



**NORTH AMERICAN**  
**UNIVERSITY**  
INSPIRATION INNOVATION GLOBAL COMPETENCE

# **EMPLOYEE HANDBOOK**

## **2018-2019**

Office of Human Resources



## WELCOME

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North American University is committed to excellence in our teaching, innovation diligent about creating an environment that is inclusive and truly diverse. Our students, faculty, and staff come from different backgrounds — intellectually, ethnically, economically, and geographically — and we are proud of this especially that we are located in one of the most diverse cities in the US.

This Staff Handbook provides current information regarding the policies and programs that define your role and responsibilities as a staff member, as well as the University’s responsibilities to you. If you are looking for information about University policies and programs for yourself — or to address a question posed by another staff member — this Handbook is an excellent resource.

A copy of this handbook will be found at [ww.a.edu/hr/handbook](http://ww.a.edu/hr/handbook). We hope you will find the content of this Handbook to be informative and a valuable resource. If you have any questions, please contact Human Resources Office and we will be happy to assist you.

Kind Regards,

**The NAU HR Team**

### Did You Know?



1. **Our Mascot is the STALLION!**
2. **Our school colors are BLUE and WHITE!**
3. **We are located in Stafford; a step away from Houston.**
4. **We sit on the border of two smaller cities. You can throw a quarter from Houston and hit two cities in one: Meadows and Stafford.**
5. **Walking through the lake breezeway you can see peaceful scenery, which is filled with different wildlife especially ducks.**



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## Our Mission

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North American University, as an institution of higher learning, is committed to providing a nurturing environment for the systematic pursuit of academic excellence, professional and personal development, responsible citizenship and global cultural competency. The University aims to achieve these goals through instruction, scholarly inquiry, the free discussion and dissemination of ideas and creative activity.

## University Goals

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### Goal 1: Academic and Career-related Learning

*Objective 1.1* Foster academic and career-related student learning

*Objective 1.2* Attract and nurture highly qualified faculty with career-related work experience

*Objective 1.3* Attract and nurture promising students

*Objective 1.4* Provide educational materials and infrastructure that support career-related student learning

### Goal 2: Professional Proficiency

*Objective 2.1* Develop a curriculum that helps students excel in their professional formation

*Objective 2.2* Develop a curriculum that is responsive to the needs and visions of employers

*Objective 2.3* Promote life-long learning skills

*Objective 2.4* Remote ethical and professional behavior at both individual and organizational level

### Goal 3: Student Centeredness and Personal Development

*Objective 3.1* Nurture a student-oriented environment that is responsive to student needs and career goals

*Objective 3.2* Provide academic and social services and support to students through their stay at the institution

*Objective 3.3* Provide educational programs and experiences that promote global cultural competency and respect for diversity

### Goal 4: Engagement with Stakeholders

*Objective 4.1* Promote institutional programs and activities to stakeholders such as students, employers, advisory committee, occupational experts and community members

*Objective 4.2* Seek input from stakeholders on an ongoing basis in the development of institutional plans and programs

### Goal 5: Good Stewardship

*Objective 5.1* Manage resources entrusted with the University with responsibility by maintaining the effectiveness and efficiency of programs, services, and operations throughout the University.





# 1. Introduction

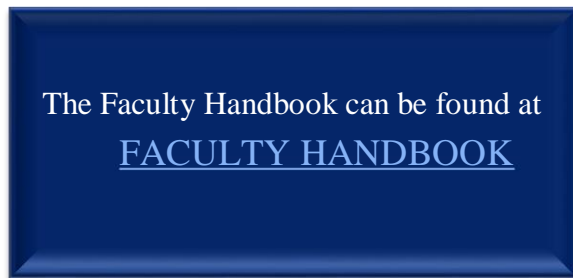
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## Introduction and Notice to Employees

This Staff Handbook is intended for regular staff employees. It is designed to give you a basic overview of North American University policies, procedures and benefits. It is not intended to explain each subject fully. In most cases, policies have been summarized for ease of understanding. Many sections of this Handbook reference a specific University Policy. NAU policies are subject to change at any time. The information in this Handbook is subject to change without notice. Change may be required for North American University to comply with state and federal laws and the Board of Directors Rules and Regulations. Major revisions to this handbook are reported to the Board of Trustees for their final approval.

This Handbook does not constitute an employment contract, expressed or implied with NAU. Whenever you have questions, talk to your supervisor. If questions remain, then contact the proper North American University office.

Please contact your supervisor or the Human Resources Office if further assistance is needed.



Features of this Handbook include:

- Table of contents, which a reader can use to access specific sections within this Handbook. To access a specific section, click on the section heading or page number.

Throughout this Handbook:

- The term “supervisor” is used to refer to an individual who has supervisory responsibility for others regardless of title within the University.
- Links to other specified pages and sections within this Handbook – as well as to sections of NAU’s website and to external websites – are underscored and highlighted in blue. Readers viewing this Handbook online may click on these links to reach the referenced page, section, or website.



## 2. Disclaimer

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In summarizing the terms and conditions of staff employment at North American University, this Handbook does not provide a detailed description of all employment policies and practices; each NAU department may adopt additional policies particular to its functions.

From time to time, policies and programs of the University may change; these changes will be summarized in periodic notices. To be sure you have current information, check for these notices posted online at [www.na.edu/hr/handbook](http://www.na.edu/hr/handbook) with your supervisor, or contact the office of Human Resources. This employee handbook summarizes various employment related policies, procedures, and benefits for North American University employees and is for informational purposes only. This handbook does not create a contract of employment. The contents of this handbook are presented as a matter of information only and do not modify the terms and terms of employment.

Staff members are always welcome to contact the Human Resources Office

- » **In person:** Room 911
- » **by email:** [hr@na.edu](mailto:hr@na.edu)
- » **by phone:** 832-230-5553

## 3. History

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North American University is the continuation of two previous institutions of higher education. Texas Gulf Foundation (TGF), a non-profit educational organization founded on April 7, 2007. The main purpose of TGF was to establish a distinguished higher education institution. As the first step toward the University, the TGF established Texas Gulf Institute (TGI), as a career school approved and regulated by the Texas Workforce Commission, and Gulf Language School. Both institutions started operations in September of 2007. With the addition of several degree programs, TGI evolved into North American College in the Fall of 2010. After three years of successful operations as an institution of higher learning, North American College was approved by the Accrediting Council for Independent Colleges and Schools (ACICS) to offer M. Ed in Educational Leadership beginning in the Fall of 2013.

With the addition of the graduate degree, North American College changed its name and became North American University in September of 2013. North American University is accredited by the Accrediting Council for Independent Colleges and Schools (ACCSC), a national accreditation agency recognized by the United States Department of Education, to award certificates, diplomas, and Bachelor's and graduate degrees.

North American University is also approved by the Texas Higher Education Coordinating Board (THECB) to award both undergraduate and graduate degrees.



## Core Values

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The following core values should guide all members of the University community as they strive to achieve individual and common goals.

- **Learning** – Dedication to the discovery, construction, discussion and dissemination of knowledge and its real-world applications.
- **Honesty and Integrity** – Commitment to truth and consistency in one’s actions and communication.
- **Leadership** – Courage and commitment to lead with integrity, innovation and openness to new ways of thinking and inquiry.
- **Teamwork** – Pursuit of excellence through consultation and collaboration.
- **Ethical and Professional Conduct** – Pursuit of high ethical and professional standards in every endeavor.
- **Human Dignity** – Recognition that every human being is unique and valuable, and has something of value to contribute to the University environment and society at large.

## 4. GOVERNANCE

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### The Board of Trustees

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The management and legal authority for governance of the University are vested in the Board of Trustees. The board, as described in the by-laws of the University, is entitled to invest and manage the university’s funds and direct its affairs and interests. Every major constituency of the University is represented by one or more trustees. The members of the board do not receive any compensation from the institution. The Board of Trustees makes policies that will help the University achieve its full potential, in accordance with the role and mission for which the University was founded. These policies are administered and implemented by administration and faculty.

Nominations for new members may be received from present board members or a nominating committee of existing board members. Members shall be elected by the vote of the majority of the Board of Trustees and term appointments should take place as stated in the by-laws of the university. The board members have equal voting rights. The President of the University attends the board meetings and takes part in discussions but does not have voting authority. The President may invite other University administrators to the board meetings to report on conditions of the University.

The Board of Trustees may adopt a resolution establishing one or more committees and delegate specified authority to the committees, and may appoint or remove members of a committee.

North American University is a 501(c) (3) educational non-profit organization.



## 4.1 Administration

### 4.1.1 President

The President is the chief executive officer of the University. The Board of Trustees hires the President. During this process, the Board can seek input from other administrators as well as faculty members. The Board also evaluates the President's performance.

The President has final authority on daily operations but can delegate some of his/her responsibilities to other administrators. The President's duties are:

- To direct University's administration
- To further the goals of the University and monitor its progress in achieving them
- To conduct Executive Committee meetings
- To strengthen the public image and presence of the University
- To report the activities and condition of the University to the Board of Trustees
- To present an annual budget to the Board of Trustees for approval
- To ensure that discipline is maintained in all activities of the University
- To approve the appointment and dismissal of administrators, deans, faculty, and staff
- To execute any deeds, mortgages, bonds, contracts, or other instruments that the Board of Trustees has authorized to be executed
- To recommend tuition, fees, and room and board charges to the Board of Trustees
- To authorize all diplomas
- To perform other duties as assigned by the Board of Trustees from time to time

### 4.1.2 Provost and VP for Academic Affairs

Vice President for Administrative Affairs, Dean of Student Affairs, Dean of Enrollment Management, and Director of Business Affairs report to the President.

The Board of Trustees, on nomination of the president of the University, elects a provost. The provost shall be the Chief Academic Officer and the Vice President for Academic Affairs of the University and shall manage all academic matters, including, but not limited to, faculty development and discipline, academic program development, evaluation and review, and strategic academic planning. The provost shall be responsible for overall academic program management and support activities most closely tied to academic programs, shall be authorized to execute all contracts in his or her area of responsibility.

The Board of Trustees may designate the Provost as the acting president in the event of prolonged absence, resignation or incapacity of the President. The Provost will form an executive committee with program directors for daily academic operation. He can attend departmental faculty meetings and form committees, and seek input from faculty members. The Provost may be invited to attend board meetings upon the President's request.

Among his or her duties are:

- To oversee planning and organization of academic affairs
- To promote academic excellence in teaching and scholarly activities
- To meet with program directors regularly To assist the President in the process of faculty recruitment
- To review the academic budget and report to the President
- To oversee the organization and activities of the library
- To oversee the Registrar



- To review the curriculum offered by each academic program and to monitor its implementation
- To ensure that the University recruits an appropriate number of qualified students
- To monitor and enhance the University's assessment practices
- To seek input from committees, and act upon it
- To perform the duties of the President when the President is absent, is unable to act, or refuses to act
- To perform other duties as assigned by the President or Board of Trustees from time to time

#### ***4.1.3 Vice President for Administrative Affairs***

The Board of Trustees, on nomination of the president of the university, elects a Vice President for Administrative Affairs. The Vice President for Administrative Affairs manages nonacademic administrative operations of the University. Among his/her duties are:

- Develops and implements strategies to establish and maintain a healthy and positive workplace environment for faculty, staff and students.
- Attends board meetings upon the President's request.
- Manages the administrative units and services of the university including:
  - Admissions Office
  - Financial Aid Office
  - Records Office
  - International Students Office

#### ***4.1.4 Residential Operations and Facilities Management Dean of Student Affairs***

The Dean of Student Affairs is appointed by and reports to the President. Among the Dean of Student Affairs' duties are:

- To act as a liaison between the administration and the students.
- To supervise all student co-curricular activities, student activities, clubs and student government.
- To administer the regulations regarding student conduct, administer disciplinary action
- To oversee counseling services
- To manage career services
- To administer retention services
- To revise and distribute the Student Handbook
- To participate in the life and activities of the University
- To participate in the retention efforts of the University

#### ***4.1.5 Director of Business Affairs***

The Director of Business Affairs is appointed by and reports to the President. The Director of Business Affairs responsible for establishing policies and procedures to ensure the proper safeguarding of university assets and the proper use of university funds; accountable for planning, implementing, and monitoring the university's annual budget. The Director of Business Affairs attends board meetings upon the President's request. The Director of Business Affairs manages the administrative units and services of the University including:

- Business Office
- Human Resources Office
- Information Technology
- Purchasing Office



## 5. EMPLOYMENT AT NAU

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**The mission of the Human Resources Office is to provide quality customer service while guiding and assisting all members of the campus community. We strive to promote an environment in which individual differences are embraced, diversity is valued and people are recognized as our most important resource.**

The Office of Human Resources and the supervisor seeking to fill a position vacancy work jointly on recruiting, screening, and selecting candidates.

Positions are generally posted in several areas including the NAU website under current job openings, LinkedIn and other third party sites for job postings. Offers of employment may be made following the posting period.

### **NAU is committed to:**

- Affirmative action as an integral part of the process of recruitment, selection, placement, transfer, and promotion
- Consideration of all qualified candidates, and
- Non-discrimination in employment practices and procedures.

### **To Apply**

NAU requires a resume and cover letter to be submitted for each open job opportunity at the University. Other positions may require more detailed items such as teaching philosophy and in most cases unofficial transcripts. All applicants should apply for job openings by visiting [www.na.edu](http://www.na.edu). NAU only accepts applications for specific openings, and resumes should be submitted per each job posting instruction in order to be considered.

### **EEO**

NAU is an equal opportunity employer. Good faith efforts are made to provide diverse candidate pools that include members of groups underrepresented in the University's workforce. All searches are conducted in compliance with the laws of the United States, the State Texas, local jurisdictions, and the Affirmative Action Plan of the University.

### **Affirmative Action**

NAU actively seeks women, minorities, veterans, and persons with disabilities to maintain a University community that is based on equal opportunity, reflects the diversity of American society, and improves opportunities for women, minorities, veterans, and persons with disabilities

### **ADA**

NAU reasonably accommodates persons with disabilities. The Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act of 2008, is a federal anti-discrimination statute that provides protections to persons with disabilities in employment, public accommodations, state and local government services, and telecommunications. Employees with a disability (as defined under the ADA, as amended) may be eligible for a reasonable accommodation that allows them to perform the essential functions of their position. A reasonable accommodation may include such things as changing the physical layout of the workplace, restructuring job duties, or modifying the work schedule.

### **5.1 Employment Eligibility**

NAU ensures that all employees, as well as all other individuals paid through the University payroll system, are legally eligible to be employed in the United States. Failure to meet eligibility requirements will make a candidate ineligible for hire, or result in the withdrawal of an offer or termination of employment for a staff member.



Falsification or omission of information as part of the application process, including omission of felony conviction information, is grounds for denial or termination of employment. Fingerprinting may be required for certain positions; failure to comply or a negative finding is grounds for denial or termination of employment.

## **5.2 Background**

Pre-employment background checks are required for all final candidates who may be selected for employment. Conducting background checks of candidates prior to hire helps determine the overall employability of candidates while ensuring the protection of current employees, property, and information of the organization.

A background check will be conducted for all individuals selected during the hiring process for University positions. This includes all candidates applying to regular and temporary staff positions within the University. The University reserves the right to background check any current employee.

Disclosure of Convictions - All individuals applying for positions, including internal candidates, are required to disclose felony conviction information as part of the application process. Additionally, staff members have an ongoing obligation to inform their supervisor if they:

- Are convicted of a crime
- Are added to any sexual predator registry
- Have a license or certification to practice that expires, or that is suspended or revoked, or
- Are excluded, suspended, debarred, or otherwise ineligible to participate in federal programs. Supervisors, in turn, should notify the Human Resources Office in such instances.

### *5.2.1 Types of Background Checks*

There are numerous types of background checks, depending upon the position and function, including but not limited to:

- Federal felony and misdemeanor check
- Sex offender registry check,
- Social Security number check.
- The Texas Department of Public Safety (DPS) Crime Records Service Secure or Public Site check:
- A sex offender registration check;
- An appropriate out-of-state check; and
- National Criminal File check
- The TxDPS Crime Records Service – Public Site.
- Other public state, national, and international sites.
- A private vendor, subject to compliance with the Fair Credit Reporting Act.
- Additionally, background checks include verifications of past and/or current employment, education, and personal and professional references

The information obtained through a background check is considered only insofar as it is relevant to performance in the position and/or as it relates to the issues of safety and security of people, property, and other University resources. A plea of guilty, a finding of guilty by a referee, jury, or court, or a conviction of a crime will be considered in determining the eligibility of an individual for employment. Conviction of a crime does not necessarily prohibit being hired.

### *5.2.2 Consequences*

Where it relates to existing employees, the following situations are subject to corrective action, up to and including termination of employment:

- Failure to obtain and maintain required licensure and/or certification
- Current inclusion in the OIG List, GSA List, OFAC List, or Sexual Offender and Predator Registry, and
- A criminal conviction, discovered at any time during employment.



NAU will not automatically disqualify from employment all individuals with conviction records. In the event the criminal history check investigation reveals criminal convictions or other relevant information, the designated hiring official(s) will determine, on a case-by-case basis, whether the individual is qualified based on a number of factors including, but not limited to:

- Specific duties of the position;
- Number of offenses;
- Nature of each offense;
- Length of time intervening between the offense and the employment decision;
- Employment history;
- Efforts at rehabilitation; and accuracy of the information that the individual provided on the employment application.

### *5.2.3 Fair Credit Reporting Act*

The University will advise the individual of any adverse findings and provide the individual with an opportunity to explain the situation and/or provide proof of error, in compliance with the Fair Credit Reporting Act (FCRA) and any other legal requirements.

If any reported information is used in denying a placement to a candidate, a representative of the Office of Human Resources or its agent will:

- Notify the candidate that the adverse action was taken by the University
- Provide to the candidate the name, address, and phone number of the reporting agency
- Inform the candidate of the right to a copy of the report to be provided by the agency, and
- Inform the candidate of the right to dispute the information with the reporting agency.

## **5.3 ONBOARDING AT NAU**

The staff onboarding process helps new staff members quickly learn how North American University works, what departments they will be working with and whom, and how to take advantage of the many resources and benefits the University offers.

The Human Resources Office facilitates the new employee orientation process.

The orientation and review period is intended to give individuals an opportunity to acclimate to their position, to learn from their supervisors the goals and performance expectations for the position, and to demonstrate their ability to fulfill those expectations.

### ***5.3.1 90 Day Evaluation***

A 90 day evaluation will be given to the employee by their supervisor. This evaluation will take place before the annual evaluation and will ensure quality and ethical practices are adhered to. The 90-day evaluation is not a disciplinary tool but a means to ensure the commitment of faculty, staff, and administrators.

The primary purpose of the 90-day review policy are to:

- Enable open lines of communication between supervisors and employees.
- Provide valuable feedback on work performance and retain employees for future growth within the organization.
- Mitigate any unforeseen challenges in work performance.

## **5.4 CLASSIFICATION AND COMPENSATION**

There are several types of employment at NAU; they include full-time and part-time employees, temporary employees, and research staff. In addition, staff positions are classified as either exempt or non-exempt.

The compensation and classification program of North American University is administered by the Human Resources Office, based on the University's ability to pay. The program also provides recognition for differences in individual ability and performance.





### *Position Classifications*

Each classification is placed on a salary range sufficient to allow incentives for improved performance, job proficiency, years of service and individual efforts. The Human Resources Office shall, upon need or request from the supervisor, conduct classification reviews and studies of any position or classification, and may revise the classification plan or any individual position classification according to findings.

### *Position Classification Descriptions*

All staff positions have a classification description that includes the NAU position title, EEO skill category, position class, FLSA status, department, education and experience requirements, nature and purpose of position, supervision given and received, primary responsibilities, and other specifications related to the position.

The following EEO categories are defined by the Equal Employment Opportunity Commission (EEOC):

- Administrative
- Faculty
- Professional (Non-Faculty)
- Clerical
- Technical/Paraprofessional
- Skilled Crafts
- Service/Maintenance

**Faculty:** A faculty employee is an employee with a specified academic rank holding a teaching appointment for a fixed term as determined by the President of the University and approved by the Board of Trustees. Additional policies specific to faculty employees are found in the Faculty handbook.

**Staff:** A staff employee is any employee other than a faculty or a student employee. Administrative offices are Vice Presidents, Deans and other administrative personnel with delegated executive authority as determined by the President.

## **5.5 Types of Appointments**

### ***5.5.1 Regular Full Time Employees***

An employee is normally scheduled to work 40 hours per work week (1.0 FTE – full time equivalent). Regular full-time employees are those employees who work at least 30 hours per week (0.75 FTE) and maintain continuous regular employment status.

### ***5.5.2 Regular Part Time Employees***

Regular part-time employees are those employees who work less than 30 hours per week and who maintain continuous regular employee status. Employees in this classification may work more than 30 hours per week on occasion, but should not average 30 hours per week or more during the appointment.

### ***5.5.3 Temporary Employees***

Temporary employment is expected to last no more than one year. A temporary assignment should not be extended without the prior approval of the supervisor or President.

### ***5.5.4 Student Employees***

Student employee status applies to those employees currently enrolled in North American University whose primary purpose for being at the University is to obtain an education.

Student workers may not work during their scheduled class times. While school is in session, international students, F-1 students, cannot work more than 20 hours per week even if they work at multiple jobs on campus. F-1 students may work full-time during those periods when school is not in session or during the student's annual break, as long as they are enrolling full-time the next semester. Students who are transferring may work at the school that has control of their record – at "the transfer- out school" before the release date, and "the transfer-in school" after the release date.

The IRS defines full-time on-campus employment as 40 hours per week for foreign students who are claiming an exemption from Social Security and Medicare taxes.



F-1 student status permits an international student to work on campus at the university that issued student's I-20 while a student is enrolled in a full course of study. International students must maintain F-1 status to be eligible for this employment benefit; maintaining status means that international student is a full-time registered student in good academic standing with a valid I-20. All students who have been offered a job on campus must submit the forms required by the Human Resources Office prior their first day of employment. Students may not begin work or be paid until their forms are completed. For more details, please contact the Human Resources Office.

## **5.6 Exempt and Non-Exempt Classifications**

All positions in North American University will be classified as either exempt or non-exempt in compliance with law and for pay purposes. In cases where the “exempt/non-exempt” status of an employee is in doubt, the Director of Business Affairs will review position duties and responsibilities against Fair Labor Standards Act (FLSA) exemption tests, and make a decision in consultation with the administration.

### ***5.6.1 Exempt Classification***

Exempt staff members are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). This exemption is determined by evaluating the duties and responsibilities required of the staff member against the criteria outlined in the FLSA. A job is classified as exempt if its duties and responsibilities are primarily executive, managerial, or administrative, or if it requires an advanced educational degree or knowledge and experience in a field considered to be professional. Exempt staff members fulfill their duties without a focus on the amount of time it takes. Therefore, exempt staff members are paid a monthly salary that does not vary between pay periods based on the quality or quantity of work, and are not eligible to receive overtime for hours worked beyond 40 hours in a workweek. The supervisor has the discretionary authority to arrange the work schedule of an exempt employee.

### ***5.6.2 Non-Exempt Classification***

Non-exempt staff members do not qualify, by the nature of their work and responsibilities, for exemption from the overtime or minimum wage provisions of the FLSA. . Non-exempt employees must maintain detailed records reflecting the actual time worked. Working overtime must be approved in advance by the employee's supervisor except in cases of emergency. Non-exempt staff members are paid by the hour and must receive no less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours in a workweek

Describing an employee as salaried or agreeing to pay her/his a certain yearly salary does not mean that the employee is exempt. Unless the employee falls within the detailed guidelines for an exempt employee, the employee's yearly salary is broken down into an hourly wage, and the employee is owed overtime when he/she works more than 40 hours a week.

### **5.6.3 Salary Increases**

The salaries of employees are reviewed at the beginning of the fiscal year during budget preparation for the next fiscal year. Any adjustments are based on work performance, promotion, demotion, labor market conditions, legislative actions and budget constraints.

### **5.6.4 Disbursement of Payroll**

The Human Resources Office administers wage and salary and prepares pay structure and schedules. The compensation policy at NAU is to comply with all applicable laws, government regulations and university standards.

### **5.6.5 Pay Days**

University employees are paid either semimonthly or monthly depending on their job classification. Employees in exempt positions are paid monthly on the last working day of the month. Employees in nonexempt positions who are paid on an hourly rate are paid twice every month.



Special provisions may apply during the extended break between the Fall and Spring semesters. Employees are paid according to the fiscal year payroll schedule, which is available at the Human Resources Office or on NAU website at [www.na.edu](http://www.na.edu). All new employees are given a current payroll schedule upon completion of payroll sign-up. Any changes to the schedule will be announced in advance to the employees.

#### 5.6.6 Payroll Direct Deposit

North American University uses a direct deposit system to have employee salaries deposited directly into their checking or savings accounts. The employee's financial institution must be a member of the Southwestern Automated Clearing House Association in order to activate direct deposit.

#### 5.6.7 Payroll Deductions

By law, the University is required to make certain deductions from an employee's paycheck. These include the following:

- Federal Income Tax (FIT);
- Social Security and Medicare Taxes (FICA tax);
- Court-ordered garnishments (child support and IRS levy);

Employees have the option of requesting additional deductions, such as health insurance or optional benefit premiums.

## 6 UNIVERSITY POLICIES

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### *Employment Commitment to Affirmative Action and Equal Employment Opportunity*

It is the policy of North American University to fill every position with the best suited person available regardless to race, creed, ancestry, marital status, citizenship, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or gender identity. North American University takes seriously the initiative to make the needed extra efforts to remedy areas of underutilization in our workforce.

The University finds that a workforce and a student body that is representative of our multicultural society is integral to our educational mission as it promotes learning and valuable experience that prepares our students to succeed in a variety of diverse environments. The University commits to providing equal employment opportunities and determines that increasing diversity is an essential and significant component of the hiring process.

Discrimination, Sexual Harassment, Equal Employment Opportunity (EEO), and Title IX NAU intends to provide an educational and working environment free of unlawful discrimination or harassment to all members of the University community and to establish a complaint resolution policy to help identify and eliminate discrimination, and to resolve such complaints in a fair and timely manner. It is the policy of North American University to review and resolve complaints of discrimination by any member of the University community, including faculty, staff, students or visitors.

Each supervisor has a responsibility to maintain the workplace free of discrimination. This duty includes discussing this policy with all employees and assuring them that they are not to endure discrimination, and that false accusations will result in disciplinary action up to and including termination.

For employee-related complaints, the Human Resources Office or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.

For student-related complaints, the Dean of Student Affairs or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.



Title VII of the Civil Rights Act of 1964 protects individuals against employment discrimination on the basis of race and color, as well as national origin, sex, and religion.

North American University, in accordance with applicable federal and state law (including Title VII) and institutional values, prohibits discrimination or harassment on the basis of race, creed, ancestry, marital status, citizenship, color, national origin, sex, religion, age, disability, veteran's status, sexual orientation, or gender identity. All personnel actions, including recruitment, employment, training, upgrading, promotion, demotion, termination, and salary administration are reviewed to ensure Equal Employment Opportunity (EEO) compliance. North American University complies with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act. Sexual misconduct, as defined in the University's Sexual Misconduct Policy and Procedures, constitutes a form of sex discrimination prohibited by Title IX and Title VII.

Complaints of discrimination based upon sex related to sexual harassment and/or sexual misconduct are governed by the University's Sexual Misconduct Policy and Procedures.

Employee-related complaints – the Human Resources Office or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.

Student-related complaints – the Dean of Student Affairs or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.

Title IX Contacts – Please see the Title IX website for a list of staff members that have primary responsibility for Title IX Compliance at North American University.

### *6.1 Drug-Free Workplace and Substance Abuse Policy*

It is the policy of North American University that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace of North American University. The University is committed to enforcing existing state laws and procedures in dealing with substance abuse such as alcoholic beverages, illegal drugs and performance enhancing drugs.

Alcohol consumption, possession of illegal drugs and disruptive behavior resulting from intoxication are all violations of the University's substance abuse policy. All violations are to be reported immediately to the supervisor.

The illegal use, sale, or possession of alcohol, narcotics, drugs, or controlled substances while on University property or during any University activity is prohibited. Any illegal activity or substances shall be reported to the appropriate law enforcement agency and may result in criminal prosecution.

Employees who are under the influence of alcohol or drugs, or who possess or consume alcohol or drugs on the job, have the potential for interfering with their own, as well as their co-workers' safe and efficient job performance. Such conditions will be proper cause for disciplinary action including termination of employment.

University officials reserve the right to require drug testing when there is reasonable cause to believe that an employee is under the influence of drugs.

All employees must read the "North American University Drug-Free Workplace Policy" and sign and return the acknowledgement form to the Human Resources Office.



## 6.2 Nepotism Policy

Members of the same family are eligible for employment at North American University. However, a supervisor-subordinate relationship shall not exist between family members nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion.

Likewise, either one of family members who hold positions in the same budgetary unit shall not be appointed to an executive or administrative position for that unit. Waivers may be granted by the President, but performance evaluations and recommendations shall be made by a supervisor not related to the individual being evaluated. If members of the same family are recommended to work for the same supervisor, the arrangement must be approved in advance by the Director of Business Affairs.

If a supervisor/ subordinate relationship between family members develops during employment, family members must notify the Human Resources Office immediately. The institution must take action to ensure that the supervisor subordinate relationship does not exist; such action may include transfer, reassignment or removal of one or more family members.

Family member, for this policy, is defined as: spouse, (your or your spouse's) parent, grandparent, great-grandparent, uncle, aunt, brother, sister, son, daughter, son-in-law, daughter-in-law, grandson or granddaughter, great-grandson or granddaughter.

## 6.3 Computer Use Policy

Employees are obligated to comply with all applicable laws, regulations, contracts, licenses, policies, standards, organizational controls, security rules, etc. In particular, the individual user is responsible for understanding and complying with all copyright laws. NAU users of computers attached to the campus network have a common responsibility to fellow users to follow security policies designed to protect the campus network.

This includes but is not limited to adhering to virus scan procedures, refraining from visiting risky web sites (such as game sites), following file download instructions and other security-based instructions issued by information technology services and or listed on the IT area of the NAU web site.

Certain programs, such as instant messaging and file sharing programs, constitute a network security risk and may not be installed on computers connected to the NAU network. The ITS section of the NAU intranet web site provides a current list of these programs. FTP and telnet protocols may be used only with specific approval of the IT staff.

Other programs that consume significant resources or affect PC performance may also be prohibited on a case-by-case basis. If any dispute arises, the IT department has the institutional authority on all technology related issues.

Computing equipment and networking infrastructure including internet access are provided to NAU reserves the right to monitor and record both usage and content of electronic communications that involves University equipment for purposes of including but not limited to ensuring compliance with this policy.

This policy recognizes the existence of state laws governing access to materials with sexually- explicit content. Prohibited activities include accessing, downloading, printing or storing information with sexually explicit content as prohibited by law.

All employees must read the "North American University Employee Computer Use Policy" and sign and return the acknowledgement form to the Human Resources Office.



### 6.3 Social Media Acceptable Use\*

North American University encourages employees to share information with co-workers and with those outside the company for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, NAU has established the following guidelines for employment.

#### *Participation in social media.*

##### **Off-duty use of social media.**

Employees may maintain personal websites or web logs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, NAU considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

##### **On-duty use of social media.**

Employees may engage in social media activity during work time provided it is directly related to their work, approved by their supervisor, and does not identify or reference students, parents or vendors without express permission. NAU monitors employee use of company computers and the Internet, including employee blogging and social networking activity.

##### **Respect.**

Demonstrate respect for the dignity of NAU, its students, its vendors and its employees. A social media site is a public place; employees should avoid inappropriate comments. For example, do not use ethnic slurs, personal insults, or obscenity, or use language that may be considered inflammatory. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

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*\*Note:* As used in this policy, “social media” refers to blogs, forums and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram and Snapchat among others.

##### **Post disclaimers.**

If an employee identifies himself or herself as an NAU employee or discusses matters related to NAU on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of NAU and that the employee is expressing only his or her personal views. For example: “The views expressed on this website/Web log are mine alone and do not necessarily reflect the views of my employer.”

Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to NAU. Employees must keep in mind that if they post information on a social media site that is in violation of company policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**Competition.** Employees should not use a social media to criticize NAU’s competition and should not use it to compete with NAU.

**Confidentiality.** Do not identify or reference NAU students, parents, other employees or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.



**New ideas.** Please remember that new ideas related to work or NAU's business belong to the university. Do not post them on a social media site without the university's permission.

**Links.** Employees may provide a link from a social media site to the university's website during employment (subject to discontinuance at the university's sole discretion). Employees should contact the UMCR department to obtain the graphic for links to the university's site and to register the site with the university.

**Trademarks and copyrights.** Do not use the university's or others' trademarks on a social media site, or reproduce the university's or others' material without first obtaining permission.

**Legal.** Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

**Discipline.** Violations of this policy may result in discipline up to and including immediate termination of employment.

*Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.*

#### 6.4 Nondiscrimination Policy

North American University prohibits discrimination against and harassment of any employee or any applicant for employment because of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, veteran status or any other characteristic protected by applicable federal or state law. All personnel who are responsible for hiring and promoting employees and for the development and implementation of university programs and activities are required to support this effort and respond promptly to any concerns that are brought to their attention.

#### 6.5 Political Activity

Recognition of its own purposes and compliance with federal and state laws for not-for-profit corporations require that the University remain non-partisan and independent in politics.

Individual members of the University community, of course, have the right to participate in the political process so long as they do not speak or act in the name of the University.

#### 6.6 Security

University Security has the primary duty to respond in all medical, fire, and criminal emergencies at the University. In an emergency, use any University phone to dial 911. For non-emergencies, dial 154 for campus security.

Security acts to prevent criminal activity as well as to respond to it through such measures as prevention education, preventive patrols, and escorts. Members of the University community are encouraged to remain aware of their surroundings, to observe self-protective measures, and to report any potential threats to the community's well-being.

Security serves as a liaison with public law enforcement agencies. Cooperation between those outside agencies and the University community promotes awareness of the needs of one's neighbors and fosters a sense of common purpose and protection for all. Unlawful acts or evidence thereof may be reported to the appropriate law enforcement agencies.



## 6.7 Smoking

In light of the clear health hazards associated with tobacco smoke and as an institution committed to promoting the best possible health care for all, the North American University has adopted the following University-wide smoke-free policy:

6.7.1 All buildings and vehicles, regardless of location, that are owned or leased by the North American University will be entirely smoke free. This policy applies to all campus facilities except for designated outdoor smoking areas.

6.7.2 It will be the obligation of the University administrator responsible for programs taking place within these areas to ensure that the smoke-free policy is observed.

6.7.3 Individuals who wish to smoke out of doors must do so in outdoor designated areas, away from pedestrian traffic and building air supply.

6.7.4 The University assists faculty, staff, and students who wish to stop smoking and periodically offers smoking-cessation workshops. Supervisors are encouraged to allow their smoking staff to attend.

## 6.8 University Letterhead

When an individual or group uses University letterhead, or employs the phrase "North American University" in a specially invented letterhead, there is the implication that the communication has the sanction of the University. Such letterheads are sometimes used inappropriately in letters or other documents to pursue a personal goal or for social or political purposes that are not the direct responsibility of the University. In these cases, such a letterhead should not be used, however worthy the cause, and in spite of the fact that University members may be part or all of the membership of a group.

Examples of appropriate use of letterhead would be a professor of chemistry writing to a professional society or to a colleague in another university about professional matters, or an official of the Public Speaking Club writing about arrangements for a proposed tour of the club.

Examples of inappropriate use would be a group of faculty writing to the mayor of Houston protesting the city's tax proposals, or a group of students urging the President of the United States to seek the release of a political prisoner. The subject of the communication must be the authorized business of a formal component of the University (such as a department, or a student group sanctioned by the University).

Otherwise, the group or individual should seek authorization in writing from the President or the Vice President for Academic Affairs to use the University's name. Sponsorship, for instance, by a department or group in the University, of some cause that is not a specified part of the professional responsibilities of that department or group does not constitute such authorization, nor can anyone except the President or the Vice President for Academic Affairs grant such authorization.

If there is any doubt about the appropriate use of University letterhead, the Vice President for Academic Affairs or the President should be consulted.





## 6.9 Travel Policy

### 6.9.1 Permissible Expenses

Expenses that support the mission of the University are deemed valid and therefore permissible. The following sections of the travel policy detail those expenses that are generally deemed permissible. The Business Office reserves the right to examine and determine eligible expenses to be reimbursed and therefore employees are highly encouraged to consult with the Business Office before travels.

All travel requests for university business should be approved by the supervisor of the employee and the Director of Business Affairs. Travel request forms must be fully completed at least 10 business days before the first day of travel, clearly state the purpose of the travel, be approved and submitted to the Human Resources Office. The Business Office reserves the right to not process any incomplete or late requests.

It is the responsibility of the supervisor to ensure that funds are available in the unit's or department's particular account to cover the cost of travel request being submitted for approval.

### 6.9.2 Transportation

#### 6.9.2.1 Air Travel

All airline tickets must be booked at the lowest available airfare. Employees shall choose a connecting flight if there is a significant cost saving compared to a direct flight. In case of multiple connections to the final destination, an employee may purchase a direct flight ticket or a single connection flight ticket by consulting with the supervisor. Employees may not specify a preferred carrier if a significantly lower cost fare is available.

Extra baggage fees will be reimbursed only if the employee carries university related items. Rebooking or change fees will be reimbursed if the change is requested by the supervisor or emergency situations exist.

#### 6.9.2.2 Personal Vehicles

Employees may use personal vehicles for business travel when doing so is less expensive than renting a car or taking a taxi. Valid expenses related to the use of personal vehicles for business travel are reimbursed based on 45 cents per mile which covers the use of the vehicle, gasoline and insurance.

Employees driving their own vehicles for business travel are responsible for ensuring adequate insurance coverage for their protection and for the protection of passengers. Their personal auto insurance carrier is deemed the primary insurance carrier.

Employees may use their personal vehicles for local and in-city travels such as Houston and Sugarland metropolitan area within 50 miles one way from NAU main campus. For longer distance travels, employee should consult with the supervisor and rent a car if renting is less expensive.

Costs of repairs to personal vehicles during business travel are deemed personal expenses and university funds cannot be used for such expenses.

#### 6.9.2.3 Rental Cars

Costs related to rental cars are deemed valid business expenses when renting a car is less expensive or more feasible than other transportation options available.



Reimbursable costs include daily rental fee, tolls, authorized insurance charges, and relevant parking fees. Non-reimbursable costs include but are not limited to vehicle repairs, GPS rentals and fines for traffic violations.

Employees are urged to choose economy or compact cars unless there is a special circumstance approved by the supervisor. Employees who wish to upgrade to a larger size car is responsible to pay the upgrade fee.

Individuals who travel on University business are reimbursed for meal expenses they incur. The University reimburses meal expenses in two ways: according to actual, substantiated costs, or at established “per diem” rate. Travelers cannot switch between these two methods in one trip; the method travelers choose applies to all meal expenses incurred throughout the trip. When opting to be reimbursed based on actual costs of each meal, travelers are required to provide detailed receipts or other appropriate documentation for all meals taken throughout the trip. Documentation is necessary in satisfying requirements of the University’s “accountable plan,” an expense allowance and reimbursement arrangement governed by IRS regulations. The alternative to keeping receipts and other appropriate documentation for each meal during travel is the “per diem,” or being reimbursed at an amount set as meal allowance for each day of travel. The per diem applies only when overnight travel is involved. The per diem rate is \$45.

6.10 Meal

Employees are expected to make reasonable selections when ordering meals. Employees may request for reimbursement for meals in two ways. Employees may either provide all detailed receipts of meals for reimbursement or they may use per diem meal allowance for overnight travels.

When requesting reimbursement by providing receipts, the maximum amount to be reimbursed for each meals as follows:

<b>Breakfast</b>	<b>Lunch</b>	<b>Dinner</b>	<b>Total per day</b>
\$ 9	\$15	\$21	\$45

At the discretion of Human Resources Office, reimbursement requests in excess of the maximums may be reimbursed if supported by a receipt and a reasonable explanation approved by the supervisor.

In domestic overnight travels, employees may request a meal reimbursement based on North American University per diem meal allowance. An employee cannot use per diem rate for one day and reimbursement by receipts for another day on the same travel. When reporting meal expenses for reimbursement based on the per diem rate, employees are required to prorate the meal allowance for the first and last day of your trip based on the table below.

Trip	Breakfast	Lunch	Dinner
One day trip	Yes, if departure from home is prior to 6:30 am	Yes, if departure is prior to 11:00 am or return is after 2:00 pm	Yes, if departure is prior to 5:00 pm and return is after 7:00 pm



First and last day of a multi-day trip	Yes, if departure is prior to 6:30 am. or return is after 10:00 am	Yes, if departure is prior to 11:00 am or return is after 2:00 pm	Yes, if departure is prior to 5:00 pm or return is after 7:00 pm
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\*\*\* For international travels, the employee shall consult with the supervisor on these rates based on the standards in the destination country.

### 6.10.2 Lodging

When choosing a hotel, employees are advised to compare prices for the various hotels and stay in a standard room within a reasonable distance from where the university business takes place. Costs that are charged to the hotel room are deemed valid and reimbursable if they are related or necessary to University business. The final hotel folio, which reflects all charges made to the room, is required for reimbursement. Extra services that are not necessary for the university business are not reimbursable. Exceptions may be granted if the expense is necessary, documented and approved by the supervisor.

When two employees share a hotel room, each individual should obtain their own receipt from the hotel. Receipt should have the person's name and date of the stay. If the hotel does not give separate receipts, one receipt can be obtained as long as each traveler's name appears on the receipt. The traveler can only claim half of the cost and tax of a room. A statement should be written on the receipt stating "only one half of hotel cost is being claimed." Both travelers must fill out "Travel Reimbursement Form" and claim their half of the expenses.

### 6.10.3 Travel Request

All travel requests for in-state, domestic and foreign travels should be submitted using NAU "Travel Request Form". All requests should be made at least 10 business days prior to the requested date of travel and approved by the supervisor. If more than one person is travelling, include all names or attach additional forms if necessary. The first person listed should be the requester who will accept responsibility for any vehicles rented, any cash given, etc., and should be the person to sign the request. Expenses incurred by students are paid or reimbursed by the University only when the students are also NAU employees and the expenses are approved by the supervisor.

For in-city and local travel, a travel request is not necessary. If employees wish to be compensated for mileage traveled in their personal vehicle, they should fill out the "Mileage Reimbursement Form" that documents the purpose of their travel and distance traveled. If any tolls and/or parking fees were paid, they should enter that as well. Once the form is completed, it should be signed by the employee, her supervisor, and the Director of Business Affairs. The signed form should be turned into the Human Resources Office for reimbursement. It is recommended that the employee waits until he/she accumulates \$20.00 in mileage reimbursements before submitting the request.

### 6.10.4 Pre-paid Items

If the employee requests funds to pay for hotel, airfare or any other items prior to travel, then he/she must fill "Prepaid Items" section of the "Travel Request Form" out and estimate the cost of these items. The employee should provide the hotel and flight information that includes the expected costs. For example, if the requester is planning on travelling to Chicago, he/she should look up hotel and flight availability and print copies of available hotels, flight information, and car rentals from travel websites. These estimates shall be approved by the supervisor and the Director of Business Affairs.



#### 6.10.5 Estimated Items for Reimbursement

If the requester has expenses they anticipate being reimbursed for, they must fill in this section of the “Travel Request Form” before they leave. If travelers choose to pay for their airfare or hotel with their own funds, they need to fill in this section and provide copies of the hotel and/or flight information including costs prior to ordering these items. Failure to submit this information at the time of the travel request may result in denial of reimbursement later.

#### 6.10.6 Cash Pre-Imbursement Requests

Cash pre-imburements may only be issued for foreign travel requests as well as domestic travel requests that will last longer than one week. If cash pre-imburement is necessary for any other circumstances, an explanation should accompany the request. The request should be made on the “Travel Request Form”. Travelers can fill out the pre-imburement request with estimates on what they expect to spend on the listed items. These should not include any pre-paid items. For example, if the University pays for a hotel in advance, the requester should NOT list the cost of the hotel in the cash pre-imburement box.

Total cash authorized and issued to the requester will be listed at the bottom of the “Travel Request Form” and the requester must sign the form acknowledging receipt of the money. By signing this form the requester acknowledges that he/she will only use pre-imbursed money for authorized purchases and if there are any remaining funds after returning from the trip, they are required to return it to the Human Resources Office along with all the travel receipts.

#### 6.10.7 Cancelling or Modifying a Request

The requester should inform the supervisor and the Human Resources Office as soon as possible if a planned trip is cancelled or changed. All valid reasons for cancelling or changing the request should be submitted to the supervisor in writing. Verbal cancellations or change requests are not acceptable. A new Travel Request Form should be submitted if needed.

#### 6.10.8 Travel Reimbursement

Travelers should keep copies of their receipts that they wish to have reimbursed by NAU. All receipts should be delivered to the Human Resources Office no later than 10 business days following a trip. Notation should be made regarding the traveler’s name, the travel dates and the destination(s).

Also, if the traveler uses their own vehicle for any trip, they should notate miles traveled in their personal vehicle. For in city travel, all faculty and staff should continue to use “Mileage Reimbursement Form” rather than submitting mileage to the related administrative assistant.



# 7 HOURS OF WORK

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## 7.1 Work Week

### **Work Schedules, Employee Compensation, and Attendance Office Hours**

All administrative offices shall remain open from 8:00 a.m. until 5:00 p.m. Monday through Friday, except for designated holidays. Offices may be open beyond the normal schedule as required by individual departmental needs. Offices shall remain open during the noon hours each working day with at least one person on duty to accept calls, receive visitors, or transact business. The administration may make exceptions where it is not practical to stay open during the noon hours.

Work week – The standard workweek consists of forty (40) hours. The official workweek is from Sunday 12:01 a.m. until Saturday 12:00 midnight.

Lunch Breaks – Lunch breaks will not be on paid time and may vary per the needs of the department. The employee's supervisor will determine the specific time and length of the lunch break.

Rest Breaks – Rest (coffee) breaks will be on paid time and may be granted only when the work allows. Rest breaks are a privilege and not required by state or federal regulation. The length, time, and place of these breaks will be at the discretion of the supervisor. The supervisor will be responsible for seeing that breaks do not interfere with the normal completion of the work involved.

Starting and Quitting Times – The normal work day begins at 8:00 a.m. and ends at 5:00 p.m. However, each Department Head may establish, on an individual basis, different starting and quitting times to meet the needs of the department.

Flex-Time Scheduling – The Department Head may also use flex-time scheduling to allow individualized employee work schedules, to make available opportunities for employee development, accomplish special tasks, handle peak work periods and accommodate circumstances that are in the best mutual interest of the department and employee. The Federal Fair Labor Standards Act (FLSA) determines whether employees are subject to or exempt from overtime provisions. If employees are serving in a nonexempt position, overtime pay or compensatory time must be provided for working more than 40 hours in a defined workweek (Sunday 12:01am until Saturday 12:00 midnight).

When nonexempt employees work over 40 hours during their scheduled workweek, they are entitled to time-and-a-half pay or compensatory time calculated at time-and-a-half for all hours worked in excess of 40 hours. All overtime for nonexempt employees should be approved in advance by their supervisor.

// Additional information about compliance with the FLSA and other work scheduling questions are available in Human Resources Office.

## 7.2 Tardiness and Absenteeism

Employees are expected to be at their work areas at the scheduled work time.\* Employees who expect to be late or absent from work are responsible for notifying their supervisor as soon as possible.

In chronic, excessive or unusual cases of absenteeism, the University reserves the right to require documentation/verification of the reasons for absence. Habitual tardiness or excessive absenteeism is reflected in the employee performance evaluation and may lead to dismissal. Employees who have failed to report to work for three



consecutive workdays without notifying their supervisor will be considered to have voluntarily resigned from their position.

\*Any employee who fails to comply with this rule will be subject to disciplinary action.

### 7.3 Time He/sheet and Overtime Pay for Non-Exempt Employees

The time he/sheet is a record of the time a non-exempt employee works each pay period. An employee’s pay is based upon the time he/sheet. Employees shall visit the Human Resources Office to create an online account on University business portal. Employees should record their time worked each day and enter their time cards semi-monthly before the due dates stated in the pay schedule. The time he/sheet is checked by the supervisor to ensure that it is accurate. Employees are personally responsible for their time he/sheet and/or their time record. Falsification of a time he/sheet and/or time record is cause for disciplinary action. Time cards entered into the system after due dates are not processed until the next pay cycle.

Should non-exempt employees work more than 40 hours during the established work week, they are paid overtime or recorded as working an equivalent number of hours at the rate of one and one-half hours for each hour worked. Overtime hours worked and compensated with compensatory time off at a time mutually agreeable between employees and their supervisor must be approved in advance by the employee’s supervisor except in cases of emergency.

## 8 Earned Time Off

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All employees are required to submit an “Earned Time Off”(form 6200-106) to the supervisor for approval. In case of an illness or an emergency when conditions do not permit a request in advance, the employee is required to notify the supervisor as far in advance as possible. If the employee couldn’t submit the form prior to the leave due to illness or emergency, s/he needs to fill out Earned Time Off Request Form after returning to work. Earned Time Off does not apply to faculty and instructors.

### 8.1 Request for Earned Time Off

Request for ETO can be made 180 days after the first day of employment. All employees are required to submit an “Earned Time Off Form” (form 6200-18) to the supervisor at least one month prior to the first day of leave.

Full-time employees accrue earned time off according to the following schedule:

- 8.1.1 0-5 years..... (1.66 days) per month (20 days) per year
- 6-10 years..... (2.00 days) per month (25 days) per year
- 8.1.2 10+ years..... (2.41 days) per month .....168 hours (29 days) per year

#### A. How time is Earned

- i) During your first year of employment, ETO is earned at a rate of 1.66 days per month. Time off may only be used as it is earned, except in the case of illness.
- ii) In no instance may a supervisor permit a staff member to take more than five (5) days of **unearned** ETO.
- iii) ETO days are not earned during any leaves of absence.



- iv) If an employee is on a leave of absence the first day of the month, ETO will not accrue for that month.
- v) An employee will resume earning and accruing ETO on the first day of the month following the employee's return to work.
- vi) If an employee returns to work on the first day of the month, the employee will resume earning ETO on that day.
- vii) In non-medical and non-emergency cases in which the supervisor has granted prior approval, or in cases of medical necessity or emergency where obtaining prior approval is not possible, employees may schedule time in one-hour increments.
- viii) Departments have discretion to prohibit the use of ETO in one-hour increments due to business necessity.
- ix) ETO may not be used to receive pay in excess of wages earned for a normal work day and ETO is not counted for purposes of calculating overtime pay.
- x) The total amount of hours worked plus hours taken as ETO in a single day may not exceed the number of hours in an employee's normal daily work schedule.
- xi) ETO days are not earned during part-time employment.

	<b>ETO CARRYOVER</b>	<b>USED</b>	<b>UNUSED</b>	<b>ETO ACTUAL CARRYOVER</b>
<b>1<sup>ST</sup> YEAR</b>	19	13	6	6
<b>2<sup>ND</sup> YEAR</b>	19+6=25	19	6	6
<b>3<sup>RD</sup> YEAR</b>	19+6=25	10	13	13
<b>4<sup>TH</sup> YEAR</b>	19+13=33	19	13	13
<b>5<sup>TH</sup> YEAR</b>	24+13=37	24	13	13

**B) Carryover of Earned Time Off**

Earned, unused ETO may be carried over into the next year but the number of days carried over may not exceed your entitlement for the new anniversary year.



### **Chart C.1: Example:**

The number of ETO days carried over from one year to the next may not exceed your entitlement for the new anniversary year.

### **C) Earned Time Off at Termination**

Terminating employees will be Earned either for their earned but unused ETO or their annual entitlement, whichever is less. Unused ETO carried over will be used in this calculation.

#### ***Examples:***

- A terminating employee with two years and six months of service who has used no ETO days during the current employment year and who has two unused days of ETO carried over from the previous year will be entitled to payment of 11.48 days { 9.48 days earned in the current year plus two carried over. ( $1.58 \times 6 + 2 = 11.48$ )}
- A terminating employee with four years and ten months of service who has used no ETO days during the current employment year and who has six unused days of ETO carried over from the previous year will be Earned for 21.8 days of ETO [the current annual entitlement]. ( $1.58 \times 10 + 6 = 21.8$  days annual entitlement.)
- If you have used all of your ETO entitlement for the employment year and terminate your employment before you have earned all the ETO you have taken, payment for the unearned days will be deducted in the computation of your final paycheck.
- The university does not make payment for unused ETO to employees who are terminated for the violation of university rules and/or regulations, to employees who resign without appropriate notice as described under Voluntary Termination in the Staff Handbook, to employees who resign or terminate employment during the initial provisional period, or to the beneficiaries of employees who die while employed at the university. An employee cannot use ETO on the last day of employment. Unless on an approved leave of absence, an employee must be actively working on the date employment ends.
- When an employee's status changes from full-time to part-time, the employee will be paid for his or her earned unused ETO days or annual entitlement, whichever is less.
- An emergency or unexpected work requirement might cause you to forego scheduled earned time off already approved by your supervisor. When such an event means that you cannot carry over ETO to which you would have been entitled if you had taken your scheduled earned time off, special arrangements may be made by your department head and should be confirmed in writing.
- The agreement may provide for earned time off to be carried forward or some other arrangement appropriate to the circumstances.





## NAU Earned Time Off Schedule

Completed Years of Employment	Maximum Annual ETO/Days Earned Per Month
0 to 5 years of service	160 hours; 20 days; you earn at the rate of 1.66 days per month or 13.33 hours per month
6 to 9 years of service	200 hours; 25 days; you earn at the rate of 2 days per month or 16 hours per month
Beginning year 10	29 days (2.41 days per month)

Exempt employees scheduled to work on a paid holiday will receive one day of paid vacation for each day worked and also regular pay for the holiday

### Exceptions to ETO Policy

North American University reserves the right to make exceptions or alterations to this policy where required by applicable local law.

### 8.2 *Holiday Leave*

North American University observes certain holidays to be announced by the President of the University. Typical holidays are Independence Day, Thanksgiving, Christmas Day, New Year’s Day, Memorial Day and additional days as designated by the President of the University. Full- time employees are granted paid holiday leave.

Non-exempt employees scheduled to work on a paid holiday will be paid at their regular rate for hours worked and will also receive regular pay for the holiday.

### 8.3 Bereavement

Employees with more than 3 months’ service may take up to 3 days of paid bereavement leave upon the death of a member of their immediate family. “Immediate family members” are defined as an employee’s spouse, domestic partner, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. All regular, full-time employees may take up to one (1) day off with pay to attend the funeral of an extended family member (aunts, uncles, and cousins).

The university may require verification of the need for the leave. The employee’s supervisor and Human Resources will consider this time off on a case-by-case basis.



Payment for bereavement leave is computed at the regular hourly rate to a maximum of 8 hours for 1 day. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

#### 8.4 Jury Duty/Court Appearance

The university supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

If an employee is released from jury duty after 4 hours or less of service, he or he/she must report to work for the remainder of that work day.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, personal days or vacation days will be used for this purpose.

#### 8.5 Leave without Pay

Leave without pay is a temporary non-pay status and absence from duty that is granted upon an employee's request. All employees are required to submit form 6200-08 to the supervisor at least three months prior to the first day of leave. Leave without pay cannot be approved for more than six months at a time, and it may be refused if it is determined unreasonable or not in the best interest of the department or the University. Leave without pay can be canceled by the University upon five work days written notice. Likewise, the employee may return to work before the end of the leave with written approval of the supervisor. NAU is not obligated to reemploy the employee at the conclusion of such leave. An employee is considered to have voluntarily resigned, when, at least two weeks prior to the completion of an approved leave of absence, the employee fails to notify the supervisor of the intent to return to work. NAU does not pay the insurance premium of the employee during a leave without pay. It is the responsibility of the employee to contact and consult with the Human Resources Office to make arrangements for payment of insurance premiums through COBRA while on leave. Failure to pay premiums on a timely basis results in cancellation of coverage.

#### 8.6 Family and Medical Leave

According to the Family and Medical Leave Act of 1993 (FMLA), eligible employees are entitled to take unpaid leave for specified family and medical reasons. Eligible employees are entitled to twelve weeks of leave in a year for:

- 8.6.1 Birth and care of the employee's child, within one year of birth
- 8.6.2 Employee's placement with a child for adoption or foster care, within one year of the placement
- 8.6.3 Care of an immediate family member (spouse, child, parent) who has a serious health condition
- 8.6.4 For the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her job
- 8.6.5 Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or has been notified of an impending call or order to active duty in the U.S. National Guard or Reserves in support of a contingency operation Eligible employees are entitled to twenty-six weeks of leave in a year for:
- 8.6.6 Care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.



*Service member:*

- (A) A member of the armed forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury of illness; or
- (B) A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the armed forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

During a family or medical leave provided under this policy, an employee shall first exhaust all available vacation, personal paid leave or paid sick leave before continuing such leave on an unpaid basis.

During the employee's family or medical leave of absence, NAU will continue to provide health insurance coverage for the employee; however, the employee will remain personally responsible for paying the employee's portion of the insurance premiums. An employee who does not return will be required to pay all insurance premiums paid by NAU during the leave.

**Please note:** There are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact the Human Resources Office to discuss options for leave.

## 8.7 Return to Work Policy

When such work is available, the university will attempt to provide an employee with a temporary modified or light-duty assignment in accordance with documented medical restrictions.

### **Job Protection**

An employee's job, or an equivalent job, is protected while the employee is on leave. Both federal and applicable state laws require that employees be returned to their positions or to another job of like pay and status at the end of FMLA leave.

Note: If an employee is unable to return to work after the expiration of federal or state FMLA, an extension may be granted if the condition constitutes a disability under the Americans with Disabilities Act (ADA) or in certain workers' compensation cases.

#### 8.7.1 Notification and Request for FMLA Leave

An employee must contact the Human Resources Office at least 30 days in advance of the start of a planned FMLA Leave or within five days following the start of an unplanned FMLA Leave. The Human Resources Office may require medical or other documentation at any point during the FMLA Leave. Employees requesting a leave under FMLA should first fill out the Family and Medical Leave Act (FMLA) Request and Notice (form 6200-13) followed by the Employee Rights and Responsibilities under the Family Medical Leave Act (FMLA) Acknowledgment Form (form 6200-10). Signed forms should be submitted to the Human Resources Office.



### 8.7.2 Returning from FMLA Leave

At the expiration of an FMLA Leave, employees return to the same or equivalent position held when the leave began. Employees on leave for a personal health condition must submit medical certification of ability to return to work to Human Resources. An employee may not return to work without appropriate medical documentation.

If the leave of absence extends longer than the approved period, the employee must request an extension prior to the expiration of the FMLA Leave. If an extension is needed, it is expected that the employee will request the extension at least two weeks prior to the expiration of the leave. Human Resources will advise the employee's department of the status of the leave. If the employee does not return from leave of absence and does not request and receive an extension, the employee's employment will be subject to termination.

#### **Leave Designation.**

If an employee does not expressly request FMLA leave, the university reserves the right to designate a qualifying absence as FMLA leave and will give notice of the FMLA designation to the employee. If an absence is a qualifying event under FMLA, the leave will run concurrent with short-term disability, long-term disability and/or any other leave where permitted by state and federal law.

### 8.8 Unexcused Leave

An unexcused leave is defined as any time the employee has not given proper notice and received approval from the supervisor. Employees are not paid during unexcused leaves. Excessive unexcused leaves result in termination of the employment. An employee will be considered to have voluntarily resigned without proper notice when the employee fails to report to work for three consecutive scheduled work days.

### 8.9 Weather and Emergency Closing

In the event of a weather or emergency that results in the official closing of the University by the President, all employees will be granted a paid leave for the duration of the closing. In addition, non-exempt employees who are required to work will be paid one-half for each hour of work and exempt employees who are required to work will receive one day of vacation for each day of work. If the University remains open during a weather emergency or any other kind of emergency, even though classes are dismissed, all employees will be expected to report to work and remain on the premises, unless excused by the President. Employees who are not able to report to work will be required to take vacation leave, personal leave or leave without pay.

#### 8.10 Inclement Weather

**Inclement weather and Leave Options:** Inclement weather can cause transportation problems or hazardous conditions that may inhibit your ability to come to the NAU Campus. Personal safety is an important consideration when evaluating the ability to commute to work during severe weather.

**Leave Use and Compensation:** If weather conditions prevent an employee from working as scheduled, leave taken due to inclement weather is charged to vacation leave, personal leave or leave without pay according to the employee status. The following table summarizes leave use for eligible employees who miss work because of inclement weather:



EMPLOYMENT CATEGORY	PARTIAL AND FULL DAY ABSENCES DUE TO INCLEMENT WEATHER ARE CHARGET TO:
Non-Exempt/ Exempt Professional Staff*	Earned time off or Leave without Pay
Faculty/ Adjunct employees, faculty and part-time	N/A

\*Supervisors are responsible for ensuring that all work obligations are met. Full day absences due to inclement weather may be charged to leave, or the individual's work schedule may be flexed with the supervisor's concurrence. At the supervisor's discretion, leave does not have to be charged for approved partial day absences.

**Other Work Options:** Supervisors can approve requests for employees to temporarily work from home, if doing so allows completion of work assignments. If you are unable to come to work, notify your supervisor. When you return to work, complete form 6200-106(earned time off form).

## 9. BENEFITS

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North American University understands the value of benefits to employees and their families. The university supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to The University Summary Plan Descriptions (SPD), distributed during insurance enrollment. Employees may also request it from the Human Resources Office. To the extent of the information provided here conflicts with the SPD or full plan document, the full plan document will control.

### 9.1 Health Insurance

North American University Medical Insurance Plan which is administered by CIGNA provides you and your family with comprehensive benefits and access to a large network of physicians and hospitals in Texas. CIGNA offers you the greatest freedom of choice of any of your health care options.

North American University pays 80% of the health insurance premiums for all eligible employees. All regular full time employees are considered to be eligible for medical insurance benefits. If you are a new employee, you will be eligible for health insurance on the first day of the month following your first day of employment. (For example, if you begin employment on March 18, 2017, you will be eligible for health insurance benefit on April 1, 2017). If your employment begins on the first day of the month, you will be eligible the same day. NAU does not pay premiums for dependents. Eligible employees are allowed to have their dependents covered under the NAU group medical insurance plan at their own expense.

Employees cannot make changes to benefits during the fiscal year unless they have a qualifying family status change. These will include situations when:

- Eligible employees get married and would like to add their spouse to their policy.
- Eligible employees have a new child/adopted child and would like to add him/her to their policy.

An eligible employee who declines coverage at the time of the initial enrollment will not be able to enroll and receive the benefits until the next enrollment period which is 12 months after the initial enrollment period unless he/she has a qualifying family status change. This will include a situation when



- Eligible employees, who decline coverage because they carry insurance as a dependent through a spouse, gets divorced and would like to carry their own insurance.

Changes must be made within 30 days of the event with written documentation supporting the reason for the change.

In case of termination (except for gross misconduct) or change from full time to part time employment, employees may continue to have coverage through Consolidated Omnibus Budget Reconciliation Act (COBRA) at their own expense. Reasons for a dependent spouse to continue coverage under COBRA include the death of the employee, termination of employment, change from full time to part time employment, divorce, legal separation, or the employee becoming eligible for Medicare. If an eligible child becomes ineligible due to any of these same reasons or because of age requirements that child is also eligible to continue coverage through COBRA.

#### 9.1.1 Health Insurance during Leave without Pay

NAU does not pay the insurance premium of the employee during a leave without pay. It is the responsibility of the employee to contact and consult with the Human Resources Office to make arrangements for payment of insurance premiums while on leave. Failure to pay premiums on a timely basis results in cancellation of coverage.

### 9.2 Optional Benefits

#### 9.2.1 Optional Vision and Dental

North American University offers optional insurance for vision and dental to be paid by the employee. Employees shall contact the Human Resources Office for current information on optional benefits.

#### 9.2.2 Group Term Life Insurance

North American University offers optional term life insurance to be paid by the employee. Term Life Insurance coverage can ease the financial burden brought upon by the death of a family's primary provider. Employees shall contact the Human Resources Office for current information on optional benefits.

#### 9.2.3 Disability Coverage

North American University offers optional short and long term disability coverage to be paid by employees. Employees shall contact the Human Resources Office for current information on optional benefits.

##### 9.2.3.1 Short Term Disability

Short-term disability is offered to full-time employees working a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following 30 days of service. Short-term disability is meant to bridge the 90-day period until long-term disability can cover an employee. If an employee becomes disabled and cannot work for a short period of time, this coverage pays 60 percent of the employee's salary, up to the policy limits. This is a voluntary benefit and is funded solely by the employee.

Short-term disability benefits may run concurrently with FMLA leave and/or any other leave where permitted by state and federal law.



### 9.2.3.2 Long Term Disability

Long-term disability benefits are offered to full-time employees working a minimum of 30 hours per week. If an employee becomes totally disabled and cannot work for an extended period of time, this coverage pays 60 percent of the employee's salary, up to the policy limits. This is a voluntary benefit and is funded solely by the employee.

Long-term disability benefits will run concurrently with FMLA leave and/or any other leave where permitted by state and federal law.

### 9.2.4 Reduced Tuition Plan

This plan provides benefits for staff members who wish to enroll in a graduate program at North American University. There is no length of service requirement for staff member educational assistance. This assistance is available only to full-time staff members.

### 9.2.5 Social Security and Medicare

The Federal Insurance Contributions Act (FICA) tax is comprised of the Social Security and Medicare taxes that are withheld by federal law. North American University and each faculty member contribute toward Social Security and Medicare taxes.

Social Security taxes fund retirement benefits, benefits for the dependents of retired workers, and benefits for the disabled and their dependents.

The funds received for Medicare are used to provide medical benefits for certain individuals when they reach age 65. Workers, retired workers, and the spouses of workers and retired workers are eligible to receive Medicare benefits upon reaching age 65.

## 10. SERVICES

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### 10.1 Americans with Disabilities Act (ADA)

North American University complies with the Americans with Disabilities Act of 1990 (ADA) and the Rehabilitation Act of 1973 to ensure equal employment opportunity to its faculty and staff with disabilities. As such, the University will not discriminate against a qualified individual with a disability. Any grievance or complaint in this regard shall be made in written form to the Director of Business Affairs.

The ADA defines a qualified individual with a disability as a person who "satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position." The term "reasonable accommodation" means a modification or adjustment to the job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Essential functions are, by definition, those that the individual who holds the job would have to perform, with or without reasonable accommodation, in order to be considered qualified for the position.

It is the policy of North American University to extend reasonable accommodation to the known limitations of qualified persons with disabilities who are employees or applicants for employment; in order that these individuals may perform the essential functions of a position and/or participate in the employment application process. In general, it is the responsibility



of applicants or employees with a disability to inform the employer that an accommodation is needed in order for them to participate in the application process, to perform the essential job functions or to receive benefits and privileges of employment.

All requests for accommodations will be evaluated on an individual basis to determine the appropriateness of the request. Moreover, employment opportunities shall not be denied because of the need to make reasonable accommodations to an individual's disability. To request a reasonable accommodation, applicants or employees should contact the supervisor and make a request for accommodation. At that time, it will be necessary to complete the "Reasonable Accommodation Based on Disability Request Form".

Requests for accommodations should be made well in advance of the anticipated need in order to allow for a reasonable period of time to evaluate those needs and requests by filling in the Accommodation Request (form 6200-05) and turning it into the Human Resources Office.

### 10.2 Emergencies

In the event of any emergency, dial 911 for the police, ambulance and fire department. Non-emergency off-campus numbers are as follows:

***Houston Police Department: 281-272 4784***

***Fire Department: 281-448 0391***

***Methodist Sugarland Hospital: 281-274-7000***

### 10.3 Food Services

All University employees are welcome to use the North American University Dining Center. Employees may buy a semester meal plan or individual meals. Employees shall contact the Office of Business Affairs for current information on meal plans.

### 10.4 Library

All employees have access to the library. They can recommend the acquisition of certain books, periodicals, and other resources. All employees should abide by library policies and return borrowed materials on time.

## 11. CONDUCT

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### 11.1 Dress Code

North American University is a "business casual" dress environment. Employees are expected to wear clothing appropriate to their job. Generally speaking, employees' clothing should not be excessively form-fitting or excessively loose. Clothing that reveals a person's chest, cleavage, upper or lower back, abdomen, bare shoulders, thighs, or undergarments is never appropriate for this workplace. Well-groomed, appropriately dressed employees impress students and all stakeholders





favorably and reflect positively on both University and the services it provides. Accordingly, during business hours or when representing the University, you are expected to present a clean, neat and professional appearance.

Shorts, tank tops, athletic/exercise wear and flip-flops are not permitted. Clothing that is ripped, frayed or disheveled, tight, revealing, stained, wrinkled, or otherwise inappropriate is not permitted.

Employees are required to have a neat and clean appearance; hair should be clean and neatly arranged. Facial jewelry (nose, brow, etc.) is not permitted at work. Tattoos are acceptable under this Policy; management reserves the right to determine if tattoos are appropriate for the workplace or if they must be covered. Hygiene should be sufficient to avoid unpleasant body odor or excessive use of fragrances. Management may from time to time, make changes to this Policy according to business circumstances, temporary situations and other reasons as they deem necessary and appropriate. Such changes will be communicated in writing and in advance to all employees.

Your direct supervisor is responsible for establishing a reasonable dress code appropriate to the job you perform. If he/he/she feels that your personal appearance is inappropriate, you may be asked to clock out (if applicable) and to return to the workplace only after you are properly dressed and/or groomed. To clarify any of the above expectations and/or if, for some reason, you feel you cannot meet University's dress code, please consult with your supervisor, the Human Resources Office, or any other member of University management regarding your individual circumstances.

## 11.2 Grievance Policy

A grievance is defined as an unresolved issue concerning the implementation of University policy, procedure, or practice. The attempt to resolve a grievance should normally follow a two stage process; an informal stage first, and then, if necessary, a formal stage.

### **Step 1: Informal Resolution**

In many cases, disputes over the implementation or interpretation of a policy can be resolved through communications within a particular department or unit. As such, the first step in the grievance process is to seek an informal resolution. The employee shall attempt to resolve the issue informally within ten

(10) Business days of the incident's occurrence. The employee may initiate this step in one of two ways:

- a) *Speak with his or her supervisor:* The employee should promptly bring the matter to the attention of the immediate supervisor, explaining the nature of the problem and the relief sought. The supervisor should provide a response within ten (10) business days.
- b) *Speak with the Human Resources Office:* If an employee cannot decide whether or not to initiate a grievance or is reluctant to discuss the matter with his or her supervisor, he or he/she may seek the advice of the Human Resources Office who may seek to resolve the issue. The Human Resources Office should provide a response to the employee within ten (10) business days.

### **Step 2: Formal Grievance**

If the matter is not resolved at Step I, the employee may proceed to Step II by submitting a written grievance statement to his or her supervisor or the Human Resources Office no later than five (5) business days after the receipt of the response in Step I. This statement should outline the relevant facts that form the basis of the employee's grievance, indicating the University policy, procedure, or practice that has allegedly been violated, and stating the resolution sought. The statement should also identify the discussions and response in Step I.



The grievance statement is then forwarded to the President, who appoints a grievance committee no later than five (5) business days after receiving the request. The committee shall be composed of three to five employees. No one with a personal or professional interest in the outcome of the grievance is qualified to serve on the committee. The committee members shall select a chair among themselves.

The committee will meet with the grieving employee, the immediate supervisor, and any other person deemed by the committee to have relevant information about the subject of the reported grievance. All information received and evaluated by the committee is strictly confidential, with the exception of circumstances in which another person or persons outside the committee has a legitimate interest.

The chairperson of the committee will notify the grieving employee in writing of the committee's final decision within twenty (20) business days after being appointed for the committee.

### **Appeal**

Should the grieving employee find the committee's decision unsatisfactory, he or he/she has the right to appeal to the President. Within ten (10) business days, the President, or his or her designee will notify the final outcome of the grievance. Such a decision will be final and bind all concerned persons and parties.

### **Confidential Reporting**

It is the responsibility of North American University (NAU) to conduct business within the University policies and procedures. Employees should report any misconduct as soon as possible without fear of retaliation.

The types of misconduct include, but are not limited to the following:

- Any activity that does not conform to professional and ethical conduct published in the University's official documents such as the employee handbook
- Financial crimes such as fraud, bribery, theft, and etc.
- Criminal offenses which threaten the performance or well-being of any entity related to NAU or its business-related affiliates

Employee may report such incidents through a confidential reporting system, My Safe Campus. Reports may be submitted anonymously via the website [www.mysafecampus.com](http://www.mysafecampus.com) or by calling at 1- 800-716-9007. The confidential report will be treated as a formal grievance request and be forwarded to the President, and the procedures explained in Step II will be followed.

Employees may take the grievance directly to a higher authority such as Board of Trustees of NAU, Accrediting Council for Independent Colleges and Schools (ACICS) or Texas Higher Education Coordinating Board (THECB). The contact information for the Board of Trustees can be obtained from NAU website. THECB can be contacted through its website (<http://www.thecb.state.tx.us>).

*Contact information for ACCSC is: ACCSC 2101 Wilson Boulevard, Suite 302 Arlington, Virginia 22201*

[www.accsc.org](http://www.accsc.org)



## Sexual Harassment

Both the Equal Employment Opportunity Commission and the State of Texas regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. North American University has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is unwelcome, sexual and/or gender-based verbal, written, online and/or physical conduct. Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the University's Title IX Coordinator or Deputy Coordinators. Remedies, education and/or training will be provided in response.

Sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it:
  - unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the University's educational and/or employment, social and/or residential program.

Quid pro quo harassment is:

- unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational or employment program.

It is the policy of North American University that sexual harassment will not be condoned. This policy applies equally to faculty, administrative, staff, and students and is in keeping with the spirit and intent of guidelines on discrimination because of sex.

Sexual harassment: Sexual harassment is a form of sex discrimination and illegal under the law Title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e, and Title IX of the Educational Amendments of 1972, 20 U.S.C. Sec. 1681 and is prohibited at the University.

### I. Definition

- a. is an abusive use of authority that emphasizes a person's sexuality or sexual identity. Unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct is considered sexual harassment when:
- b. Submission to, or rejection of, such conduct is used as a means to affect one's condition or decision for education, employment, or participation in any course, program or other University activity
- c. Submission to such conduct has the purpose of interfering with a person's academic or professional performance or creating what a reasonable person would sense as an intimidating, hostile or offensive employment, educational, or living environment.

### II. Regulations

- a. It is a violation of University policy for any member of the faculty, administrative and classified staff, or student body to engage in sexual harassment, as defined in Section I.



- b. Retaliation against members of the North American University community who exercise their right to file charges of discrimination or harassment is strictly prohibited by state and federal law and University policy. Retaliation is prohibited whether or not the charging party prevails in the original charge. Subsequent to, or contemporaneous with the charge, no agent of the University may harass, coerce, intimidate, or discriminate against an individual who has filed a complaint or participated in the complaint resolution process. Charges of retaliation will be investigated by the Human Resources and Administrative Offices.

North American University is dedicated to maintaining an environment free of sexual harassment, and takes vigorous preventive and corrective action in cases of sexual harassment. Employees shall behave in such a manner that their behavior cannot be perceived as sexually coercive, exploitive or abusive.

### III. Responsibilities

- A. On a university-wide basis, the Human Resources Office is responsible for the coordination and implementation of North American University's sexual harassment policy. This office will serve as the resource with regard to all matters of this nature.
- B. Each dean, director, department chair, and administrative head of is responsible for the dissemination and implementation of this policy within his or her area of responsibility. Persons at this level are also responsible for referring reported incidents of sexual harassment to the Human Resources Office.
- C. It is expected that each faculty member, administrative and staff member will ensure adherence to this policy within his or her area of responsibility. Such efforts are largely a matter of good faith.
- D. It is the responsibility of all members of the University community to discourage sexual harassment, report such incidents, and cooperate in any investigation that might result.

### IV. Principles

In investigating complaints of unlawful harassment and discrimination, the following principles will be adhered to:

- A. Each complaint will be handled on an individual, case-by-case basis, taking a look at the record as a whole and at the totality of circumstances.
- B. The investigation will be conducted as fairly and expeditiously as possible.
- C. In investigating complaints, every effort will be made to ensure confidentiality.
- D. An individual bringing forth an honestly perceived complaint will not suffer any type of retaliation regardless of the outcome of the complaint.
- E. The complaint will be resolved in a manner that is consistent with this policy and also fair and equitable to all parties concerned.

Employees who feel aggrieved because of conduct that may constitute sexual harassment should inform the individual(s) engaging in such conduct that such conduct is offensive and must stop. If such conduct does not stop, employees who believe that they are being sexually harassed should immediately inform the supervisor verbally or in writing. The case can be resolved formally or informally at the option of the complainant.

The complainant must submit a written complaint for investigation. After investigation, the supervisor may convene a committee in a formal setting to review written charges, hear evidence and testimony, and make a determination on the evidence as to whether harassment did occur. The committee shall be made up of three individuals not involved in the



incident: the Director of Business Affairs, the supervisor and one staff or faculty member. If the findings are affirmative, the University may take corrective action, including the separation of the offending party from the University, consistent with the University procedures for termination of employment.

The University ensures that a person who in good faith brings forth a complaint of sexual harassment will not be subjected to retaliation. The University also ensures that a person against whom such a complaint is brought is treated fairly and has adequate opportunity to respond to such allegations, and that findings, if any, are supported by clear and persuasive evidence.

All employees must read the “North American University Sexual Harassment Policy” and sign and return the acknowledgement form to the Human Resources Office.

### 11.3 Confidential Reporting Protocol

It is the policy of the North American University to prevent illegal, unethical and unprofessional conduct that deviate from law or from the guidelines published in official institutional documents. Any employee who is asked to participate in such activity, or is a witness to, or comes in contact with information related to an actual or attempted case of such activity should report this information as soon as possible without fear of reprisal and in full confidentiality within the boundaries of state and federal law.

The types of misconduct include, but are not limited to the following:

- 11.3.1 Any activity that does not conform to the policy on professional and ethical conduct published in the Institute’s official documents such as the employee handbook.
- 11.3.2 Fraud or other types of financial misconduct.
- 11.3.3 Criminal offenses

The University implements an anonymous reporting solution. Employees who witness such misconduct or come in contact with related information should go to the website [www.mysafecampus.com](http://www.mysafecampus.com) and submit a confidential report or call at 1-800-716-9007. All inquiries must be in English.

The administrator who receives a confidential report will call the grievance committee to investigate the matter. After the investigation, the committee will deliberate the case and make a recommendation to the administration for the course of action.

### 11.4 Conflicts of Interest

Personal matters and financial links may interfere with employee responsibilities, and as such may be a conflict of interest. Personal integrity and responsibility of the employee play a key role in preventing conflicts of interest. Employees should be responsible for their conduct outside work and professional activities.

The University has a no solicitation policy and does not allow any sales or distribution of merchandise or services on campus by employees.



## 12. DISCIPLINARY ACTION

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### 12.1 Disciplinary Violations Disciplinary Action

NAU is an “at will” employer. Staff employees serve without fixed term regardless of their length of service do not have vested rights for continued employment. A progressive approach by supervisors is generally recommended (but not required) to allow for better employee understanding of the issue. The following are examples of disciplinary actions:

- a. *Problem-Solving and Open Dialogue* – The mildest type of disciplinary action can increase understanding, reduce workplace tension, and encourage communication. – The objective of the meeting should be to develop solutions to help resolve concerns before they progress further
- b. *Oral Warning* – The employee should clearly understand the gravity of the action and that the warning is disciplinary in nature. When presenting a corrective talk, the supervisor should point out the error/problem(s), explain how to correct it, and come to an understanding with the employee about what is expected in the future. The Staff Performance Evaluation (SPE) Form (or comparable as to content) will be completed and kept in the supervisor’s file to document the conversation.
- c. *Written Warning* – When an oral warning fails to achieve the desired improvement in performance or behavior or when in the supervisor’s sole judgment the nature of the offense makes its use appropriate, the supervisor may issue a written warning. A Staff Performance Evaluation (SPE) Form (or comparable as to content) is used to issue a written warning. The Human Resources Department should be contacted for assistance in preparing a written warning.
- d. *Demotion* – When in the sole judgment of the supervisor demotion is the best corrective method to remedy poor performance or behavior, this may be implemented with the approval of Human Resources Office. When an employee is demoted to a position of decreased responsibility or complexity of duties requiring a change of title to one having a lower salary range, the employee’s salary will be adjusted to an appropriate level within the new salary range as agreed upon by the Department Head concerned and the Human Resources Department.
- e. *Reduction in Pay* – When in the sole judgment of the supervisor reduction in pay is the best corrective method to improve an employee’s performance or behavior, such action may be implemented with the approval of the Human Resources Office. Reduction in pay for disciplinary reasons provides reduction in salary to an amount within the designated salary grade no lower than the minimum entry rate. Restoration of pay may be approved by the Management.
- f. *Suspension without Pay* – When any one or a combination of the above possible actions have failed to achieve the supervisor’s desired results or when in the judgment of the supervisor the nature of the offense makes its use appropriate, the supervisor may suspend an employee without pay.
- g. *Discharge* – This action may be the result of one serious act of misconduct or insubordination, or as the result of an accumulation of minor offenses, or failure to satisfactorily perform job duties. All discharges must have the prior approval of the appropriate Office as well as Human Resources and the University President or his/her designee. All employees involuntarily separated should go through the normal separation/clearance process in order for insurance, payroll, and other matters to be properly handled.



## 13. TERMINATION OF EMPLOYMENT

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A “Termination of Employment Form” (form 6200-18) must be completed by the employee and all items which are property of the university turned in before the final paycheck will be issued. It is the responsibility of the employee to bring the signed form to the Human Resources Office prior to their final departure.

### 13.1 Resignation

Employees should submit resignations to the university in writing. Administrators should provide one month notice and all others ten workdays.

### 13.2 Reduction In Force

Conditions may arise which necessitate a reduction in force due to reorganization, lack of work, and/or lack of funding. These situations are discussed between management of the unit and the Human Resources Office and then are communicated to affected staff members by their department.

### 13.3 Discharge

When positive steps have been used but performance has not changed, or when an employee has committed a major offense, discharge of that employee is the next step for consideration.

### 13.4 Termination Procedure

Recommendation for discharge should be documented in writing and a copy of the documentation sent to the Human Resources Office after approval through the normal administrative channel.

Documentation should include the employee’s name, date of the incident, and explanation of the circumstances resulting in the recommendation for discharge and reference all previous disciplinary steps taken.

Upon receipt of a recommendation for discharge or request for employee reassignment, the Human Resources Office will collect and assemble a complete record for administrative review. If the discharge is approved, the following steps will be initiated:

- a. The Human Resources Office will send copies to the employee and the supervisor. The recommendation must state the reason for the discharge and the recommended date of discharge.
- b. The Human Resources Office will establish the date for removal of the employee from payroll and execute a “Termination of Employment Form” (form 6200-18) to be sent to the supervisor for signature and submission through assigned channels. The Discharge will be considered final only when the signed “Termination of Employment Form” (form 6200-18) is received by the human Resources Office.

### 13.5 Post Resignation/Termination Procedures

#### Benefits (COBRA)

When a staff member’s NAU benefit coverage has terminated, the staff member will be entitled to continue certain university benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

#### COBRA Continuation of Benefits



Under COBRA, terminating staff members are entitled to continue health, dental, vision participation provided the former staff member remits premiums on a timely basis. Staff members and their dependents may be allowed to continue individual or family coverage for a specific period of time. For information on eligibility requirements and terms for continuation of coverage under COBRA, visit <https://www.dol.gov/ebsa/cobra.html>

### 13.6 Appeal Procedure

An employee may appeal discharge.

- a. When an employee receives notice of a discharge he/she may request a hearing before an appeals committee. The request must be submitted in writing to the Director of Business Affairs within three workdays of receiving the notice.
- b. The President or the Director of Business Affairs convenes an appeals committee within three workdays of receipt of the written request. The committee shall be made up of three individuals not involved in the discharge recommendation: the Director of Business Affairs, a program or department director and one staff or faculty member. Within three days of being informed of the committee members, the employee can request reassignment of specific committee members excluding the Director of Business Affairs.
- c. The Director of Business Affairs shall schedule the initial committee meeting within five workdays of appointing the members. The committee will be advised of the nature of the appeal. The committee will schedule subsequent meetings as needed to gather information, hear evidence and make its recommendation. The committee will establish its own rules and procedures in carrying out its responsibilities.
- d. The committee will make every effort to complete its work within five workdays of its first meeting. Its recommendation may be to uphold the decision to discharge, to overturn the decision or to substitute a less severe penalty. The committee may not recommend a more severe penalty.
- e. The committee's recommendation shall be submitted to the President with a copy to the appellant and the Human Resources Office. The President shall review the information provided, including the recommendation of the appeals committee, and may accept, deny or modify the recommendation. The President shall notify the appellant and the Human Resources Office within five workdays. The President's decision is final.
- f. During the appeal process, the employee shall not report to work, and will become ineligible for employment benefits. In the event that discharge is overturned, the employee shall be compensated for the period of the appeal process.

## 14. Mandatory Reporting

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### 14.1 Mandatory Reporters:

There are four federal laws that establish responsibilities for employees of North American University to report certain types of crimes and incidents, especially sexual misconduct--the Clery Act in tandem with the Violence Against Women Reauthorization Act of 2013 (VAWA), Title VII and Title IX. Each of these areas of federal law has a different purpose, but generally the laws are intended to protect members of the campus community, visitors and guests from criminal and discriminatory behavior.

It is the policy of North American University to abide by such laws. The responsibilities established by these laws give rise to the term "mandatory reporter." Reporting of concerning and disruptive behaviors is not legally mandated, but is a policy mandate to assist in early identification and detection of at-risk situations.





North American University's Title IX Mandatory reporting procedure can be found at [www.na.edu/titleix](http://www.na.edu/titleix). For additional information, you may contact the Human Resources Office or the designated Title IX Coordinator and/or Deputy Coordinator.

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