

Utah State University

DigitalCommons@USU

Faculty Senate & Faculty Senate Executive
Committee

Faculty Senate

9-9-2019

Faculty Senate Agenda, September 9, 2019

Utah State University

Follow this and additional works at: https://digitalcommons.usu.edu/fs_fsexec

Recommended Citation

Utah State University, "Faculty Senate Agenda, September 9, 2019" (2019). *Faculty Senate & Faculty Senate Executive Committee*. Paper 574.

https://digitalcommons.usu.edu/fs_fsexec/574

This Faculty Senate Agenda is brought to you for free and open access by the Faculty Senate at DigitalCommons@USU. It has been accepted for inclusion in Faculty Senate & Faculty Senate Executive Committee by an authorized administrator of DigitalCommons@USU. For more information, please contact digitalcommons@usu.edu.





FACULTY SENATE AGENDA

September 9, 2019

3:00 – 4:30 p.m.

Merrill Cazier Library Room -154

Agenda

- 3:00 Call to Order** Patrick Belmont
[Approval of Minutes](#) – April 29, 2019
- 3:05 University Business** Noelle Cockett, President | Frank Galey, Provost
- 3:20 Information**
Welcome 2019-2020 Faculty Senators..... Patrick Belmont
College Level Faculty Forums Patrick Belmont
[Human Resource Policy Changes](#) Doug Bullock
- 3:45 Reports**
[Empowering Teaching Excellence](#)..... Neal Legler | Travis Thurston
- 3:55 Old Business** Patrick Belmont
403.3.1 – Standards of Conduct – Faculty Responsibilities to Student
403.3.2 – Standards of Conduct – Professional Obligations
405.8.2 – Faculty with Tenure below Rank of Professor
405.11.4 – External Peer Reviews
405.12.2 – Post-Tenure Review of Tenured Faculty
407.1.1 – Non-punitive Measures
407.8.5(3) – Temporary Suspension with Full Pay Pending Final Disposition
407.11.2(2) – Notification of Faculty Member
407.11.3 – Protection of Complainant and Others
- 4:05 Adjourn**



FACULTY SENATE MINUTES

April 29, 2019

3:00 – 4:30 pm

Merrill-Cazier Library, Room 154

Call to Order - Becki Lawver

Approval of Minutes – April 1, 2019

Minutes approved as distributed.

University Business - Frank Galey, Provost

President Cockett thanked the Faculty Senate for all they have done this academic year. She and the Provost have been very happy with how the Senate is functioning. Will let Faculty, Colleges and Departments know that the commencement lineup will be in the TSC on the 2nd floor outside of the Marketplace at 8:00 am. The Provost will be cleaning up faculty code this summer and will get it to Patrick Belmont. The intent will not change it will just be language clean up. Also will work with Patrick and Ken White on how we handle the class of faculty dealing with professional and technical education.

Information

EPC Monthly Report – April 4, 2019 – Brian Warnick

General Education – two designations approved: PRP 1500 (BSS) and FCSE 1350 (BSS)

Academic Standards – Temporary grade proposal approved and a temporary grade of “T” was approved to be utilized in place of an “I” for Incompletes. This is particularly applicable to dissertations and graduate students.

Curriculum Subcommittee – 190 Course requests were processed at April meeting. There are five approved new R401s including: BS Human Experience Design Interaction, discontinuation of K-6 designation degree programs, change in specialization in writing to Creative Writing, restructuring of the Climate Adaption Specialization and the approval to change the department name from Geology to GeoSciences.

University Policy on Dissent | Free Speech on Campus - Mica McKinney

The University has very liberal policies in regard to free-speech. The space/environment affect those policies. No policy on dissent but the university does have a policy on open, free-speech. Working on centralizing free speech code/policy. No changes, just centralizing. Will be bringing forward a free-speech policy this summer. All policies are based on the stance of content neutrality. An attendee was removed from a Huntsman School of Business event because the student held up a sign that criticized the employer of the speaker, which was viewed as disruptive by USU policemen in attendance. No disciplinary action was taken against the student who was removed. Executive order from the White House indicates that federal agencies address free speech policies. Wanting to make sure that free speech is being compliant with the federal law. As a university, we are very comfortable with our free-speech policy as it does align with constitutional laws and as such we are not concerned about losing any agency funding. Will be releasing a website in the fall regarding free speech. Want to continue to have an inclusive and supportive atmosphere here at USU.

Koch Resolution - Becki Lawver

Last February the task force was voted on in the senate and since then they have been working on the resolution. It was presented to the senate in March. Recommendation from FSEC was to have them do a little more inquiry about each of the items that were developed. Today we need a motion to take it off the table.

Update on Greenhouse Gas Emissions - Patrick Belmont

Greenhouse gas reduction committee has been doing a lot of work, developing a plan for USU to reduce GHG emissions by 10% each year for the next 20 years, consistent with the faculty senate resolution from Feb 4, 2019. The committee has three working groups: energy portfolio, travel and carbon pricing, and education. Currently working proactively with Logan City and Rocky Mountain Power to find synergies. Prioritized 127 energy efficiency projects in terms of cost savings and CO₂ emissions reductions. Zach Cook, Alexi Lamm and Patrick Belmont developed a proposal to demonstrate a new energy saving mechanism for labs. The notification was received today that the proposal was successful and USU will receive \$220K from a non-profit organization to implement the energy saving technology in the BNR and Ag Science buildings over the next year. Evaluating costs and benefits of large solar array and wind turbine options. Travel group is working on a survey that will be distributed. Expanding planetary teaching in classes.

Reports

Calendar Committee Annual Report - Renee Galliher

See report. Concern with the amount of days off for Christmas break for USU classified employees where December 25, 2019 is on a Wednesday. FS leadership team talk with the Provost and Renee and SEA for input on the calendar regarding Christmas. Conversation regarding USU spring break with the Logan/Cache School districts and the timing of the Mountain West Conference. Rationale for ending Spring semester classes on a Tuesday was to increase faculty and student attendance at commencement on a Thursday/Friday instead of Friday/Saturday; students are also grateful they can use Saturday to move; and the overall reason is to make the number of class days equivalent in both the fall and spring semesters.

Motion to approve the Calendar Committee Annual Report made by Becky Blais. Seconded by Kimberly Lott. Report approved.

Faculty Diversity, Development & Equity Committee Annual Report - Pamela Martin

After an inactive year in 2017-2018 the FDDE met five times in 2018-2019. Do not currently have federal numbers from the AAEO office. Discussed progress being made throughout USU including:

- Establishment of LatinX Center
- Creation of Diversity and Equity Taskforces
 - Women and Gender Research and Studies
 - Diversity and Inclusion
 - Gender Discrimination Committee
- Affirmative action and Equal Opportunity Office
 - Increased staffing; new hires
 - Toolkit for search committee chairs and education on implicit bias in preparation

Word is that diversity hiring is happening. The numbers of the report are from 2017-2018. Might be better to report in the Fall of each academic year.

Motion to approve the Faculty Diversity, Development & Equity Committee made by Timothy Taylor. Seconded by Becky Blais. Report approved.

Committee on Committees Annual Report - Victor Lee

Responsible for making sure committee membership is populated. Apportionment is the same from last year. FS membership is now complete.

Motion to approve the Committee on Committees Annual Report made by Molly Conrad. Seconded by Becky Blais. Report approved.

Honorary Degrees and Awards Annual Report - Sydney Peterson

Motion to approve the Honorary Degrees and Awards Annual Report made Becky Blais. Seconded by Kimberly Lott. Report approved.

Old Business - Becki Lawver

Motion to take the Koch resolution from the table was made by Patrick Belmont. Seconded by Timothy Taylor.

Discussion followed including inquiries about the recommendations and identify if they have already been addressed. Some of the specific recommendations have been considered by the appropriate groups and are currently being addressed. #1 after discussions with Frank Caliendo it was identified a problem due to of academic freedom by limiting the CGOs publications and holding them to a different standard of accountability. The CGO conducts outside peer reviews that are extremely rigorous. Lag time for publishing is a couple of years. CGO is not rushing the process by just publishing any working paper that comes through their door, they use a national, diverse, and double-blind peer review process. #2 CGO is already doing this. The CGO is supporting funding in CAAS and NR and continuing to look at ways to work with other departments and colleges. #3 as we further reviewed the affiliation agreement it is designed with the appropriate checks and balances. There is an established a board of directors approved by the President and board of trustees. #4 Added benefit to support students if it goes away they are working to have strong donor relations and providing annual reports and keeping the donors engaged. #5 as of a couple of weeks ago a policy is at the Board of Trustees right now. Recommendation to have Faculty Senate member on the gift acceptance committee. #6 determined by voting today if we need to review/revisit next year. CGO recently hosted an undergraduate research symposium. Patrick Belmont noted that the diversity in the projects presented was impressive and very beneficial for the students. Projects included analyses of mechanisms to reduce energy demand, develop electric vehicle infrastructure, and putting a price on carbon emissions. Projects appeared devoid of any political bias. Most students have expressed gratitude for the assistance and involvement with the center. Positive that has come out of this is that the President is establishing a policy regarding gifts.

*Motion to postpone resolution indefinitely made by Kimberly Lott. Seconded by Patrick Belmont.
3 opposed – motion passes. Resolution postponed indefinitely.*

New Business

Close nominations for President-Elect - Becki Lawver

Timothy Taylor next President Elect.

*Motion to accept Timothy Taylor as the next Faculty Senate President-Elect made by Patrick Belmont.
Seconded by Becky Blais.*

Faculty Senate President & President-Elect Coverage for 2019-2020

Becki presented Past-President, Kim Lott with a plaque and certificate.

Kim presented Becki with a gift and plaque.

Becki passed gavel to Patrick Belmont

Concluding Remarks, Passing of the Gavel - Becki Lawver

Number one goal next year is to engage faculty more. Looking at holding college faculty forums leading up to the annual faculty forum. Another change will be streamlining and updating all policies. More policy recommendations will be coming to the Faculty Senate.

College Caucus to Elect FSEC members – Two-year terms are standard. Senators must have served one year in the Senate to be eligible. Colleges needing an FSEC member are:

Caine College of the Arts - Nancy Hills

Jon M. Huntsman School of Business - Dan Holland

College of Engineering - Spencer Wendel

S.J. & Jessie E. Quinney College of Natural Resources – Christopher Monz

College of Science – Thomas Lachmar

Extension – Rick Heflebower

Presidential Appointment – Robert Wagner

Adjourn 4:11 pm

ITEM FOR ACTION

RE: Updates to University Policy 384: Wage and Salary Administration

SUMMARY OF KEY CHANGES

- **Clarify Types and Timing of Salary Adjustments-** Added clarifying language regarding various adjustments (i.e. general, merit, equity, promotion and tenure (for faculty), promotional, skill-based, re-classification, and demotion) and the basis on which each may be granted.
- **Clarify Red Circle Adjustments-** Added clarifying language regarding employees whose salary is above the maximum of their assigned grade (known as “red-circle rate”) that they may still receive the annual general adjustment funded by Legislature.
- **Clarify Approval for “unusually meritorious”-** Now specifies that the respective Dean or Vice President, in consultation with Human Resources, determine whether “unusually meritorious” circumstances exist to approve salary increases for employees already, or who would become, red-circled due to an increase.
- **Increase Discretion for Starting Offers-** Increases the limit for department authority to offer a starting salary from “above the first quartile” to “above the midpoint” of the salary grade. “Above midpoint” offers require consultation with Human Resources.
- **Clarify Communication of Salary Grades-** Specifies that Human Resources provide new salary grade information to Staff Employees Association and the Executive Committee.
- **Add Definitions-** Adds a “Definitions” section to define common terms used in the policy.



University Policy 384: Wage and Salary Administration

Category: 300 Human Resources

Sub Category: Compensation

Covered Individuals: Benefited Employees

Responsible Executive: Vice President for Business and Finance

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

Last Revised: January 24, 1997

Previous USU Policy Number: Not applicable

384.1 PURPOSE AND SCOPE

The Utah State University employee compensation program works toward a level of compensation that is externally competitive and internally equitable for all employees. The compensation program recognizes the role of programming priorities, tempered with the economic realities of compensation. The compensation program is implemented in compliance with all legal and regulatory objectives.

384.2 POLICY

2.1 New Fiscal Year Salary Adjustments

- 2.1.1 As part of the University's annual salary budget setting process, annual salary allocation guidelines will be developed and distributed by the Office of the Vice President for Business and Finance.
- 2.1.2 Following issuance of the annual salary allocation guidelines, Department Heads or Directors may recommend salary adjustments to the respective Dean or Vice President. If such adjustments exceed the percentage increase specified in the annual salary allocation guidelines, the Dean or Vice President shall consult with the Office of Human Resources prior to approving said salary adjustments. Affected employees are to be notified of salary adjustments only after approvals have occurred.
- 2.1.3 Merit and equity adjustments proposed for employees already at a red-circle rate, or that would create a red-circle rate, will only be allowed in unusually meritorious cases as approved by the respective Dean or Vice President in consultation with Human Resources.
- 2.1.4 Subject to funding, salary adjustments will be made using one of the following:
 - a. General adjustment for employees meeting expectations (includes faculty)

This type of adjustment is based on legislative appropriations and University funds.
 - b. Merit adjustment (includes faculty)

An employee may be given a merit adjustment based on job performance.
 - c. Equity adjustment (includes faculty)

An employee may be given an equity adjustment when there is a significant difference between the employee's current salary and internal and/or external salary comparisons.
 - d. **Promotion and tenure (faculty only)**

The process for faculty promotions and tenure is found in USU Policy 405: Tenured and Term Appointments: Evaluation, Promotion, and Retention.

2.2 Salary adjustments outside of new fiscal year adjustments

2.2.1 Subject to funding, salary adjustments outside of new fiscal year adjustments may be made using one of the following:

a. Merit adjustment (excludes faculty)

An employee may be given a merit adjustment based on job performance.

b. Equity adjustment (includes faculty)

An employee may be given an equity adjustment when there is a significant difference between the employee's current salary and internal and/or external salary comparisons.

c. Promotional adjustment (includes faculty)

An employee may receive a promotional adjustment based on an assignment to a higher salary grade for staff, an advancement in faculty rank for faculty, or accepting an administrative assignment for faculty.

The amount of the promotional adjustment should take into consideration the following:

- the promoted employee's current rate in relation to the new salary grade,
- the employee's qualifications to perform the new job,
- the rate of pay and performance level of other employees occupying the same job classification, and
- the established amount for rank advancement (for faculty).

The promoted employee's new salary should be at least the minimum of the new salary grade.

d. Skill-based program pay adjustment (excludes faculty)

When an employee who works in a department with a skill-based pay program achieves a skill level previously agreed upon by the supervisor and the employee, the employee may receive a salary adjustment subject to the same approval process as other salary adjustments.

e. Job reclassification adjustment (excludes faculty)

When an employee's position is reclassified to an equal or lower salary grade, salary adjustments may be made based on equity in consultation with Human Resources. If a reclassification results in a higher salary grade, the employee may receive a salary adjustment, at the discretion of the Department Head/Director. The new salary should be at least the minimum of the new salary grade.

f. Demotion adjustment (excludes faculty)

Demotion adjustments are generally limited to reductions-in-force or demotions for cause. Department Heads or Supervisors must consult the Office of Human Resources regarding plans to demote an employee regardless of whether or not a wage or salary decrease is intended.

An employee may be given a base salary decrease if he/she is demoted. If the employee's rate is above the maximum rate of the lower job, the decrease should be at least equal to the salary

grade maximum of the lower classification. Further decreases should be based on an assessment of the demoted employee's qualifications compared to the pay and performance of other employees in the same job classification.

- 2.2.2 All types of proposed salary adjustments as provided in section 2.2.1 for employees at a “red-circle” rate, or that would create a “red-circle” rate, will only be allowed in unusually meritorious cases as approved by the Dean or Vice President in consultation with Human Resources.

2.2 Salary program information (excludes faculty)

Staff salary grades and ranges are established to provide competitive compensation information to administrators who make salary decisions. The Office of Human Resources participates in periodic salary surveys. Salary grade and range assignments and adjustments will be based on the objective analysis of salary survey data, internal equity, the relevant labor market, job evaluation, and the economic reality of University funding.

2.4 Starting salaries (excludes faculty)

New staff employees are typically hired at a salary within the first quartile of the appropriate salary grade. Departments may set starting salaries up to and including the midpoint of the salary grade without prior approval. For starting salaries above the midpoint of the salary grade, departments must obtain prior approval from the Office of Human Resources. Criteria for higher starting salaries may include significant experience above minimum qualifications, exceptional skills, and extreme market conditions.

384.3 RESPONSIBILITIES

3.1 Department Heads/Directors and Supervisors

Responsible to assign job duties to positions. When changes in duties are significant enough to consider reclassification, departments should contact the Office of Human Resources to initiate the process.

3.2 Office of Human Resources

Participates in periodic salary surveys and analyzes current labor market salaries to determine appropriate salary grades. Provides consultation and advice regarding compensation administration and appropriate job classification. Determines the classification of each non-faculty job by performing job evaluations and assigning job titles and salary grades. Works with departmental administrators to ensure the proper classification of each position. Conducts periodic job classification audits. Provides new salary grade information to the Staff Employee Association (SEA) and the Executive Committee.

385.4 REFERENCES

- None

385.5 RELATED USU POLICIES

- Policy 405: Tenured and Term Appointments: Evaluation, Promotion, and Retention (add link)

385.6 DEFINITIONS

- 6.1** Demotion
A reassignment of an employee to a job title with a lower salary grade. Demotions may be voluntary or involuntary.
- 6.2** Promotion
For staff employees, an assignment of an employee to a job with a higher salary grade. For faculty, an advancement in rank or accepting an administrative assignment.
- 6.3** Transfer
A reassignment of an employee to a job title with the same salary grade.
- 6.4** Reclassification
The assignment of a new job title to an existing position, either filled or vacant. Human Resources/Compensation bases this change on an evaluation of the role, responsibilities, and minimum qualifications of the position.
- 6.5** Red-Circle Rate
A rate of pay which exceeds the maximum rate for the assigned salary grade.
- 6.6** Salary Grade
A letter assigned to a particular salary range which has a defined minimum and maximum rate of pay and is divided into quartiles.
-

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

- None

Guidance

- None

Related Forms and Tools

- None

Contacts

- None

POLICY HISTORY

Original issue date: 1997/01/24

Last review date: N/A

<https://www.usu.edu/policies/384/>

Next scheduled review date: YYYY/MM/DD

Previous revision dates:



POLICY MANUAL

EMPLOYMENT

Number 387

Subject: Benefited Employment

Covered Employees: Benefited Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: -2019

387.1 PURPOSE

To outline the University's policy for employing benefited employees.

387.2 DEFINITIONS

Exempt Employee:

An employee who, based on salary and duties performed, is exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). (Note: Faculty, under FLSA, are considered exempt employees.)

Fair Labor Standards Act (FLSA):

Federal law establishing overtime pay, minimum wage and child labor requirements affecting full-time and part-time employees.

Non-Exempt Employee:

An employee who, based on salary and duties performed, is not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) and must be compensated at a rate of one and one-half times the employee's regular pay rate for hours worked over 40 in a workweek.

Underutilized:

When women and/or minorities are not being employed at an expected rate given their availability in the relevant labor pool.

387.3 POLICY

The Office of Human Resources is the official University entity for benefited staff employment. This policy covers benefited exempt (including faculty) and non-exempt employees. Faculty have additional requirements under Faculty Code (see policies 401-407 for more information).

The Office of Human Resources works with the Office of Affirmative Action/Equal Opportunity (AA/EO) to ensure nondiscriminatory, equal opportunity practices in recruiting, screening, and/or testing applicants for employment. For more information on the University's commitment to affirmative action and equal opportunity, refer to Policy 303: Affirmative Action/Equal Opportunity.

All search committees chairs must receive and review information from the AA/EO office prior to commencing a search for positions that are underutilized by women and/or minorities. Additionally, all advertisements must include the University's Notice of Non-discrimination.

Utah State University is committed to hiring only United States citizens or non-citizens lawfully authorized to work in the United States.

All newly hired benefited employees will be subject to a criminal background check (see Policy 386: Background Checks for more information). All offers of benefited employment should be contingent upon successful completion of a criminal background check.

Costs (such as advertising, employment agency fees, interview and recruitment travel, long-distance telephone charges, etc.) are the responsibility of the hiring department and must be authorized in advance by the department head/director.

More than one person may be hired from one job requisition if the title and minimum qualifications are the same, the job responsibilities are similar, and funding is available. Each position must have its own unique University position number.

The committee chair is responsible for notifying all applicants about the status of the position in a timely manner. This includes communicating with applicants, ensuring applicant statuses are updated in the applicant tracking system (ATS), and closing the job requisition in the ATS.

Documents and notes concerning applicants that are not captured in the applicant tracking system must be retained in either paper or electronic form by the hiring department for three years after the job requisition closes.

Department personnel may make an offer to another member of the applicant pool if it is within 3 months of the job requisition close date.

A former employee of Utah State University may be rehired into his/her former position without a competitive hiring process if:

- A. the rehire occurs within 12 months of termination;
- B. the former employee's position was not filled in the interim; and
- C. the employee does not receive more than a 5% increase from their previous salary in that position. Salary increases may not exceed the limits of the assigned salary grade. For additional information refer to Policy 384: Wage and Salary Administration.

387.4 EXEMPT POSITIONS

Positions that are classified as exempt are required to be advertised for a minimum of 14 calendar days on the University's employment website. Requests to reduce this requirement must be submitted to the Office of Human Resources for approval.

All exempt positions are required to be advertised nationally through the Office of Human Resources in order to attract a broad and diverse applicant pool and meet government immigration requirements for employees seeking permanent residency.

387.5 NON-EXEMPT POSITIONS

Positions that are classified as non-exempt are required to be advertised for a minimum of 7 calendar days on the University's employment website. Requests to reduce this requirement must be submitted to the Office of Human Resources for approval.

A competitive search is not required when a position is changed from non-benefited hourly to a benefited position within a department and:

- A. the position for which the hourly employee was originally hired was filled through a competitive process (either through the Office of Human Resources or Career Services); and the employee has been employed in the hourly position for at least six months;
- B. the job responsibilities have not substantially changed, the employee meets the minimum requirements of the benefited position, and the employee does not receive more than a 5% pay increase; and
- C. there is an available university position number or an approved new position request.

387.6 RELATED POLICIES

- Policy 386: Background Checks
- Policy 388: Retention, Disposition, Access, and Confidentiality of Applicant Information
- Policy 392: Employment of Relatives
- Policy 395: Introductory Period of Employment
- Policy 398: Reduction-in-force
- Policy 399: Termination of Exempt and Non-Exempt Staff



POLICY MANUAL

EMPLOYMENT

Number 394

Subject: ~~Faculty and Professional Staff Employment~~

Covered Employees: ~~Faculty and Professional Employees~~

Date of Origin: ~~January 24, 1997~~

Effective Date of Last Revision: ~~January 30, 2004~~

394.1 POLICY

~~Utah State University strives to employ highly qualified, competent faculty and professional staff employees while promoting equal opportunity and diversity.~~

~~Utah State University prohibits discrimination in employment based on race, color, religion, sex, national origin, age, disability, veteran's status, or sexual orientation.~~

~~Utah State University is committed to hiring only United States citizens or aliens lawfully authorized to work in the United States.~~

~~Any questions regarding the hiring of faculty and professional staff should be directed to the Office of Human Resources (OHR) or the Affirmative Action/Equal Opportunity (AA/EO) Office.~~

~~For additional issues related to hiring of faculty, see policy 404.~~

394.2 PROCEDURES

2.1 Permission to Open Positions

- A. ~~When a department head/director determines a need to fill an open faculty or professional (exempt) position, a **Request to Fill Open Position** form must be completed.~~

*NOTE: If this is a new position, a **New Position Request** must also be completed and sent through appropriate channels for HR and budget purposes.*

If the **Request to Fill Open Position** form is approved by the dean/vp, it is submitted to the AA/EO Office.

B. Request for a specific type of search should be based on departmental needs and Affirmative Action (AA) requirements. Departments are encouraged to contact OHR or the AA/EO Office to discuss the choices and requirements prior to completing the form. Information about meeting affirmative action requirements can be obtained through the dean/vp office, the HR Partners, or the AA/EO Office. The types of searches to consider include:

- 6.2 waive normal search requirements in accordance with USU Policy Number 385 (Appointments of Opportunity);
- 6.3 promote from within the department when there is only one employee who is clearly qualified **and** there are no affirmative action goals for the specific job group or the action will meet the affirmative action goal;
- 6.4 search within the department when there are multiple qualified employees **and** there are no affirmative action goals for the specific job group or the action will meet the affirmative action goal;
- 6.5 search within the entire University community when it is felt there are sufficient qualified University employees to compete for the open position;
- 6.6 search based on the external search process.

NOTE: In accordance with USU Policy Number 398 (Reduction in Force [RIF]), HR maintains a list of individuals terminated because of a RIF. These persons have a “right to first interview” if they meet the requirements of a specific position and that position is equal to or less than the position they previously held. HR will contact the department to discuss this process when there are qualified individuals under Policy 398 for a specific position.

C. After comment by AA/EO, the **Request to Fill Open Position** form will go to the Provost’s Office (for all positions relating to academic departments and Extension) or Vice President for Business and Finance (for all positions relating to non-academic departments) for final approval. The form will be sent to OHR to:

- 1. Notify the department that the request has been approved.
- 2. Determine if an in-house job description exists for the position. If a job description does not exist, OHR will work with the department to develop an

~~appropriate job description listing essential functions of the job.~~

~~If an open or University/Department wide search is not required (B1 and B2 above), the candidate selected must have the minimum qualifications required for the position. Upon approval of the **Request to Fill Open Position** form, the procedure may advance to “2.6 Appointment Procedures.”~~

- ~~D. If a search is required to fill the position, the department head or director will appoint a search committee. This committee will be appointed in consultation with and approval of the dean or vice president. The Dean/VP is responsible for promoting ethnic and gender diversity on search committees. One person will be designated as chair for the committee.~~

2.2 Advertising the Position

- ~~A. After the appointment of the search committee and **before advertising is placed (i.e., Exempt Positions Advertising Request approved)**, the following **MUST** be accomplished:~~

- ~~1. An OHR representative will meet with the chair of the search committee and/or an individual designated to provide administrative support to the search. This hiring orientation includes instructions on the advertising and hiring process. During the session, the OHR representative will:~~

~~306.9.1 review the job description for a listing of essential functions of the job;~~

~~306.9.2 present an orientation of the hiring process and respond to questions which might arise; and~~

~~306.9.3 provide a hiring packet containing hiring process information which includes (but is not limited to):~~

- ~~(1) a copy of “Procedures for the Employment of Faculty and Professional Staff;”~~
- ~~(2) an **Exempt Positions Advertising Request** form;~~
- ~~(3) **Applicants AA Information** cards (“green card”);~~
- ~~(4) an **Applicants Selection/Nonselection** form;~~
- ~~(5) a **Finalists Selection/Nonselection** form; and~~
- ~~(6) other forms and information as required.~~

- ~~2. A representative from the AA/EO Office must meet with the search committee **prior to submission of the Exempt Positions Advertising Request form**. This meeting will include, as a minimum:~~

- ~~a. discussion of the unit’s affirmative action status; assistance in~~

~~developing proactive procedures to increase the diversity of the applicant pool (specifically women and minorities when there is underutilization) to reach unit goals;~~

- ~~b. discussion of AA requirements relating to veterans and persons with disabilities;~~
- ~~c. discussion of Equal Opportunity (EO) requirements and recommendations on conducting non-discriminatory searches; and~~
- ~~d. reviewing the Advertising Request form and position announcement as it relates to AA and EO issues and providing recommendations to the committee to assist them in finalizing these documents.~~

~~306 After the above meetings are completed, the chair of the search committee completes the **Exempt Positions Advertising Request** form, finalizes the position announcement and forwards the form with supporting documentation (the position announcement as a minimum) through the department head/director and dean/vp for their approval and then to the AA/EO Office for final review. The AA/EO Office will forward the completed form to OHR.~~

~~The OHR is available to assist the search committee with the development and placement of advertisements. The following guidelines are recommended:~~

- ~~3. The position be advertised for a minimum of 30 calendar days from the date it first appears in the source with the widest circulation (i.e., for national advertising, *The Chronicle of Higher Education* or other national level publications). If unforeseen circumstances warrant a shorter search, a memo explaining the circumstances and requesting such should be included with the **Request to Fill Open Position** form.~~
- ~~4. In order to seek a broad and diverse applicant pool, all faculty and professional positions will be advertised nationally.~~
- ~~5. A standardized advertising format, provided by the University, will be utilized wherever possible.~~

2.3 Search for and Review of Applicants

~~307 After an application is received, a letter of acknowledgment and the **Applicant AA-Information Card** (with the name, job number and job title completed on the card), is sent to each applicant.~~

~~308 The committee screens each application according to the advertised criteria which is found on the full position announcement. This full position announcement is found,~~

at a minimum, on the HR employment opportunities web site and should be referenced in all advertisements.

309 After the closing/review date specified in the advertisements, a list of finalists is developed. The names of all applicants are entered on the **Applicants Selection/Nonselection** form. Finalists are identified by entering “finalist” on the form. Those finalists to be interviewed on campus are identified by checking the “interview” column on the form. Reasons for nonselection, **based on the advertised qualifications**, are listed beside the names of those applicants not selected for further consideration.

AA/EO guidance suggests that at least three qualified candidates are identified as finalists to be interviewed. If the search fails to produce three qualified finalists, a memorandum must be forwarded with the **Applicants Selection/Nonselection** form (through the AA/EO Office to the Provost’s Office) which details reasons why approval is sought to interview fewer than three finalists and outlining, at a minimum, the following:

1. Efforts to obtain a broad and diverse applicant pool (i.e., advertising, networking, etc.).
2. If applicant pool is small, provide rationale for this.

The forms and a copy of the curriculum vitae/resume of all finalists to be interviewed are given to the department head/director with the **Applicants Selection/Nonselection** form. A summary of the committee’s recommendations may also be included.

The department head or director reviews the information and, if he/she approves, signs the form and forwards the information to the dean or vice president.

The dean or vice president reviews the information and if he/she approves, signs the form, and forwards it, along with attached materials, to OHR.

NOTE: The signatures by the department head/director and dean/vice president indicates that: (1) they agree with the selections put forward by the search committee; (2) they agree that good faith efforts have been made to attract a diverse applicant pool when there is underutilization of women and/or minorities in the specific job group represented by the position; and (3) they agree that equal opportunity laws and regulations have been followed.

The OHR forwards the form to the AA/EO Office to check for compliance with AA/EO guidelines. The AA/EO Office resolves any concerns and then forwards

the packet to the President or Provost's Office with a recommendation to approve or not approve.

*NOTE: Interviews are not to be scheduled with finalists until the President/Provost's Office has approved the **Applicants-Selection/Nonselection** form.*

If the committee (or department head/director or dean/VP) decides at a later date that persons indicated as finalists but not interviewed now need to be interviewed, they may do so by forwarding a copy of the curriculum vitae/resume of the person(s) to be interviewed to OHR. OHR will then send the **Applicants-Selection/Nonselection** form through the AA/EO Office to the Provost's Office for approval. If the person to be interviewed is a new applicant, a new **Applicants-Selection/Nonselection** form must be marked as an "Addendum" and processed as outlined above.

2.4 Arranging and Conducting Interviews

The President or Provost's Office reviews the Applicants Selection/Nonselection Form and associated materials, resolves concerns, authorizes interviews, and returns the packet to the Office of Human Resources.

Those applicants not selected as finalists should be notified in writing at this time. Interviews are scheduled, conducted, and the top finalists are determined.

2.5 Making an Employment Offer

Following approval of the department head and the dean/vice president, an offer may be extended to the selected candidate. (If the selected candidate declines the offer, an offer may be made to any of the other finalists.) The Finalist Selection/Nonselection Form is then completed, listing all finalists and giving specific reasons for those not offered the position. The candidate must be informed in writing that the offer is subject to approval by central administration. Certain administrative positions as defined by the Board of Trustees will be subject to their approval.

The form is then forwarded to the AA/EO Office and the President or Provost's Office for review. After review, the form is returned to the OHR.

2.6 Appointment Procedures

When the candidate accepts the preliminary offer, the **Employment Action Form** is prepared and forwarded to the dean or vice president. After the dean or vice president signs the form, it is forwarded to the Provost or Vice President for

~~Business and Finance and then to the OHR. A copy is provided by OHR to the AA/EO Office.~~

~~For certain administrative positions, the President recommends the appointment to the Board of Trustees, who approve or disapprove the appointment.~~

~~After final approval, official notice of appointment is sent to the selected candidate by the President.~~

~~When the **Employment Action Form** has all required signatures, the hiring department will communicate to the candidate that his/her appointment has been approved.~~

~~Unsuccessful finalists must be notified by the search committee that the position has been filled.~~

~~2.7 Verifying Employment Eligibility (Completing an I-9 Form)~~

~~(1) All persons hired to work in the United States after November 6, 1986, must submit document(s) proving their identity and their eligibility to work in the U.S., as required by the Immigration Reform and Control Act of 1986. Any time after an offer of employment has been accepted, but before the end of the third day of employment, newly hired employees must complete a U. S. Department of Justice Form I-9 "Employment Eligibility Verification. This form is available through OHR.~~

~~(2) If the form is not completed by the third working day, the new employee will be paid for time spent on the job before being notified of noncompliance by the Office of Human Resources or the Student Employment Office and placed on leave without pay status until the I-9 is filled out. Leave without pay will be for an indefinite period of time during which the prospective employee may not work. The hiring department will take full responsibility for an I-9 application that has been accepted, but completed incorrectly and is responsible for paying any fines levied by the U.S. Immigration and Naturalization Service.~~

~~(3) If an alien employee is hired, but at a later time fails to maintain employment authorization (does not receive an extension of his/her visa within specified time limits), the employee will be placed on leave without pay status. For example, a J visa must be extended before the expiration date listed on the IAP-66 Form. An H visa will be adjudicated within 60 days of receipt of application by the U.S. Immigration and Naturalization Service, or interim employment authorization will be granted for up to 120 days.~~

394.3 RESPONSIBILITY

3.1 Department Heads, Directors, Deans and Vice Presidents

~~Responsible for ensuring the hiring procedures are followed according to this policy and for coordinating all hiring procedures through OHR and AA/EO offices.~~

~~3.2 Office of Human Resources and Affirmative Action/Equal Opportunity Office~~

~~Responsible for ensuring that sound and equitable hiring practices are followed and providing administrative, equal opportunity, and affirmative action guidance during the search for a qualified candidate.~~

ITEM FOR ACTION

RE: Removal of University Policy 394: Faculty and Professional Staff Employment

SUMMARY OF CHANGES

- **Combine and Delete Policy-** Combined Policies 394 and 387 into one policy titled “Benefited Employment.” Going forward Policy 387 will contain all the current benefited employee information, including both the exempt and non-exempt classifications. Proposing that Policy 394 be removed from the policy library.



University Policy 397: Non-Benefited and Student Employment

Category: Personnel

Sub Category: Employment

Responsible Executive: Vice President for Business and Finance

Policy Custodian: Human Resources, Executive Director

Last Revised: _____ 2019

397.1 PURPOSE AND SCOPE

To define employment parameters for non-benefited employees and to clarify that the Office of Human Resources is the official employment entity for all non-benefited, non-student job postings. Career Services is the official employment entity for job postings specifically designated for student employment.

397.2 DEFINITIONS

2.1 Hourly Employee

Hourly employees are paid an hourly rate for actual hours worked. These employees are not benefit-eligible; they participate in FICA and are covered by unemployment and workers' compensation insurance. Hourly employees are considered "at-will" under Policy 390: Employment-At-Will and are not eligible to participate in the employee grievance process. Hourly service does not accrue as seniority credit for benefits if an hourly employee is later hired into a benefit-eligible position.

2.2 Student Employee

Student employees are paid an hourly rate for actual hours worked; with the exception of assistantships, which are limited to graduate students. Students are supervised in their work and must record their hours and submit them for approval. Students cannot volunteer for positions that are normally paid positions. These employees are not benefit-eligible; FICA taxes do not apply to service performed by students employed by Utah State University where the student is currently pursuing a course of study. Service does not accrue as seniority credit for benefits if a student employee is later hired into a benefit-eligible position.

2.3 Teaching Non-Benefited

Teaching non-benefited employees are paid to teach a minimum of one course per semester and are not covered under faculty code. These employees are not benefit-eligible; they participate in FICA and are covered by unemployment and workers' compensation insurance. Service rendered in these positions does not accrue as seniority credit for benefits if a teaching non-benefited employee is later hired into a benefit-eligible position. These employees are hired at the discretion of the hiring department.

2.4 Set Amount Employee

Set amount employees are paid on a set amount (lump sum) pay basis rather than a rate for actual hours worked. For the purposes of the Affordable Care Act (ACA), these employees are required to record actual hours worked. If an employee meets the definition of full-time under the ACA, the employee must then be offered health insurance. Paying an employee a set amount does not exempt the University from minimum wage or overtime requirements. These employees are not benefit-eligible; they participate in FICA and are covered by unemployment and workers' compensation insurance. Service rendered in these positions does not accrue as seniority credit for benefits if the employee is later hired into a benefit-eligible position.

2.5 Minor

An individual under the age of 18.

397.3 POLICY

3.1 Employment Eligibility

Utah State University is committed to hiring only United States citizens or non-citizens lawfully authorized to work in the United States. International students on F-1 or J-1 visas are subject to both Utah State University employment policies and United States of America visa requirements that limit employment. In the event of a conflict, the more restrictive limitation will apply.

With the exception of Extension, 4-H, and Youth Programs, individuals must be 16 years of age or older to be employed by the University. If it is determined that there is a need to hire a minor under the age of 16, outside of the aforementioned listed entities, please contact Human Resources. For information regarding the protection of minors, please see Policy 534: Protection of Minors.

3.1.1 Student Work Hours

In fostering the USU Mission principle that “academics come first,” student workers are encouraged to limit their hours during the academic year in order to devote sufficient attention to their studies.

397.4 RESPONSIBILITIES

4.1 Human Resources and Career Services

Human Resources and Career Services work together with the Office of Affirmative Action/Equal Opportunity to ensure nondiscriminatory, equal opportunity practices in recruiting, screening, and/or testing applicants for employment. For more information on the University's commitment to affirmative action and equal opportunity refer to Policy 303: Affirmative Action/Equal Opportunity.

397.5 RELATED USU POLICIES

- Utah State University Policy 303 Affirmative Action/Equal Opportunity
- Utah State University Policy 390 Employment-at-Will
- Utah State University Policy 534 Protection of Minors

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: 2019 _____

Previous revision dates: 1999/07/01

ITEM FOR ACTION

RE: Updates to University Policy 397: Hourly Employment

SUMMARY OF CHANGES

- **Update Policy Title-** Renamed Policy 397 to Non-Benefited and Student Employment to distinguish non-benefited hourly employees from non-exempt hourly employees.
- **Update Department Name and Responsibilities-** Updated Student Employment to Career Services to reflect the Department's current name. Clarified responsibilities of Career Services and the Office of Human Resources as they relate to the employment and hiring of non-benefited employees.
- **Update AA/EO Language-** Updated language to align with current definitions from the Office of Equity.
- **Add Student Visa Language-** Added language regarding employment authorization to include student visas since this policy includes student employment for foreign national student employees.
- **Clarify Minimum Age Requirements-** Clarified the minimum age of minor workers as 16 per discussions with Risk Management. Minors between the ages of 14-15 have more restrictions on when they can work, how many hours, and the types of positions they can hold. These restrictions diminish when the minor turns 16. It limits the risk to the university by only hiring employees age 16 or older. Exceptions to this need to be reviewed with HR.
(<https://www.youthrules.gov/know-the-limits/index.htm>)
- **Delete Student Spouse/Partner Priority-** Removed the priority for partners/spouses of students for non-benefited positions with the support of James Morales as neither office was practicing this.
- **Clarify and Define Employment Types-** Clarified sections for hourly and student employees. Added sections for Teaching Non-Benefited and Set Amount Employees. These employees have not been previously included in a policy.



EMPOWERING TEACHING EXCELLENCE

The Empowering Teaching Excellence (ETE) program elevates and promotes USU's culture of teaching excellence through cross-disciplinary events and programs that are open to all USU instructors. All initiatives are guided and approved by the ETE Faculty Committee.

Venues for Sharing and Renewal

ETE Conference

- Hosted annually during retreat week
- Faculty-proposed, faculty-led sessions with a strong teaching focus

Foundations of USU Teaching

- An interactive primer on the USU teaching environment and key pedagogy concepts
- Introduces new faculty to experienced teachers; provides opportunity for consultation and networking

ETE Seminar Series

- Interactive sessions featuring faculty presenters, panelists, and guest speakers
- Broadcast statewide and recorded

E-Learning Workshop

- A three-day, intensive workshop featuring small-group activities, hands-on work sessions, and training in e-learning technology

Journal on Empowering Teaching Excellence

- A peer-reviewed online publication for higher education professionals who engage in the design and practice of instruction

ETE 10: Recognition of Improvement Efforts

Participants in the ETE 10 program earn digital badges for their participation in and documentation of teaching improvement activities. Badges can be earned in three tiers:

- **Engage:** For participation in an event and submission of a reflection
- **Implement:** For implementing and reporting on a new teaching strategy, course design, or teaching grant
- **Contribute:** For efforts that assist others in teaching improvement, such as presentations, journal articles, committee membership, and more

Badges count toward **Teaching Scholar** and **Master Teacher** certificates.

Resources for Quality Feedback and Mentorship

Learning Circles and Instructional Coaching

- Voluntary, faculty-led groups of instructors and instructional designers who meet periodically and work together to grow and share knowledge around a topic of interest

Scholarship of Teaching and Learning

- Data, design, and publication support for faculty-led research projects that engage in systematic inquiry into the teaching and learning process

Peer Evaluation Support and Resources

- Opportunities for faculty to request a peer review of their e-learning course design
- Instruments informing the peer evaluation of teaching

Innovation Support

Instructional Design Resources

- The Center for Innovative Design and Instruction (CIDI) provides qualified instructional designers who can assist with teaching innovations and technology implementation.

Ongoing Teaching and Tools Workshops

- CIDI provides workshops on instructional technologies, such as Canvas, and instructional approaches like flipped teaching, objective-based assessment, and course design.

AIS Grant Opportunities

- All USU faculty are eligible to apply for a *Teaching with Technology Innovation Grant*, offered by Academic Instructional Services (AIS). Additional teaching-oriented grants are available for Regional Campus faculty. Grant recipients receive instructional design and development support and are eligible for an ETE 10 implement badge.

Affiliated Events

The ETE program will promote or partner with any teaching-development initiatives around campus. The program seeks to be a one-stop venue for faculty to locate and participate in teaching-improvement activities.

Faculty Driven

ETE programs and events are guided and approved by the ETE faculty committee, comprising representatives from each USU academic college, including faculty from the Logan, Statewide, and Eastern campuses. Committee members serve two-year terms and meet three-to-four times per semester.

Find More at [EmpowerTeaching.usu.edu](https://empower.teaching.usu.edu)