discriminatory, inappropriate, and disrespectful conduct or communication. The University will not tolerate unlawful discrimination or harassment and is committed to preventing it or stopping it whenever it may occur at the University or in its programs.

The policy applies to employees, students, visitors, applicants, or program participants at the University of the Virgin Islands. Respect is the foundation for interchange of ideas, for learning and for working toward common goals. Further, unlawful discrimination and harassment impede the realization of the University's vision of distinction in education, scholarship, and service, and diminish the whole community.

Unlawful Discrimination

The University of the Virgin Islands prohibits unlawful discrimination, which can include disparate treatment directed toward an individual, or group of individuals, based on race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation (including gender identity), status as a U.S Veteran (disabled, Vietnam, or other), or other protected class, that adversely affects an employee's employment.

Harassment

The University of the Virgin Islands also prohibits harassment, which can be a form of unlawful discrimination, if it is unwelcome and is sufficiently severe or pervasive so as to substantially interfere with a person's work or education. Harassment may include, but is not limited to, threats, physical contact or violence, pranks, jokes, epithets, derogatory comments, vandalism, or verbal, or written conduct directed at an individual or individuals because of their race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation (including gender identity), or U.S. veteran status. Even if actions are not directed at specific persons, a hostile environment may be created when the conduct is sufficiently severe, pervasive or persistent so as to unreasonably interfere with or limit the ability of an individual to work, study, or otherwise to participate in activities of the University.

It is the University's goal to prevent the occurrence of unlawful discriminatory and harassing activity and to promptly stop such conduct when it occurs. While grounded in local or federal non-discrimination laws, this policy may cover those activities which, although not severe, persistent, or pervasive enough to meet the legal definition of harassment, are inappropriate and unjustified in an educational or work environment. A determination as to whether discrimination or harassment has occurred will be based upon the context in which the alleged conduct occurs.

Retaliation

Retaliation against an individual for making a complaint of unlawful discrimination or harassment, or for otherwise using or participating in the informal or formal complaint resolution process, is a violation of University policy and federal law. Any such action is cause for disciplinary action up to and including dismissal.

Section 3.02 Americans with Disabilities Act Policy

Discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, and compensation, job training and other terms, conditions and privileges of employment, is prohibited by the Americans with Disabilities Act (ADA).

The University is committed to making reasonable accommodations for qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in which they have been hired, or for which they have applied.

The University recognizes responsibility for providing all disabled employees equal or equivalent access to all benefits of employment in an integrated setting that would

be available to a similarly situated employee, unless doing so would pose an "undue hardship" upon the institution.

The ADA applies to all employees regardless of employment classification:

(1) To ensure compliance with the Americans with Disabilities Act,
(2) To ensure that the employment and promotion system is free from discrimination based on disability,
(3) To address reasonable accommodation requests and make appropriate decisions regarding undue hardship.

Section 3.03 Child Labor Regulations

It is the policy of the University to conform with existing local and federal laws and regulations regarding the employment of children.

Children of certain ages are restricted from holding some jobs. A child under 14 years of age shall NOT be employed with or without compensation. Individuals between the ages of 14 and 16 must submit a "work permit" as issued by the appropriate school official and/or government agency. Individuals between the ages of 16 and 18 must submit a "certification of age" as issued by the appropriate school official and/or government agency, which will be verified by the University.

Section 3.04 Conflict of Interest and Disclosure Policy

The University recognizes that an employee may have an obligation to the University and an external entity which may restrict or impair the employee's ability to perform.

All University employees or those authorized to act on behalf of the University who engage in outside work-related activities will provide annual disclosures to the Human Resources Office in accordance with Virgin Islands law and federal regulations.

The University Conflict of Interest and Disclosure Policy governs the disclosure and management of conflicts of interest relating to the primary responsibilities of University employees.

Section 3.05 Consulting

The University recognizes that appropriate consulting and other outside employment activities can be beneficial to the University, the U. S. Virgin Islands, and the Caribbean Region and to University personnel.

All regular full-time University personnel are eligible to engage in consultancy activities unless the provisions of a specific contract states otherwise the consultancy would interfere or conflict with the employee's responsibility to the University.

Section 3.06 Diversity

The University is committed to respecting human diversity and encourages the conduct, behavior, use of language and illustrations which create an environment of individual rights and the equal dignity and worth of all human beings. The use of demeaning language and illustrations, attitudes, assumptions and stereotypes or overlooking certain populations, other than for academic instruction or relevant training, is prohibited.

All University personnel conduct, oral or written publications and communication, shall use language and illustrations that are inclusive and diverse. Every attempt should be made to comprehensively include all groups in the community. Whenever possible, selection of materials will also reflect efforts to uphold this University policy.

Section 3.07 Employee Records

The Human Resources Office is the University's official custodian of personnel records and files.

The official personnel files for all staff and faculty, including part-time and temporary personnel, shall include all original documents and will be maintained in the Human Resources Office.

A working file may be maintained in a secured area of the department to which the employee is assigned. The working file shall contain only copies of documents relating to and supporting the employee's position.

Employees may review or request a copy of all or a portion of their personnel files upon submission of a written request to the Human Resources Office. Information contained in an employee's personnel file shall not be disclosed without the employee's written consent or an authorized release, except in cases where personnel records must be provided as required by law.

Section 3.08 Intellectual Property

The University seeks, as its primary mission, the intellectual development of its faculty, staff and students.

The University shall disseminate pertinent rules of copyright and fair use of copyrighted material to University personnel. The University and its employees and students shall ensure the protection of artistic property rights in employment and performance contracts and in releases.

The University maintains a strategic planning process, and the intellectual property policy shall be aligned with the current strategic plan and its implementation process.

Section 3.09 Nepotism/Employment of Relatives

Employment of an immediate family member in a position where his/her personal or familial interests could conflict with the interests of the University is prohibited. An employee shall not be placed in a position where he/she will fall under the direct supervision or jurisdiction of an immediate family member. This prohibition shall also apply to those persons who live in the same residence as the employee and maintain an intimate personal relationship with the employee.

Immediate family member is defined to mean father, mother, son, daughter, brother, sister, uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister or stepbrother.

"Employment" refers to any situation in which a University employee would be responsible for supervision of a relative's work, for the salary determination, promotion or demotion of a relative, or such duties or authority over a person who lives in the same residence and maintains an intimate personal relationship with the employee.

Notwithstanding the paragraph above on Employee Records, personnel files may be requested and reviewed by the President, the employee's component head, immediate manager or supervisor in matters of hiring, discipline and job performance.

Section 3.10 Sexual Harassment

The University of the Virgin Islands is committed to uncompromised integrity and to doing all within its power to ensure a working environment that is inclusive and respectful of diversity and which promotes intellectual growth and development, and supports the academic pursuits of faculty, students and staff. It is critically important that we create a safe and supportive environment for all students, employees and visitors. We must always be mindful of our responsibilities to others and ensure that there are clear guidelines for the resolution of concerns and complaints. Sexual harassment in the workplace is unacceptable and will not be tolerated in any form. It is our goal to build on the positive environment that exists at the University of the Virgin Islands and ensure that it remains a safe and inviting place to study, work and meet.

This policy applies to all members of the University community in both on- and off-campus sponsored events and activities. Members of the University community are encouraged to promptly report observance of and/or complaints about sexual harassment, sexual misconduct, and unlawful sexual contact to any of the following: supervisor or manager; Title IX Coordinator; EEO Officer; Human Resources official; or other University administrator/official. Persons found to be in violation of this policy shall be subject to a transfer and may face disciplinary action which may include, but is not limited to written warning, demotion, suspension, expulsion, dismissal or termination. (See full Sexual Harassment Policy)

Section 3.11 Termination of Employment

The means by which an employee's employment may terminate with the University are: voluntarily resignation, retirement, job abandonment, a reduction-in-force, non-issuance of a new contract, involuntary dismissal for disciplinary reasons or death. This policy applies to voluntary and involuntary separations.

Voluntary Separations

An employee may resign his or her position at any time by providing written notice to his or her Department Head.

Regular full-time employees who wish to resign from the University in good standing are required to give a minimum of ten (10) working days' notice.

Profession, Administrative/Managerial and Executive employees are required to give a minimum of thirty (30) calendar days' notice.

Involuntary Separations

Employees who fail to perform at acceptable standards, or who violate University policy may be terminated for cause. Non-probationary employees who are terminated under this provision are entitled to due process and may appeal their dismissal under the established procedural guidelines. (See Appeal Procedures)

Non-Issuance of a Renewal Contract

Upon the recommendation of the Department and Component Heads, the President may approve or disapprove the issuance of any employment contract. The non-issuance of a new contract (or non-renewal of a contract) shall not be considered a termination for cause and therefore, does not require that the employee be informed of a reason why a new contract is not being issued.

In cases of non-issuance of contracts, not performance related, the University will provide at least 30 days' notice for professional and non-exempt staff. Executive and Administrative categories will be provided with at least 60 days' notice.

Employment contracts may be renewed upon the department head and/or component head issuance of a favorable recommendation to the President (with the exception of tenured faculty members). However, employees have no entitlements, either expressed or implied, to continued employment beyond the end date stated in their current contracts.

Reduction-In-Force

A reduction-in-force may be necessary when a position, or group of positions, must be eliminated because of lack of work or funds. Employees who are separated in a reduction-in-force action may receive preference in rehiring should a position for which they are qualified opens within one year thereafter.

Job Abandonment

Employees who are absent from work for five (5) or more consecutive days without authorized leave will be considered as having voluntarily abandoned their jobs. The University will officially terminate the employee at the end of the fifth day of such unauthorized absence, except upon the employee's showing of extraordinary circumstances, the acceptance of which extraordinary circumstance is in the sole discretion of the University. Employees who are terminated under such circumstances are not eligible to be rehired. Any and all accrued leave or earned compensatory time will be paid to such terminated employee, minus any financial obligations owed to the University. There is no right of appeal for an employee who is terminated due to job abandonment.

Records of Appointment Expirations

No person may be maintained as an employee of the University without a current Record of Appointment.

Severance Pay

Non-probationary employees involuntarily separated by the University for other than cause will be given a minimum of 30 days' notice of termination. If less than 30 days' notice is provided, at the discretion of the University and subject to the availability of funds, a severance payment may be given according to the schedule below.

The severance pay schedule is as follows:

Continuous Service	**Weeks of Pay**
One Year or Less	2
One+ Years	4
Two+ Years	6
Three+ Years	8
Four+ Years	10
Five+ Years	12

Section 3.12 Death of an Employee

In the event of the death of an employee, his or her employment will be considered terminated as of the date of death. The Human Resources Office will process the terminal compensation for unpaid salaries as well as owed and accrued annual leave and any earned compensatory time, which shall complete the financial obligation of the University for all employees in the Professional or Non-exempt employment categories. The final financial obligations will be administered by the Director of Benefits for employees of the Executive, Faculty, and Administrative categories in accordance with applicable policies.

Procedures in the Event of Death

Realizing that the death of an employee brings certain hardships to the family, the University has provided this procedure to accomplish as quickly as possible those actions it believes are necessary at the time of death.

Notification

When an employee dies, it is the responsibility of the Department Head to obtain as much of the following information as possible and relay it immediately to the Human Resources Office:

1. Name of deceased
2. Date of death
3. Last day worked
4. Name and address of next of kin

Upon receipt of this information from the Department Head, the Human Resources Office will initiate the appropriate termination processes, including the preparation and routing of a Termination Clearance Form, and preparation of payroll information documents.

Settlement of Accounts

The following payments are to be made to the next of kin where allowed by law:

1. Wage or salary through the payroll period in which death occurred,
2. Vacation earned but not taken through the date of death,
3. Any other amounts due the deceased employee

When there is an administration of the employee's estate, a short form of the court order certifying the appointment and a qualification of the executor or administrator of the estate must be obtained. In such cases, the payments listed above are to be made to the executor or administrator as required by law.

Items of indebtedness to the University will be deducted from any monies due to the employee.

Payment of Final Check

Final payment shall be made to the next of kin upon presentation of the following documents:

1. A certified copy of the death certificate,
2. Evidence of relationship to the deceased, e.g. marriage certificate.

In addition, the beneficiary shall be required to sign an affidavit declaring his or her relationship to the deceased.

Upon receipt of the final Payroll Advice Form from the Human Resources Department, the Payroll Department shall process the final check made payable to the deceased. The final check will be released to the beneficiary upon presentation of the appropriate documentation.

Death Benefit

In the event of the death of an employee in the Executive, Administrative/Managerial, Teaching Faculty or Research Faculty employment category, the University will pay a death benefit amounting to three-fifths (3/5) of the employee's annual base salary to his or her surviving spouse or legal heir. This payment will complete the financial obligations of the University under his or her contract.

IV. General University Policies

Section 4.01 University Property and Facilities

University property, grounds and facilities, equipment and supplies are to be used primarily for University purposes of teaching, research and service. Employees must obtain proper authorization for personal use of University grounds, facilities, equipment or supplies. (See Acceptable Use Policy)

Prior expressed permission of an authorized official of the University must be secured by an employee before making personal use of University property, grounds, facilities, or equipment is allowed. University property, grounds, facilities or equipment may not be loaned or borrowed for personal reasons. The abuse, misuse or misappropriation of University equipment and supplies can lead to disciplinary action, up to and including dismissal.

University Stationary

Use of University stationery and University-paid postage for unofficial purposes is prohibited and can lead to serious consequences. All such letters written on official stationery or non-University business items mailed at the University's expense will be considered as a violation of this policy.

University Keys

Keys issued to an employee remain the property of the University. Under no circumstances are such keys to be duplicated or loaned to anyone. If additional keys, such as residence keys, are necessary, a proper request must be filed with the Physical Plant Department and a second set of keys will be issued at no cost. Loss of a key(s) could result in a charge to the employee.

Section 4.02 Solicitation on Campus

Purpose

The purpose of this policy is to maintain a professional and productive work environment by limiting solicitation and distribution activities that interfere with University operations or employees' work responsibilities, while preserving employees' rights to engage in communications and activities protected by applicable law, including rights protected under Section 7 of the National Labor Relations Act.

Policy

Authorized campus advertisements or notices are to be posted on designated bulletin boards or through approved University communication channels.

Private persons, groups or outside agents must obtain the express permission from the President (or his or her designee) to solicit on the campus of the University or via its technology facilities, or to post signs on the campus of the University. The solicitation of employees or distribution of non-business literature on University property by non-employees is prohibited unless expressly authorized by the University.

Employees should not engage in any personal solicitation using University property either while on or off duty. Employees may not engage in non-business solicitation of other employees during working time, nor distribute non-business literature during working time or at any time in working areas. Employees may not use University property, facilities, technology systems, or contact lists to solicit employees or students for personal or non-University purposes, unless expressly authorized.

Duly authorized University representatives will be appointed to solicit contributions for community organizations (e.g., Red Cross, Boy Scouts and United Way) and other similar non-profit civic organizations. Such solicitations shall be conducted in a manner consistent with this policy.

Employees are encouraged to contribute voluntarily to the organizations of their choice. Participation in any authorized solicitation is strictly voluntary, and no employee shall be pressured or coerced to contribute.

For purposes of this policy, "working time" means time during which an employee is engaged in or required to perform assigned work duties, excluding meal periods and break periods. "Working areas" are locations where employees perform work, excluding areas such as cafeterias, break rooms, and parking lots.

Nothing in this policy is intended to interfere with, restrain, or prohibit employees from exercising rights protected under Section 7 of the National Labor Relations Act, including the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, or to engage in other lawful concerted activities for the purpose of mutual aid or protection. This policy is not intended to restrict communications or actions protected or required by law, nor the rights of recognized or certified bargaining representatives under any applicable collective bargaining agreement.

Section 4.03 Political Activities

University employees are prohibited from holding an elective public office in the local or federal government. University employees may not take an active part in a political campaign, or engage in soliciting contributions or services for, or publicly endorsing any candidate for any elected public office while on duty or during any period in which University compensation is received. (This does not prohibit employees from affiliating with or supporting a political party, voting for political candidates, expressing political views privately or attending political meetings in their personal capacities). No University property or identifiable resources should be used for the support of political activities.

Political Leave requests for thirty (30) days or less must be approved by the Department Head. Political Leaves requests exceeding thirty (30) days must be approved by the Component Head and the President.

Employees performing duties in connection with federally funded activities are prohibited under the Hatch Act from using official authority to influence elections or nominations for public office, from soliciting others to make political contributions and from participating actively in political management and campaigns.

Section 4.04 Outside Employment

Purpose

The purpose of this policy is to ensure that the University of the Virgin Islands remains each full-time employee's primary employer; to promote transparency regarding outside employment; to prevent conflicts of interest; and to ensure that outside activities do not interfere with the efficient performance of University duties, institutional effectiveness, or the delivery of the University's educational mission and services.

Policy

The University is considered to be the primary employer for regular, full-time employment. A full-time position with the University must be the employee's primary job. No employee shall engage in any paid employment that interferes with the efficient performance of his or her duties or that presents a conflict of interest to with his or her employment with the University.

Hiring, retaining, and fully utilizing qualified personnel is a high priority for the University. Therefore, it is essential that each employee be present, effective, and completely committed to his or her assigned roles and responsibilities. Outside employment by any employee of the University should not compromise the overall

effectiveness of the University in providing optimal educational experience for students or providing services to its clients. Outside employment, self-employment, consulting, or similar undertakings must not impair, interfere with, or reasonably appear to impair or interfere with the employee's University duties, work schedule, availability, or performance.

All employees are required to complete the University's Conflict-of-Interest disclosure annually, and as otherwise required, using the designated electronic system.

It is the employee's responsibility to provide sufficient information to enable the University to determine whether the outside activity will impair or interfere with the performance of the employee's University duties.

Failure to provide timely notice of outside employment, or failure to provide accurate and complete information regarding the nature of such employment, may result in disciplinary action, up to and including termination of employment.

Note: Individuals who are employed by the University cannot be simultaneously engaged by the University as an independent contractor or consultant.

Section 4.05 Gifts and Gratuities

Gifts and gratuities to employees from any entity or person with whom the University has an official relationship shall be a breach of ethical standards. Offers in the form of a gratuity of any kind, to employees of the University are prohibited, except nominal gifts with a market value of $20.00 or less, aggregating to no more than $50.00 per year. Decisions made at and for the best interests of those in the University community should be made free of undue influence. (See Financial Policies)

Gifts, in this context, will be interpreted to include, but are not limited to: rendering of money, property, services, discount, loan forgiveness, payment of indebtedness, or anything else of value in return for which legal consideration of equal or greater value is not given and received. All employees should guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion.

Section 4.06 Smoking

Purpose:

The purpose of this policy is to protect the health, safety, and comfort of the University community by reducing exposure to second-hand smoke, to comply with the Virgin Islands Smoke-Free Act (Title 19, Chapter 53A, V.I. Code), and to clarify smoking-related expectations for students, employees, visitors, and contractors. Research findings show that nicotine and tobacco use, including smoking, vaping, and exposure to second-hand smoke, can lead to negative effects on the body, including but not limited to the brain, heart, and lungs. In addition to causing direct health concerns, smoking or inhaling any tobacco or other smoking product may contribute to institutional costs, including the potential for fire damage, cleaning and maintenance costs, and costs associated with employee absenteeism, health care, and medical insurance.

The University prohibits smoking and the use of tobacco products and/or electronic smoking devices on all enclosed University property, including administrative offices, faculty offices, classrooms, residence halls, laboratories, indoor theaters, indoor common areas, and all University-owned or University-leased vehicles. The prohibition also applies to any outdoor service or waiting line and within twenty (20) feet of any building entrance, exit, window, ventilation intake, or outdoor public transportation shelter located on University property.

For purposes of this policy, prohibited behaviours and products shall include the following:

1. Smoking and vaping: the act of inhaling, exhaling, burning, heating, or carrying any lighted, heated, or vaporized plant product, device, or synthetic substance intended for inhalation-including conventional cigarettes, cigars, pipes, water pipes/hookahs, and marijuana (natural or synthetic).

2. Electronic smoking devices: The use of any electronic nicotine delivery system (ENDS), electronic cigarettes, vape pens, vaporizers, or battery powered devices that creates an aerosol or vapor, regardless of whether they contain nicotine.

3. Tobacco products: Any product containing, made, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, or ingested (including smokeless tobacco, chew, snuff, and snus).

Smoking, vaping, and/or the use of tobacco products or electronic smoking devices is permitted only in outdoor University areas beyond a minimum twenty (20)-foot perimeter from enclosed buildings, covered walkways, and service or waiting lines, provided that smoke does not migrate into areas where smoking is prohibited under the Virgin Islands Smoke-Free Act (V.I. Code tit. 19, § 1483) and in accordance with applicable exceptions (V.I. Code tit. 19, § 1484).

Employees who violate this policy are subject to disciplinary action in accordance with applicable University policies and procedures. Visitors and contractors who fail to comply may be asked to leave University property.

This policy is intended to comply with and implement the Virgin Islands Smoke-Free Act (Title 19, Chapter 53A, V.I. Code), as amended, including all relevant definitions, prohibitions, and exceptions set forth therein.

Section 4.07 Possession of Firearms/Weapons

The University of the Virgin Islands is committed to maintaining an environment that is free of violence. This obligation includes eliminating recognized hazards from the campus community that contribute to violence or serious harm.

The possession, wearing, carrying, transporting, or use of a firearm, ammunition or other dangerous weapon is strictly forbidden on University owned or controlled premises or vehicles except by authorized to sworn peace officers of the University [as defined in V. I. Code] and by local or federal law enforcement officers. This prohibition also extends to any person who may have acquired a government-issued permit or license to carry a weapon or firearm except as outlined in the policy.

The University recognizes an Officer may, but is not required, to carry a firearm while off duty. Sworn peace officers who desire to carry a firearm off-duty while on campus shall conceal the firearm when in plain clothes; if in uniform the badge must be prominently displayed. If requested by the University, the sworn peace officers must provide proof of permission by the Commissioner or his designee to carry a personal firearm off-duty.

A safe and secure environment for employees is a fundamental requirement for fulfilling the University's mission of teaching, research, and public service. Violation of this policy will result in disciplinary action up to and including dismissal from employment.

Section 4.08 Membership in Organizations

Purpose

The purpose of this policy is to establish guidelines for institutional support of employee memberships in professional organizations that advance the mission, operational effectiveness, compliance posture, and strategic objectives of the University. This policy ensures responsible stewardship of University resources while supporting professional growth and institutional excellence.

Policy Statement

The University understands the importance of growth and development of its employees as it relates to the individual's role and scope of responsibility. Memberships in professional organizations that are directly related to an employee's assigned duties and institutional responsibilities may enhance professional competency, industry engagement, regulatory awareness, and job performance.

Funding for such memberships may be approved at the discretion of the supervisor, manager or component head, subject to budget availability and institutional priorities.

Funding

Requests for University-funded memberships must demonstrate a clear business purpose, including how the membership supports departmental goals, accreditation standards, compliance obligations, professional licensure, or strategic initiatives.

Nothing in this policy guarantees funding for professional membership. Approval decisions remain within management discretion and must align with approved departmental budgets and applicable procurement policies.

Section 4.09 Volunteer and Community Activities

Purpose

The purpose of this policy is to encourage faculty and staff participation in volunteer and community activities that support civic engagement, professional growth, and the University's mission, while ensuring that such activities do not create conflicts of interest or unintended obligations for the University.

Policy

The University encourages faculty and staff to contribute to the well-being of the community whenever feasible, particularly in cases in which services are rendered in accordance with approved or recognized University outreach activities. Such engagement supports the University's commitment to service, collaboration, and community partnership. When appropriate, an employee may be formally appointed to represent the University in an official capacity.

Employees are expected to avoid engaging in, accepting employment or rendering services, whether paid or unpaid, that would conflict with his or her official duties as employees of the University. Any potential or perceived conflict of interest must be disclosed in advance and reviewed in accordance with applicable University policies.

Employees must be formally and specifically appointed by an authorized official of the University to act as a representative or agent of the University. Absent such appointment, employees participating in volunteer or community activities do so in their personal capacity and may not represent or imply endorsement by the University.

Compliance

Employees who do not comply with this policy may be asked to take corrective action, which may include modifying or discontinuing the activity to address compliance concerns. Continued non-compliance may result in disciplinary action, up to and including suspension, in accordance with applicable University policies and procedures.

Non-UVI volunteers who are engaged in University-sponsored activities and who are not otherwise acting within the scope of their employment must complete the required Release and Waiver of Liability form prior to the event. (See Procedures for Use of Liability Release Form and Release and Waiver Liability Form)

Any employee found to be in violation of this policy will be asked to terminate his or her affiliation with the organization or activity immediately. Failure to do so could result in disciplinary action on the employee up to and including suspension.

Section 4.10 Financial Obligations

An employee's designated role and scope of responsibility shall determine the level of liability, purchase commitment, or expense incurred on behalf of the University in accordance with the Administration and Finance Financial Policies (See Financial Policies). Employees who incur such obligations without proper prior authorization may be held personally liable for the expense. Any employee found to be in violation of this provision of this provision of the policy may be subject to disciplinary action up to and including dismissal and possible legal action.

The University establishes fiscal roles and responsibilities to ensure guidance regarding the framework within which employees' financial responsibility is exercised.

Section 4.11 Conduct

As a publicly funded institution of higher learning, University employees hold positions of public trust.

While employee conduct off campus is not governed by the University, employees are reminded that they still represent the University and their actions and conduct will reflect on the University.

Section 4.12 Minor Children in the Workplace

Purpose

The purpose of this policy is to promote a safe, secure, and productive University environment by reducing potential safety risks to minor children and minimizing workplace and classroom disruptions, while recognizing the varied responsibilities of employees.

Policy

This policy applies to all employees, affiliates, and volunteers who bring children under the age of 18 to the workplace or are visited in the workplace by children under the age of 18 during normal business hours. This policy does not apply when children are participating in approved University events or programs, or youth activities that involve

children in education, research, or supervised care. University events are activities sponsored or operated in part or whole involving intentional interactions between youth and employees, such as, but not limited to, camps, symposia, internships, job shadowing, lessons, coaching, field trips, service learning, projects, competitions, workshops, clinics, or conferences). It also does not apply to children who are residing in a campus facility with a parent or guardian who has residency in a campus facility as a condition of employment.

Procedure and Restrictions

The university understands that brief and infrequent visits by children in the care of its employees may occur for a variety of reasons. However, the frequent, regular or extended presence of children during work hours is not allowed due to the potential for interruption of work, health and safety issues, and liability to the university.

Employees are permitted to bring children to the workplace or be visited by children in the workplace during work hours for a brief period of time as necessary and appropriate subject to the following general circumstances:

1. Brief visits (introducing a child to coworkers, bringing a child to work before or after an appointment);

2. Specific campus events that are employee sanctioned and at which attendance by children is encouraged;

3. In the event of a family emergency where there are no alternatives; or

4. When prior arrangements have been made for breastfeeding.

Any employee who brings a minor child on campus or to a University-sponsored event, at which the employee is working, assumes full responsibility for the supervision and care of the minor child and agrees to indemnify and hold the University harmless from any claims, injuries, or damages arising from the presence of the minor child.

Section 4.13 Behavior in the Workplace

The conduct of University employees is expected to be above reproach at all times. Loud or disruptive behavior, horseplay, fighting, or the use of profane or insubordinate language is inappropriate in the workplace and may lead to disciplinary action.

Section 4.14 Personal Appearance

Employees of the University are expected to present a professional appearance while in the work place. This policy applies to all University employees regardless of their employment category.

Uniforms

Some employees may be required to wear uniforms or other protective clothing, equipment and gear which is required for their protection. Employees who are provided with such items are required to wear them.

Proper decorum and attention to personal appearance can contribute to an appropriate model for students as they "transition" into the professional world.

Section 4.15 Essential Personnel

The University recognizes that there are certain essential functions and services which must be carried out as part of its plans for response to emergencies. These plans may be implemented in regard to any department or employee depending on the circumstances involved to ensure that essential functions and activities are carried out during the occurrences of crises and disasters or periods when the University is not open for business. This may require employees to report for duty on week-ends, holidays, and during recesses, administrative leave days and emergency closings declared by the President. These services include, but are not limited to, security coverage, communications, information technology, plant maintenance and operations, payroll, utilities, food services, human resources, student health services and student housing or any other services designated by the President. (See Emergency Response Plan)

Certain employees working in these essential areas may be required to report to work during the business recovery of the University's operations or the above mentioned times when the University is not open for business. The President has the authority to designate any department or employee as essential during an emergency. During the preparedness and response phases of a disaster, essential and designated employees will be given special compensation. (See Emergency Compensation Procedures)

Section 4.16 Disaster Preparedness and Recovery Policy

During the preparedness, response or recovery phases of a disaster, essential and designated employees will perform needed critical functions. (See University Disaster Preparedness and Recovery Plan) This policy will guide the University in the disaster preparedness and recovery processes through the utilization of identified critical functions and the individuals who perform designated critical functions. These individuals will be referred to as essential personnel. (See Emergency Compensation Procedures)

The designated categories referenced in this policy apply to all employees on regular Record of Appointments.

Section 4.17 Emergency Compensation

The University may grant special compensation to essential or designated categories of employees for authorized work performed under the following conditions during periods of disaster preparedness and response activities:

- Authorized work performed outside of normal working hours for preparedness.
- Authorized work performed during periods of disaster leave authorized by order of the President.

V. Discipline, Grievance and Appeal Processes

Section 5.01 Progressive Discipline

Progressive discipline is a process in which disciplinary action is taken in steps of increasing severity. The University advocates progressive discipline when appropriate. The action taken will depend on the degree and the circumstances of the violation and, if a suspension is imposed, it may be with or without pay.

An employee who fails to adequately perform assigned duties or who violates established policies will be subject to disciplinary action.

The President may take immediate action to suspend an employee with pay pending an investigation of the charges brought against an employee. Managers may recommend, but may not authorize or take, action to suspend without the President's prior approval.

Causes of Actions

Some of the causes of disciplinary actions are listed below. (See Causes of Actions Chart)

Disciplinary action may be taken on any of the following offenses, but is not limited to the offenses listed:

1. Chronic tardiness or absenteeism,
2. Negligence in performing assigned duties, including careless or substandard workmanship resulting in waste, spoilage or delay,
3. Inefficiency in performing assigned duties,
4. Failure to perform assigned duties,
5. Insubordination,
6. Misconduct or dishonesty,
7. Conduct reflecting discredit on the University or one of its department,
8. Failure to report to work without justifiable cause,
9. Political activity that is prohibited by University policy,

10. Misuse or misappropriation of University property or funds,

11. Unauthorized posting of material on the University bulletin boards or any other place within the facilities of the University, or defacing or unauthorized removal of notices from University bulletin boards,

12. Leaving the workplace location during work shift without authorization,

13. Failure to adhere to departmental regulations (e.g., punching time clock, obtaining appropriate leave approvals, etc.),

14. Use of profane or obscene language,

15. Violation of safety rules and practices,

16. Gambling or possession of gambling devices on University property,

17. Sleeping or giving the impression of sleeping during working hours,

18. Falsifying or altering time cards or timekeeping records, including punching another employee's time card or entering false electronic data,

19. Falsifying University records, reports, or any official University document,

20. Reporting to work while under the influence of alcoholic beverages, or controlled substances; possession, use or abuse of these or other substances on University or University-controlled property,

21. Immoral conduct or indecency,

22. Fighting, assault, attempted assault, or threatening anyone on University property or at University sponsored events or activities,

23. Conviction in any criminal court of a felony,

24. Theft of employee or University property, or theft of any property of any third party while on University premises or any property controlled by the University,

25. Unauthorized possession of weapons or explosives on University property or any property controlled by the University,

26. Falsification of employment application,

27. Any other conduct or behavior which is inconsistent with University policies and procedures.

A. Types of Disciplinary Actions

Disciplinary actions fall into two general categories: reprimands and adverse actions.

1. Reprimands: The formal means of communicating to the employee a warning that a problem exists and that it must be corrected. There are two (2) degrees of formality, the Oral Reprimand and the Written Reprimand.

a. Oral Reprimand: A verbal explanation by a supervisor to an employee, that he or she is being reprimanded. The supervisor should explain the problem and what must be done to correct it. In most cases, no formal record of the reprimand is appended to the employee's personnel file. The supervisor must keep a record of the oral warning. Oral reprimands should be done in the presence of a third party witness at the management level.

b. Written Reprimand: A written statement describing the problem and delineating a plan for corrective action. If the employee is at work, the written statement will be given to the employee in a private meeting. If it is necessary to deliver the reprimand to the employee outside of the workplace, it must be sent by certified mail. A copy of the written reprimand will be placed in the employee's personnel file. Employees who receive 3 written reprimands (for the same or different offenses) during a fiscal year will be subject to dismissal.

2. Adverse Actions: An action taken by the supervisor or department head, for cause, that results in suspension with or without pay, demotion, or dismissal, with the approval of the President.

a. Suspension without Pay - An employee may be suspended without pay for a violation of a policy governing performance and conduct. The suspension without pay shall not exceed thirty (30) days.

b. Disciplinary Demotion - An employee may be demoted from one pay grade to a lower grade for disciplinary reasons, if a lower position is open and if the employee is qualified to perform the work at the lower position. A disciplinary demotion must include a decrease in salary. Decrease in pay due to demotion must be no less than 3% of current pay and no more than 21% of current pay. Recommendation for a decrease of more than 21% must be authorized by the President.

c. Dismissal - An employee may be dismissed when: 1) when progressive disciplinary actions have failed to correct the problem; 2) when the nature of the employee's infraction warrants such actions; or 3) it is necessary to remove the employee from the work place permanently.

B. Guidelines for Disciplinary Action

When disciplinary action becomes appropriate, the University follows progressive discipline procedures whenever possible. The level of disciplinary action may vary according to the specific circumstances involved.

Step One: Verbal Warning

Step Two: Written Warning

Step Three: Adverse Action

Step Four: Termination

The following chart of specific actions and the associated level of discipline serves as a guide (not meant to be exhaustive) for those making decisions about appropriate disciplinary action.

	OFFENSE	**STEP ONE**	**STEP TWO**	**STEP THREE**	**STEP FOUR**
1.	Chronic tardiness or absenteeism	X	X	X	X
2.	Negligence in performing assigned duties including careless or substandard workmanship resulting in waste, spoilage or delay	X	X	X	X
3.	Inefficiency in performing assigned duties	X	X	X	X
4.	Failure to perform assigned duties	X	X	X	X
5.	Insubordination			X	X
6.	Misconduct or dishonesty		X	X	X
7.	Conduct reflecting discredit on the University or one of its Department	X	X	X	X
8.	Failure to report to work without justifiable cause	X	X	X	X

9.	Political activity that is prohibited by University policy	X	X	X	X
10.	Misuse or misappropriation of University property or funds		X	X	X
11.	Unauthorized posting of material on the University bulletin boards or any other place within the facilities of the University, or defacing or unauthorized removal of notices from University bulletin boards	X	X	X	X
12.	Leaving the workplace location during work shift without authorization	X	X	X	X
13.	Failure to adhere to departmental regulations (e.g., punching time clock, obtaining appropriate leave approval; etc.)	X	X	X	X
14.	Use of profane or obscene language	X	X	X	X
15.	Violation of safety rules and practices	X	X	X	X
16.	Gambling or possession of gambling devices on University property		X	X	X
17.	Sleeping or giving the impression of sleeping during work hours			X	X
18.	Falsifying or altering time cards, or timekeeping records, including punching another employee's time card or entering false electronic data			X	X
19.	Falsifying University records, reports, or any official University document			X	X
20.	Reporting to work while under the influence of alcoholic beverages, or controlled substances, or possession or use of these on University or University-controlled property			X	X
21.	Immoral conduct or indecency			X	X
22.	Fighting, assault, attempted assault, or threatening anyone on University property or at University sponsored events or activities			X	X
23.	Conviction in any criminal court of a felony			X	X
24.	Theft of employee or University property or theft of any property of any third party while on University premises or any property controlled by			X	X

	the University				
25.	Unauthorized possession of weapons or explosives on University or University-controlled property			X	X
26.	Falsification of employment application			X	X
27.	Any other conduct or behavior which is inconsistent with University policies or procedures	X	X	X	X

Section 5.02 Grievance

The University recognizes the rights of employees to file legitimate complaints about grievable actions or conditions, and will act expeditiously to address those complaints. It is expected that all parties will make a good faith effort to resolve problems quickly and fairly at the departmental level.

Employees may file valid grievances without fear of reprisal, coercion, or unlawful discrimination. Any employee that believes he or she is the victim of a reprisal for filing an action should report the circumstances, preferably in writing, to the Director of Human Resources immediately. Teaching faculty should refer to the Grievance Policy in the Faculty Policy Manual.

The Human Resources Office will offer counseling, policy clarification, and other assistance at any step in the grievance process. The Director of Human Resources will ensure that proper procedures are followed and that documentation occurs at each step.

All non-probationary employees holding regular appointments may file formal grievances. Probationary employees who believe they have been unlawfully discriminated against because of race, sex, age, religion, national origin or disability, may file grievances solely on that basis.

A grievance is a claim initiated by an employee alleging:

1. That his or her working conditions, or ability to perform his or her job has been adversely affected by unfair treatment,

2. Unsafe or unhealthy working conditions,

3. Erroneous or capricious application of University policies and procedures, or

4. Unlawful discrimination.

The following issues are not grievable or appealable under this grievance policy:

1. Dissatisfaction with classification and compensation including salary adjustment;

2. Layoff due to reduction in work-force arising out of institutional reorganization or for financial exigency;

3. Failure to grant a promotion due to unavailability of funds;

4. Performance-based salary increase or salary determination dictated by law or prescribed by Human Resources policy.

Section 5.03 Appeal Process

All non-probationary employees holding a regular appointment may file formal appeals to protest a disciplinary suspension, disciplinary demotion, or termination for cause. Probationary employees who believe they have been unlawfully discriminated against because of race, sex, age, religion, national origin or disability, may file appeals solely on that basis.

Freedom from Reprisal or Retaliation

Employees may file valid appeals without fear of reprisal, retaliation, coercion, or unlawful discrimination.

An appeal is a claim initiated by an employee alleging that an adverse action taken by the University is based upon:

1. Unfair or biased treatment;

2. Erroneous or capricious application of University policies and procedures, or

3. Unlawful discrimination.

Appeals will be heard by the Personnel Review Committee during the Academic Year (August through May) when the University is open for normal operation. The Personnel Review Committee will consist of seven (7) members appointed to a two-year term by the President.

Section 5.04 Mediation

The Mediation Program provides an alternative non-binding approach to dispute resolution that is generally accepted in progressive organizations including educational institutions. It is designed as an avenue for conflict resolution that is not intended to and does not replace the established University grievance policy and procedures. (See Mediation Policy)

Non-appealable issues can be addressed through mediation.

VI. Time and Attendance

Section 6.01 Office Hours

Employees are expected to adhere to established schedules during the hours and the established work week as required by the University.

Work Week

The University has established a seven day work week. The work week begins at 12:00 a.m. Monday and ends at 11:59 p.m. on Sunday.

Hours of Work

Hours may vary from job to job and department to department based on employee classifications as outlined below.

4. Salaried Employees

   Those employees serving in positions classified as salaried positions, whether on a full-time or temporary basis, will be subject to a minimum work week of thirty-five (35) hours, unless otherwise stated as a condition of employment.

5. Hourly Employees

   Those employees serving in positions classified as hourly positions, whether on a full-time or temporary basis, will be subject to a minimum work week of forty (40) hours, unless otherwise stated as a condition of employment.

Meal Breaks

University employees are entitled to a one hour meal break. The lunch meal break should be taken as close to the middle of the work day or work shift as possible and will normally be taken between the hours of 12:00 noon and 2:00 p.m. These hours may vary according to the needs of individual departments. It is up to the discretion of the Department Head to designate meal breaks within his or her department to insure that administrative services are not interrupted and that proper office coverage is maintained.

Meal breaks for departments with shift or evening work schedules may vary according to the needs of the department. Generally, employees should not work more than five (5) hours before taking a meal break.

Meal breaks are not to be taken during the first or last hour of the work day.

Relief Breaks

The University allows a fifteen (15) minute relief break in the morning and one in the afternoon. Relief breaks will be granted at the discretion of the supervisor to allow for the coverage of essential areas. Breaks are not intended for employees to leave the premises to conduct personal business. Relief break periods may not be used to off-set late arrivals or to leave work early, to extend meal breaks or to accumulate paid time off from one day to another. Relief break periods are not to be taken during the first or last working hours of the day's schedule.

Section 6.02 Attendance and Time Reporting

As a basic condition of employment, employees are expected to work according to the hours and days set forth by their department. A policy exists for an employee to apply for absences from work, subject to proper approval, if such time away is necessary. Abuse of approved leave is considered an infraction of the rules and is subject to disciplinary action.

This policy covers all University employees as it pertains to their designated classification. Punctuality is considered to be a basic condition of employment. It is the responsibility of employees to be at their duty stations, ready to begin work, at the beginning of the work day or shift and return promptly after the meal period. Arrival to work any time after the beginning of the scheduled work day or shift is considered late or tardy. Disciplinary action may be taken for abuse of time responsibility (i.e. frequent lateness).

Employees who are delayed reporting to work due to an emergency are expected to contact their supervisor or department head within half an hour of their reporting time to report their expected tardiness.

Excessive lateness or tardiness may be grounds for disciplinary action and possible dismissal.

Docking of Pay

Employees who are late in reporting to work or reporting back from the meal break are subject to having their pay docked.

Making up Time

At the Manager/Supervisor's discretion and approval, an employee who reports to work late may make up the time on the same day or within the same payroll period.

Absenteeism

Employees are required to report all absences from work. Timely notification means calling in on the day of absence or as soon as possible or providing advance notice for absences which can be anticipated.

An absence may be deemed unexcused when an employee fails to call in, gives a late notice, fails to give advance notice for an absence which could be anticipated, exceeds the length of absences as defined by policy or authorized in advance by the Supervisor or Department Head. Unexcused absences, excessive absenteeism, or a pattern of unexcused absences are subject to disciplinary action. Excessive absenteeism is defined as three or more instances of unexcused absences within a calendar month. A pattern is defined as similar days, days taken before or after a holiday or weekends or after reprimand or disciplinary action.

If an employee is absent for three or more days without prior notice or approval, such absence may lead to job abandonment procedures being implemented on the fifth day.

Time Reporting

All non-exempt employees, (e.g., Regular, Temporary, and Student appointments) must record the time at which they arrive at, or leave, the workplace, including leaving and returning during meal break times. The time recorded must accurately reflect the time that employees actually report to and leave the workplace each day. Each employee is required to personally complete and sign his or her own record of attendance.

Employees in employment categories that are exempt from the provisions of the Fair Labor Standards Act are not required by the University to submit time sheets.

Time Clocks

Where applicable, employees may be required to punch a time clock to record their attendance each day.

Each employee is required to personally punch his or her own time card. Failure to punch in or punch out at the assigned clock location or to follow clocking instructions may result in time being docked. Employees are specifically prohibited from punching one another's time cards.

Failure to follow established attendance reporting procedures will result in disciplinary action including suspension or dismissal. Falsifying attendance records, refusing to punch a time clock or punching in or out for another employee are infractions of this policy and are subject to disciplinary action, up to and including suspension and dismissal.

Monitoring Compliance

Department Heads are responsible for monitoring compliance with attendance and time reporting policies within their respective departments.

Web Time Entry

All Department Heads are required to authorize and submit to the Payroll Department an account for time worked or leave taken for each employee. Time entry for individual employees for each payroll period is the responsibility of each department's designated timekeeper. The Department Head has final approval of the timekeeper's submission as certification that the hours recorded accurately reflect the time earned and taken by the individual employees.

Regular time worked, compensatory time earned and absences, such as annual, sick, administrative or leaves without pay, should be recorded on the authorized documentation and the originals forwarded to Human Resources Office for retention.

Preparation and Processing of Paychecks

Time must be submitted and authorized at the end of each pay period.

Failure to submit time accurately and properly, or not authorizing time in Web Time Entry, may result in a delay in the release of payroll checks.

Excessive failures to report time accurately may lead to disciplinary action up to and including dismissal.

Section 6.03 Exempt Employees

Exempt (non-hourly) employees as defined under the Fair Labor Standards Act (FLSA) include the following categories:

- Executive
- Administrative
- Professional (includes Teaching)

- Outside Sales
- Computer

Employees in the above categories are in most instances, exempt from the overtime and compensatory time provisions of the Fair Labor Standards Act. As such, they are not eligible for additional compensation for hours worked in excess of the regular work day.

Employees in employment categories that are exempt from the provisions of the Fair Labor Standards Act are not required by the University to submit a time sheet.
However, they must account for all time not on the job during working hours. An Application for Leave form should be submitted if the time away from the job exceeds 4 hours in any one day.

Exempt employees who are required to work authorized hours that are in excess of the normal work day may be granted informal leave by their Department Head.

At the discretion of the Department Head, some exempt employees may be required to submit time and attendance records at the departmental level.

Section 6.04 Non-Exempt Employees

Non-Exempt categories of employment as covered under the Fair Labor Standards Act (FLSA) include the following:

- TECHNICAL/PARAPROFESSIONAL OFFICE/CLERICAL
- CRAFT/TRADE
- SERVICE
- HOURLY (REGULAR AND TEMPORARY)

Employees in the above stated categories will be eligible for overtime or compensatory time as defined in the OVERTIME and COMPENSATORY TIME sections of these policies.

Employees in the above stated non-exempt categories are entitled to the overtime and compensatory time provisions of the FLSA. As such, they are eligible for additional compensation for hours worked in excess of the regular work day.

Employees in employment categories that are non-exempt are required by the University under the provisions of the FLSA to submit a time sheet; all time worked on the job during working hours must be accounted for. An Application For Leave form must be submitted for any time away from the job.

Non-exempt employees who are required to work more than eight (8) hours in any work day or forty (40) hours in any work week (as defined in Section 6.01) will be given overtime pay.

Section 6.05 Overtime

All non-exempt hourly employees, including those on temporary appointments, are eligible for overtime pay.

Rate of Pay

Non-exempt hourly employees will be paid at the rate of one and one-half times the normal rate for all hours worked in excess of forty (40) hours in a work week as defined in Section 6.01 above, or in excess of eight (8) hours in a day.

Work on Sundays

Non-exempt employees, whose regularly scheduled work week is between Monday and Saturday, are entitled to compensation at twice their normal rate of pay for each hour worked on Sunday or for the seventh consecutive workday.

This policy does not apply to shift personnel or to those employees whose work schedules include Sunday as a regular work day for that week, or to temporary employees who are called to work on an "as needed" basis.

Work on Holidays

Non-exempt employees are entitled to compensation at twice their normal rate of pay for each hour worked on an official University Holiday.

This policy does not apply to administrative leave days or time off granted at the discretion of the President.

Authorization

The Department Head must authorize all overtime prior to work being performed. Employees are prohibited from performing overtime without prior consent from their Department Head.

Under no circumstances may a non-exempt employee donate work time to the University.

Standby Pay (On-call Compensation)

A workday shall constitute eight (8) hours for hourly staff and seven (7) for salaried staff.

The University shall have the right to order standby time of particular employees within specific departments. Such standby time shall be approved by the Component Head or designee and shall be for one (1) hour.

If there is no standby, there is no standby pay. Examples of areas where standby or on-call arrangements are commonly employed are: Health Services, Physical Plant and Information and Technology Services. At the conclusion of that hour, the employee may be required to standby for one additional hour. If the standby order is established, and the employee is not put to work, he or she shall receive one or two hours of standby pay at the employee straight time rate or hourly rate, whichever is applicable.

Standby time will be paid only if the employee does not work at the assigned post. If called in, the employee will be paid at the regular or prevailing overtime rate as applicable.

Section 6.06 Compensatory Time

All salaried Non-Exempt Staff are eligible to earn compensatory time.

Rate of Accrual

Non-Exempt, salaried employees will be compensated for hours worked in excess of the normal work week with accrued compensatory time. Compensatory time will accrue on an hour-for-hour basis for hours worked in excess of the thirty-five (35) hour work week, up to and including forty (40) hours.

Compensatory time will accrue at the rate of one and a half (1.5) times the number of hours worked in excess of forty (40) hours per week or eight (8) hours per day.

Maximum Accrual

In accordance with Fair Labor Standards Act regulations, employees may not accrue Compensatory Time in excess of 240 hours. Employees who have accrued the maximum amount of Compensatory Time allowed must take time off in lieu of earning Compensatory Time. Such time off must be taken within the pay period or the pay period immediately following, in which the excess hours worked occurred.

Hourly Employees

Hourly employees are not eligible for compensatory time and will be compensated for hours worked in excess of the normal work week with overtime pay.

Section 6.07 Holidays

Regular full-time employees of the University are eligible to be paid for time off for officially recognized holidays.

This policy applies to all employees with the exception of those essential personnel whose terms and conditions of employment include regularly scheduled work on holidays.

Official Holidays

The following are the official holidays recognized by the University:

- NEW YEAR'S DAY
- THREE KING'S DAY
- MARTIN LUTHER KING, JR. DAY
- GOOD FRIDAY
- CARNIVAL FRIDAY
- MEMORIAL DAY
- V.I. EMANCIPATION DAY
- INDEPENDENCE DAY
- LABOR DAY

- LIBERTY DAY (D. HAMILTON JACKSON DAY)
- VETERAN'S DAY
- THANKSGIVING DAY
- FORTSBERG/DISCOVERY DAY
- CHRISTMAS DAY

Observation

When a holiday recognized by the University falls on Saturday, the University will observe the holiday on the preceding Friday. If the holiday falls on Sunday, the holiday will be observed following Monday. If consecutive holidays fall in a Sunday/Monday sequence, the Sunday holiday will be observed on the immediately following Monday and the Monday holiday will be observed on the immediately following Tuesday.

Annual Schedule

The annual schedule of holidays, which includes specific dates, will be prepared by the Human Resources Director and approved by the President. After Presidential approval, the Human Resources Director will distribute the schedule to employees.

Payment for Holidays

To be paid for a University recognized holiday, an employee must be on the job the entire workday preceding and the entire workday following the holiday. Employees on approved leave with pay will be paid for holidays falling within such approved leave periods.

In those special cases where the President grants administrative leave for any reasons, employees on paid leave will not have their leave reimbursed for such time.

Holidays on Regular Days Off

When a recognized holiday falls on an employee's regular day off, the employee shall be entitled to schedule an alternate day off in lieu of that day. The alternate day must be approved by the Department Head and is to be used in the current pay period or the pay period immediately following. Under no circumstances will an employee receive additional compensation for holidays not worked.

Work on Holidays

Any hourly employee who is required to work on an officially recognized University holiday is eligible for holiday compensation at two times their regular rate of pay, in the form of overtime or compensatory time, depending upon his or her employment classification. (See Overtime or Compensatory Time)

Observance of Religious Holidays

The University recognizes that some employees may observe religious holidays other than those designated by the University. Employees will be allowed to use accrued leave to observe holidays significant to their personal religion.

Section 6.08 Flextime

Flextime allows an employee to alter his or her work hours to choose 'core hours' within a limit established by the University or department. Flextime requests will be given consideration in conjunction with necessary staffing and department operational needs.

To be eligible, employees must be employed full time at the University and have successfully completed their probationary period in the current primary classification. Employees are expected to be at work during their normal work hours unless approval is granted for a flexible work schedule. This policy is not applicable to shift employees (e.g., Security).

Work Week

The University has operations seven days a week. Normal business hours are primarily 8:30 a.m. to 4:30 p.m., Monday through Friday with exceptions for academic and shift operations. Security operates on three shifts, 24 hours a day, seven days a week.

A Flextime work week is an authorized, pre-determined, designated work schedule with time of arrival and departure that differs from the normal work hours by:

- not more than two hours arrival time
- a compressed work week (e.g., four 10-hour days [4/10's] or nine 9-hour days in a 10-day work week [9/80's]).

Employees must first discuss possible Flextime arrangements with the immediate supervisor and then submit a written request using the Flextime Request Form. Flextime requests will be considered on a case-by-case basis. Approval must be received in advance through departmental Supervisors or Managers to the Component Head.

Approved Flextime Request will be in effect for the fiscal year ending September 30. New and continuing requests will be reviewed prior to the beginning of each fiscal year.

The University reserves the right to suspend or cancel any Flextime arrangement due to business necessity. An employee requesting cancellation of a previously approved Flextime arrangement must do so in writing. In both circumstances, advance notice should be given if circumstances permit. Non-exempt employees may be asked to work overtime regardless of a flextime schedule year.

Final approval and arrangements for situations covered by this policy are at the discretion of management, and may not be grieved.

Exempt employees are not covered by the overtime and record keeping (i.e. timesheet) requirements of the Fair Labor Standards Act. Therefore, flexibility in work scheduling is inherent. Even though the law allows this latitude, exempt staff members still need to discuss specific scheduling arrangements with their supervisors and obtain approval.

Note: In certain instances, Family and Medical Leave is a more appropriate option than Flextime or job sharing. All Flextime arrangements must conform to the overtime, recordkeeping, and meal break provisions of the Fair Labor Standards Act and the local labor law, respectively, for employees covered by those provisions.
Final approval and arrangements for Flextime situations are at the discretion of management.

To ensure that management and staff have a mutual understanding of the specifics of the Flextime schedule, it must be put in writing and a copy forwarded to Human Resources for the employee's personnel file. Any modifications in the schedule may be made only with the prior consent of management.

Core Time

Department needs may require that employees be present or accessible during a certain core period or hours each work day, peak workload periods, or particular days of the week.

Leave Time Usage – Flextime

An employee on a Flextime schedule who is granted paid leave time, such as vacation or sick leave, will deduct the scheduled number of hours to have been worked on the day(s) off.

Flextime Holiday Pay

Holiday hours will be calculated equal to 1/5 of an employee's standard total workweek hours.

Discontinuation

If the Flextime arrangement becomes unfeasible at any time, it may be discontinued at the discretion of either the employee or management, with reasonable notice thereof.

VII. Classification and Pay

The primary purpose of the classification and pay system is to ensure equal pay for equal work. The factors used to determine the classification of a position are the duties performed and the level of responsibility assigned to the position.

The classification of a position determines the salary grade to which it is assigned.

The step placement within the grade level should be associated with the actual number of years of directly related work experience for initial placement. In a merit pay system, step advancement is used to recognize and reward performance.

The University will maintain a classification system which applies to all approved classified positions, whether temporary or regular.

Section 7.01 Classification, Position and Job Descriptions

Classification is a position or group of positions that have similar duties and responsibilities, require like qualifications, and can be equitably compensated by the same salary range.

Classification Title is the official designation or name given to the written job classification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal operations but in no way change the classification title.

Position title is the official designated title of a group assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.

Job Description is a written narrative of the specific departmental duties and responsibilities which the full-time or part-time personnel will perform.

Approval Authority

The approval of the President is required for the addition of new positions to the classification plan.

New classifications and/or positions must be created in conjunction with the Human Resources Office and submitted to the President for approval.

Filling a vacant position must have final approval by the Component Head.

Eliminating a budgeted or authorized position must have final approval by the Component Head.

Changes in approved classifications and/or positions must be reviewed by the Human Resources Office prior to being submitted to the Component Head for approval.

A job may be reclassified to an existing job classification, or when a new job classification needs to be created. If a new job classification is created, an evaluation will be performed and reviewed by the Human Resources Office and submitted to the President for approval.

Section 7.02 Pay Plan

The University recognizes that it is necessary to recruit and retain highly qualified employees to further the goals of the University. Internal equity will be maintained through a validated system of job review and evaluation. The University will maintain external equity when compared to salaries in comparable labor markets through periodic market studies.

Compensation must be one of the factors motivating employees to seek and accept promotional opportunities and additional responsibilities.

Unless otherwise specifically noted, this section of the policy applies to employees in all designated positions -- regular, temporary, full-time and part-time.

The Salary Schedule is a listing of all designated classification ranges, grades and steps. This Schedule will be reviewed and aligned with current labor market trends through periodic market studies.

Salary Changes

Performance based increases are to compensate employees who have notable experience and are consistently effective within their position at a pre-designated percentage base or step.

All performance based (merit) increases or reductions are at the discretion of the President, based upon available financial resources and other criteria.

Reclassification

Reclassifications should occur whenever there are significant changes in the duties and responsibilities associated with the position. The incumbent will be retained in the position if the qualifications are met for the reclassified position.

When required individual performance accomplishments, competencies and departmental objectives change thereby resulting in a substantial increase in the complexity or breadth of an employee's responsibilities, a base pay increase of at least 3% over the employee's previous salary may be awarded to the employee.

New Hire Salary Level Determination

As a general rule, new employees' salaries will be based on the minimum to middle of the recruiting range for each position depending upon qualifications and experience. Department Heads should confer with the Human Resources Office to determine the appropriate starting salary for all new employees.

Transfer

A transfer is the horizontal or lateral movement or reassignment to a position with comparable or equivalent responsibilities and within the same position classification or salary grade. Generally an employee will not be eligible for a salary adjustment simply on the basis of a transfer or reassignment.

Promotion

A promotional salary adjustment must be based on a bona fide change in duties which raises the employee to a higher grade. An employee who is promoted to a higher classification will be assigned to a step in the new salary grade. Department Heads may increase an employee's salary by at least 6% over previous salary but may not exceed 12% of the employee's prior salary unless the salary falls below Step 1 of the new salary range. All increases must be justified and evaluated by the Human Resources Office.

Demotion

An appropriate decrease in salary will be made for those employees moving to positions of lesser responsibility. Department Heads may decrease an employee's salary by 3% but may not exceed 21% of the employee's prior salary without prior approval from the President. Reductions in salary shall be reviewed by the Human Resources Office.

Acting or Interim Assignments

Acting and Interim assignments are expected to be temporary in nature. The University recognizes that no employee can perform all of the duties of two full-time positions, regardless of the classification of the position. Therefore, when an employee is assigned to an acting or interim position to serve in two capacities, the employee and supervisor shall mutually agree on the essential duties and responsibilities to be performed.

Acting and Interim assignments fall into two categories:

- Assigned to serve exclusively in the Acting or Interim Position;
- Assigned to serve in both the Acting or Interim Position and the regular position.

Compensation will be given to employees in Acting or Interim positions of more than thirty (30) consecutive days in accordance to the guidelines below unless otherwise authorized by the President. There is no additional compensation for assignments of 30 days or less.

The Vice Provosts, Vice Presidents and Cabinet members who may be called upon to serve in acting capacities are excluded from this policy and may not receive additional compensation unless authorized by the President. This applies to budgeted staff and administrative positions.

For employees serving exclusively in the Acting or Interim Position:

- Employees assigned exclusively in an Acting or Interim position at the same grade level: No additional compensation.
- Employees assigned exclusively in an Acting or Interim position at a higher grade level: The employee is placed on step one (1) of the higher grade level or granted a 6% increase in pay, whichever is higher.

For employees serving in both an Acting or Interim position and their regular position:

- Employees assigned to the same or lower grade level Acting or Interim position in addition to their regular position: The employee shall receive a 3% increase in salary.
- Employees assigned to a higher grade level Acting or Interim position in addition to their regular position: The employee shall be compensated at Step l of the higher grade level or granted a 9% increase in pay, whichever is higher.

VIII. Employment

The University of the Virgin Islands is an Equal Employment Opportunity/Affirmative Action employer. The University is committed to diversifying its workforce and providing maximum opportunity for internal mobility.

The University requires pre-employment reference and background checks for all full-time regular employees; pre-employment reference and background checks may also be required for temporary hires. For certain designated positions, drug and alcohol testing may also be required.

The University's objective is to recruit, hire and retain the highest qualified individuals to meet the educational goals of our student population through identifying and attracting qualified applicants who will increase the representation of members of protected groups in the University's workforce. Developing a strategic plan will increase employee efficiency and retention for job growth.

Support and guidance will be offered to employees in the enforcement of all applicable University, Virgin Islands and federal employment laws and regulations regarding unlawful employment discrimination and equal employment opportunity. The University is committed to providing ongoing assistance in the interviewing and the hiring process to ensure fairness and integrity.

New Employee Enrollment

On or before the first day of employment, all employees hired by the University will receive payroll forms in the employing department or in the Human Resources Office. The employee will fill out and submit all mandated and legally required forms as outlined in the Human Resources Policy Procedures Supplement by the third day of employment.

Probationary Period

The probationary period is to give the new employee a period of time to become oriented with the new position through training. The probationary period also gives the supervisor a period of time to provide training, observe initial performance and evaluate the employee's suitability to the position and ability to contribute to the overall objectives of the department and the University.

All hourly and salaried employees on a full-time regular appointment are subject to a six-month probationary period from the initial date of hire, unless otherwise specified in the offer of employment letter.

All professional and administrative employee and research faculty on a full-time regular appointment are subject to a one-year probationary period from the initial date of hire, unless otherwise specified in the employment contract.

Teaching Faculty refer to the Faculty Policy Manual.

Extension of Probation – If a Department Head requires additional time to make a final determination about the fitness of the probationary employee, he or she may request a one-time extension of the probationary period. Such extension shall not exceed three (3) months. At the end of that period a final determination about the continued employment of the probationary employee will be made.

Department Heads wishing to request an extension of probation should contact the Human Resources Office at least two (2) weeks before the employee's initial probationary period is to expire. He or she will be asked to provide information about the specific areas in which the employee must improve in order to be eligible for continued employment.

Benefit Eligibility

A comprehensive package of benefits is available to full-time regular employees and their spouse and dependent children, as applicable. These include medical, dental, basic life insurance, long-term disability, tuition remission, tuition exchange and employee assistance programs. Full-time regular employees may participate in our flexible spending account, vision care and supplemental life insurance programs.

New Employee On-Boarding Orientation

New employee on-boarding orientation is coordinated by the Human Resources Office and is offered to all newly hired full-time employees. All new employees must attend the orientation session to obtain important and time-sensitive information.

Paid Holidays

All regular, full-time employees are eligible for the 14 holidays recognized by the University.

Temporary employees are not eligible for holiday pay. Temporary, part-time employees who are required to work on a holiday will be paid for the time worked at their normal rate of pay.

An employee who is being paid by Worker's Compensation and is using sick and/or vacation leave will receive holiday pay during the period of absence proportionate to the amount of sick leave or vacation leave being used.

Emergency Payroll

The University will issue an emergency advance payment of wages to an employee only if an employee misses a payroll through no fault of his or her own. The payroll advance may be issued for that portion of the base salary or wages earned at the time the payroll was missed.

The issuance of any payroll checks outside the normal cycle requires the approval of the Vice President for Administration and Finance.

Payroll Deductions

The following deductions are required based on Federal or local laws and regulations and are applicable to all employees:

- VI Income Tax
- Retirement (Through age 54)
- Social Security
- Medicare Taxes (FICA)
- Garnishments

Voluntary Deductions

Voluntary employee directed deductions and contributions may be made through payroll deduction for:

- Retirement (Age 55 and older)
- Supplemental/Group Health/Life Insurance
- Campus Housing
- Credit Union
- Emergency Air Ambulance
- United Way

- UVI Development Fund
- Flexible Spending Accounts

Section 8.01 Employee Performance Appraisal

Each staff member's performance is to be formally evaluated by the immediate supervisor at least once every fiscal year. In addition, discussion between the supervisor and staff member concerning job performance should occur routinely and regularly throughout the fiscal year. The staff member shall receive a copy of the completed performance appraisal form for their acknowledgment.

The performance appraisal process provides for an annual assessment for the job responsibilities assigned to the employee within the position description. Individuals should be evaluated only for job responsibilities discussed in advance and mutually understood by both the supervisor and staff member.

Each evaluation performed should include, at a minimum, a review of the agree objectives based on the individual's job description and assigned responsibilities, and an assessment of the staff member's performance in the job, including strengths and areas in which improvement is needed. Such review should include a summary of planned development efforts.

The supervisor should review the result of all dialogues with his or her immediate supervisor.

A meeting should be scheduled between the supervisor and the staff member. Where appropriate, the supervisor must provide specific steps to improve job performance and staff member development should be stated. The interview should be structured to encourage discussion and clarification of the written performance review.

In the event a staff member disagrees with any part of the written performance, the staff member may simply acknowledge receipt of the performance appraisal communication and does not necessarily constitute agreement with the content of the appraisal.

The performance appraisal process applies to all regular full-time staff of the University. (Also see Faculty Policy Manual)

IX. Leaves of Absence

Section 9.01 General Leave Policies

Leave may be paid or unpaid depending upon the eligibility type and availability. Accrual and utilization policies vary according to the employee's employment classification, appointment type, and FLSA status as described.

No leave shall accrue for less than 30 days worked within the first month or last month of employment except where otherwise required by law or applicable to collective bargaining agreement.

Eligibility for Accrual

The University offers two types of accrued leave: annual, and sick. All full-time employees are eligible to earn annual and sick leave upon the completion of one full calendar month of employment. Faculty members accrue sick leave only unless otherwise specified by contract or policy.

The types of leave available to employees which the University recognizes are:

1. Administrative Leave
2. Annual Leave
3. Bereavement Leave
4. Compensatory Leave
5. Court and Jury Duty Leave
6. Donated Leave
7. Family and Medical Leave
8. Leave for Voting
9. Leave Without Pay
10. Parental Leave (including birth, adoption, or foster placement)
11. Military Family Leave

12. Military Leave

13. Political Candidacy Leave

14. Sabbatical Leave

15. Sick Leave

16. Study Leave

17. Wellness Leave

Section 9.02 Administrative Leave

At the discretion of the President or designee ("designee" necessary for delegation and scalability), employees may be granted leave with pay to attend approved workshops, training sessions, conferences, or other activities directly related to the employee's job duties or professional responsibilities.

Administrative leave may also be granted to employees for attendance at required Board, Commission, or other official University meetings, or during times of declared emergencies or operational disruptions, which affect a large portion of the workforce.

The time taken under these circumstances is not charged to accrued annual leave, sick leave or compensatory time available to the employee and must be authorized in advance, or ratified as soon as practicable in emergency situations, in accordance with University policy

Section 9.03 Annual Leave

Purpose

The purpose of this policy is to establish a fair and consistent framework for the accrual, use, and administration of Annual Leave. The University recognizes that time away from work is essential to employee well-being, productivity, and long-term engagement. Accordingly, the University encourages employees to plan and use annual leave regularly to support rest, mental health, work-life balance, and sustained professional effectiveness, while ensuring continuity of University operations.

Eligibility to Accrue Annual Leave

All employees in regular positions are eligible to accrue annual leave after the completion of one (1) full calendar month of employment.

Accrual Rates for Executive, Administrative/Managerial, and Professional Staff

Executive, Administrative/Managerial and Professional Staff accrue paid annual leave at the rate of 12.25 hours per month, for a total of 21 working days per year.

Accrual Rates for Regular Full-Time Employees

Regular full-time employees accrue paid annual leave at different rates depending upon their length of service and the number of hours in their regular work week, as follows:

Length of Service	Hours/Week	Rate of Accrual	Annual Accrual
0 – 3 years	35	8.75 hours per month	15 days
3+ years	35	12.25 hours per month	21 days
0 – 3 years	40	10 hours per month	15 days
3+ years	40	14 hours per month	21 days

Maximum Accumulation

Employees may carry over a maximum of eighty (80) days of annual leave from one fiscal year to another. Leave accrued in excess of the maximum limit must be used by the end of each fiscal year.

For UVI employees who are enrolled in the Government Employees' Retirement System (GERS) will have any excess annual leave not used by the end of the fiscal year banked towards their service credit in accordance with applicable Government Employees' Retirement System (GERS) provisions and University procedures. See V.I.C. tit.3, sec.581.

Employees enrolled in the University's TIAA retirement program will have any excess annual leave forfeited at the end of the fiscal year.

Utilization of Annual Leave

Employees may utilize their accrued Annual Leave following the successful completion of the six-month probationary period for hourly and salaried employees or six months of the one-year probationary period for professional, administrative and research faculty classifications (see Employment).

The University strongly encourages employees to make reasonable and regular use of annual leave. Employees are expected to plan leave in advance, where practicable, to support personal well-being, mental health, and effective work-life balance, while coordinating with supervisors to ensure adequate departmental coverage.

Application for and Approval of Leave

Annual Leave must be requested and approved in advance except in cases of legitimate emergencies. Department Heads may require documentation from employees to substantiate the need for leave taken without notice because of an emergency.

The amount of advance notice required may vary from department to department depending on the scheduling and operational needs of the individual department. Department Heads should set reasonable guidelines and convey them to all staff.

It is the responsibility of the employee to plan scheduled absences so that they do not cause undue disruption of normal office functions. Department Heads have the authority to require employees to be present during periods of peak activity.

Department Heads and employees are expected to work collaboratively to plan vacations and other absences in a manner that balances operational needs with employee well-being.

Employees who fail to obtain advance approval to take annual leave may have absences charged to leave without pay.

Reclassification of Annual Leave Payout

It is the policy of the University that when an employee changes from an employment classification category that is eligible to accrue annual leave to a category that is not eligible to accrue annual leave, the employee shall be paid for all unused accrued annual

leave at the time of reclassification.

Payment for unused annual leave shall be made by lump sum payment at the salary rate in effect immediately prior to the change in classification.

Eligibility for Annual Leave Payout

All full-time staff employees in Executive, Administrative/Managerial, Research Faculty, Professional Staff, and Non-Exempt employment categories are eligible for annual leave payout.

Unused Annual Leave Hours

Employees shall be paid for all unused accrued annual leave as of the last day of employment in the classification category eligible to accrue annual leave, where applicable.

Rate of Pay

The rate of payment for accrued annual leave will be the salary rate in effect immediately prior to the reclassification or separation. Payment of the leave balance will be by lump sum payment.

The lump sum payment is calculated by multiplying the number of hours of unused annual leave by the employee's hourly rate of pay.

Administration

The Human Resources Office is responsible for ensuring compliance with this policy and shall establish and maintain all records necessary for the effective and efficient administration of annual leave.

Section 9.04 Bereavement Leave

Purpose

The purpose of this policy is to provide employees with reasonable time away from work to grieve, attend funeral or memorial services, and address matters arising from the death of a family member, while ensuring compassionate, fair, and consistent administration of leave and continuity of the University operations.

Policy

All eligible employees are entitled to up to five (5) days of leave for funeral or bereavement purposes in the event of a death in the immediate family.

Definition of Immediate Family

Immediate family is defined as a spouse, domestic partner, parent, child, or step-child, sibling (defined as a brother, sister, step-brother, or step-sister), grandparent, grandchild, guardian or legal dependent in employee's established household.

Utilization of Leave

Employees are encouraged to request bereavement leave as soon as practicable following a death in their family. Bereavement leave may be charged to accrued sick leave, annual leave, compensatory leave, or, if applicable, leave without pay. Employees who have either exhausted and/or have no available leave (e.g., employees employed less than six months at the University) may be awarded paid or unpaid leave at the discretion of the University President.

If additional time beyond the approved bereavement leave is needed, employees may request the use of accrued annual leave or sick leave, subject to supervisory approval in consultation with HR and consideration of operational needs.

Section 9.05 Compensatory Leave

Purpose

Compensatory Leave is intended to allow eligible employees to take time off in lieu of monetary overtime compensation in accordance with the Fair Labor Standards Act (FLSA), 29 U.S.C. § 207(o), applicable regulations, and University policy. Compensatory leave may be used for vacation or personal time, as necessary and subject to operational needs and supervisory approval.

Eligibility

Only non-exempt employees, as defined by the Fair Labor Standards Act (FLSA), are eligible to earn compensatory leave. Exempt employees are not eligible to earn compensatory leave.

For purposes of this Policy, exempt employees are salaried employees who are free from overtime rules under the Fair Labor Standards Act (e.g., executive, administrative, professional), while non-exempt employees are hourly who must receive overtime pay (employees who perform routine, manual, technical, or clerical duties that do not meet exemption tests).

Accumulation

Employees who normally work a 35-hour work week accumulate one (1) hour of compensatory time for every hour worked over seven (7) in a day, and for every hour worked over thirty-five (35), up to forty (40) hours per week.

In accordance with the Fair Labor Standards Act, non-exempt employees shall accrue compensatory leave at a rate of one and one-half (1.5) hours for each hour worked in excess of forty (40) hours in a workweek.

All compensatory time must be earned based on hours actually worked and must be recorded accurately. "Hours worked" shall be determined in accordance with FLSA regulations.

Maximum Accumulation

In accordance with Fair Labor Standard Act guidelines, eligible employees may accrue up to 240 hours of compensatory time.

Department Heads are expected to minimize the accrual of Compensatory Time by their employees by planning work so that it may be accomplished during normal working hours and in compliance with FLSA recordkeeping and compensation requirements.

Utilization of Leave

Any compensatory time which has accumulated must be used in lieu of annual leave, and must be approved in advance under the same terms and conditions as annual leave.

Employees shall be permitted to use accrued compensatory leave within a reasonable period after making a request, unless the use of such leave would unduly disrupt University operations, consistent with FLSA requirements.

Whether a request to use compensatory time has been granted within a "reasonable period" will be determined by considering the customary work practices within the University based on the facts and circumstances in each case. Such practices include but are not limited to (a) the normal schedule of work, (b) "blackout" periods of anticipated peak workloads based on past experience, (c) emergency requirements for staff and services, and (d) the availability of qualified substitute staff.

Application for and Approval of Leave

Compensatory Leave must be requested and approved in advance except in cases of legitimate emergencies. Department Heads may require documentation from employees to substantiate the need for leave taken without notice because of an emergency.

The amount of advance notice required may vary from department to department depending on the scheduling and other needs of the individual department.

Department Heads should set reasonable guidelines and convey them to all staff.

It is the responsibility of the employee to plan scheduled absences so that they do not cause undue disruption of normal office functions. Department Heads have the authority to require employees to be present during periods of peak activity. It is expected that Department Heads and employees will work together to plan for vacations and other absences.

Employees who fail to obtain advance approval to take compensatory leave may have absences charged to leave without pay.

Payment of Accrued Compensatory Leave Upon Separation

Upon termination of employment for any reason, including resignation, retirement, or involuntary separation, any unused accrued compensatory leave shall be paid t in accordance with the Fair Labor Standards Act (FLSA), 29 U.S.C. § 207(o). Payment shall be made at the employee's final regular rate of termination.

FLSA Compliance Statement

This policy shall be administered in full compliance with the Fair Labor Standards Act and applicable federal regulations. Nothing in this policy shall be interpreted to permit the waiver of employee rights under the FLSA or to allow compensatory leave practices inconsistent with federal law.

Section 9.06 Court Leave

Eligible employees will be granted leave of absence with pay for the times of actual service on a jury panel or for required court appearances as a subpoenaed witness.

Any time taken for court appearances that are voluntary, personal in nature, or not required by law or subpoena must be charged to annual or compensatory leave, or leave without pay, as applicable and in accordance with University leave policies.

Temporary employees are ineligible for paid court leave pursuant to this policy.

Utilization of Leave

Employees shall request leave promptly upon receipt of official notification to report for jury duty or upon being served with a lawful subpoena requiring court appearance.

A copy of such notice/subpoena must be attached to the application for leave.

Employees who fail to follow the application process may have their absence treated as unauthorized and charged to the appropriate leave category, including leave without pay, consistent with University policy.

Employees are expected to report to work during any portion of the workday not required for court service, unless otherwise directed by their supervisor.

Section 9.07 Donated Leave

Purpose

The purpose of the Donated Leave Policy is to provide a mechanism, pursuant to applicable provisions of the Virgin Islands Code, through which eligible employees may voluntarily donate accrued leave to assist a fellow employee experiencing a catastrophic or prolonged illness or injury that results in the exhaustion of the employee's available paid leave. This policy is intended to alleviate financial hardship while ensuring consistent, fair, and transparent administration of donated leave.

Policy Statement

In compliance with the applicable provisions of the Virgin Islands Code governing donated or shared leave programs, the University's Donated Leave Program is established to alleviate financial hardship resulting from a catastrophic or prolonged illness or injury which has forced the employee to exhaust all accrued leave.

A Donated Leave Committee comprised of the Director of Human Resources, the Director of Employee Benefits, and two (2) additional members appointed by the President, will administer the Donated Leave Program in accordance with this policy, the Virgin Islands Code, and other applicable laws and regulations.

Eligibility

All full-time regular employees who have completed at least one (1) year of continuous employment with the University and are eligible to receive sick or annual leave may participate in the Donated Leave Program, as authorized under Virgin Islands law as either a donor or a recipient of donated leave.

Eligible Recipients

Recipients must meet all the following criteria to be eligible to receive donated leave. The employee:

- Must be employed on a full-time basis;
- Must have completed at least one (1) year of continuous employment with the

University;

- Must be suffering from a health condition, including maternity or injury, or acting as the primary caregiver for a seriously ill spouse, child, parent, or legal dependent, requiring a prolonged absence from work.

- Must have exhausted all accrued sick, annual, administrative leave, and compensatory time off while on approved sick leave

- Must submit a Donated Leave Medical Certification Form, signed by a physician, duly licensed and in good standing under the laws of the jurisdiction in which they practice detailing the illness and diagnosis, and the condition must be certified as catastrophic or disabling by a physician.

Eligible Donors

Donors must meet all of the following criteria to be eligible to donate leave. The employee:

Must be employed on a full-time basis;

Must have completed at least one year one (1) year of continuous employment with the University;

May be employed by the University or by another qualifying Government department or instrumentality that has been formally approved to participate in the University's Donated Leave Program, as permitted under the Virgin Islands Code;

Donor Requirements:

Donors must meet specific eligibility criteria, including maintaining a minimum balance of accrued leave after donation. For instance, donors must have at least 20 days of accrued sick leave and 12 days of accrued annual leave remaining after donating . Donors may only donate whole days of leave.

Donated Sick Leave Bank

In addition to the individual donation program, the Virgin Islands has established a Donated Sick Leave Bank, where employees can voluntarily pool unused sick and annual leave. Members of the bank can withdraw leave if they meet the eligibility requirements, including suffering from a personal illness, surgery, disability, or injury, and having exhausted their own leave . 3 V.I.C. § 583c.

Donations to the bank are subject to limitations, such as donating no more than half of the annual leave accrued in a year, unless waived by the Director under special circumstances . 3 V.I.C. § 583c.

Limitations and Exceptions

Donated leave cannot be applied retroactively .

Unused donated leave is returned to donors on a prorated basis upon the recipient's return to work.

Section 9.08 Family and Medical Leave

Family and Medical Leave applies to all eligible full-time employees regardless of employment classification. The policy provides leave benefits to employees in accordance with the provisions of the Federal Family and Medical Leave Act (FMLA) and any subsequent amendments.

Family and Medical Leave must be taken with accrued sick, compensatory and annual leave to maintain salary continuity and will run concurrently for up to twelve (12) weeks based on the terms and conditions outlined in the federal FMLA regulations. The amount of time taken under FMLA policy will be deducted from the total amount of leave for which the employee is eligible.

Eligibility

The employee must have worked for a minimum of at least one year, for 1,250 hours over the previous 12 months, and

The employee must have been continuously employed by the University in a full-time regular position for at least twelve months.

Employees will be informed of their eligibility or ineligibility for leave designation (if the leave is designated as FMLA-protected or not) and the amount of leave to be counted against the employee's leave entitlement.

Section 9.09 Leave for Voting

Purpose and Scope

This policy establishes guidelines for University of the Virgin Islands ("University") employees to exercise their right to vote in local, territorial, and federal elections. The University recognizes the importance of civic participation and is committed to providing eligible employees with reasonable opportunities to vote without loss of pay.

Eligibility

This policy applies to all University employees, including full-time, part-time, exempt, and non-exempt employees, regardless of length of service or department, who are registered voters in the Virgin Islands.

Voting Leave Provisions

Time Off to Vote

The University shall grant employees reasonable time off to vote in any local, territorial, or federal election when the employee's work schedule would otherwise prevent them from voting during the hours polls are open.

Duration of Leave

Employees may take up to two (2) hours of paid leave to vote if the employee's work schedule does not allow sufficient time to vote either before or after regular working hours.

Scheduling Requirements

Employees must:

• Coordinate with their supervisor to determine the least disruptive time to be absent.

• Make reasonable efforts to vote at the beginning or end of their work shift, whichever allows the most free time for voting and the least time off from work

• Submit leave request through the University’s designated leave system.

Pay During Voting Leave

Employees will receive their regular straight-time rate or base salary during approved voting leave. Voting leave will not count as hours worked for purposes of calculating overtime for non-exempt employees.

Leave Substitution

Employees who require more time than provided under this policy to vote may, with supervisor approval, use accrued vacation, personal leave, or compensatory time for additional time needed.

Policy Violations

Employees who abuse this policy, including but not limited to using voting leave for

purposes other than voting, may be subject to disciplinary action, up to and including termination of employment.

Compliance with Applicable Laws

This policy shall be administered in accordance with all applicable Virgin Islands and federal laws. In the event of any conflict between this policy and applicable law, the provisions of the law shall prevail.

Acknowledgment

Employees are required to acknowledge receipt and understand this policy. This acknowledgment confirms that the employee has read and agrees to abide by the policy. This policy does not constitute an employment contract and does not change an employee's status as an at-will employee.

Section 9.10 Leave Without Pay (LWOP)

The University recognizes that from time-to-time employees may need to take leave in excess of their accrued paid leave. This need may occur due to maternity, illness, death in the family, to pursue educational goals or for other reasons. Leave without pay is a benefit that is granted at the discretion of the University.

Eligibility

To be eligible for Leave Without Pay (LWOP), an employee must be a full-time employee of the University and must have exhausted all applicable accrued paid leave, including annual, sick, and compensatory leave, except in cases of Political, Military or Study Leave.

Granting of LWOP is discretionary and subject to the operational needs of the University.

Application

Employees are required to exhaust all applicable accrued leave before requesting leave without pay, except in cases of Political, Military, or Study Leave.

Because the reasons for requesting leave without pay are diverse in nature, the time frame within which LWOP is requested will vary. Employees are expected to submit applications for leave without pay as soon as they become aware that they will need to make the request. In some instances, such as Maternity or Study Leave, specific time frames are mandated.

Written requests should be submitted to the Department Head and accompanied by the standard Leave Application Form.

Unauthorized Leave

Any absence not authorized by a specific grant of leave under the provisions of the University's leave regulations shall be deemed to be an absence without leave.

Department Heads are authorized to charge such absences to leave without pay. Such absence may also be grounds for disciplinary action.

Approval

The Department Head may approve leave without pay for up to thirty (30) consecutive days. Requests for leave without pay in excess of thirty (30) days must be approved by the Component Head. All leave without pay requests in excess of sixty (60) days must be approved by the President.

Group Insurance Coverage

If an employee is granted a leave without pay, arrangements must be made with the Human Resources Office to continue Group Insurance at the employee's expense.

Accrual of Leave

Employees do not accrue Annual or Sick Leave while on leave without pay.

Paid Holidays

Employees on leave without pay are not eligible to be paid for holidays falling within the period of absence.

Section 9.11 Maternity Leave

All regular full-time employees are eligible for maternity leave.

An employee may request up to five (5) months of leave for pregnancy and care of a newborn infant. Employees should request leave as soon as possible.

A. Utilization of Leave

Maternity leave may be charges to accrued sick leave, compensatory leave, annual leave or leave without pay in that order.

B. Physician's Certificates

Maternity leave is treated as any other disability or illness, therefore, a physician's certificate is required to document the condition. The certificate must include the specific date that the employee may return to work. The University reserves the right to require an employee to get a second medical opinion at the University's expense.

C. Coordination Family and Medical Leave

Family and Medical Leave will run concurrently with accrued sick leave, compensatory leave, and annual leave. (See FMLA Policy)

Section 9.12 Military Leave

Purpose

The purpose of this Military Leave Policy is to establish guidelines for employees who are required to perform military service or training obligations. The University is committed to supporting employees who serve in the uniformed services by providing military leave benefits and ensuring compliance with applicable federal and territorial laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). This policy outlines employee rights, responsibilities, and procedures related to military leave, reemployment, and benefit continuation.

Eligibility

All regular employees who are members of the uniformed services of the United States, including the National Guard (when engaged in federal or territorial service) and the Reserve components of the Armed Forces, as defined under federal law, are eligible to take military leave when ordered to perform military duty.

Duration of Leave

Eligible regular employees are entitled to leave without loss in pay, time or performance or efficiency rating for each day, not to exceed thirty (30) days in a calendar year, for time spent in mandatory attendance on Federal Active Duty, territorial active military service or training duty.

Employees may be entitled to unpaid military leave beyond thirty (30) calendar days, with job protection and reinstatement rights, in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4301–4335.

Employees may elect, but shall not be required, to use accrued paid leave during periods of unpaid military leave, except where otherwise permitted or restricted by law.

Reemployment Rights

Employees who serve in active military duty are entitled to Veterans' Reemployment Rights in accordance with Virgin Islands and/or federal law upon their discharge from such duty.

In accordance with USERRA, eligible employees returning from military service shall be promptly reinstated to the position they would have attained but for the military service, or to a position of like seniority, status, and pay, subject to the employee meeting applicable notice and return-to-work requirements under federal law.

Military service shall not be considered a break in service for purposes of seniority, benefits, or length of service accrual, except as permitted by law.

Utilization of Leave

Military leave must be approved in advance. Employees should request leave as soon as they receive their notice to report for duty. A copy of such notice must be attached to the Application for Leave.

Advance notice shall be provided whenever practicable; however, the absence of advance notice shall not be grounds for denial of military leave when notice is precluded by military necessity or otherwise unreasonable, consistent with USERRA.

Employees must report back to work or apply for reemployment within the timeframes established by applicable federal law.

Coordination with Federal Leave Laws

Military leave shall run concurrently with leave under the Family and Medical Leave Act (FMLA) only when the reason for leave independently qualifies under the FMLA, including qualifying exigency leave or military caregiver leave, pursuant to 29 U.S.C. § 2612(a)(1)(E)–(F) and 29 C.F.R. Part 825. Nothing in this policy shall diminish an employee's rights under USERRA or FMLA.

Cumulative Service Limitation

The cumulative length of military service for which an employee retains reemployment rights is generally limited to five years. However, certain exceptions apply, such as for initial enlistments exceeding five years, periodic National Guard and Reserve training, and involuntary active duty extensions during national emergencies.

Timely Notification of Intent to Return to Work:

Upon completing military service, the employee must notify the University of their intent to return to work. The specific requirements depend on the length of the employee's military service:

Service of Less than 31 Days or for a Fitness Examination: The employee must report to work no later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of service, allowing for safe transportation home and an eight-hour rest period. If reporting within this timeframe is impossible or unreasonable through no fault of the employee, they must report as soon as possible thereafter . 38 USCS § 4312, §1002.115.

Service of More than 30 Days but Less than 181 Days: The employee must submit an application for reemployment (written or verbal) within 14 days of completing service. If it is impossible or unreasonable to apply within this period through no fault of the employee, the application must be submitted on the next full calendar day when it becomes possible . 38 USCS § 4312, §1002.115.

Service of More than 180 Days: The employee must submit an application for reemployment within 90 days of completing service. 38 USCS § 4312, §1002.115.

Hospitalization or Recovery Period:

If the employee is hospitalized or convalescing from an illness or injury incurred or aggravated during military service, the reporting or application deadlines are extended to accommodate the recovery period. The employee must notify the employer at the end of the necessary recovery period . 38 USCS § 4312.

Prompt Reemployment:

Once the employee has met the notice and application requirements, the employer must promptly reemploy the individual. "Prompt reemployment" generally means as soon as practicable under the circumstances.

Exceptions to Notice Requirements:

Advance notice of military service is not required if it is precluded by military necessity or if giving notice is otherwise impossible or unreasonable under the circumstances. Determinations of military necessity are made by the appropriate authority and are not subject to judicial review . 38 USCS § 4312, 1-2 Servicemember and Veterans Rights § 2.02.

Failure to Provide Notice (Forfeiture of Reemployment Rights):

If an employee knowingly provides written notice of intent not to return to work after military service or fails to provide written notice within the timelines established herein, they forfeit their reemployment rights. The employer bears the burden of proving that the employee knowingly and clearly waived these rights . 1-2 Servicemember and Veterans Rights § 2.02.

Governing Law

This policy shall be administered in compliance with applicable federal law, including USERRA (38 U.S.C. §§ 4301–4335) and the Family and Medical Leave Act (29 U.S.C. § 2601 et seq.). In the event of a conflict, federal law shall control.

Section 9.13 Military Family Leave

Purpose

This policy defines the Family and Medical Leave Act (FMLA) military family leave benefits available to eligible employees.

Eligibility Requirements

Eligible employees with a spouse, son, daughter, or parent who is a covered active duty member of the Armed Forces, including the National Guard or Reserves, or who has been notified of an impending call or order to covered active duty, may use up to twelve (12) workweeks of FMLA leave during the applicable twelve-month period for qualifying exigencies, in accordance with 29 U.S.C. § 2612(a)(1)(E) and 29 C.F.R. §§ 825.126–825.127.

Qualifying Exigency Leave

Qualifying exigencies include, but are not limited to, short-notice deployment activities, military events, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities agreed upon by the University and the employee, as defined under 29 C.F.R. § 825.126.

Military Caregiver Leave

Eligible employees may take up to twenty-six (26) workweeks of FMLA leave during a single twelve-month period to care for a covered service member with a serious injury or illness, pursuant to 29 U.S.C. § 2612(a)(3) and 29 C.F.R. § 825.127.

Definition of Covered Service Member

A covered service member is a current member of the Armed Forces, including the National Guard or Reserves, or a veteran who was a member of the Armed Forces at any time during the five (5) years preceding the date the employee takes military caregiver leave, who has a serious injury or illness incurred or aggravated in the line of duty on active duty and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary disability retired list, as defined in 29 C.F.R. § 825.127(b).

Coordination with Other Leave

Military family leave taken under this policy shall run concurrently with other FMLA leave when applicable. Employees must satisfy all FMLA eligibility, notice, and certification requirements as required by law and University policies.

Governing Law

This policy shall be administered in accordance with the Family and Medical Leave Act of 1993, as amended (29 U.S.C. § 2601 et seq.), and its implementing regulations (29 C.F.R. Part 825). In the event of a conflict, federal law shall control.

Section 9.14 Political Candidacy Leave

Employees wishing to run for public office shall be granted leave without pay upon the date of filing of their nomination petition until the date of the ensuing general election. If the employee is a candidate in a primary election, and fails to be nominated, his or her leave of absence will terminate immediately after the primary.

Application

Employees must submit applications for leave without pay as soon as they decide to become political candidates, but not less than thirty (30) days prior to the filing of their nomination petition. When an employee is granted a leave without pay for any reason, arrangements must be made with the Benefits Administration Office to continue Group Insurance programs at the employee's expense. All retirement contributions will be suspended.

Persons becoming candidates may request a lump sum payment of unused accrued annual leave in taking a political candidacy leave of absence. Persons who have no accrued annual leave shall take leave without pay.

Written requests should be submitted to the Department Head accompanied by a standard Leave Application Form.

Approval

The Department Head may approve Political Leave for up to thirty consecutive days. Requests for Political Leave in excess of thirty days must be approved by the Component Head and the President.

Accrual of Leave

Employees do not accrue Annual or Sick Leave while on leave without pay.

Paid Holidays

Employees on leave without pay are not eligible to be paid for holidays.

Continuation of Benefits

Employees on approved Political Leave may continue to participate in the University's group insurance programs. However, they must pay the entire premium cost, including both the employer and employee portions. Payments are due at the beginning of each month. Failure to make timely premium payments may result in the loss of insurance coverage.

Section 9.15 Sabbatical Leave

Please refer to the current Collective Bargaining Agreement.

Section 9.16 Sick Leave

All employees in regular positions are eligible to accrue sick leave after the completion of one (1) calendar month of employment.

A. Accrual Rates

Executive, Administrative/Managerial, Professional Staff

Executive, Administrative/Managerial and Professional Staff accrue Sick Leave at the rate of 8.75 hours per month, for a total of 15 days per year.

Regular Staff

Regular Staff accrue paid sick leave at different rates depending upon the number of hours in their regular work week, as follows:

Hour/Week	Rate of Accrual	Annual Accrual
35	8.75 hours per month	15 days
40	10 hours per month	15 days

Teaching Faculty

Teaching Faculty accrue sick leave at the rate of 9.3 hours per month for the nine month academic year, for a total of 12 working days per academic year.

Maximum Accumulation

Regular employees may carry over a maximum of 150 work days of sick leave from one fiscal year to another.

Executive, Administrative/Managerial, Professional and Teaching Faculty are permitted to carry over one hundred and twenty (120) work days of sick leave from one fiscal year to the next.

Any hours over the maximum number of sick leave days permitted for carry-over, will be forfeited at the end of the fiscal year (September 30).

Service Credit for Sick and Annual Leave

Those employees participating in the Government Employees' Retirement System (GERS) may bank the leave that would otherwise be forfeited at the beginning of the new fiscal year. Such leave may not be utilized while the employee is actively working, but may be used toward service credit upon retirement, according to the terms and conditions set forth by GERS.

B. Utilization of Leave

Employees may utilize their accrued Sick Leave following the successful completion of their probationary period. Sick leave may be used only for personal illness, injury, medical or dental appointments, or for bereavement purposes in accordance with the Sick Leave and the Bereavement Leave Policies.

The University recognizes that employees will need days off from work from time to time to address the medical needs of a family member. For this purpose, regular full-time employees' Sick Leave may be used for the care of a sick child, spouse or parent for a maximum of eight (8) days per fiscal year. Sick leave to care for a sick child, spouse or parent will run concurrently with Family and Medical Leave. (See FMLA Policy).

The University reserves the right to require employees to provide a note from a physician verifying that an absence was caused by a medical situation. (Also see FMLA Policy)

C. Application for and Approval of Leave

Where possible, such as for scheduled doctor's visits, employees are expected to request sick leave in advance.

Employees who are unable to report to work because of illness or injury are required to call their supervisor or department head within one hour from the time their scheduled shift begins. Personnel working in essential service areas may be required to report their absences prior to the beginning of their scheduled shift according to departmental policy.

D. Physician's Certificates

When an employee is away from work for three or more consecutive days due to illness, a physician's certificate may be required to document that illness. The certificate must include the specific date that the employee may return to work. A Physician certificate may be required in other instances, such as suspected abuse of sick leave. The University reserves the right to require an employee to get a second medical opinion selected by and at the University's expense.

An employee who fails to present a physician's certificate upon request will have his or her absences charged to leave without pay.

E. Abuse of Sick Leave

Misuse and abuse of sick leave is an infraction of the University's regulations and is subject to disciplinary action, up to and including suspension without pay or termination. Attendance patterns which indicate possible abuse of sick leave, such as frequent multi-day absences, or absences on Mondays and Fridays are subject to close scrutiny by supervisory staff. In such cases, employees may be required to produce a physician's certification to substantiate such leave, regardless of the duration, when asked to do so.

Under no circumstances may an employee use sick leave for vacation or personal leave purposes.

F. Sick Leave During Vacation

When an employee becomes ill or is injured during his or her vacation or personal leave, that period of illness/injury may be charged against sick leave and not annual or compensatory leave upon presentation of proper documentation of the illness/injury.

G. Extended Sick Leave

Any consecutive period of sick leave which spans more than two work weeks will be considered extended sick leave. Employees with illnesses or injuries which cause them to be absent for more than two weeks must provide a physician's certificate to their department head with the following information:

- Physician's certification of care;
- The prognosis for his or her recovery;
- The estimated date upon which he or she may return to work.

Any changes in the employee's condition which may have an impact upon his or her expected date of return should be documented and presented immediately.

All original physician statements, and documents concerning requests for extended leave, must be forwarded to the Human Resources Office by the Department Head immediately.

Absences for extended illnesses for which the employee has exhausted his or her accrued sick leave may be charged against accrued annual leave or compensatory time. When other leave sources are exhausted, the employee may be granted leave without pay.

Section 9.17 Study Leave

Eligibility

All Faculty, Executive, Administrative/Managerial, and Professional Staff on regular appointments are eligible to apply for Study Leave.

General Provisions

Eligible employees may apply for leave without pay for purposes of pursuing higher education goals that are consistent with the programs and functions carried out by the University, and which will result in the ability to better contribute toward the University's goals and objectives.

Application & Approval

Requests for Study Leave must be submitted in writing to the Department Head and then the Component Head. The Component Head reviews the request and forwards his or her recommendation to the President. The President gives final approval to all Study Leave requests. Requests should be made one (1) year in advance of the date leave is to commence.

Duration of Leave

Study Leave is approved for one year at a time, and an employee granted such leave may apply for an extension of one year. Study Leave is usually limited in duration to two years. Non-Faculty employees requesting extensions should do so at least six (6) months prior to the date that their leave is to expire. The University reserves the right to require documentation to support requests for extensions of Study Leave beyond the initial two-year period.

Reinstatement

The University will seek to appoint individuals returning from Study Leave to available positions for which they are qualified and that are commensurate with the education, knowledge, and skills of the individual. Employees, who would have been terminated due to layoff or downsizing, if they were not on Study Leave, will not be reinstated. Taking of leave will not result in any loss of benefits or conditions of employment accrued prior to the beginning of the leave period. Employees returning from study leave will be reinstated to at least the same grade and step that they left. However, they will not be eligible for any performance increases for the time period during which they were absent. If no suitable positions are available at the grade and step level previously held by the employee, the University may then assign the employee to a position at another grade and step level, provided the salary is equal to or greater than what was being earned by the employee before taking study leave. Employees will be awarded any increases if such increases were awarded to University employees during the period of their absence. The attainment of a higher academic degree does not automatically entitle an employee to a salary increase.

Annual Leave Payout

Employees going on approved Study Leave may opt to draw down a portion or all of their accrued annual leave in a lump sum payment. Annual Leave payout may not exceed the number of months of approved leave. Employees may also opt to receive the payout in the form of regular paychecks until leave is exhausted. A written request should be filed with the Human Resources Office at least four (4) weeks prior to the effective date of the Study Leave.

Continuation of Benefits

Employees on approved Study Leave may continue to participate in the University's group insurance programs. However, they must pay the entire premium cost (i.e., both the employer and employee portions). Payments are due at the beginning of each month. Failure to make timely premium payments may result in the loss of insurance coverage.

The employee should contact the Human Resources Office at least four (4) weeks prior to his or her departure to make arrangements for continuation of group health and life coverage.

Reinstatement of Coverage

An employee who opts to discontinue participation in the University's group insurance programs while on Study Leave may be reinstated upon resumption of active duty subject to the rules and regulations imposed by the insurance carrier. A medical certification may be required and the employee and his or her dependents may be refused coverage by the carrier. The University is not responsible for any costs associated with the certification of insurability, incurred as a result of the employee's ineligibility to be reinstated.

X. Employee Benefits

Section 10.01 Medical - Hospital Insurance-Dental Insurance

The University offers a comprehensive Group Health Insurance Program to eligible employees. Details of the plans coverage is available from the carrier and can be obtained from the Benefits Administration Office. All full-time employees with Regular appointments and their eligible dependents may participate in the Group Health Insurance program.

Carrier

The University aspires to provide the highest level of coverage possible at the most affordable price to its employees. To achieve this goal, from time to time, the carrier for the University's insurance may change. Please contact the Benefits Administration Office for more information regarding carriers.

Enrollment

New employees must enroll themselves and their dependents in the Group Health Insurance Program within thirty (30) calendar days of their initial appointment. If employees fail to enroll within the initial eligibility period they must wait until a period of "open enrollment" is announced or have a qualifying event.

Effective Date of Coverage

Coverage will be effective on the first day of the month following the completion of one calendar month of employment.

Dependent Coverage

Dependents of eligible employees may participate in the Group Health and Dental Insurance Program according to the terms and conditions imposed by the Health Insurance Board of Trustees and/or the carrier. Employees must provide documentation of dependent eligibility.

Cost of Coverage

The University contributes toward the cost of Health Insurance for each employee enrolled under the Group Health Insurance program. The University reserves the right to change the amount of the employee contribution when necessary for financial or other reasons.

Benefits during Leave Without Pay

Employees on leave without pay (LWOP) may continue to participate in the Group Health, Dental and supplemental life insurance Programs, if applicable. The University will pay the employer portion of the premium for Group Health and Dental Insurance upon receipt by the employee of the employee portion. The employee is responsible to pay the premium for supplemental life insurance. Premiums are due on the first day of each month. Failure to make prompt payments may result in the cancellation of insurance benefits. An employee approved for LWOP should contact Benefits Administration Office to make arrangements for the continuation of regular payments.

Waiver or Discontinuation of Benefits

An employee may opt to decline coverage, or discontinue coverage under the Group and Health and Dental Insurance plan at any time. An employee who waives coverage upon employment, or who drops out of the program must provide proof of comparable coverage and will be subject to the eligibility requirements imposed by the carrier in order to re-enroll in the program. This provision also applies to dependents that are dropped from the plan.

Pre-Existing Conditions

New enrollees with pre-existing medical or dental conditions may have coverage restricted according to the requirements imposed by the carrier. This provision is subject to change based on the Patient Protection and Affordable Care Act of 2010 (PPACA).

Retirement Benefits

Retired employees and their dependents are eligible to continue to participate in the Group Health and Dental Insurance Program. For particulars on this, please contact the Director of Employee Benefits.

Dental Insurance

As a condition of participation, all employees must enroll in the Group Health Program to qualify for Dental Insurance.

Pre-Tax Premiums

Employees may elect to have their benefits paid with pre-tax dollars if they so choose. When signing up for benefits, employees will be offered the opportunity to request pre-tax premiums on any or all benefits.

Section 10.02 Long-Term Disability Insurance

A. Eligibility

Full-time employees on regular appointments in the following employee classifications are eligible to participate in the Long-Term Disability program following the completion of one full year of employment:

1. Teaching Faculty
2. Research Faculty
3. Executive
4. Administrative/Managerial
5. Professional Staff

B. Enrollment

The appropriate enrollment application forms should be completed at the time of orientation and will remain on file in the Human Resources Office.

C. Contributions

The full cost for this benefit is paid by the University at this time. The University reserves the right to require employees to contribute toward a portion or all of this benefit should future financial circumstances so dictate.

D. Summary of Benefits

Effective Date of Benefits

Benefits for eligible employees begin on the first day of the month after six months of continuous Disability. During this time employees may use their accumulated sick and annual leave to continue receiving a paycheck.

Benefit Expiration

Benefits continue during a term of continuous Disability until the following age or time limit:

Age When Disability Starts	Age or Time Limit of Benefits
Less than 60	Age 65
60 but less than 65	4 1/2 years
65 but less than 68 1/2	Age 70
68 1/2 or over	1 Year

E. Benefit Types and Amounts

Monthly Income Benefit

A monthly income benefit equal to 60% of the employees monthly wage base will be paid up to a maximum of $2000 per month. Benefits from other sources such as Social Security and Worker's Compensation will be subtracted from the Monthly Income Benefit. In no event will the Monthly Income Benefit be less than $100 or if greater, 10% of the Monthly Income Benefit before benefits from other sources are subtracted. If monthly earnings while disabled exceed 20% of the Increasing Monthly Wage Base, this benefit may be adjusted.

Monthly Annuity Premium Benefit

If the employee participates in the TIAA-CREF retirement plan, 12.5% of the employee's monthly wage base will be credited to the employee's regular annuity accounts. If monthly earnings while disabled exceed 20% of the Increasing Monthly Wage Base, this benefit may be adjusted.

Annual Benefit Increase

The Monthly Income Benefit and Monthly Annuity Premium Benefit will increase by 3% each year. The first increase takes effect 36 months after the date benefits are first payable for a term of disability. Future increases will take effect on the first day of the same month each year thereafter.

Survivor Income Benefit

Survivor Income Benefit equals to three (3) times the last monthly income benefit received by the employee. This benefit will be paid to the surviving dependent(s) on the first day of the month after the employee's death, if the employee has been disabled for at least twelve (12) months.

Exclusions

No benefits will be paid if disability is caused by: (1) an intentionally self-inflicted injury, or (2) war or (3) taking part in a felony, or (4) riot. Refer to your summary plan description for a complete list of "Disabilities Not Covered" or contact Benefits Administration for more details.

Section 10.03 Government Employees Retirement System - GERS Disability Retirement

Eligibility

GERS participants, who become permanently disabled, are eligible for Disability Retirement.

Benefits

GERS participants should contact GERS for details about disability retirement benefits.

Post-Retirement Adjustments

Regular retirement benefits are increased by 1.5% of the original retirement benefit each year after the attainment of age sixty.

Section 10.04 Basic Life and AD&D Insurance

The University offers a comprehensive Group Life and Accidental Death and Dismemberment (AD&D) Insurance Program. Details of plan coverage are available in the form of a handbook provided by the carrier, which may be obtained from the Benefits Administration Office.

Eligibility

All full-time employees with regular appointments are eligible to participate in the Group Life and AD&D Insurance Program.

Enrollment

New employees must enroll in the Group Life and Accidental Death and Dismemberment (AD&D) Insurance Program within thirty (30) calendar days of their initial appointment. If employees fail to enroll within the initial eligibility period they may be disqualified for coverage under the program. Every employee enrolled in the plan receives $10,000 worth of life insurance coverage paid for by the University. Additional coverage may be purchased by the employee. See Benefits Administration Office for details.

Carrier

The University aspires to provide the highest level of coverage possible at the most affordable price to the employee. To achieve this goal, the carrier for the University's insurance may change at the discretion of the University.

Health Insurance Requirement

As a condition of participation, all employees must enroll in the Group Health and Dental Insurance Program to qualify for Life Insurance.

Section 10.05 Supplemental Insurance

The University has several supplemental insurance plans that provide for coverage over and above the regular University medical, dental and life insurance coverage. These plans are voluntary and are not contributed to by the University. (Contact the Director of Employee Benefits for more information).

Section 10.06 Workers' Compensation

A. Eligibility

All employees of the University, regardless of employment category, are entitled to benefits under the Workers' Compensation Law of the Virgin Islands.

B. Workers' Compensation Benefits

Wages

Employees may be eligible to receive up to 66 2/3 of their base salary for any period of time in which they are disabled. Wage benefits are determined by the Workers' Compensation Administration based on the type and duration of the injury.

Medical Expenses

Medical expenses related to any injury which occurs on the job will be paid by Workers' Compensation.

Vocational Rehabilitation

As a result of the work-related injury, if an employee is unable to perform the job for which he or she has previous training or experience, that employee will be entitled to vocational training and job placement for the purpose of allowing him/her to return to the workforce. All such training and rehabilitation will be paid for under Workers' Compensation.

Reporting Injuries

It is the responsibility of the employee and his or her supervisor to immediately report any injury which occurs on the job to the Benefits Administration or Human Resources Office. The following procedures must be followed:

1. Notification must be made by the injured employee within forty-eight (48) hours of the injury.

2. An Employer's First Report must be filed within eight (8) days after receipt of notice from the injured employee by the Benefits Administration or Human Resources Office.

3. Claims for compensation must be filed in the Workers' Compensation Office by the employee within sixty (60) days of the date the injury was incurred.

Medical Examination

Injured employees should undergo a medical examination as soon as possible after the injury occurs. Benefits Administration and Human Resources Offices will provide the appropriate form(s) to be completed by the attending physician. The Workers' Compensation Office may require the injured employee to submit to one or more examinations by a doctor of its choice.

Use of Leave

Employees may use their accumulated sick and annual leave to continue to receive a full paycheck for any period of time that they are unable to report to work because of a work-related injury. Workers' Compensation will reimburse the University for 66 2/3 of the leave used, at which time the employee will be credited with the appropriate amount of leave.

Section 10.07 Tuition Exchange Program

The University participates in the Tuition Exchange Program which is operated through a non-profit national organization based in Washington, D. C. that records exchange scholarships, enrolls interested colleges and university a members, prepares and distributes membership lists, and develops and implements policies that promote balanced exchanges.

The University extends this benefit to full-time employees' eligible dependent children with the understanding that this program is at little or no cost to the institution and that the program will be reviewed if it is determined that this underlying premise does not hold true. (See Tuition Exchange Policy).

The University offers this benefit program at its discretion and will periodically review the program within the context of fiscal realities, to determine whether adjustments to the policy are warranted.

Section 10.08 Tuition Remission Program

The University recognizes the importance of an educated and competent workforce and offers education benefits to its employees in the form of tuition remission within limits of its financial resources.

The University supports and encourages employees to develop themselves through academic, professional, and/or person enrichment courses, and also provides this benefit to spouses, and dependent children of eligible employees and children of retired employees. (See Tuition Remission Policy)

The University offers this benefit program at its discretion and will periodically review the program within the context of fiscal realities, to determine whether adjustments to the policy are warranted.

Approval

All Tuition Remission Forms must be signed by the Director of Employee Benefits before classes can be taken. If there is a need to grant work release time, the form must be signed by the Department Head of the employee and the Director of Employee Benefits.

Section 10.09 Professional Development

Eligibility

Executive, Administrative/Managerial, Research Faculty and Professional staff who have completed at least six (6) months of continuous employment are eligible to apply for professional development. Employees in the Executive, Administrative/Managerial, Professional and Teaching Faculty or Research Faculty employment categories are eligible to apply for professional development. (Also see Faculty Policy Manual)

Approval

Approval of all professional development is contingent upon availability of funds. To apply for professional development, the eligible employee must submit to his or her manager/supervisor a notice announcing the meeting or conference to be attended and a written explanation of what activity will be carried out and its relation to the employee's professional growth. The manager/supervisor will forward the request to the Department Head and Component Head for final approval.

Activity Report

Following the activity, a brief report may be requested at the manager/supervisor discretion, who will forward the report to the Department Head and Component Head. If a paper was presented, a copy should be attached to the report.

Travel Reimbursement

See Financial Policies

Section 10.10 Moving and Relocation Allowance

It is the policy of the University to provide a reasonable relocation allowance inclusive of airfare, to eligible employees, based on their employment contract, to help defray the costs associated with relocation from outside the Virgin Islands to take up employment with the University. This allowance is made in lieu of any and all claims for reimbursement of relocation and moving expenses.

This policy applies to newly recruited member of the faculty, professional staff and senior administrative officials recruited from off-island and who are approved by the President, the Provost, a Dean or appropriate Vice President or Component Head to receive the benefit of a relocation allowance for moving and relocation expenses. (See the Financial Policies)

Section 10.11 Government Employees Retirement System - GERS

Eligibility

All full-time employees on regular appointments, who have completed thirty (30) days of continuous Government or University service, are eligible to participate in the Government Employees Retirement System.

Enrollment

The appropriate enrollment application forms should be completed at the time of orientation and will remain on file in the Human Resources Office. Contribution will begin on the next available payroll period following enrollment in the retirement program.

Contribution Rates

Contribution rates to GERS are established and amended by Virgin Islands (VI) law which is incorporated into the VI Code.

Vesting

Members become vested in the retirement system after ten (10) years of credited service. At that time they become eligible to receive retirement benefits under the requirements for Service as well as for Disability retirement.

Plan Type

The Virgin Islands Government Employees Retirement System is a defined benefit retirement program to which both the employer and the employee contribute. The benefit at time of retirement is based upon the employee's age, years of service and salary history.

Retirement Age

Employees with forty (40) years of service may retire at any age at full annuity. A member who is fifty (50) years old with ten (10) years credited service may retire at a reduced annuity.

Final Average Salary

The Final Average Salary is the average of highest annual salary up to a maximum of $65,000 during any consecutive five (5) year period in the last ten (10) years. Total maximum benefit may not exceed 100% of maximum salary which may not exceed $65,000.

Retirement Benefits

Vested participants should contact GERS for detailed retirement benefit information at least one year but no later than six months prior to the retirement date.

Military Service Credit

Qualified members may receive military service credit toward retirement. Vested participants should contact GERS for details.

Annual and Sick Leave Payout at Retirement

Retirees that participate in the GERS retirement plan may receive service credit for all unused sick and annual leave at the time of retirement in accordance with applicable GERS regulations. Vested participants should contact GERS for details.

Other Service Credit

Service credit for years of government service during which no contributions were made to the system may be obtained by paying the contribution applicable for that period. Members who are interested in this option should contact GERS for details. Payments for past service credit may be set up through payroll deduction.

Disclaimer

The policies described in the foregoing section are governed by the Board of Trustees of the Virgin Islands Government Employees Retirement System, and as such are subject to change by that body and V. I. law. Employees are encouraged to contact GERS with important questions concerning retirement issues

Section 10.12 TIAA-CREF – Teachers Insurance and Annuity Association/College Retirement Equities Fund

Eligibility

All full-time employees on regular appointments, who have completed thirty (30) days of employment with University in the following employment categories, are eligible to participate in the TIAA/CREF program:

- Teaching Faculty
- Research Faculty
- Executive
- Administrative/Managerial
- Professional

Enrollment

The appropriate enrollment form should be completed at the time of orientation and will remain on file in the Human Resources Office.

On-line enrollment is available. If an employee enrolls on-line, a copy of the enrollment confirmation should be secured as proof of enrollment. It is the responsibility of the participant to ensure that fund allocations are correct.

Contributions will begin on the next available payroll period following enrollment in the retirement program.

Contribution Rates

The Board of Trustees of the University sets policy on contribution rates. The Board is guided by mandates which govern contribution rates for the TIAA-CREF retirement program. The Board and the University reserves the right to change the amount of the employee and employer contribution rates when necessary for financial or other reasons.

Program Description

The TIAA-CREF program is an individual defined contribution retirement program to which both the employee and the employer contribute. Employees may choose between several different CREF funds among which to distribute their contributions. The benefit at time of retirement is based upon the total amount of accumulation in the various funds and the payout terms which are chosen by the retiree.

Taxes on Contributions

Contributions to the TIAA-CREF program are made on a tax-deferred basis up to the maximum amount allowed under Internal Revenue Service (IRS) regulations. It is the responsibility of the employee to ensure that the limits established by the IRS are not exceeded. The employer takes no responsibility for monitoring compliance with these regulations.

TIAA Account

The TIAA traditional annuity guarantees principal and a specified rate of interest and dividends.

CREF Accounts

Participants may choose from a variety of CREF accounts when allocating contributions. From time to time, CREF adds new accounts which the University may opt to make available to participants.

Allocation of Contributions

TIAA-CREF participants may allocate contributions between any combination of TIAA and CREF accounts. Changes in allocations and transfer of funds between accounts may be accomplished within the guidelines set forth by TIAA-CREF.

Transfer of Accumulations

Employees may transfer (also known as rollover) eligible funds from other retirement plans to their TIAA-CREF accounts, and, upon leaving the University, may transfer their TIAA-CREF accumulations to other eligible accounts.

Regular Retirement Age

The University requires TIAA-CREF participants to be age sixty (60) and have at least ten (10) years of full-time service to the University to be eligible to retire.
Employees with thirty (30) years of service may retire at any age.

Retirement Benefit

Retirement benefits under TIAA-CREF are dependent upon the age of the retiree, the total amount of accumulation, and the method of payout of CREF benefits chosen.
Lifetime annuity payouts are based upon standard actuarial tables which predict life expectancy.

Fixed-Term Payout

Upon qualified retirement at age fifty-five (55) or over, CREF accumulation may be paid out over a fixed term of five (5) to thirty (30) years, or a lifetime annuity at the discretion of the retiree. TIAA accumulations will be paid as a lifetime annuity.

Section 10.13 Group Supplemental Retirement Accounts (GSRA)

All employees on regular appointments may participate in the GSRA program, regardless of the regular retirement program that they have chosen.

Enrollment

The appropriate enrollment application forms or on-line enrollment and a Salary Reduction Agreement may be completed at the time of orientation, or at a later date, if the employee so chooses. The Salary Reduction Agreement serves as written notification of the contribution amount to the program. The Agreement must be submitted to the Benefits Administration Office.

The original enrollment application form will be sent to TIAA-CREF and a copy will be placed on file in the Human Resources Office. If an employee enrolls on-line, a copy of the enrollment confirmation should be secured as proof of enrollment. Deductions will begin on the next payroll period following the submission of the appropriate forms to the Human Resources Office.

Contribution Rates

Contribution rates are set by the employee, and may not exceed the maximum amount of income allowed to be tax deferred by regulations of the Internal Revenue Service (IRS). Employees may contact a TIAA-CREF representative for assistance in determining their maximum supplemental contribution.

Program Description

The GSRA program is an individual supplemental retirement account to which only employees contribute. Employees may choose between several different TIAA-CREF funds among which to distribute their contributions. The benefit at time of retirement is based upon the total amount of accumulation in the various funds and the payout terms which are chosen by the retiree.

Taxes on Contributions

Contributions are made to the TIAA-CREF program on a tax-deferred basis up to the maximum amount allowed under Internal Revenue Service (IRS) regulations. It is the responsibility of the employee to ensure that limits established by the IRS are not exceeded. The employer takes no responsibility for monitoring compliance with these regulations.

TIAA Account

The TIAA traditional annuity guarantees principal and a specified rate of interest and dividends.

CREF Accounts

Participants may choose between a variety of CREF accounts when allocating contributions. From time to time, CREF adds new accounts which will automatically be made available to participants.

Allocation of Contributions

GSRA participants may allocate contributions between any combination of TIAA and CREF accounts. Changes in allocations and transfer of funds between accounts may be accomplished within the guidelines set forth by TIAA-CREF.

Section 10.14 Loan Program

The University participates in the TIAA-CREF Group Supplemental Retirement Account Loan Program which provides eligible employees with loans of up to $50,000. Employees interested in this benefit should contact TIAA-CREF to determine their eligibility

Section 10.15 Social Security

All employees of the University with the exception of employees participating in the Civil Service Retirement System are eligible for benefits of the Social Security Administration. The taxes withheld from wages for the Social Security Administration are established by Congress.

Benefits are those currently in force as published by the Social Security Administration and are based upon earnings, quarters of coverage, and age. Additional benefits may be available to wives or widows of employees.

Section 10.16 Unused Annual and Sick Leave Payout

TIAA-CREF Retirees: The University will make a lump sum contribution to the regular retirement account of eligible TIAA-CREF retirees equal to the employer's contribution rate of the employee's unused sick leave dollars for TIAA-CREF retirees.

GERS Retirees: Service credit is available for any unused annual or sick leave. Participants may contact GERS for more information about service credit.

A cash payout for unused annual leave is available to all employees upon retirement.

Section 10.17 Employee Assistance Program

The University is committed to assisting employees in achieving a balance by taking care of their homes, work and families.

The University participates in an Employee Assistance Program (EAP) which is provided through the Health Insurance carrier. The EAP provides assistance to employees and any member of the household with referral of professionals and organizations to assist in addressing marital, substance abuse, financial, career or emotional concerns.

The services provided under the EAP are confidential and offered at no initial cost to the employee. The goal is to help employees find solutions before the concern affects their health or job performance. For information on what services are provided, please call the Benefits Administration Office.

XI. Travel Policy

Section 11.01 Travel Policy

Purpose

The purpose of this policy is to ensure that employees traveling on official University business are reimbursed fairly and consistently, while safeguarding the responsible and transparent use of University resources. The University is committed to prudent stewardship of public funds and to supporting employees in the performance of their official duties without personal financial gain or loss.

Policy

Employees traveling on University business should neither gain nor incur personal financial loss as a result of that travel. Travelers are expected to select the most economical and reasonable method of transportation that also meets university business and scheduling needs.

Employee reimbursements must be limited to expenses incurred for authorized University business purposes, supported by appropriate documentation, and must clearly demonstrate prudent, reasonable, and responsible use of public funds. Reimbursement requests that do not meet these standards may be denied or returned for correction.

All travel and business expense reimbursements must comply with applicable University financial policies and procedures, as may be amended from time to time. (See Travel section of UVI Financial Policies)

Section 11.02 Vehicle Use

The University owns and maintains a fleet of motor vehicles that provides support for University personnel while conducting official University business. All employees who operate these vehicles are expected to have and maintain a valid driver's license and use the vehicles in accordance with the University's Driving rules and regulations and applicable V. I. law.

All employees must comply with applicable University financial policies and procedures, as may be amended from time to time. (See Travel section of UVI Financial Policies)

Section 11.03 Mileage Reimbursement

University personnel may be required to use their personal vehicle to conduct official University business. In such instances, reimbursement shall be based on the standard rate for business purposes established by the U.S. Internal Revenue Service (IRS).

The official rate is announced by the IRS each calendar year. The University's rate shall automatically adjust to remain constant with the IRS rate, which may change from time to time. Mileage claims resulting in fractional cents will be rounded downward. (See Financial Policies)

Mileage reimbursement is limited to the actual miles driven for authorized University business and must be supported by appropriate documentation.

Mileage Form

XII. Services

Section 12.01 University Mail Handling Policy

The University mail system is intended primarily for official University business. Employees are therefore encouraged to use a personal mailing address for non-work-related correspondence. Limited exceptions may apply, such as for individuals residing on campus.

Outside of these limited exceptions, personal mail or packages addressed to an employee at the University may be returned to the postal carrier as undeliverable.

Section 12.02 Acceptable Use Policy

The University provides electronic resources to employees strictly to facilitate their advancement of the University's vision and mission. The uses of the resources are governed by the Acceptable Use Policy and their use should be consistent with all other University policies, procedures and codes of conduct, including those found in this manual.

The University provides electronic resources for the sole purpose of conducting University business.

The University reserves the right to monitor all forms of electronic and voice communications and all data on the University-owned network or individual devices.

The University data and access to University systems should be held in the strictest confidence. The use of these resources is considered a privilege and not a right and may be revoked at the University's discretion. (See Acceptable Use policy)

Section 12.03 Employee Identification Cards

All employees must obtain an identification card (ID) at the start of their employment. Employee Identification Cards are the property of the University and are issued by the Human Resources Office. If an employee ID card is lost or stolen, it should be immediately reported to the Human Resources Office for issuance of a new ID; the employee may incur a charge for a replacement ID card. Upon termination of employment, employee ID cards must be surrendered as part of the final separation clearance process.

XIII. Drug & Alcohol Abuse Policy

Section 13.01 Drug & Alcohol Abuse Policy

The University recognizes its responsibility to provide educational programs that will support positive decision making and believes that it is necessary to establish applicable rules and regulations on drug and alcohol abuse and misuse, to identify employees who are improperly using drugs or alcohol and be able to assist them before they harm themselves or others. This will ensure the health, safety and welfare of all members of the University community. The University of the Virgin Islands Drug & Alcohol Testing Guidelines complies with local and federal requirements.

The University Drug and Alcohol Testing Policy is designed to deter alcohol and controlled substance misuse. The University reserves the right to require a designated employee in a safety sensitive position or any employee suspected of being under the influence of or abusing a controlled substance, to submit to random drug testing which may be without warning.

The University shall provide, within its control, a safe and healthy environment for faculty, staff, students and visitors. The institution is strongly committed to its employees and students and will provide education, referral, and confidentiality of information, as necessary. When substance misuse has been identified, the University will discipline the employee up to and including termination, as appropriate.

In accordance with the University Drug & Alcohol Policy, Testing Guidelines designed to provide the appropriate health and safety requirements are applicable to designated employees which may include operators of University vehicles with or without Commercial Driver's License (CDL) or any employee who utilizes motor vehicle of any size or type owned by the University to transport passengers or materials (hazardous chemical) in the performance of University business and operations.

XIV. Filling Vacancies

Section 14.01 Filling Vacancies

The University creates and fosters an environment that supports and rewards the pursuit of career mobility and encourages employees to pursue appropriate development to assist with their career development.

The University is committed to recruiting, hiring and retaining the highest qualified individuals to meet the educational goals of our student population and to ensure that the selection procedures are fair, consistent and in compliance with applicable laws and regulations.

All official offers of employment are made by the Human Resources Office and all offers of employment are made subject to the recipient's successful completion of background and reference checks and include a drug test for designated classifications.

The University will endeavor to provide support and guidance to staff and faculty in the enforcement of all applicable Virgin Islands and Federal employment laws and regulations regarding unlawful employment discrimination and equal employment opportunity.

Ongoing assistance will be provided in the interviewing and the hiring processes to ensure fairness and integrity.

Human Resources will assist in the development well-defined job growth policy as well as strategic efforts to increase employee efficiency and retention to better serve our student population.

Department Heads must utilize an employment-related strategy based on the principles of equal employment opportunity which provide for diversity, affirmative action and internal job mobility.

Section 14.02 Job Vacancies Posting/Listing

The Human Resources Office will prepare all notices of vacancy for posting. The University requires that all internal vacancies be posted at least ten (10) working days and external vacancies for a minimum of fifteen (15) working days, via the official job posting website, www.careers.uvi.edu. In some instances, there may be circumstances that warrant an exception to the requirement. (See Waiver of Posting)

Section 14.03 Waiver of Posting

The University recognizes that there may be exceptions to the policy requiring the posting and/or listing requirements of regular staff positions. Any exceptions should be discussed in advance with the Human Resources Office.

Submission of a waiver request meeting the criteria outlined below does not guarantee approval of the request. Each request is evaluated based on its own merits in relation to the University's compliance requirements.

Who can request a Waiver?

Only a hiring supervisor or designee may request a waiver of posting. Such request must be submitted for review and consideration of approval by the Human Resources Office.

Current/Previous Search: A search was previously conducted for a regular position with the same title, grade, job description, and minimum requirements; an offer was extended within the last 90 days; the nominated individual met the minimum qualifications; and the nominated individual was selected for interview from the search pool.

University Best Interest: The Director of Human Resources or designee determines that it is in the University's best interest to place an individual in an available regular position. Examples of situations that may fall under this criterion include, but are not limited to the following:

Return to Work: the applicant identified is a returning employee;

Layoff: person identified is currently on layoff status from the University resulting from unfunded grants and is deemed qualified to fill the vacancy;

Reassignment: The person identified is an employee who is no longer able to perform the essential functions of his or her current position based on a medical condition and is deemed qualified to fill the vacancy;

Resolution of a workplace issue or concern;

Avoiding Layoff: Reassignment or move to another position to avoid a layoff.

Waiver Request Material

The waiver request material must include of the following information:

Documentation detailing the rationale for requesting a waiver of posting a position;

Résumé and application of the selected applicant;

Evidence that the employment listing was sent to the Department of Labor.

Review Process

The disposition of waiver requests for all staff positions is determination by the Human Resources Office.

Any position for which a waiver of posting is denied must be posted on www.careers.uvi.edu.

Only after receiving notification that the Director of Human Resources or designee has approved the waiver request, can the hiring supervisor move forward with the selection process.

The Human Resources Office will electronically generate and disseminate periodic notices of vacancies.

All external recruitment advertising must be approved by the Human Resources Office prior to placement. The University will utilize the services of select agencies and companies for the preparation and presentation of vacancy notices such that the University is portrayed in a consistent and professional manner.

Section 14.04 Skills Testing of Job Seekers

Testing is applicable to internal and external applicants.

Skills tests are a pre-requisite for selected non-exempt positions. Standardized pre-employment tests are used by Human Resources in the prescreening process. Testing material is approved by both the hiring department and Human Resources Office. In compliance with Federal and local regulations, the University will provide reasonable accommodation for all candidates for testing.

Section 14.05 Search Committees

Each hiring manager must recognize and accept responsibility and contribute to the efforts to further diversify the University's workforce and collaborate with the Human Resources Office to comply with equal employment opportunity, affirmative action requirement, and consider internal movement (i.e. transfers) when developing an effective and appropriate search strategy.

A search committee must be established by the hiring manager for each vacant position and be comprised of a diverse ethnically-represented male and female group. Human Resources will advise on the legal aspects of hiring, benefits, University policy or participate as an active committee member whenever necessary.

Interview questions must avoid soliciting unlawful discriminatory information that may have a disparate impact.

The search committee's chair, hiring manager or designee must maintain documentation on all applicants. This information must be turned over to the Human Resources Office for safekeeping upon identification of the selected candidate.