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FACULTY SENATE AGENDA

December 2, 2019

3:00 – 4:30 p.m.

Merrill Cazier Library Room -154

Agenda

- 3:00 Call to Order** Patrick Belmont
[Approval of Minutes](#) – November 4, 2019
- 3:05 University Business** Noelle Cockett, President | Frank Galey, Provost
- 3:20 Information**
Sexual Harassment Investigation [Current & Proposed](#) Procedures..... Alison Adams-Perlac
Human Resource Policy Changes for [348, 349, 357 and 363](#) Doug Bullock
Faculty Forum Debrief Patrick Belmont
Recommendations of the Greenhouse Gas Reduction Committee..... Patrick Belmont
[EPC Monthly Report](#) – November 7, 2019 Paul Barr
- 3:45 Reports**
[USUSA](#) Annual Report..... Sami Ahmed
- 3:50 Old Business**
[401.5](#) Faculty with Special Appointments (2nd reading) David Farrelly
- 3:55 New Business**

Adjourn



FACULTY SENATE MINUTES

November 4, 2019

3:00 – 4:30 pm

Merrill-Cazier Library, Room 154

Call to Order - Patrick Belmont

Approval of Minutes – [October 7, 2019](#)

Minutes approved as distributed.

University Business - Frank Galey, Provost

At next year's legislative session they will be focusing all requests on performance funding. President Cockett is pushing that and looking at performance related to student retention and completion rates. If USU continues on the same path we will meet that criteria. USHE is looking at a new way for funding building projects. The Student Success Task Force has been dissolved and a smaller academic working group has been established. The institution is also looking at Connections and curricular complexity. USU is utilizing a freeware tool that faculty members can use to visualize a 4-year degree plan. This should be extremely beneficial for the students. A workshop was held and faculty were able to look at and use the new tool. A couple of departments have piloted this tool and seem to be very happy with it. Using the tool is not mandatory, however, it is a helpful and opened up the conversation. OSHA has been on campus conducting an investigation as well as performing a site visit. The institution's review time was moved up due to a lab accident on campus. The major OSHA finding was laboratory safety. USU needs to up the oversight on safety. The President is asking faculty members and department heads to assess the hazards in their laboratories at least once yearly. Different approaches can be found by working with Environmental Health and Safety. The Inclusive Excellence Symposium was well attended and the feedback has been very positive. Paul Barr will be the new Vice Provost effective December 1.

Information

[EPC Monthly Report](#) – October 3, 2019 - Frank Galey

Approved 167 course requests.

Approved two R401 proposals.

No report/action from the General Education Subcommittee.

No report/action from the Academic Standards Subcommittee.

[Faculty Diversity, Development and Equity Committee Update](#) - Pamela Martin | Alison Adams

The Faculty Diversity, Development and Equity (FDDE) committee works with the Office of Equity to get the numbers and pulls the report together. Availability is based on terminal degree graduation rates by discipline for 2017 (most recent available data). The College of Engineering is doing well with minorities and the Library is doing well with hiring women. Eventually look at contextual numbers. The Diversity inclusion task force will be looking at and helping with these issues. Faculty thinks it would be a good idea to include non-tenure track faculty as well. What extent are husbands and wives hired (DCA)? The committee will be looking at those numbers as well. It is recommended to look at ethnicity instead of lumping all races together. Last year there were focus groups formed to talk specifically about discrimination against women. President Cockett received that information from Ronda Callister.

[Policy 386](#) Criminal Background Checks - Dwight Davis | Doug Bullock

This information was presented to the Executive Committee two weeks ago. It has also been approved by the Staff Employee Association. This policy is being revised to be in line with Regents 847. In preparation for this change it was presented to a number of groups/units. A background check is required

for all benefit eligible employees after they have received an offer. Also included a definition of Minor. Took out some procedural items that did not need to be included in the policy.

[Student Representation on Search Committees](#) - Dexton Lake

Students want to be included on Faculty Search Committees. This resolution has been approved and passed through Staters and other student body committees. There are already departments who are including students on search committees and this would make it consistent across the university. This change should be run through the Legal Counsel.

Reports

[Library Advisory Council](#) Annual Report - Nicholas Roberts

The committee met two times during the 2018-2019 academic year. Library initiatives have either been completed or are close to being completed. Big budget concern is that in 4-5 years the acquisition budget will be consumed by bundle subscriptions.

Motion to approve the Library Advisory Council annual report made by Matt Omasta. Seconded by Spencer Wendel. Report approved.

[Athletic Council](#) Annual Report - Edward Heath

Athletics have a 92% graduation success rate. They are first among the Mountain West Institutions in graduation success rates.

Motion to approve the Athletic Council annual report made by Matt Omasta. Seconded by Phil Waite. Report approved.

[Academic Freedom and Tenure](#) Annual Report – Patrick Belmont

Conducted one grievance for a non-tenured faculty. There are multiple cases that will be moving forward and Faculty Senators will be need to sit on these grievance committees. No guarantee on what the time commitment would be. It is dependent on the grievance. If senators are willing to dedicate some time toward this please contact Patrick Belmont. There will be a 2-hour training to prepare committees to hear cases.

Motion to approve the Academic Freedom and Tenure Committee annual report made by Scott Hunsaker. Seconded by Thomas Lachmar. Report approved.

Old Business

College Level Faculty Forum Discussion - Patrick Belmont

Faculty Forum will be held next Monday in Library 154. The Faculty Senate President went to each of the colleges and the library to hear from the faculty regarding the issues/concerns they are experiencing. The number of software platforms being rolled out has been a problem and faculty feel that they are not being engaged in the decision making when onboarding certain software platforms. Digital Measures plays a particular role for certain departments on campus due to federal reporting but some are not very happy with this tool. The best practices for Tenure & Promotion came up a lot. Another issue was role statements. Also, USU has slipped considerably in the US News and World Report rankings. It has gone below the threshold for bringing in international students. An email will be going out tomorrow regarding the faculty forum.

New Business

[401.5](#) Faculty with Special Appointments (1st reading) - David Farrelly

State legislature has provided funding for career and technical education certificates. These are open enrollment/open exit positions. This falls into the code under Faculty with Special Assignments. These individuals will be professionals in their specific technical field.

Motion to approve the 1st reading of Faculty Code 401.5 made by Becki Lawver. Seconded by Timothy Taylor. Moved to PRPC for 2nd reading.

Adjourn: 4:05 pm

Policy 305 vs. “Preliminary Inquiry”

TITLE IX CONDUCTS AN INVESTIGATION

The University currently has two separate and inconsistent codes defining key concepts and describing the required investigation procedures (Policy 305/339 vs. Policy 407.8-11). There is no coordinating provision describing the relationships among these policies. All that is clear under the Faculty Code with respect to the initial investigatory process is that the Office of Equity must be the Office that conducts the investigation.

POLICY 305 APPEAL vs. PRELIMINARY INQUIRY

Once the formal investigation is completed, the Faculty Code requires that a “Preliminary Inquiry” panel is convened for the sole purpose of determining whether the results of the investigation may “warrant” sanction. This “Preliminary Inquiry” appears to displace the Office of Equity ordinary appeal processes under Policy 305, as there is no appeal right (nor specific investigatory rights) expressly applied to faculty members.

Inquiry Hearing, Uncertain Investigation and Appeal Rights

INQUIRY PANEL FORMED

Rather than extend specific investigatory and/or appeal rights to faculty members—as Policy 305 would—the Faculty Code currently focuses on an “Inquiry” function, which is unique in the USU system.

Within 10 days of the decision to hold such an inquiry, the Provost shall notify the faculty member of the decision to hold an inquiry.

INQUIRY PANEL HEARING

The inquiry panel may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge.

INQUIRY PANEL REPORT

The inquiry panel must review the allegations and provide a written report of its findings within 20 days after the provost’s notification to the accused. The inquiry panel will review the evidence relating to the allegations and determine whether sanctions are warranted under Policies 407.1 through 407.4.

PROCEED TO SANCTIONING, AS APPROPRIATE

The inquiry panel process appears to displace the appellate process, as the next step is sanctioning under Policy 407.4.

Sanctions Handled under Faculty Code 407.1 through 407.4

SEXUAL MISCONDUCT PRELIMINARY INQUIRY, FINDING, AND SANCTIONING UNDER CURRENT 407.11

Respondent is a Faculty Member

CONFIDENTIAL DOCUMENT—DO NOT CIRCULATE

Investigation and Fact Gathering

TITLE IX CONDUCTS AN INVESTIGATION UNDER POLICY 305

Complainant and responding student receive notice and details of complaint and information about the investigative process and their rights. (Approx. 60 days for investigation and finding). Both parties may identify witnesses, have an equal opportunity to be heard, and may have an advisor present during interviews (though the advisor does not participate).

INVESTIGATIVE REPORT UNDER POLICY 305

A trained investigator conducts an equitable and thorough investigation. After reviewing facts gathered, the investigator prepares a draft report that summarizes the investigation, sets forth conclusions, and makes a finding on whether the respondent violated university policy based on a “preponderance of evidence,” e.g., more likely than not that the evidence supports a policy violation.

Finding and Appeal

DRAFT AND FINAL REPORTS

Each party has 10 days to review the draft and provide their written responses. After the response period, the Title IX Coordinator finalizes the finding and provides written notice to complainant and respondent.

IF FINDING IS APPEALED

A faculty-based panel of the Affirmative Action Appeals Committee reviews the case within 45 days. The committee may modify the finding under a “no reasonable person” standard of review.

APPEAL

Complainant or respondent may appeal the Final Report to a faculty-based panel of the Affirmative Action Appeals Committee. If no appeal, the finding stands, and the matter is remitted to Faculty Code 407 procedures for sanctioning.

USU PRESIDENT REVIEWS

President may accept or modify the decision. **Decision is final.** If the final decision supports that a policy violation occurred, proceed to sanctioning process under Faculty Code 407.

Sanctions Handled under Faculty Code 407.1 through 407.4

SEXUAL MISCONDUCT INVESTIGATION, FINDING, AND SANCTIONING PROPOSAL

Respondent is a Faculty Member

ITEM FOR ACTION

RE: Updates to University Policy 348: Dental Insurance, Policy 356: Life Insurance, and Policy 358: Medical Insurance; Combining all three into one Policy 348: Medical, Dental, and Life Insurance Programs

SUMMARY OF KEY CHANGES

- **Updates Policy References-** Combined Policy 348: Dental Insurance, Policy 356: Life Insurance, and Policy 358: Medical Insurance into a single Policy 348 titled: “Medical, Dental, and Life Insurance Programs.”
- **Updates Premium Information-** Deletes old references to cost share and now references that premium schedules are available from HR.
- **Updates Pre-existing Condition Language for Medical Insurance-** Per the Affordable Care Act (ACA), insurance companies cannot refuse to cover a person due to a pre-existing condition.
- **Eliminates the ability for an employee to discontinue their medical insurance coverage at any time.** Employees may only enroll or discontinue insurance coverage during open enrollment or if they experience a life event.
- **Clarifies Special Death Benefit Language-** Clarifies to whom the special death benefit and accrued vacation leave is paid. Clarifies continuation of coverage until the last day of the month following the month of death and that the University will pay full premium.
- **Clarifies that the Summary Plan Documents (SPDs) Govern the Programs-** Updated references and directs employees to refer to the plan document for detailed benefit information. Removed processes and language that is addressed in SPD which is the governing document.



POLICY MANUAL

BENEFITS

Number 348

Subject: Medical, Dental, and Life Insurance Programs

Covered Employees: Benefit Eligible Employees

Date of Origin: January 24, 1997

~~348.1~~ XXX.1 PURPOSE AND SCOPE ~~POLICY~~

The University provides eligible employees and their eligible dependents a broad range of protection against the cost of non-work-related illness, ~~es or~~ injuries, or death.

~~Benefit-eligible employees may enroll in the University's self-funded dental insurance program. Specific information regarding the dental insurance program can be obtained from the Office of Human Resources.~~

~~348.2~~ XXX.2 POLICY ~~PROCEDURES~~

2.1 Medical and Dental Insurances ~~Enrollment~~

Benefit-eligible employees may enroll in the University's self-funded medical and dental insurance programs within 30 days of their first day of work~~hire date~~. Employees who do not enroll within 30 days of their first day of work~~hire date~~ will not be eligible to enroll until the next annual enrollment period, unless they experience a qualifying life event.

Employees may change, add, or drop coverage during annual~~unneeded~~ open enrollment periods or when they experience a qualifying life event~~held once each year~~. Medical plans may only be changed during the annual open enrollment period.
Employees may discontinue their medical insurance coverage at any time.

Employees experiencing a qualifying life event with a change in family status may change their medical insurance coverages outside of open enrollment periods by notifying the Office of Human Resources and completing the necessary paperwork within 30 days of any of the following events:

- marriage or divorce
- birth, adoption, or newly acquired guardianship of a child
- death of a spouse or a dependent
- change in status of employment
- dependent status change

~~Benefit-eligible employees may enroll in the University's self-funded dental insurance program within 31 days of hire. Employees who enroll for dental coverage must remain~~

~~in the plan for a minimum of one full year unless they leave employment with the University. Employees who waive or cancel their participation in the dental insurance program may not enroll for dental coverage for three full years from the waiver/cancellation date.~~

~~Current employees may enroll or re-enroll for dental coverage during announced enrollment periods held twice each year.~~

~~2.2.1.1~~ **Premiums**

Utah State University pays a significant portion of the medical and dental insurance premiums for each benefit-eligible employee. Employees who work 50% to 74 % time in a benefit-eligible position pay a larger percentage of the insurance premium(s) than those whose positions are greater than or equal to 75% time.

Premium schedules are available from the Office of Human Resources.

~~For fiscal year base employees, the University pays 80% of the dental insurance premium for appointments of 75% time or greater (based on a fiscal year base of 2,080 hours) during the plan year. The employee is responsible for the remaining 20%.~~

2.2 Life Insurance

The University provides employee basic group term, employee supplemental, and dependent life insurance programs. coverage equal to one times the employee's annual salary (rounded up to the nearest \$1,000). The policy provides for double indemnity in the case of accidental death. The University pays the full premium for this employee basic term coverage. Other life insurance programs are voluntary and are paid by the employee.

2.3 Special Death Benefits

In the event of an employee's death, the University will pay to the designated beneficiary one month's salary from the date of death plus accrued any unused annual leave up to the maximum allowed under USU Policy 345: Annual Leave to the beneficiary. In addition, medical and dental insurance coverage with premiums paid by the University will be provided until the last day of the month following the month of death to those enrolled in the insurance program prior to the death of the employee, and the University will pay the full premium the beneficiary and dependents of the beneficiary until the last day of the month following the month of death, as long as they were enrolled in the insurance programs prior to the death of the employee.

XXX.3 RESPONSIBILITIES

3.1 Office of Human Resources

Responsible for pProviding advice and assistance in implementing this policy in accordance with the University's medical insurance programs policy.

3.2 Employees

Ensure timely and accurate submittal of any necessary forms to enroll, modify,

[or drop coverage.](#)

For academic year base employees, the University pays the 80% of the dental insurance premium on appointments of 75% time or greater of the academic year base. The employee is responsible for the remaining 20%.

Personnel working less than these percentages pay a greater portion of the premium according to a pro-rated schedule available from the Office of Human Resources.



POLICY MANUAL

BENEFITS

Number 356

Subject: Life Insurance

Covered Employees: Benefit Eligible Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: July 1, 1999

356.1 POLICY

The University offers benefit-eligible employees several death benefits, as described herein.

356.2 PROCEDURES

2.1 Basic Group Term Life Insurance for Employees

~~The University provides group term life insurance coverage equal to one times the employee's annual salary (rounded up to the nearest \$1,000). The policy provides for double indemnity in the case of accidental death. The University pays the full premium for this coverage.~~

Benefit-eligible employees may enroll within 31 days of their hire date without providing proof of insurability. Employees must provide proof of insurability if they enroll after 31 days of their hire date.

2.2 Supplemental Group Term Life Insurance for Employees

Benefit-eligible employees may elect to enroll in supplemental group term life insurance in addition to the basic insurance provided by the University (356.2.1). The employee

~~pays the full premium for this supplemental coverage. The premiums are age based and the cost is available in the Office of Human Resources. Elected coverage over certain dollar amounts will require proof of insurability.~~

2.3 Optional Dependent Life Insurance

~~Benefit-eligible employees may enroll their spouses and eligible dependent children in group term life insurance. All options have a double indemnity clause for accidental death. The employee pays the entire premium for any spouse/dependent coverage elected. Additional information is available in the Office of Human Resources. The Office of Human Resources is responsible for administering and facilitating the group life insurance programs; however, each enrolled employee carries the responsibility to stay current with the eligibility and enrollment requirements of the policies. Evidence of insurability is required for coverage over certain dollar amounts.~~

2.42.1 Special Death Benefits

~~In the event of an employee's death, the University will pay one month's salary from the date of death plus any unused annual leave to the beneficiary. In addition, medical and dental insurance coverage with premiums paid by the University will be provided to the beneficiary and dependents of the beneficiary until the last day of the month following the month of death, as long as they were enrolled in the insurance programs prior to the death of the employee.~~

356.3 RESPONSIBILITY

3.1 Office of Human Resources

~~Responsible for providing advice and assistance in implementing this policy.~~



POLICY MANUAL

BENEFITS

Number 358

Subject: Medical Insurance

Covered Employees: Benefit Eligible Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: October 24, 2007

358.1 POLICY

~~The University provides eligible employees and their eligible dependents a broad range of protection against the cost of non work related illnesses or injuries.~~

358.2 PROCEDURES

2.1 Initial Enrollment and Change of Coverage

~~Benefit-eligible employees may enroll in the University's self-funded medical insurance program within 30 days of their hire date. Employees who do not enroll within 30 days of their hire date will not be eligible to enroll until the next annual enrollment. There is an 8-month pre-existing condition period where no benefits will be paid for a pre-existing condition unless "proof of insurability" can be ascertained, and less than 63 days have expired from termination of the previous job. A pre-existing condition is a medical condition which existed, or for which symptoms existed, within the prior 6 months of the individual's effective employment date at Utah State University.~~

~~Employees may add coverage during announced open enrollment periods held once each year. Medical plans may only be changed during the annual open enrollment period. Employees may discontinue their medical insurance coverage at any time.~~

~~Employees with a change in family status may change their medical insurance coverage outside of enrollment periods by notifying the Office of Human Resources and completing the necessary paperwork within 30 days of any of the following events:~~

- ~~• marriage or divorce~~
- ~~• birth, adoption, or newly acquired guardianship of a child~~
- ~~• death of a spouse or a dependent~~
- ~~• change in status of employment~~
- ~~• dependent status change~~

2.2 Premiums

~~Utah State University pays a significant portion of the medical insurance premium for each benefit-eligible employee. Employees who work 50% to 74 % time in a benefit-eligible position pay a larger percentage of the insurance premium than those whose positions are greater than or equal to 75% time.~~

~~Premium schedules are available from the Office of Human Resources.~~

358.3 RESPONSIBILITY

3.1 Office of Human Resources

~~Responsible for providing advice and assistance in implementing this policy in accordance with the University's medical insurance policy.~~



University Policy 348: Medical, Dental, and Life Insurance Programs

Category: 300 Human Resources

Sub Category: Benefits

Covered Individuals: Benefit Eligible Employees

Responsible Executive: Vice President for Business and Finance

Policy Custodian: Office of Human Resources, Executive Director of Human Resources

Last Revised: 2020/01/10

Previous USU Policy Number: Policy 348 Dental Insurance, Policy 356 Life Insurance, and Policy 358 Medical Insurance

348.1 PURPOSE AND SCOPE

The University provides eligible employees and their eligible dependents a broad range of protection against the cost of non-work-related illnesses, injuries, or death.

348.2 POLICY

2.1 Medical and Dental Insurances

Benefit-eligible employees may enroll in the University's medical and dental insurance programs within 30 days of their first day of work. Employees who do not enroll within 30 days of their first day of work will not be eligible to enroll until the next annual enrollment period, unless they experience a qualifying life event.

Employees may change, add or drop coverage during annual open enrollment periods or when they experience a qualifying life event. Employees experiencing a qualifying life event may change their insurance coverages outside of open enrollment periods by notifying the Office of Human Resources and completing the necessary paperwork within 30 days of any of the following:

- marriage or divorce
- birth, adoption, or newly acquired guardianship of a child
- death of a spouse or a dependent
- change in status of employment
- dependent status change

2.1.1 Premiums

Utah State University pays a significant portion of the medical and dental insurance premiums for each benefit eligible employee. Employees who work 50% to 74% time in a benefit eligible position pay a larger percentage of the insurance premium(s) than those whose positions are greater than or equal to 75% time. Premium schedules are available from the Office of Human Resources.

2.2 Life Insurance

The University provides employee basic term, employee supplemental, and dependent life insurance programs. The University pays the full premium for the employee basic term coverage. Other life insurance programs are voluntary and are paid by the employee.

2.3 Special Death Benefits

In the event of an employee's death, the University will pay to the designated beneficiary one month's salary from the date of death plus accrued annual leave up to the maximum allowed under USU Policy 345: Annual Leave. In addition, medical and dental insurance coverage will be provided until the last day of the month following the month of death to those enrolled in the insurance program prior to the death of the employee, and the University will pay the full premium.

348.3 RESPONSIBILITIES

3.1 Office of Human Resources

Provides advice and assistance in implementing this policy in accordance with the University's insurance programs.

3.2 Employees

Ensure timely and accurate submittal of any necessary forms to enroll, modify, or drop coverage.

RESOURCES

None

POLICY HISTORY

Original issue date: 1997/01/24, 1997/01/24, and 1997/01/24

Last review date: YYYY/MM/DD

Next scheduled review date: YYYY/MM/DD

Previous revision dates: 1997/01/24, 1999/07/01, and 20017/10/24

ITEM FOR ACTION

RE: Update to University Policy 349: Early Retirement Incentive Program

SUMMARY OF KEY CHANGES

- **Changes Annual Earnings Definition-** Changes annual earnings to the most recently completed calendar year gross earnings (i.e. as of December 31 of the prior calendar year) vs. annual earnings for the 12 months immediately prior to the actual date of early retirement. This will improve consistency in determining early retirement benefit amounts and reduce errors and confusion caused by the current definition. It will also permit automation of early retirement estimates, eligibility, and workflow routing in ServiceNow.
- **Clarifies Spouse Eligibility for Medicare-** Adds language to explain if an early retiree's spouse reaches Medicare eligibility age, he/she will be removed from USU's medical plan and encouraged to apply for Medicare.



University Policy 349: Early Retirement Incentive Program

Category: 300 Human Resources

Sub Category: *Benefits*

Covered Individuals: Benefit Eligible Employees

Responsible Executive: David T. Cowley, Vice President for Business and Finance

Policy Custodian: Office of Human Resources, Douglas Bullock

Last Revised: January 12, 2018

Previous USU Policy Number:

XXX.1 PURPOSE AND SCOPE [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

Entrance into the early retirement incentive program is strictly voluntary and is available to employees who obtain administrative approval and qualify based on the eligibility requirements below. Administrative approval may be granted after determining that the early retirement incentive request is in the mutual best interest of the employee and the University. The policy will provide two mutually exclusive early retirement options for eligible employees: a five-year option or a six-year option.

XXX.2 POLICY [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

3.1 Initiation of the Early Retirement Agreement

Eligible employees desiring to participate in this program must advise their immediate supervisor, normally the department head or director, as soon as possible prior to the proposed date of early retirement. Academic year appointees may only enter the early retirement incentive program on January 1 or July 1 of any year, unless a different date is mutually agreed upon in writing by the department head, dean and Provost, in consultation with the Office of Human Resources. If a request for Early Retirement is pre-approved to begin drafting the agreement, the department initiates the early retirement process by requesting the Office of Human Resources to prepare the Early Retirement Agreement.

3.2 Five Year Option: Eligibility and Benefits

3.2.1 For an employee to be eligible to request participation in the five-year option of the early retirement incentive program, the following criteria must be met: the employee must be a benefit-eligible employee, the employee's age must be at least 57, the employee's age plus years of service at Utah State University in a benefit-eligible position must be greater than or equal to 75.

3.2.2 All service of 50% time or more per year under University appointment will qualify for credit even if there are breaks in service during prior years. Approved leaves of absence with pay will be eligible for credit. Periods of leave without pay will be not credited.

3.2.3 Incentives

Participants in this program shall be paid a financial incentive that is the lesser of 20% of the employee's annual earnings for the 12-month period immediately prior to the actual date of early retirement, or the estimated single social security benefit available to the individual at Full Retirement Age (FRA) as defined by social security law. Incentive payments shall be paid in monthly installments (annual incentive base divided by twelve) for a maximum

of 5 years or until FRA as a bridge to future social security benefits. Early retirement incentive payments will cease the first day of the month following the 5-year period or the FRA, whichever occurs first.

- 3.2.3.1 The incentive for participants shall be adjusted annually at a rate determined by the University administration. This annual adjustment will normally be at the same salary rate as that given to University employees performing at a satisfactory level. The early retirement incentive base may never exceed the estimated single Social Security benefit available to the individual at FRA.

3.2.4 Benefits

Benefits for which the retiring employee will be eligible during the five-year option of early retirement are:

- 3.2.4.1 Medical and dental insurance coverage on the University's group plans continued to the same extent and on the same terms that such coverage is available under applicable University policies to non-retired personnel. The premium rate will be based on the 12-month salary preceding the date of early retirement. The retiree will have the applicable share of the medical and dental premiums deducted from the monthly early retirement incentive payment. If the early retiree or spouse reaches Medicare eligibility age, he or she will be removed from the University medical plan and encouraged to apply for Medicare. Continuation of the dental plans is allowed for the duration of the early retirement agreement.

3.3 Six Year Option: Eligibility and Benefits

- 3.3.1 For an employee to be eligible to request participation in the six-year option of the early retirement incentive program, the following criteria must be met: the employee must be a benefit-eligible employee, the employee's age must be at least 56, the employee's age plus years of service at Utah State University in a benefit-eligible position must be greater than or equal to 75.

- 3.3.2 All service of 50% time or more per year under University appointment will qualify for credit even if there are breaks in service during prior years. Approved leaves of absence with pay will be eligible for credit. Periods of leave without pay will be not credited.

3.3.3 Incentives

- 3.3.3.1 Participants in this program shall be paid a financial incentive that is the lesser of 16.67% of the employee's annual earnings for the 12-month period immediately prior to the actual date of early retirement, or the estimated single social security benefit available to the individual at Full Retirement Age (FRA) as defined by social security law. Incentive payments shall be paid in monthly installments (annual incentive base divided by twelve) for a maximum of 6 years or until FRA as a bridge to future social security benefits. Early retirement incentive payments will cease the first day of the month following the 6-year period or the FRA, whichever occurs first.

- 3.3.3.2 The incentive for participants shall be adjusted annually at a rate determined by the University administration. This annual adjustment will normally be at the same salary rate as that given to University employees performing at a satisfactory level. The early retirement incentive base may never exceed the estimated single Social Security benefit available to the individual at FRA.

3.3.4 Benefits

Benefits for which the retiring employee will be eligible during the six-year option of early retirement are:

- 3.3.4.1 Medical and dental insurance coverage on the University's group plans continued to the same extent and on the same terms that such coverage is available under applicable University policies to non-retired personnel. The premium rate will be based on the 12-month salary preceding the date of early retirement, except that an additional surcharge of 15% of the University's portion of premiums will be assessed to the early retiree. The retiree will have the applicable share of the medical and dental premiums, including the 15% surcharge, deducted from the monthly early retirement incentive payment. If the early retiree or spouse reaches Medicare eligibility age, he or

she will be removed from the University medical plan and encouraged to apply for Medicare. Continuation of the dental plan is allowed for the duration of the early retirement agreement.

3.4 Benefits Applicable to Both the Five and Six Year Options

- 3.4.1 Participants in early retirement are eligible for the same benefits given to regular retirees. (See policy 361.4)
- 3.4.2 Accrued annual leave will be paid in a lump sum at the time of early retirement and at the salary rate as of the last date of regular employment.
- 3.4.3 In the event of an early retiree's death during the Early Retirement agreement, incentive payments will continue until the end of the calendar month following the month in which the early retiree died. The surviving eligible family member(s) may continue insurance benefits by paying the early retiree rate for the remainder of the eligible early retirement period provided the eligible family member(s) is not Medicare eligible. For information regarding the continuation of medical coverage, see Policy 347, Continuation of Insurance Coverage.
- 3.4.4 The Consolidated Omnibus Budget Reconciliation Act (COBRA) – COBRA runs concurrently with early retirement. An employee, whose early retirement incentive program ends prior to becoming eligible for Medicare, may elect to enroll in the University's Continuation of Coverage program (Policy 347) until he/she is Medicare eligible.

Note: No further contribution will be made by the University to the employee's basic retirement program.

349.4 RE-EMPLOYMENT

- 4.1 Employees who retire under the early retirement incentive program may be re-employed only on the recommendation and the approval of administration (Department Head/Director, Dean/Vice President, and Provost/President). Re-employment of a previously tenured employee will always occur without tenure.
 - 4.1.1 Re-employment must be wage/hourly and non-benefitted.
 - 4.1.2 Reemployment, while on early retirement, at a percentage of time greater than 33 1/3% time on an academic year base appointment or 25% time on a fiscal year base appointment will not be allowed.
- 4.2 Engaging in a pre-arranged strategy for termination/retirement with a guarantee or promise of subsequent rehiring is not permitted.
- 4.3 For employees participating in the Utah Retirement System: There are restrictions with regard to receiving pension payments from Utah Retirement Systems (URS) when an employee is re-employed at any organization that participates in URS including Utah State University. Employees on early retirement agreements, who are receiving pension payments from URS, who wish to return to work at USU in any paid position, are highly encouraged to contact URS. Refer to URS for these restrictions.

XXX.3 RESPONSIBILITIES [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

3.1 Responsible Office/Party [Arial Narrow 12, color RGB 140-45-0]

Department Heads and Supervisors

Responsible for notifying and coordinating with the Office of Human Resources of any approved request for early retirement in order to facilitate the necessary documentation to complete the process.

Employees

Responsible for receiving pre-approval from the department to begin drafting the agreement to participate in the early retirement incentive program.

Office of Human Resources

Responsible for advising the department and employee and drafting the Early Retirement Agreement.

XXX.4 REFERENCES [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

- Bullet list references to Federal, State, municipal regulations, USHE/Regents policies. [Arial 10]
- Continue list of references. [Arial 10]

XXX.5 RELATED USU POLICIES [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

- List of related USU Policies. [Arial 10]

XXX.6 DEFINITIONS [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

Annual Earnings - Annual earnings are defined as calendar year gross earnings for the most recently completed calendar year.

Medicare Eligibility Age – Normal Medicare eligibility age means the age at which an otherwise qualified individual may enroll in Medicare by virtue of attaining a specific age, or by otherwise being qualified as defined by Medicare.

Participant – An eligible employee approved for the early retirement incentive program.

Full Retirement Age (FRA) – For Social Security purposes, the retirement age at which full retirement benefits may begin.

Information below is not included as part of the contents of the official Policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the President, subject to review by the USU Policy Committee.

RESOURCES [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

(List resources to aid in compliance or indicate "None.") [Arial Narrow 10]

Procedures [Arial Narrow 12, color RGB 140-45-0]

- Hyperlinks to procedures. [Arial 10]
- Hyperlinks to procedures.

Guidance [Arial Narrow 12, color RGB 140-45-0]

- Hyperlinks to guidance. [Arial 10]
- Hyperlinks to guidance.

Related Forms and Tools [Arial Narrow 10, color RGB 140-45-0]

- Hyperlinks to forms and tools. [Arial 10]
- Hyperlinks to forms and tools.

Contacts [Arial Narrow 10, color RGB 140-45-0]

- Hyperlinks to contacts. [Arial 10]

- [Hyperlinks to contacts.](#)

POLICY HISTORY [Arial Narrow 13, bold, blue RGB 15-36-57, all caps]

Original issue date: 1997/01/24 [Arial 10]

Last review date: 2018/01/12 [Arial 10]

Next scheduled review date: YYYY/MM/DD [Arial 10]

Previous revision dates: 2005/07/01, 2007/07/01. [Arial 10]



University Policy 349: Early Retirement Incentive Program

Category: [300 Human Resources](#)

Sub Category: [Benefits](#)

Covered Individuals: Benefit Eligible Employees

Responsible Executive: [Vice President for Business and Finance](#)

Policy Custodian: [Office of Human Resources, Executive Director of Human Resources](#)

Last Revised: ~~January 12, 2018~~ [2020/01/10](#)

Previous USU Policy Number: [Not applicable](#)

349.1 PURPOSE AND SCOPE

Entrance into the early retirement incentive program is strictly voluntary and is available to employees who obtain administrative approval and qualify based on the eligibility requirements below. Administrative approval may be granted after determining that the early retirement incentive request is in the mutual best interest of the employee and the University. The policy ~~will provide~~s two mutually exclusive early retirement options for eligible employees: a five-year option or a six-year option.

349.2 POLICY

~~23.1~~ Initiation of the Early Retirement Agreement

Eligible employees desiring to participate in this program must advise their immediate supervisor, normally the department head or director, as soon as possible prior to the proposed date of early retirement. Academic year appointees may only enter the early retirement incentive program on January 1 or July 1 of any year, unless a different date is mutually agreed upon in writing by the department head, dean and ~~P~~rovo**s**t, in consultation with the Office of Human Resources. If a request for Early Retirement is pre-approved to begin drafting the agreement, the department initiates the early retirement process by requesting the Office of Human Resources to prepare the Early Retirement Agreement.

~~23.2~~ Five Year Option: Eligibility and Benefits

~~2.2.1~~ For an employee to be eligible to request participation in the five-year option of the early retirement incentive program, the following criteria must be met: the employee must be a benefit-eligible employee, the employee's age must be at least 57, the employee's age ~~and~~ **plus** years of service at Utah State University in a benefit-eligible position must be greater than or equal to 75.

~~2.2.1~~~~2.2.2~~ All service of 50% time or more per year under University appointment will qualify for credit even if there are breaks in service during prior years. Approved leaves of absence with pay will be eligible for credit. Periods of leave without pay will be not credited.

~~2.2.2~~~~2.2.3~~ Incentives

~~23.2.3.1~~ Participants in this program shall be paid a financial incentive that is the lesser of 20% of the employee's annual earnings ~~for the 12-month period immediately prior to the actual date of early retirement~~, or the estimated single social security benefit available to the individual at Full Retirement Age (FRA) as defined by social security law. Incentive payments shall be paid in

monthly installments (annual incentive base divided by twelve) for a maximum of 5 years or until FRA as a bridge to future social security benefits. Early retirement incentive payments will cease the first day of the month following the 5-year period or the FRA, whichever occurs first.

23.2.3.2 The incentive for participants shall be adjusted annually at a rate determined by the University administration. This annual adjustment will normally be at the same salary rate as that given to University employees performing at a satisfactory level. The early retirement incentive base may never exceed the estimated single Social Security benefit available to the individual at FRA.

2.2.3.2.4 Benefits

23.2.4.1 Benefits for which the retiring employee will be eligible during the five-year option of early retirement are:

2.2.4.2 Medical and dental insurance coverage on the University's group plans continued to the same extent and on the same terms that such coverage is available under applicable University policies to non-retired personnel. The premium rate will be based on the ~~12-month salary~~ annual earnings used to calculate the employee's preceding the date of early retirement benefit. The retiree will have the applicable share of the medical and dental premiums deducted from the monthly early retirement incentive payment. ~~Upon reaching~~ If the early retiree or spouse reaches Medicare eligibility age, ~~the early retiree~~ he or she will be removed from the University medical plan and ~~is~~ encouraged to apply for Medicare. Continuation of the dental plans is allowed for the duration of the early retirement agreement.

32.3 Six Year Option: Eligibility and Benefits

32.3.1 For an employee to be eligible to request participation in the six-year option of the early retirement incentive program, the following criteria must be met: the employee must be a benefit-eligible employee, the employee's age must be at least 56, the employee's age ~~and~~ plus years of service at Utah State University in a benefit-eligible position must be greater than or equal to 75.

32.3.2 All service of 50% time or more per year under University appointment will qualify for credit even if there are breaks in service during prior years. Approved leaves of absence with pay will be eligible for credit. Periods of leave without pay will be not credited.

32.3.3 Incentives

32.3.3.1 Participants in this program shall be paid a financial incentive that is the lesser of 16.67% of the employee's annual earnings ~~for the 12-month period immediately prior to the actual date of early retirement~~, or the estimated single social security benefit available to the individual at Full Retirement Age (FRA) as defined by social security law. Incentive payments shall be paid in monthly installments (annual incentive base divided by twelve) for a maximum of 6 years or until FRA as a bridge to future social security benefits. Early retirement incentive payments will cease the first day of the month following the 6-year period or the FRA, whichever occurs first.

32.3.3.2 The incentive for participants shall be adjusted annually at a rate determined by the University administration. This annual adjustment will normally be at the same salary rate as that given to University employees performing at a satisfactory level. The early retirement incentive base may never exceed the estimated single Social Security benefit available to the individual at FRA.

32.3.4 Benefits

32.3.4.1 Benefits for which the retiring employee will be eligible during the six-year option of early retirement are:

2.3.4.2 Medical and dental insurance coverage on the University's group plans continued to the same extent and on the same terms that such coverage is available under applicable University policies to non-retired personnel. The premium rate will be based on the annual earnings used to calculate the employee's 12-month salary preceding the date of early retirement benefit, except that an additional surcharge of 15% of the University's portion of premiums will be assessed to the early retiree. The retiree will have the applicable share of the medical and dental premiums, including the 15% surcharge, deducted from the monthly early retirement incentive payment. Upon reaching if the early retiree or spouse reaches Medicare eligibility age, the early retiree he or she will be removed from the University medical plan and encouraged to apply for Medicare. Continuation of the dental plan is allowed for the duration of the early retirement agreement.

32.4 Benefits Applicable to Both the Five and Six Year Options

2.4.1 Participants in early retirement are eligible for the same benefits given to regular retirees. (See Retirement pPolicy 361.4)

2.4.2 Accrued annual leave will be paid in a lump sum at the time of early retirement and at the salary rate as of the last date of regular employment.

2.4.3 In the event of an early retiree's death during the Early Retirement agreement, incentive payments will continue until the end of the calendar month following the month in which the early retiree died. The surviving eligible family member(s) may continue insurance benefits by paying the early retiree rate for the remainder of the eligible early retirement period provided the eligible family member(s) is not Medicare eligible. For information regarding the continuation of medical coverage, see Policy 347: Continuation of Insurance Coverage.

2.4.4 The Consolidated Omnibus Budget Reconciliation Act (COBRA) ~~COBRA~~ runs concurrently with early retirement. An employee, whose early retirement incentive program ends prior to becoming eligible for Medicare, may elect to enroll in the University's Continuation of Coverage program (Policy 347) until he/she is Medicare eligible.

Note: No further contribution will be made by the University to the employee's basic retirement program.

2.5 Re-employment

~~32.5.1~~—Employees who retire under the early retirement incentive program may be re-employed only on the recommendation and the approval of administration (~~D~~department ~~H~~head/~~D~~director, ~~D~~dean/~~V~~ice ~~P~~resident, and ~~P~~provost/~~P~~resident). Re-employment of a previously tenured employee will always occur without tenure.

2.5.2 Re-employment must be wage/hourly and non-benefitted.

2.5.3 Reemployment, while on early retirement, at a percentage of time greater than 33 1/3% time on an academic year base appointment or 25% time on a fiscal year base appointment will not be ~~allowed~~permitted.

2.5.4 Engaging in a pre-arranged strategy for termination/retirement with a guarantee or promise of subsequent rehiring is not permitted.

~~4.1~~2.5.5 For employees participating in the Utah Retirement System: There are restrictions with regard to receiving pension payments from Utah Retirement Systems (URS) when an employee is re-employed at any organization that participates in URS including Utah State University. Employees on early retirement agreements, who are receiving pension payments from URS, who wish to return to work at USU in any paid position, are highly encouraged to contact URS. Refer to URS for these restrictions.

349.3 RESPONSIBILITIES

3.1 Responsible Office/Party

3.1.1 Department Heads and Supervisors

Responsible for notifying and coordinating with the Office of Human Resources of any approved request for early retirement in order to facilitate the necessary documentation to complete the process.

3.1.2 Employees

Responsible for receiving pre-approval from the department to begin drafting the agreement to participate in the early retirement incentive program.

3.1.3 Office of Human Resources

Responsible for advising the department and employee and drafting the Early Retirement Agreement.

349.4 REFERENCES

- [USHE Policy R962, Retirement Programs](#)

349.5 RELATED USU POLICIES

- [Policy 347: Continuation of Insurance Coverage](#)
- [Policy 361: Retirement Plans and Retirement Benefits](#)

349.6 DEFINITIONS

6.1 **Annual Earnings** – ~~Annual earnings are defined as the earnings of the employee as designated in the University budget or revised by an approved Electronic Personnel Action Form (EPAF) for the 12-month period preceding the date of early retirement. Not included in annual earnings are payments for the following: overtime, extra service payments, consulting, teaching workshops, extension classes, overseas adjustment, and/or other special forms of pay. Eligible part-time employees who request and are granted an early retirement option will receive an incentive amount based on their part-time salary.~~ Calendar year gross earnings for the most recently completed calendar year (i.e. as of December 31 of the prior calendar year).

6.2 **Medicare Eligibility Age** – ~~Normal Medicare eligibility age means~~ The normal age at which an otherwise qualified individual may enroll in Medicare by virtue of attaining a specific age, or by otherwise being qualified as defined by Medicare.

6.3 **Participant** – An eligible employee approved for the early retirement incentive program.

6.4 **Full Retirement Age (FRA)** – For Social Security purposes, the retirement age at which full retirement benefits may begin.

Information below is not included as part of the contents of the official Policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the President, subject to review by the USU Policy Committee.

RESOURCES

Procedures

- [Hyperlink to procedures TBD](#)

Related Forms and Tools

- [Link to ServiceNow form TBD](#)

POLICY HISTORY

Original issue date: 1997/01/24

Last review date: ~~2018/01/12~~ [2020/01/10](#)

Previous revision dates: 2005/07/01, 2007/07/01, 2018/01/12, [2020/01/10](#)

ITEM FOR ACTION

RE: Combining Disability Policies 357 Long-Term Disability & 362 Short-Term Disability in one policy for Disability Insurance Programs

SUMMARY OF KEY CHANGES

Changes to Short-Term Disability policy:

- Added required Genetic Information Nondiscrimination Act (GINA) language.
- Clarified that employees are automatically enrolled into short-term disability (STD) and must waive this benefit if they don't want this coverage.
- Clarified that that STD payments are subject to state and federal taxes.
- Clarified that Family and Medical Leave Act (FMLA) runs concurrently with STD where applicable.
- Clarified that the summary plan documents (SPDs) govern the programs and point employees to refer to the plan documents for detailed benefit information. Removed processes and language that is addressed in SPDs which is the governing document.
- Revised the employment status section to clarify when an employee may be terminated while on STD. Clarified that an employee can be terminated if they are unable to return to work after STD is exhausted (and reference the option for long-term disability).
- Added information about engaging with USU's Americans with Disabilities Act (ADA) Coordinator for requests for reasonable accommodation.

Changes to Long-Term Disability policy:

- Changed the plan benefit language to instruct employees to refer to the plan document for benefit information for Long-Term Disability (LTD).
- Removed the employment status section since STD portion addresses that an employee's position can be terminated if they are unable to return to work after STD is exhausted.
- Removed processes and language that is addressed in SPD which is the governing document.



POLICY MANUAL

BENEFITS

Number ~~XXX~~362

Subject: ~~Short-Term~~ Disability Insurance Programs

Covered Employees: Benefit Eligible Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: July 1, 1999

~~XXX~~362.1 PURPOSE AND SCOPEPOLICY

The ~~short-term~~ disability insurance programs ~~are~~ designed to replace a substantial portion of a benefit-eligible employee's income if he or she is unable to perform his or her regular occupation due to a qualifying event as determined by the disability insurance provider~~because of bodily injury, illness, or mental impairment. In addition, the employee must be under the care of a physician to be eligible for coverage. Per the Genetic Information Nondiscrimination Act (GINA) of 2008, the University does not discriminate on the basis of genetic information.~~

~~XXX~~362.2 POLICYPROCEDURES

2.1 Short Term Disability (STD) Insurance Program~~Premiums~~

All benefit-eligible employees are automatically enrolled in the STD insurance program. Employees may opt out of the STD insurance program within 30 days of hire or annually during the open enrollment period.

Payments received from the STD insurance provider are subject to federal and state taxes.

~~If a~~An employee may use 20% of accrued~~has accumulated sick leave to, he or she may coordinate supplement STD insurance~~short-term disability payments (i.e. 8 hours of accrued sick leave per week of STD for 100% FTE). If the employee has no accrued sick leave, he or she may use accrued vacation leave to supplement the payments.~~with partial sick leave payments. For each day of disability, the employee may use 20% of one sick-leave day to increase the combined payment to a maximum of 86 2/3%.~~

STD leave will run concurrently with Family Medical Leave (FMLA), as applicable.

The University does not discriminate on the basis of Genetic Information (GINA).

2.2 Plan Benefits

STD benefits are paid according to the STD summary plan document. If there are discrepancies between the policy and the summary plan document, the plan document will prevail.

2.3 Employment Status and Other Benefits

An employee receiving benefits shall not be terminated for using STD benefit from the University. The employee may be terminated for business decisions (e.g. reduction in force, termination of funding, etc.). Upon returning from STD, the employee shall resume the duties of his or her regular position or a position of equivalent status, seniority, and pay when the short term disability period is completed, unless the employee continues disability under the Long Term Disability Program.

Returning to work at the conclusion of a disability period requires the release of the employee to obtain a release from the's attending healthcare provider/physician showing that indicates the employee is fit to return to work. This release must/should also identify any work restrictions that may apply. If there are work restrictions, the University's Americans with Disabilities Act (ADA) Coordinator will determine, in coordination with the employee's supervisor, appropriate work accommodations. An employee can be terminated if they are unable to return to work after STD is exhausted (refer to 2.4 Long-Term Disability (LTD) insurance program).

An employee who voluntarily resigns while receiving STD benefits will continue to have STD coverage as determined by the STD insurance provider until the eligibility period expires.

The University will continue to make contributions to the appropriate retirement plan or grant credit toward retirement on behalf of an employee on STD/short term disability as applicable. Employee premiums for medical, and dental, and life insurance coverages are waived during the period of disability.

~~The University pays 67% and the employee pays 33% of the premium for the short term disability program.~~

2.2 Waiting Period and Duration

~~There is a mandatory 10 working day waiting period before any benefits may begin.~~

~~If an employee has no sick leave days available to cover all or a portion of the 10-day period, he or she may use annual leave or leave without pay. Academic year base faculty~~

~~may be covered with salary from their department for the 10-day waiting period. Benefits begin on day 11 of the disability.~~

~~The employee may continue to receive benefits for up to 150 calendar days (approximately 5 months) from the first day of disability.~~

2.3 Plan Benefits

~~The benefits are 66 2/3% of the employee's budgeted salary for the period of disability, up to 150 calendar days (approximately 5 months).~~

~~If an employee has accumulated sick leave, he or she may coordinate short-term disability payments with partial sick leave payments. For each day of disability, the employee may use 20% of one sick leave day to increase the combined payment to a maximum of 86 2/3%.~~

~~In situations of partial disability where the employee is able to perform some duties of his or her job, short-term disability payments and income earned from other sources are coordinated using the formula specified in the plan.~~

2.4 Employment Status

~~An employee receiving benefits shall not be terminated from the University. The employee shall resume the duties of his or her regular position when the short-term disability period is completed, unless the employee continues disability under the Long-Term Disability Program. Return to work at the conclusion of a disability period requires the release of the employee's attending physician showing the employee is fit to return to work. This release should also identify any work restrictions that may apply. An employee who voluntarily resigns while receiving benefits will continue to have coverage until the eligibility period expires.~~

~~The University will continue to make contributions to the retirement plan on behalf of an employee on short-term disability. Employee premiums for medical, dental, and life insurance coverage are waived during the period of disability.~~

2.4 Long Term Disability (LTD) Insurance Program

~~All benefit-eligible employees are covered under automatically enrolled in the Long-Term Disability (LTD) insurance program. Eligibility for long-term disability benefits are based on a qualifying event defined by the long-term disability vendor. LTD benefits and applicable retirement benefits are paid according to the LTD summary plan document. The University pays the entire Ppremiums for of the LTD insurance program benefits are paid by the University.~~

~~The long-term disability benefits are paid according to the contract between USU and the insurance vendor for the period of the disability.~~ **XXX362.3 RESPONSIBILITIESY**

3.1 Supervisors

Manage job vacancies and coordinate information with the Office of Human Resources when an employee is on STD leave. Responsible for contacting the ADA Coordinator for requested workplace accommodations.

3.2 Employees

Comply with requests for documentation such as application for STD insurance benefits and provide necessary medical information, as well as a return to work release from the attending healthcare provider.

3.3 Office of Human Resources

~~Responsible for assisting~~ Administer this policy and process in the implementation of this policy in accordance with the University's disability summary plan documents ~~short-term disability plan.~~

357.4 REFERENCES

- ADA~~AA~~ (Americans with Disabilities Act as Amended 2008)
- ~~COBRA (Consolidated Omnibus Budget Reconciliation Act)~~
- FMLA (Family and Medical Leave Act as revised in 2010)
- GINA (Genetic Information Nondiscrimination Act of 2008)

357.5 RELATED USU POLICIES

- University Policy 323: Employees with Disabilities
- ~~University Policy 347: Continuation of Insurance Coverage~~
- University Policy 351: Family and Medical Leave

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UtahState
UNIVERSITY

POLICY MANUAL

BENEFITS

Number 357
Section: Personnel Policies
Sub-Section: Benefits
Subject: Long-Term Disability
Covered Employees: Benefit-Eligible Employees
Date of Origin: January 24, 1997
Revision Date(s): June 22, 2018
Effective Date: June 29, 2012

357.1 PURPOSE

The Long-Term Disability (LTD) program is designed to replace a substantial portion of a benefit-eligible employee's income if the employee is unable to perform regular occupation due to a qualifying event as defined by the long-term disability vendor.

357.2 357.3 POLICY

3.1 Eligibility and Premiums

~~All benefit-eligible employees are automatically enrolled in the long-term disability program. Eligibility for long-term disability benefits are based on a qualifying event defined by the long-term disability vendor. Premiums for the LTD benefits are paid by the University.~~

3.2 Waiting Period and Duration

~~To qualify for LTD benefits, the covered employee must be continuously disabled for 150 calendar days (approximately 5 months) due to a non-work-related injury or illness.~~

3.3 Plan Benefits

~~The long-term disability benefits are paid according to the contract between USU and the insurance vendor for the period of the disability. Retirement plan contributions or credit earned towards years of service will continue on behalf of the employee on long-term disability as per the LTD contract.~~

While on LTD, an employee and his/her covered dependents may elect to continue COBRA coverage on the University's group medical and dental plan, at the full premium cost, for 18 months from the first date of LTD. The 18 months of COBRA may be extended to 29 months if the employee and/or dependent(s) is determined under the Social Security Act to have been disabled at any time during the first 60 days of the COBRA coverage. After 18 months (or 29 months as defined above), the employee (and any covered dependents) will no longer have access to or be covered by the USU medical

~~and dental plans. The University does not discriminate on the basis of Genetic Information (GINA).~~

3.4 Employment Status

~~An employees receiving LTD benefits will be terminated from USU. Employees receiving LTD benefits who are able to return to work within 12 months from the date of termination will be eligible to apply for any open position for which the employee is qualified and will receive priority interview status, provided the position is at a salary grade that is of equal or lesser value to the position the employee held prior to LTD. Employees will have this priority interview status for 12 months from the date the employees were released from LTD.~~

357.4 RESPONSIBILITY

4.1 Departments-

~~Responsible for processing the appropriate electronic personnel action form (EPAF) and other departmental paperwork as necessary.~~

4.2 Employees

~~Responsible for working with the Office of Human Resources and the University's LTD insurance vendor.~~

4.3 Office of Human Resources

~~Responsible for assisting in the implementation of this policy in accordance with the University's long term disability contract . Responsible for implementing business processes that ensure compliance with this policy and the carrier's contract. Responsible for working with the department and employee to ensure both parties understand and follow requirements of the LTD policy and contract.~~



University Policy 357: Disability Insurance Programs

Category: 300 Human Resources

Sub Category: Benefits

Covered Individuals: Benefit Eligible Employees

Responsible Executive: Vice President for Business and Finance

Policy Custodian: Office of Human Resources, Executive Director for Human Resources

Last Revised: 2020/01/10

Previous USU Policy Number: Policy 357 Long-Term Disability and Policy 362 Short-Term Disability

357.1 PURPOSE AND SCOPE

The disability insurance programs are designed to replace a substantial portion of a benefit-eligible employee's income if he or she is unable to perform his or her regular occupation due to a qualifying event as determined by the disability insurance provider. Per the Genetic Information Nondiscrimination Act (GINA) of 2008, the University does not discriminate on the basis of genetic information.

357.2 POLICY

2.1 Short Term Disability (STD) Insurance Program

All benefit-eligible employees are automatically enrolled in the STD insurance program. Employees may opt out of the STD insurance program within 30 days of hire or annually during the open enrollment period.

Payments received from the STD insurance provider are subject to federal and state taxes.

An employee may use 20% of accrued sick leave to supplement STD insurance payments (i.e. 8 hours of accrued sick leave per week of STD for 100% FTE). If the employee has no accrued sick leave, he or she may use accrued vacation leave to supplement the payments.

STD leave will run concurrently with Family Medical Leave (FMLA), as applicable.

2.1.1 Plan Benefits

STD benefits are paid according to the STD summary plan document. If there are discrepancies between the policy and the summary plan document, the plan document will prevail.

2.1.2 Employment Status and Other Benefits

An employee shall not be terminated for using STD benefits. The employee may be terminated for business decisions (e.g. reduction in force, termination of funding, etc.). Upon returning from STD, the employee shall resume the duties of his or her regular position or a position of equivalent status, seniority, and pay. Returning to work at the conclusion of a disability period requires the employee to obtain a release from the attending healthcare provider that indicates the employee is fit to return to work. This release must identify any work restrictions that may apply. If there are work restrictions, the University's Americans with Disabilities Act (ADA) Coordinator will determine, in coordination with the employee's supervisor, appropriate work accommodations. An employee can be terminated if they are unable to return to work after STD is exhausted (refer to 2.4 Long-Term Disability (LTD) insurance program).

An employee who voluntarily resigns while receiving STD benefits will continue to have STD coverage as determined by the STD insurance provider.

The University will continue to make contributions to the appropriate retirement plan or grant credit toward retirement on behalf of an employee on STD as applicable. Employee premiums for medical and dental coverages are waived during the period of disability.

2.2 Long-Term Disability Insurance Program

All benefit-eligible employees are covered under the long-term disability (LTD) insurance program. LTD benefits and applicable retirement benefits are paid according to the LTD summary plan document. The University pays the entire premium of the LTD insurance program.

357.3 RESPONSIBILITIES

3.1 Supervisors

Manage job vacancies and coordinate information with the Office of Human Resources when an employee is on STD leave. Responsible for contacting the ADA Coordinator for requested workplace accommodations.

3.2 Employees

Comply with requests for documentation such as application for STD insurance benefits and provide necessary medical information, as well as a return to work release from the attending healthcare provider.

3.3 Office of Human Resources

Administer the policy and process in accordance with the University's disability summary plan documents.

357.4 REFERENCES

- ADA (Americans with Disabilities Act as Amended 2008)
- FMLA (Family and Medical Leave Act as revised in 2010)
- GINA (Genetic Information Nondiscrimination Act of 2008)

357.5 RELATED USU POLICIES

- University Policy 323: Employees with Disabilities
- University Policy 347: Continuation of Insurance Coverage
- University Policy 351: Family and Medical Leave

Information below is not included as part of the contents of the official Policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the President, subject to review by the USU Policy Committee.

POLICY HISTORY

Original issue date: 1997/01/24 and 1997/01/24

Last review date: 2020/01/10

Next scheduled review date: YYYY/MM/DD

Previous revision dates: 2012/29/06 and 1999/07/01, 2020/01/10

ITEM FOR ACTION

Re: Update Policy 363 – Sick Leave

SUMMARY OF CHANGES

- Adds references to other related policies and programs that work in coordination with sick leave (i.e. FMLA, STD, Worker's Comp, and ADA).
- Changes the accrual to begin the day an employee begins employment versus being based on starting either the first half or last half of the month.
- Adds opportunity for an employee, who has exhausted all paid leaves and has need for additional sick leave, to gain approval from supervisor for an additional 80 hours (resulting in a negative balance) of sick leave. Supports the employee to transition with pay to Short Term Disability.
- Clarifies accruals in hours versus days to match how Banner accrues and displays balances.
- Clarifies expectation that employees notify their supervisor if they are not going to report to work. Clarifies that an employee's department work with HR to determine appropriateness before making requests for healthcare provider certifications.
- Changes sick leave reporting for non-exempt employees to 15 minute intervals from one hour to match annual leave policy and Banner functionality.
- Adds language permitting parents of newly adopted child to take up to 6 weeks of sick leave (was 4 weeks) for adoption to match birth parents.
- Clarifies verbiage for sick to annual leave conversion is processed. This language had not been revised since going live with Banner. Also clarifies HR will notify leave managers of any conversion of unused sick leave.



POLICY MANUAL

BENEFITS

Number 363

Subject: Sick Leave

Covered Employees: Benefit Eligible Employees

Date of Origin: January 24, 1997

Date of Last Revision: July 1, 1999

Effective Date:

363.1 PURPOSE

The University grants sick leave to employees due to personal illness, injury, incapacity, birth or adoption of a child; or for the illness, injury, or incapacity of an employee's family member.

363.2 ~~1.2~~ DEFINITIONS of Dependents

Family Member

For the purpose of this policy, ~~dependents~~ family members are defined as spouse, domestic partner, children (including newborn, adopted or step-children), and parents/parents-in-law.

363.3 POLICY

Benefit eligible employees working on a fiscal or academic year base appointment at 50% time or greater are eligible for sick leave benefits. This policy works in coordination with Short-Term Disability, Workers' Compensation, the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Amendments Act (ADAAA).

~~1.2~~ Definition of Dependents

For the purpose of this policy ~~dependents are defined as spouse, dependent children (including newborn, adopted or step-children), and parents/parents-in-law.~~

3.1 Sick Leave Accrual

- 1) Sick leave accrual begins on the effective date of the employee's University appointment. First month accruals will be prorated for any employee hired after the first of the month.
- 2) Full-time employees accrue sick leave at the rate of 8 hours per employed month. Eligible part-time employees accrue sick leave on a pro-rata basis.
- 3) Sick leave will not accrue while an employee is on leave without pay, or special development leave. Sick leave does accrue while an employee is on short-term disability. If an employee has exhausted all paid leaves and has need for additional sick leave, a supervisor may, at his/her discretion, approve up to an additional 80 hours (resulting in a negative balance) of sick leave through the normal leave submittal and approval processes.
- 4) Sick leave can accrue to a maximum of 1,040 hours which may be carried from one year to the next. Unused sick leave will not be paid as a cash settlement to the employee when his/her employment ends.
- 5) An employee who leaves employment with the University and then is rehired within one year in a benefit eligible position will have his/her accrued sick leave restored.

3.2 Sick Leave Reporting

Employees should notify their supervisor as soon as practicable if they are not going to report to work. Requests for sick leave must be submitted no later than two business days after the employee returns to duty. The University reserves the right to require substantiation of all illness charged to sick leave and/or require a release to return to work from the employee's healthcare provider. If the employee is absent for more than three days, a certificate from a healthcare provider may be required. Departments should work with the Office of Human Resources before making a request for a healthcare provider certification. Human Resources will determine if a request is appropriate.

Exempt employees absent for less than 4 hours in a day do not need to report sick leave. If absent 4 or more hours in a day, report actual hours taken.

Non-exempt employees report sick leave absences in 15-minute increments.

If the length of the disability, illness, or injury is longer than the employee's accrued sick leave, the employee may use accumulated annual leave or leave without pay under the FMLA in accordance with University Policy 351: Family and Medical Leave, provided the employee qualifies for FMLA.

If the disability, illness, or injury extends beyond 10 working days, an employee covered by short-term disability insurance may apply for the benefits of that program. (See Policy 362: Short-Term Disability).

3.3 Sick Leave Taken for Maternity/Paternity Situations

For eligible employees, FMLA will run concurrently with sick leave. If an employee does not qualify for FMLA, the employee who is the parent of a newborn or newly adopted child may take up to six weeks of accrued sick leave immediately following the birth or adoption of the child.

3.4 Internal Transfer of Sick Leave

When an employee transfers from one department to another, any balance of accrued sick leave will transfer to the new department.

3.5 Sick Leave Conversion to Annual Leave

If an employee ends a calendar year with a sick leave balance of at least 384 hours and has used less than 32 hours of sick leave in that calendar year, the employee is eligible to convert sick leave hours to annual leave. The amount converted will be the total amount of sick leave used subtracted from 32. For example, if an eligible employee used 6 hours of sick leave in the calendar year, 26 hours of sick leave would be converted to annual leave (32 – 6 hours taken = 26 hours converted). Hours are automatically converted for eligible employees.

RESPONSIBILITY

4.1 Department Heads and Supervisors

Responsible for reviewing employees' absences to ensure that this policy is followed.
Responsible for working with employees and Human Resources to coordinate sick leave with other benefits..

4.2 Employees

Responsible for using absences appropriately and for notifying their supervisor when they cannot report to work. Responsible for providing documentation of an absence charged to sick leave when requested.

4.3 Office of Human Resources

Responsible for advising and assisting departments regarding this policy and for notifying department leave managers of any conversion of unused sick leave.

3.3 Employees

~~Responsible for using absences responsibly and for notifying their supervisor when they cannot report to work. May also be responsible for providing documentation of an absence charged to sick leave.~~



POLICY MANUAL

BENEFITS

Number 363

Subject: Sick Leave

Covered Employees: Benefit Eligible~~Budgeted~~ Employees

Date of Origin: January 24, 1997

~~Effective~~ Date of Last Revision: July 1, 1999

Effective Date:

363.1 ~~363.1~~ PURPOSE~~POLICY~~

The University grants sick leave to employees ~~who are temporarily disabled~~ due to personal illness, injury, ~~or~~ incapacity, birth, adoption; or for the illness, injury, or incapacity, ~~birth, or adoption~~ of ~~the~~ an employee's ~~dependents~~ family member.

~~363.1~~ 363.2 1.2 DEFINITIONS~~of Dependents~~

Family Member

For the purpose of this policy, ~~dependents~~ family members are defined as spouse, domestic partner, ~~dependent~~ children (including ~~newborn~~, adopted or step-children), and parents/parents-in-law.

363.3 POLICY

1.1 Eligibility

Benefit eligible~~Budgeted~~ employees working on a fiscal or academic year base appointment at 50% time or greater are eligible for sick leave benefits. This policy works in coordination with Short-Term Disability, Workers' Compensation, the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Amendments Act (ADAAA).

1.2 Definition of Dependents

~~For the purpose of this policy dependents are defined as spouse, dependent children (including newborn, adopted or step children), and parents/parents-in-law.~~

3.1 Sick Leave ~~1.3~~ **Accrual**

1) ~~(1)~~ Sick leave accrual ~~will begin~~ on the ~~effective date~~ first day of the ~~month for~~ employee's ~~University appointment. First month accruals will be prorated for any employee hired after the first of the month~~ hired between the 1st and the 15th of the month. For employees hired between the 16th and the end of the month, the accrual will begin on the first day of the following month.

2) ~~(2)~~ Full-time employees accrue sick leave at the rate of 8 hours per employed month. Eligible part-time employees accrue sick leave on a pro-rata basis.

3) ~~(3)~~ Sick leave will not accrue while an employee is on leave without pay, special development leave, or ~~sabbatical leave~~ long-term disability. Sick leave does accrue while an employee is on short-term disability, ~~but at a reduced rate. If an employee has exhausted all paid leaves and has need for additional sick leave, a supervisor may, at his/her discretion, approve up to an additional 80 hours (resulting in a negative balance) of sick leave through the normal leave submittal and approval processes.~~

4) ~~(4)~~ ~~Unused sick leave can accrue~~ accumulate to a maximum of ~~1,040 hours~~ 130 working days which may be carried from one ~~fiscal~~ year to the next. Unused sick leave will not be paid as a cash settlement to the employee when his ~~her or her~~ employment ends.

5) ~~(5)~~ An employee who leaves employment with the University and then is rehired within one year in a benefit eligible position will have his/her accrued sick leave restored.

3.2 ~~1.4~~ **Disability when Employment Is Ending**

~~If an employee becomes disabled just before his/her employment ends and the employee's termination date is set before the disability begins, the employee will be paid for the sick leave used until his/her employment ends. If no sick leave exists, the employee will use annual leave or leave without pay to cover the period until his/her employment ends.~~

363.2 PROCEDURES

2.1 General Sick Leave Reporting

Employees should notify their supervisor as soon as practicable if they are not going to report to work. ~~Applications~~Requests for sick leave must be submitted ~~filed with the appropriate department or unit~~no later than ~~within~~ two business days after the ~~employee~~staff member returns to duty. The University reserves the right to require substantiation of all illness charged to sick leave ~~and/or require a release to return to work from the employee's healthcare provider~~. If the employee is absent for more than three days, a certificate from a ~~healthcare provider~~physician may be required ~~by the department head or supervisor~~. Departments should work with the Office of Human Resources before making a request for a healthcare provider certification. Human Resources will determine if a request is appropriate.

~~The employee's supervisor may require the employee to provide a Fitness for Duty certification before returning to work after sick leave. The employee will be notified of this requirement by his/her supervisor before the employee returns to work. Fitness for duty examinations, if required, must be job-related and paid for by the requesting department.~~

~~Sick leave taken by faculty, administrators, and ~~e~~Exempt (professional) employees absent should be reported ~~in~~ for less than 4 hours in a day do not need to report sick leave. If absent 4 or more hours in a day, report actual hours taken half-day increments. ~~If the amount of sick leave taken is less than half a day, it should not be reported.~~~~

~~Sick leave taken by ~~n~~Non-exempt (classified) employees should be reported sick leave absences in 15-minute ~~1-hour~~ increments. ~~In some areas it may be appropriate to account for classified employees' leave in increments of less than one hour for job-costing and other such purposes. In such cases, leave may be recorded within the department in 15-minute increments, then tallied and reported in 1-hour increments on the monthly leave reports.~~~~

If the length of the disability, illness, or injury is longer than the employee's accrued sick leave, the employee may use accumulated annual leave or leave without pay under the FMLA ~~as approved by the University and~~ in accordance with University Policy 351: the Family and Medical Leave, Policy (351) ~~provided the employee qualifies for FMLA.~~

If the disability, illness, or injury extends beyond 10 working days, an employee ~~who is~~ covered by short-term disability insurance may apply for ~~use~~ the benefits of that program. (See Policy 357: Disability Insurance Programs.)

3.3 ~~2.2 Sick Leave Coordinated with Short-Term Disability~~

~~After 10 working days of illness, sick leave may be coordinated with the short-term disability program. If the employee has no sick leave, the 10-day waiting period before short-term disability begins may be taken as annual leave or leave without pay.~~

~~2.3 Sick Leave Coordinated with Worker's Compensation~~

~~All employees are eligible to receive worker's compensation for job-related injuries or illnesses. If an employee is to receive sick leave payment for absences under worker's compensation, the employee must sign over to the University all compensation received through the worker's compensation insurance program. Sick leave will be applied to the remaining portion not covered by the worker's compensation benefit so the employee receives a normal pay check while on leave.~~

2.4 Sick Leave Taken for Maternity/Paternity Situations

For eligible employees, FMLA will run concurrently with sick leave. If an employee does not qualify for FMLA, the E~~employees may use sick leave for maternity/paternity situations as follows:~~

~~(1) An employee who is a natural birth mother of a newborn child may take sick leave as directed by her physician, usually up to six weeks for a normal delivery. Additional leave may be taken in accordance with the Family and Medical leave policy using annual leave or leave without pay.~~

~~(2) An employee who is the parent~~father~~ of a newborn or newly adopted child may take up to six weeks of accrued sick leave immediately following the birth or adoption of the child, as needed. Additional leave may be taken in accordance with the Family and Medical Leave Policy using annual leave or leave without pay.~~

3.4 ~~(3) Employees who are the parents of newly adopted children may take up to four weeks of sick leave immediately following the child's placement in their home. Additional leave may be taken in accordance with the Family and Medical Leave Policy using annual leave or leave without pay.~~

2.5 Internal Transfer of Sick Leave

When A~~n~~ employee ~~who~~ transfers from one department~~unit of the University~~ to another, any balance of accrued sick leave will ~~be entitled to transfer accrued sick leave~~ to the new department~~unit~~.

3.5 ~~2.6~~ Sick Leave Conversion to Annual Leave

If an employee ends a calendar year with a sick leave balance of at least 384 hours and has used less than 32 hours of sick leave in that calendar year, the employee is eligible to convert sick leave hours to annual leave. The amount converted will be the total amount of sick leave used subtracted from 32. For example, if an eligible employee used 6 hours

of sick leave in the calendar year, 26 hours of sick leave would be converted to annual leave (32 – 6 hours taken = 26 hours converted). Hours are automatically converted for eligible employees.

~~(1) Eligible employees may convert unused sick leave to annual leave under the following guidelines:~~

~~(a) Conversion is allowed only after the employee has accrued 48 days of sick leave before the year of conversion.~~

~~(b) Only sick leave earned during the current calendar year may be converted.~~

~~(c) Unused sick leave days in excess of 8 days earned in the current calendar year may be converted to annual leave at the end of that calendar year. This formula allows for up to 4 days that may be converted in any given year. (Example: A person using 2 of 12 earned sick days in a particular calendar year would have 10 unused sick days or 2 days more than 8. Those 2 days could be converted to 2 days of annual leave.)~~

~~(2) The following procedures outline the steps for the conversion of sick leave to annual leave:~~

~~(a) Shortly after the conclusion of each calendar year, the Office of Human Resources will notify employees who are eligible to convert sick leave to annual leave.~~

~~(b) Eligible employees, with their department heads' acknowledgment, must notify the Office of Human Resources in writing of their intent to convert, on or before February 15.~~

~~(c) Converted sick leave will accrue to the next year's annual leave balance and will be managed under the annual leave policy.~~

363.3 RESPONSIBILITY

4.1 3.1 Department Heads and Supervisors

Responsible for reviewing employees' absences to ensure that this policy is followed. ~~is not abused. They will~~ Responsible for working with employees and Human Resources to coordinate sick leave with other benefits. ~~if the illness exceeds 10 days or is the result of job-related injuries or illnesses. They will complete monthly summary sick leave reports on each employee and provide this information to the Office of Human Resources.~~

4.2 3.3 Employees

Responsible for using absences appropriately~~responsibly~~ and for notifying their supervisor when they cannot report to work. ~~May also be r~~Responsible for providing documentation of an absence charged to sick leave when requested.

4.3 ~~3.2~~ Office of Human Resources

Responsible for advising and assisting departments regarding this policy and for providing monthly and annual summary leave reports for department heads and supervisors. They will coordinate with supervisors and notifying employees department leave managers of any ~~the~~ conversion of unused sick leave. ~~The Office of Human Resources maintains the centralized data base record of sick leave for University employees.~~

3.3 Employees

~~Responsible for using absences responsibly and for notifying their supervisor when they cannot report to work. May also be responsible for providing documentation of an absence charged to sick leave.~~



University Policy 363: Sick Leave

Category: 300 Human Resources

Sub Category: Benefits

Covered Individuals: Benefit Eligible Employees

Responsible Executive: Vice President for Business and Finance

Policy Custodian: Office of Human Resources, Executive Director for Human Resources

Last Revised: 2020/01/10

363.1 PURPOSE AND SCOPE

The University grants sick leave to employees due to personal illness, injury, incapacity, birth or adoption; or for the illness, injury, or incapacity of an employee's family member.

363.2 POLICY

Benefit eligible employees working on a fiscal or academic year base appointment at 50% time or greater are eligible for sick leave benefits. This policy works in coordination with Short-Term Disability, Workers' Compensation, the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Amendments Act (ADAAA).

2.1 Sick Leave Accrual

Sick leave accrual begins on the effective date of the employee's University appointment. First month accruals will be prorated for any employee hired after the first of the month.

Full-time employees accrue sick leave at the rate of 8 hours per employed month. Eligible part-time employees accrue sick leave on a pro-rata basis.

Sick leave will not accrue while an employee is on leave without pay, special development leave, or sabbatical leave status. Sick leave does accrue while an employee is on short-term disability. If an employee has exhausted all paid leaves and has need for additional sick leave, a supervisor may, at his or her discretion, approve up to an additional 80 hours (resulting in a negative balance) of sick leave through the normal leave submittal and approval processes.

Sick leave can accrue to a maximum of 1,040 hours which may be carried from one year to the next. Unused sick leave will not be paid as a cash settlement to the employee when his/her employment ends.

An employee who leaves employment with the University and then is rehired within one year in a benefit eligible position will have his/her accrued sick leave restored.

2.2 Sick Leave Reporting

Employees should notify their supervisor as soon as practicable if they are not going to report to work. Requests for sick leave must be submitted no later than two business days after the employee returns to duty. The University reserves the right to require substantiation of all illness charged to sick leave and/or require a release to return to work from the employee's healthcare provider. If the employee is absent for more than three days, a certificate from a healthcare

provider may be required. Departments should work with the Office of Human Resources before making a request for a healthcare provider certification. Human Resources will determine if a request is appropriate.

Exempt employees absent for less than 4 hours in a day do not need to report sick leave. If absent 4 or more hours in a day, report actual hours taken.

Non-exempt employees report sick leave absences in 15-minute increments.

If the length of the disability, illness, or injury is longer than the employee's accrued sick leave, the employee may use accumulated annual leave or leave without pay under the FMLA in accordance with University Policy 351: Family and Medical Leave, provided the employee qualifies for FMLA.

If the disability, illness, or injury extends beyond 10 working days, an employee covered by short-term disability insurance may apply for the benefits of that program. (See Policy 357: Disability Insurance Programs.)

2.3 Sick Leave Taken for Maternity/Paternity Situations

For eligible employees, FMLA will run concurrently with sick leave. If an employee does not qualify for FMLA, the employee who is the parent of a newborn or newly adopted child may take up to six weeks of accrued sick leave immediately following the birth or adoption of the child.

2.4 Internal Transfer of Sick Leave

When an employee transfers from one department to another, any balance of accrued sick leave will transfer to the new department.

2.5 Sick Leave Conversion to Annual Leave

If an employee ends a calendar year with a sick leave balance of at least 384 hours and has used less than 32 hours of sick leave in that calendar year, the employee is eligible to convert sick leave hours to annual leave. The amount converted will be the total amount of sick leave used subtracted from 32. For example, if an eligible employee used 6 hours of sick leave in the calendar year, 26 hours of sick leave would be converted to annual leave ($32 - 6 \text{ hours taken} = 26 \text{ hours converted}$). Hours are automatically converted for eligible employees.

363.3 RESPONSIBILITY

3.1 Department Heads and Supervisors

Responsible for reviewing employees' absences to ensure that this policy is followed.
Responsible for working with employees and Human Resources to coordinate sick leave with other benefits.

3.2 Employees

Responsible for using absences appropriately and for notifying their supervisor when they cannot report to work. Responsible for providing documentation of an absence charged to sick leave when requested.

3.3 Office of Human Resources

Responsible for advising and assisting departments regarding this policy and for notifying department leave managers of any conversion of unused sick leave.

363.4 DEFINITIONS

4.1 Family Member

For the purpose of this policy, family members are defined as spouse, domestic partner, children (including adopted or stepchildren), and parents/parents-in-law.

Information below is not included as part of the contents of the official Policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the President, subject to review by the USU Policy Committee.

POLICY HISTORY

Original issue date: 1997/01/24

Last review date: 2020/01/10

Next scheduled review date: YYYY/MM/DD

Previous revision dates: 1999/07/01, 2020/01/10

Report from the Educational Policies Committee November 7, 2019

The Educational Policies Committee (EPC) met on November 7, 2019. The agenda and minutes of the meeting are posted on the Educational Policies Committee web page (www.usu.edu/epc).

During the November 7, 2019 meeting of the EPC, the following actions were taken:

1. General Education Subcommittee

- Three General Education designations were approved:
 - RELS 1070 (BHU)
 - HIST 4510 (DHA)
 - SPED 5012 (QI)
- It is the consensus of the General Education committee that when course syllabi or delivery methods are being changed significantly from the originally approved syllabus, they should go through a review process. This will be a challenge for new faculty in their first semester at USU. The faculty are putting together their syllabi at the very last minute and their students are counting on receiving the designations. The committee suggests that perhaps in this situation, the courses can carry the designation immediately, but with the expectation that the new syllabi will be reviewed concurrently to ensure that the courses are meeting designation criteria. Lee Rickords is going to bring up this concern with the EPC and ask if they would be in favor of having this be the General Education subcommittee's protocol.

2. Academic Standards Subcommittee

- Change language in the catalog related to the International Baccalaureate Organization (IBO) Policy. Clarification regarding exam administration, faculty/department responsibility, and awarded credit.

3. Curriculum Subcommittee

- Approval of 103 course requests.
Rejected 4 course requests.
Held 1 course request.

Approval of a request from the School of Applied Science, Technology and Education in the College of Agriculture and Applied Sciences to **offer a PhD in Career and Technical Education**.

Approval from the Department of Art and Design in the Caine College of the Arts to **change the name of the Bachelor of Interior Design to Bachelor of Interior Architecture and Design**.

Approval from the Department of Music in the Caine College of the Arts to **change the name of the Bachelor of Music Piano Performance emphasis to**

Piano Performance and Pedagogy with the intent to de-activate the Bachelor of Music Piano Pedagogy emphasis.

Approval from the Department of Music in the Caine College of the Arts to **discontinue the Bachelor of Music Piano Pedagogy degree.**

Approval of a request from the Department of Economics and Finance in the Jon M. Huntsman School of Business to **include a Quantitative Economic History emphasis in the BS/BA degree in Economics.**

Approval of a request from the Department of Management in the Jon M. Huntsman School of Business to **add emphases in Hotel Management and Wealth Management to the BS/BA degree in Management.**

Approval of a request from the Department of Management in the Jon H. Huntsman School of Business to **relocate the Minor in Hospitality and Tourism Management from the Department of Marketing and Strategy, and to rename the program Hotel Management.**

Approval of a request from the Department of Management Information Systems in the Jon M. Huntsman School of Business to **change the Department name from Management Information Systems to Data Analytics and Information Systems.**

Approval of a request from the Department of Mechanical and Aerospace Engineering in the College of Engineering to **change the name of the Minor in Mechanical and Aerospace Engineering to a Minor in Mechanical Engineering.**

Approval of a request from the Department of Kinesiology and Health Science in the Emma Eccles Jones College of Education and Human Services to **change the name of the Master of Science degree in Health and Human Movement to Master of Science in Kinesiology.**

Approval of a request from the Department of Kinesiology and Health Science in the Emma Eccles Jones College of Education and Human Services to **change the name of the Bachelor of Science degree in Health and Human Movement to Bachelor of Science in Kinesiology.**

Approval of a request from the Department of Kinesiology and Health Science in the Emma Eccles Jones College of Education and Human Services to **offer a Minor in Outdoor Adventure Leadership.**

Approval of a request from the Department of Special Education and Rehabilitation in the Emma Eccles Jones College of Education and Human Services to **change the department name from Special Education and Rehabilitation to Special Education and Rehabilitation Counseling.**

4. **Other Business**

Community Engagement and Service Learning Course Designation – Kate Stephens

Course attributes still have the SL and they would like to have it changed to Community Engaged Learning (CEL) to better reflect the community engagement designation. This change will affect the student's transcript.

Continuing Education Unit 5700 Courses Discussion – Jessica Hansen

Continuing education 5700 are special topics courses. This request allows departments to offer CEU 5700 level courses that begin at a half-hour contact time instead of five hours. This will help with partnering with Extension and Council on Teacher Education to help those who need certificates.

November 18, 2019

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USUSA Report to Faculty Senate

Mental Health Week

March 18-23

The 2018-2019 Graduate Studies Senator, Kristin Hall, and other USUSA officers joined together for a week of mental health advocacy and awareness efforts. The theme this year was “Sound Body, Sound Mind.” Throughout the week there were events held to help engage students about mental health issues. The highlight events were Light the Night, Exercise for Your Mind, the Stress Management workshop, and the suicide awareness walk.

CHaSS Week

March 25-29

College of Humanities and Social Sciences (CHaSS) week was an excellent opportunity for CHaSS Senator McKenna Allred and her council to engage with the broader student body about their college.

International Banquet

March 30

The International Student Banquet was a tremendous success this year. The International Student Body Council put together a program that showcased the different cultures represented here at Utah State University. Many performances, including a traditional Saudi wedding ceremony, a Korean-Pop dance, and a Southern line dance performed by international students, were a treat for attendees. Guests also experienced a traditional Middle Eastern cuisine. The evening wrapped up with a dance for all who attended the event.

Robins Awards

April 13

The Robins Awards are the most coveted of all Utah State University honors and the awards night is the year’s most prestigious event. This year marks the 70th anniversary of Bill E. Robins’ tenure as Student Body President at Utah State University. It is in his name that we continue to celebrate this renowned tradition.

The official 2019 Robins Awards recipients are as follows:

FACULTY UNIVERSITY SERVICE *Award* - **JESS LUCERO**
FACULTY RESEARCHER *of the Year* - **IDALIS VILLANUEVA**

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November 18, 2019

MASTER STUDENT RESEARCHER *of the Year* - **DESNEIGES MURRAY**

DOCTORAL STUDENT RESEARCHER *of the Year* - **CLARISSA ONG**

GRADUATE STUDENT TEACHER *of the Year* - **BRANDON ASHLEY**

PEAK PRIZE: UNDERGRADUATE RESEARCHER *of the Year* - **BRYCE FREDERICKSON**

PROFESSIONAL ADVISOR *of the Year* - **KAYLEE ROHOLT**

UNDERGRADUATE FACULTY MENTOR *of the Year* - **SPENCER C. WENDEL**

ELDON J. GARDNER TEACHER *of the Year* - **KARIN DEJONGE-KANNAN**

SCHOLAR *of the Year* - **DAVID MAUGHAN**

LEGACY OF UTAH STATE *Award* - **KATHRYN ORME**

FEMALE ATHLETE *of the Year* - **CIERRA SIMMONS-MECHAM**

MALE ATHLETE *of the Year* - **SAM MERRILL**

GERALD R. SHERRATT *Award* - **STEVE WILEY**

TALENT *of the Year* - **STIRLING BRENNAN**

ACHIEVEMENT *of the Year* - **JEFFREY TAYLOR**

ORGANIZATION *of the Year* - **THE WILDLIFE SOCIETY**

VAL R. CHRISTENSEN SERVICE *Award* - **FOOD RECOVERY NETWORK**

WOMAN *of the Year* - **REGAN EGGLI**

MAN *of the Year* - **SAMUEL JACKSON**

BILL E. ROBINS MEMORIAL *Award* - **TAYLOR CLEGG**

Gripe Night

April 17

To reach students directly, the Government Relations Council (GRC) has organized an event for the end of the year to collect student concerns and ideas. Many students attended this event. At the conclusion, Sam Jackson, former VP of GRC, described it as “the best Gripe Night so far.” The topics discussed were sometimes humorous but often serious, as with issues facing students around campus. Overall, most students who participated had a positive experience despite what the name of the event might suggest.

A-Week

April 15-19

As part of A-Week, the Student Alumni Association hosted a variety of events including Miss USU, a luau, and True Aggie Night. Our Miss USU for the coming academic year will be Jordan Rules. Her initiative for the 2019-2020 school year is a focus on helping students overcome emotional abuse.

November 18, 2019

ULA (Utah Leadership Conference)

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May 15-18

Utah Leadership Academy was held this year in Salt Lake City at Salt Lake Community College. We had USUSA Officers, Regional Campus Officers, and international student leaders collaborate with other student leaders from universities from across the state. The focus was learning about our positions and helping our student bodies and networking with other students with similar roles.

Snake River Rafting Trip

August 5-7

SILC and all student organizations were represented at the annual rafting trip with members of USUSA, Spirit Squad, Student Media, and FSL Community coming together to create bonds with one another and learn more about the other organizations and how they work within the Aggie Family. During the trip we rafted the Snake River outside Jackson Hole.

Aggie BLUE

August 19-20

Aggie BLUE is a leadership conference held before the school year each year put on by the Student Body President. This year the theme was “Ignite your Ambition” encouraging students to push themselves out of their comfort zone, grow through those experiences, and helping others by reaching out and being the best for the university. We had fun activities, a service project at The American West Heritage Center, and heard from our amazing speakers Amy Rees Anderson, Dr. Benjamin Blau, Michael Scott Peters, Dr. Matt Sanders, and Dr. Chris Corcoran.

USUSA Officer Fall Retreat

August 23-24

USUSA Officers held a retreat at the Bear Lake Training Facility where we focused on goals for the upcoming year. As we discussed goals each officer set their short-term goals for the upcoming month and were able to discuss those goals with either the Student Body President, Executive Vice President, or Student Events Vice President respective of their individual bodies they sit on.

Weeks of Welcome

August 26 – Sep 7

Weeks of Welcome is in its third year of holding it for the first two weeks of school. It is a great way to welcome students back to school and get them excited for the upcoming school year. This year we had activities such as Carnival on the Quad, Light on the Hill, Day on the Quad, Big Agg Show, High Stakes Bingo, and Poetry and a Beverage (PoBev). For the first time ever, we had a Ferris wheel on the quad for all to enjoy during weeks of welcome.

November 18, 2019
USU Watch Party

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August 30

Our HURD Committee held a watch party for Utah State's season opener against Wake Forest. They were also able to hand out the HURD Premium gear to all the students that signed up for that. There were hot dogs and drinks for students with the game playing on the quad.

CAAS Week

September 16-20

The College of Agriculture and Applied Sciences week was held highlighting the many great parts of the college. Some highlighting events of the week were "Moovie" night, Day on the Patio, Award Banquet, Tractor Parade, OPDD Campout, and Airport 5k.

Student Exchange at San Diego State University

September 19-22

Students from USUSA, Student Media, and Spirit Squad all traveled together to San Diego, California to visit San Diego State University campus and meet with each body's counterpart on their campus. The purpose of this trip is to connect, learn, and share ideas of what each campus does well and how each could improve. We then attended the SDSU vs USU football game that Saturday.

Business Week

September 30 – Oct 4

Our Jon M. Huntsman School of Business held their business week showcasing their college with different events such as: Food Truck Pantry Fest, Etiquette Dinner, Clubs in the Courtyard, and Under Ground Agg Show.

The HOWL

October 25

This year's theme for the HOWL was Stranger Things. We sold out tickets again this year with 5500 tickets sold.

Science Week

November 4-8

USU's College of Science held their week showcasing their different departments and students with events and opportunities to engage with students across campus. Some of the events they held through the week were Women in Research, meet the Science Council, and Research Mingle.

(2) Visiting Ranks.

Faculty members from other academic institutions who are participants in a university exchange program or who are employed to teach one or more semesters for an academic department while on leave from another academic institution are appointed to one of the following ranks: visiting instructor, visiting assistant professor, visiting associate professor, or visiting professor.

(3) Temporary Ranks.

The term "temporary" may precede all tenure-eligible academic ranks. In extraordinary circumstances, academic units may fill faculty appointments on a temporary basis. The temporary nature and the length of the term of such a position must be clearly specified in advance. The term cannot exceed one academic year and is renewable up to an additional two years. An exception may be made for long-term international assignment. Temporary appointments shall not be used as long-term strategies for accomplishing the duties of academic departments or academic units.

(4) Career and Technical Education Contract Faculty.

Faculty members who teach only in career and technical education programs leading to a certificate level credential need to meet requirements specific to the CTE instructional area. These faculty will be hired to instruct in CTE certificate programs on an at-will, contractual basis in alignment with programs that address regional workforce demands. Appointment as a career and technical education contract faculty member requires a minimum of six years of documented, applicable work experience at an industry defined level of competency, hold current industry credentials, and must meet accreditation standards. Up to three years of academic training from an accredited college may be substituted for three years of work experience at the discretion of the hiring committee and dependent upon individual program accreditation standards.

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5.3 Limitations on Positions: Faculty with Special Appointments

(1) No tenure eligibility.

Faculty members with special appointments are ineligible for tenure.

(2) Limitations on faculty participation.

The participation of faculty members holding adjunct, temporary, or visiting positions is subject to the following limitations: (a) they may participate in the processes of setting policy within their departments only to the extent determined by their appointing departments; (b) they may serve as voting members of appointed faculty committees except those relating to appointment, retention, tenure, or promotion of tenured and/or tenure-eligible faculty and faculty with term appointments; (c) they may not be counted among the number of faculty members for the purposes of apportioning the Faculty Senate members; and (d) they are ineligible to be elected to

401.5 FACULTY WITH SPECIAL APPOINTMENTS

5.1 Description and Appointment Requirements

The faculty with special appointments consists of those individuals whose appointments confer a limited association with the university. Such appointments are made to establish an association with professional peers for temporary or part-time service.

Faculty members with special appointments must possess qualifications and experience commensurate with those required for tenured and/or tenure-eligible or term appointment faculty. Proposed special appointments must be considered by appropriate departmental procedures. Periodic reviews of the performance of faculty members with special appointments may be conducted. Faculty members with special appointments are not eligible for tenure.

5.2 Academic Ranks

The academic ranks for the faculty with special appointments follow.

(1) Adjunct Ranks.

Faculty members whose association with an academic department is secondary to an appointment within a different department, institution, organization, or other personal and professional interests can be appointed as adjunct faculty. The term “adjunct” may precede any faculty title in the tenure and term appointment ranks. Adjunct appointments are made for less than 50 percent time only.

(2) Visiting Ranks.

Faculty members from other academic institutions who are participants in a university exchange program or who are employed to teach one or more semesters for an academic department while on leave from another academic institution are appointed to one of the following ranks: visiting instructor, visiting assistant professor, visiting associate professor, or visiting professor.

(3) Temporary Ranks.

The term “temporary” may precede all tenure-eligible academic ranks. In extraordinary circumstances, academic units may fill faculty appointments on a temporary basis. The temporary nature and the length of the term of such a position must be clearly specified in advance. The term cannot exceed one academic year and is renewable up to an additional two years. An exception may be made for long-term international assignment. Temporary appointments shall not be used as long-term strategies for accomplishing the duties of academic departments or academic units.

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