

**Millikin University**  
**Employee Handbook**  
**And**  
**Policy Guide**

**Last modified 9/1/16**



## **TABLE OF CONTENTS**

### **1. INTRODUCTION**

- 101 Purpose and Applicability**
- 102 Mission Statement**
- 103 Definitions**
- 104 Management Rights**
- 105 Conflicts with State, Federal and Local laws/regulations**

### **2. EMPLOYMENT POLICIES**

- 201 Employment At Will**
- 202 Equal Employment Opportunity**
- 203 Accommodations of Applicants/Employees with Disabilities**
- 204 Family Educational Rights and Privacy Act of 1974 (FERPA)**
- 205 Solicitation and Hiring of New Employees**
- 206 Pre-Employment Examinations and/or Drug Screens**
- 207 Background Checks**
- 208 Job Descriptions**
- 209 Posting of Available Positions**
- 210 Employment Applications**
- 211 Employment Contracts**
- 212 Employee Orientation and Training**
- 213 Introductory Period**
- 214 Employment Records**
- 215 Transfers and Promotions**
- 216 Terminations of Employment or Appointment**
- 217 Reemployment**
- 218 Employment of Relatives (Nepotism)**
- 219 Job Sharing**
- 220 Service Dates**

### **3. COMPENSATION**

- 301 Wage and Salary Administration**
- 302 Employee Classification**
- 303 Pay Periods and Pay Days**
- 304 Working Hours and Overtime**
- 305 Time Sheets/Time Record Forms**
- 306 Safe Harbor Policy**
- 307 Social Security**
- 308 Payroll Deductions**
- 309 Relocation Expenses**
- 310 Payroll Advances and loans**
- 311 University Vehicles as Compensation**
- 312 Unemployment Compensation**

#### **4. TIME OFF BENEFITS**

- 401 Vacation for Administrators**
- 402 Vacation for Staff**
- 403 Holidays**
- 404 Holiday Pay and Time off**
- 405 Sick Leave**
- 406 Personal Time**
- 407 Family Medical Leave Act Leave**
- 408 Victim's Economic Security and Safety Act (VESSA) Leave**
- 409 Personal Leave of Absence**
- 410 Military Leave**
- 411 Bereavement Leave**
- 412 Religious Leave**
- 413 Jury Duty and Witness Leave**
- 414 Time Off to Vote**
- 415 School Visitation**

#### **5. GROUP HEALTH AND EMPLOYMENT RELATED BENEFITS**

- 501 General Benefits Policy**
- 502 Health and Welfare Benefits**
- 503 Employee Assistance Program**
- 504 Workers Compensation**
- 505 Educational Assistance**
- 506 Domestic Partners**
- 507 Retirement Recognition**

#### **6. CONDITIONS OF EMPLOYMENT AND CONDUCT**

- 601 Guidelines for Appropriate Conduct**
- 602 Attendance and Punctuality**
- 603 Discipline and Corrective Action**
- 604 Grievance Procedures**
- 605 Personal Appearance and Demeanor**
- 606 Personal Property**
- 607 Workplace Harassment and/or Discrimination**
- 608 Personal Relationships in the Workplace**
- 609 Children in the Workplace**
- 610 Use of Millikin's Corporate Identity**
- 611 Confidentiality Statement/Release of Information**
- 612 Violence in the Workplace**
- 613 Drug and Alcohol Abuse**
- 614 Smoking/Tobacco Use**
- 615 Ethics and Conflicts of Interest**
- 616 Solicitation of Colleagues and Co-workers**

- 617 Use of University Premises, Property and Materials**
- 618 Political Activity**
- 619 Responsibility Toward Supervision**
- 620 Performance Evaluation**
- 621 Temporary Modified Duty**
- 622 Outside Employment**
- 623 Meal and Break Periods**
- 624 Employment References**
- 625 Sexual Misconduct**

## **7. EMPLOYEE SERVICES**

- 701 Parking**
- 702 Credit Union**
- 703 Administration of Employee Accounts**
- 704 Decatur Indoor Sports Center**
- 705 Dining Services**
- 706 Admission to University Events**
- 707 Staley Library**
- 708 Mail Services**
- 709 Use of University Housing**
- 710 Identification Cards**
- 711 Check Cashing**

## **8. HEALTH AND SAFETY**

- 801 Observation of Safety and Environmental Regulations**
- 802 Fire Prevention and Training**
- 803 Right to Know Law**
- 804 Use of Office and Building Keys**
- 805 Emergencies**
- 806 Blood borne Pathogens**
- 807 Weapons**
- 808 Workplace Searches**
- 809 Licensed Equipment Operators**
- 810 Security Systems**
- 811 Emergency Closings**
- 812 Use of University Vehicles**

**Appendix A – Intellectual Property Policy**

**Appendix B – Acceptable Use of Technology (March 2010)**

**Appendix C – Whistleblower Policy (May 2011)**

**Section 1**  
**INTRODUCTION**

## **Millikin Employee Handbook/Policy Guide**

**Section:** Introduction

**Policy:** Purpose and Applicability

**Policy No:** 101

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

### **PURPOSE AND APPLICABILITY**

This handbook reflects the human resource policies and procedures of Millikin University. The purpose of this handbook is to provide you with information necessary to fulfill your obligations as a faculty member, administrator or staff employee. The purposes of this handbook are:

- To provide policy guidance about the working relationship that exists between the Board of Trustees, the President, your Vice President, Department Chair, Dean, Director or Supervisor.
- To explain what you can expect from the University in terms of compensation and benefits.
- To provide for fairness and equity in the treatment of employees.
- To explain opportunities that are available to all employees of the University and certain constraints and limitations we all must observe.

The policies stated in this handbook are subject to change at the sole discretion of Millikin, as are all other policies, procedures, benefits and other programs of Millikin.

The handbook includes:

Practices, policies and guidance applicable to all employees regardless of status (faculty, staff or administrator).

Practices, policies and guidance applicable only to administrators, hourly staff and others who do not have teaching responsibility.

Practices, policies and guidance applicable to faculty only.

Because of differences in status, terms of employment and expectations, all sections are not equally applicable to all three-employee groups (faculty, staff and administrators). The reader will note that applicability is defined at the top of each section of the handbook. The term "**ALL**" means that the policy is comprehensive and covers faculty, staff and administrators.

This is not the only directive that covers compensation, benefit and Human Resources policy. Policies and Procedures – Faculty, in particular, covers responsibilities and conditions of employment applicable to those with teaching responsibility. From time to time, the Administration or the Board of Trustees will enact policy that will be conveyed in memos, letters or Board resolutions.

This handbook will be revised from time to time to provide you with up-to-date information resulting from changes in policies and procedures. This handbook supercedes the former Administrators Manual (version 2001), the University Staff Handbook (November 2000) and certain sections of Policies and Procedures – Faculty. While we have made every effort to anticipate your questions, it is probable that you may encounter special problems or particular situations, which are not thoroughly covered herein. When such occasions arise, do not hesitate to discuss them with your Vice President, Dean, Director, your immediate supervisor, or Human Resources.

The organization reserves the right to suspend, revise, or revoke any of its policies and procedures at any time, with or without notice.

**Because policies and procedures are subject to change, with or without prior notice, the information provided in this is not intended to create a contract, expressed or implied, guaranteeing employment nor should it be construed as terms and conditions of a contract of employment with the University. No supervisor, manager or other representative of Millikin, other than the President or his/her designee, has the authority to enter into any employment agreement for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the President shall not be enforceable unless it is in writing, signed by you and the President, or the President's designee.**



**Millikin Employee Handbook/Policy Guide**

**Section:** Introduction

**Policy:** Mission Statement

**Policy No:** 102

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**MISSION STATEMENT**

Mission: To deliver on the promise of education

At Millikin, we prepare students for

- Professional success;
- Democratic citizenship in a global environment;
- A personal life of meaning and value.

*The underpinning of our mission is the offering of an educational experience that integrates the traditional liberal arts functions and the practical arts of the professions. Our students discover and pursue their full potential, personally and professionally, to do well and to do good. Their discovery is theory and practice driven, guided by faculty and staff, within and inclusive and broadly accessible learning community.*

Vision: To be recognized as a distinctive Midwestern university

Where theory, practice, and reflection guide our curriculum.

Where integrated learning, collaborative learning, and engaged learning dominate our culture.

Where students, faculty, staff, and administrators are engaged/stimulated.

**Millikin Employee Handbook/Policy Guide**

**Section:** Introduction

**Policy:** Definitions

**Policy No:** 103

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**DEFINITIONS**

Because certain terms may depart from common usage and/or past practice at Millikin, the following definitions/clarifications are provided:

**Employee:** The term employee or individual employed by the University used herein includes

Full time, temporary and adjunct faculty members

Salaried Administrators

Hourly staff

Individuals on special contracts or appointments who meet the IRS definition of "employee"

**Supervisor:** The term supervisor as used herein includes the President of the University, Vice Presidents, Deans, Directors, Chairs and others whose job responsibilities cause them to direct the efforts of, discipline or conduct formal evaluations of others.

**Millikin Employee Handbook/Policy Guide**

**Section:** Introduction

**Policy:** Management Rights

**Policy No:** 104

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**MANAGEMENT RIGHTS**

Millikin is a corporation chartered under the laws of the State of Illinois. In discharging its responsibilities to the corporation, the Board of Trustees of Millikin University and the University Administration seek the opinions of, and collaborates with its faculty, staff and administrators. The Board and the Administration do so individually and through various staff and faculty counsels and committees, though Department Chairs, Deans, Vice Presidents, Supervisors and the Director of Human Resources. The Board and the Administration seek comment and recommendations about working conditions, ways and means of discharging University functions better and on other matters of faculty, staff and administrator interest. From time to time through its resolutions and the approval of this and other policy documents, the Board will delegate certain responsibilities and prerogatives to the President, other administrators and the faculty. There will be times when the Board and the Administration, must exercise the customary functions of management including, but not limited to, the discretion to select, hire, promote, determine work schedules; determine the nature and composition of pay and benefit programs, determine the size and composition of the work force; define and change the programs and nature of the University; establish, change and abolish policies; define position descriptions and job classifications, and to assign duties to employees of the University in accordance with the University's needs and requirements.

Millikin University specifically reserves the right to adjust the size and configuration of the work force as needs dictate. The University prefers to make adjustments through normal attrition (e.g. resignations, retirements) however; at times adjustments will be involuntary.

Having complied with the laws of the State of Illinois and after having facilitated reasonable consultation and notification as defined herein and in other University policy documents, the University may suspend, dismiss, assign, supervise and discipline its employees.

Although timely notification and consultation will normally take place, the Board and the Administration reserve the University's right to make such decisions as are necessary without discussion or prior consultation.

**Millikin Employee Handbook/Policy Guide**

**Section:** Introduction

**Policy:** Conflicts with State, Federal or Local  
Laws

**Policy No:** 105

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**CONFLICTS WITH STATE AND FEDERAL LAWS**

To the extent that the policies in this handbook, other policies, practices and local customs may conflict with federal, state or local laws, the organization will abide by the applicable federal, state or local law.

**Section 2**  
**EMPLOYMENT POLICIES**

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employment at Will

**Policy No:** 201

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYMENT AT WILL**

Nothing contained in this handbook or in any other materials or information distributed by the University creates a contract of employment between an employee and Millikin University. Employment is on an at-will basis. This means that employees are free to resign their employment at any time, for any reason, with or without notice, and Millikin University retains that same right.

Further, any terms and/or conditions of employment may be changed with our without cause and without or without notice, at any time by Millikin.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Equal Employment Opportunity

**Policy No:** 202

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:** September 1, 2015

---

**EQUAL EMPLOYMENT OPPORTUNITY**

Our goal at Millikin University is to recruit, hire and maintain a diverse workforce. Equal employment opportunity is not only good business—it's the law and applies to all areas of employment, including recruitment, selection, hiring, training, transfer, promotion, termination, working conditions, compensation, and benefits.

As an equal employment opportunity employer, Millikin University does not discriminate in its employment decisions on the basis of race, color, religion, sex, national/ethnic origin, age, sexual orientation, gender identity or expression, disability, genetic information, marital status, military/veteran status or on any other basis prohibited by applicable state or federal law in any of its programs or activities. Furthermore, Millikin University will provide reasonable accommodations to applicants and employees, when needed, unless doing so would result in an undue hardship.

## **Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Accommodation of Applicants/Employees with Disabilities

**Policy No:** 203

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:** April 15, 2014

---

### **ADA/ADAA – REASONABLE ACCOMMODATION POLICY**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendment Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and employees on the basis of a disability or perceived disability and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Millikin University to comply with all federal and state laws concerning the employment of persons with disabilities. Furthermore, the University prohibits discrimination based on disability in both the application process and during the employment relationship.

When an individual with a disability is requesting accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

Millikin University will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Millikin University. A requirement of the ADA is that both parties communicate in good faith regarding reasonable accommodations.

All employees are required to comply with the University safety standards. Current employees who pose a direct threat to the health and/or safety of themselves or other individuals in the workplace will be placed on appropriate leave until a university decision has been made in regard to the employees' immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the University ADA policy.

The Human Resource Department is responsible for implementing this policy, including reasonable accommodation, safety/direct threat and undue hardship issues.

#### **Initiating the Accommodation Process**

Applicants - Applicants who need an accommodation should contact Human Resources.



Employees - Faculty, Administrators or Staff who are disabled and need accommodations can initiate the process by contacting Human Resources, or by making a request to their immediate supervisor, either verbally or in writing.

Supervisors – Supervisors who receive a request for accommodation from an employee must immediately notify Human Resources so that the official processing of the request can begin. If the request is from a student, please refer them to the Director, Student Success/ADA Coordinator.

Any supervisor who is informed by an employee that a physical or mental condition may be affecting the employee's work performance must refer the employee to Human Resources and notify HR that the referral was made.

Human Resources, in consultation with the ADA Coordinator, will determine whether a condition qualifies as a disability under the ADA or whether a reasonable accommodation can be made.

### **Appeals and Complaints**

Applicant or Employee - Any applicant or employee who is not satisfied with the accommodations provided may seek advice from the Director of Human Resources. Anyone who believes he or she was discriminated against based on disability or retaliated against due to an accommodation may request formal review of their complaint via the University Grievance procedure described elsewhere in this Handbook and Policy Guide.

### **Terms used in the policy**

As used in this ADA/ADAAA policy, the following terms have the indicated meaning:

**Disability** means a physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment or being regarded as having such an impairment.

**Major life activities** includes the following, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

The ADAAA also includes the term "**major bodily functions,**" which may include physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability (formally termed mental retardation), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Substantially limiting:** In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these

types of impairments may include, but are not limited to, epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment such as cancer that is in remission but that may possibly return in a substantially limiting form also is considered a disability under EEOC final ADAAA regulations.

**Direct threat** means a significant risk to the health, safety or well-being of individuals with disabilities or to others when this risk cannot be eliminated by reasonable accommodation.

**Qualified individual** means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

**Reasonable accommodation** includes a reasonable modification or adjustment to the application process or the work environment to enable a qualified individual with a disability to perform the essential functions of her/his job or enjoy equal benefits and privileges of employment. Accommodations that may be considered include making existing facilities accessible to and usable by individuals with disabilities, job restructuring, modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities. NOTE: any one or more of the foregoing accommodations may or may not be reasonable depending on the circumstances.

**Undue hardship** means an action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include, but are not limited to:

- The nature and cost of the accommodation.
- The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at the facility; the effect on expenses and resources; or the impact of such accommodation upon the operation of the facility.
- The overall financial resource of the university.
- The impact of the accommodation on the operation of the university.

**Essential functions of the job** refer to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments, or reasonable accommodations covered by the ADA/ADAAA policy.

### **Confidentiality**

Any records or information obtained by Human Resources or the ADA Coordinator as part of the accommodation process is considered confidential and will be maintained separately from other personnel records. Such records will be shared only with those University employees who have a need to know in order to implement the accommodation process and will not be released except as required by law.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments, or reasonable accommodations covered by the ADA/ADAAA policy.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Family Educational Rights and Privacy Act of 1974 (FERPA)

**Policy No:** 204

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)**

It is of the utmost importance that all of Millikin University employees who have access to student records, including, but not limited to, electronic and hand written records, comply with the Family Educational Rights and Privacy Act of 1974 (FERPA). Accordingly, be advised that:

- As part of the general orientation of all new employees, Human Resources will review the FERPA laws and regulations. Current employees will receive instruction regarding the FERPA law and regulations through the joint effort of the Registrar's Office and the Office of Human Resources.
- Deans, Department Heads, Directors, and other Supervisory personnel are responsible to ensure that their respective faculty and staff understand the Family Educational Rights and Privacy Act of 1974, and are periodically oriented regarding the provisions of this law.
- Deans, Department Heads, Directors, and other Supervisory personnel are responsible to ensure that their respective faculty and staff adhere to the restraints and regulations as contained in the Family Educational Rights and Privacy Act. These administrators must periodically review electronic security procedures to ensure only authorized personnel can access student files.
- The intentional disclosure of student records to any unauthorized person could subject an employee to criminal and civil penalties imposed by law.
- Unauthorized disclosure also violates Millikin University's student records policy and could constitute cause for disciplinary action, including termination of employment, regardless of whether criminal or civil penalties are imposed.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Solicitation and Hiring New Employees

**Policy No:** 205

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**SOLICITATION OF AND HIRING NEW EMPLOYEES**

Vice Presidents, Deans and (in some cases) Directors or Department Chairs are authorized to select successful candidates and to make offers. Human Resources is the office at Millikin authorized to formally announce vacancies, to solicit candidates and to add selectees to the Millikin HR record and payroll systems.

Human Resources is authorized to act on solicitation or hiring requests if the following are present or have been completed:

- A position description for faculty, staff and administrators and a Position Vacancy Requisition form.
- The HR Director has reviewed proposed salaries or salary ranges and has had an opportunity to either approve or to question the hiring official about the proposed salary.
- The position to be filled is certified by the Controller as funded in the current year's budget (or if hiring is not to take place until after July 1) the subsequent fiscal year's budget.

The hiring official is responsible for submitting an approved Position Vacancy Form (may be obtained from Human Resources or our website) for any open position he/she wishes to fill. All requisitions must be signed by the appropriate vice president in the organization and by the controller signifying that money has been budgeted to fund the employee's salary. The Vice President for Finance and Business Affairs must approve any requisitions for unbudgeted positions before the hiring official begins a search for candidates.

Funds to announce vacancies, solicit applicants and to carry out searches are managed by the Director of Human Resources. Funds are budgeted based on prior year's hiring costs. When all recruiting and hiring funds are exhausted, recruiting, travel and hiring costs will be provided by the organization or department requesting to fill the vacancy.

New employees should report to Human Resources on their first day of employment to complete paperwork, to receive and discuss basic employment regulations, and to obtain an identification card, parking tag, and schedule computer training. New employees must present appropriate documentation to prove their identity and ability to work in this country in order to begin work.

Federal regulations require Millikin University to comply with the Immigration Reform and Control Act of 1986. All new employees must complete an I-9 Form and provide proof of their

identity and their ability to work in this country. Human Resources is responsible for obtaining the I-9 Form and verifying the eligibility to work in the United States. Employees will be expected to complete the I-9 Form during their first day of work. Employees who fail to fill out and submit an I-9 will not be added to the University Payroll system.

Human Resources will properly complete the Employer Section of the I-9 Form. If a new employee is unable to provide the necessary documentation within three working days from the date of hire, he/she must provide proof that he/she has applied for the required documents. If this is not provided, the employee will be terminated.

If a manager is notified by any government agency that it is going to conduct an inspection of the I-9 documents, the manager should contact Human Resources.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Pre-Employment Examinations/Screens

**Policy No:** 206

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**PRE-EMPLOYMENT EXAMINATIONS AND/OR DRUG SCREENS**

As part of Millikin's employment procedures, applicants in certain job classifications may be required to undergo a post offer, pre-employment medical examination and/or an alcohol and drug screening that are conducted by a physician or facility designated by Millikin.

The candidate will be provided with directions to the exam or screening site and a copy of any pre-exam procedures that must be followed. He/she must report to the collection site at the scheduled appointment time. The exam/screening site will require presentation of a valid picture ID. If the collection site staff discovers that the candidate has not followed the pre-exam instructions or is not fully cooperative at the exam/screening site, the candidate will no longer be eligible for employment.

The candidate should understand that passing the pre-employment physical exam and/or pre-employment drug screen is part of the employment process. In the event that the candidate does not successfully pass the pre-employment exam and/or drug screen, or if the applicant is found incapable of performing the essential functions of the position that has been offered (with or without a reasonable accommodation) the offer of employment is revoked. Questions concerning exams or screening procedures should be forwarded to the Human Resources Department.

All information regarding physical exams and/or drug screen results will be kept on a "need to know" basis. This information will be kept separately in the employee's confidential medical file in the Human Resources Department. Under no circumstances will the results of any candidate's drug screen be discussed with the hiring manager or anyone else except for those individuals in the Human Resources Department authorized to deal with this confidential information. Written employee consent will be required for any other disclosures.

As a condition of continued employment, some employees may also be required to undergo periodic medical examinations and/or alcohol and drug screenings, at times specified by Millikin. It should be understood that Millikin receives a full medical report from its examining physicians or facilities regarding the applicant's or employee's state of health. All university-required medical examinations and alcohol and drug screenings are paid for in full by Millikin.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Background Checks

**Policy No:** 207

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:** November 1, 2005

---

**REFERENCE, CREDIT AND BACKGROUND CHECKS**

Background: To protect the campus community and its assets, the University needs to ensure that individuals assigned to certain campus positions (e.g. cash handlers, individuals with access to personal information and those with frequent student contact) have no history of improper behavior relevant to their employment. Reference, credit and background checks also help protect the University from performance failure and related disciplinary actions that exact a heavy cost in time and morale. To the extent required by federal, state, or local law, the results of background checks will be maintained in confidence.

As a condition of employment, all employees and applicants for employment are subject to reference and background investigations. Investigations may include, but are not limited to, a credit check and criminal records search. Additionally, all applicants and employees must disclose any pre-employment or post-employment convictions for felonies or criminal offenses and sign a Criminal Convictions Declaration. Individuals found to have falsified information by misrepresentation or omission of facts on their application or Criminal Convictions Declaration will not be considered for employment, and, if already employed, are subject to immediate dismissal.

The University retains sole discretion to determine the scope of the background check required for each applicant and/or employee.

Types of reference, credit and background checks:

Reference checks: All individuals applying for positions with Millikin University (including current employees seeking new positions) will be subject to reference checks via contact with former employers, co-workers and/or managers. Claims made by applicants that they hold certain educational credentials are subject to verification. Such prospective faculty, staff or administrators may be required to deliver original or certified copies of documents substantiating their credentials.

Examination of Motor Vehicle Records: Current or potential employees who will be driving a University vehicle or driving their personal vehicles on University business will be subject to an inspection of their Motor Vehicle Records at initial hiring and annually. Depending on job requirements, some employees may have to comply with the Department of Transportation requirements for a Commercial Drivers License.

Credit Checks: Any individual offered a position having responsibility for financial



transactions would be required at a minimum to submit to a credit check. Credit checks will typically be run for those having responsibility for financial transactions including collecting or handling cash or checks, writing checks, final approval of invoices for payment (normally the business office), soliciting gifts and donations to the University, receiving donations of cash, checks, stocks or similar disposable assets, or being a fiduciary to the organization. A credit check will involve acquisition of information from one of the major credit reporting agencies (Equifax, Experian or Transunion).

**Criminal Background checks:** A criminal Background check may be obtained on those individuals who are assigned duties involving significant financial, personnel and data sensitivity. Criminal background checks will be obtained for other candidates or employees including those whose duties involve close contact with students or subordinates in overnight settings, involve a regular presence in University housing areas or involve medical care or counseling.

The responsibility for arranging and/or preparing the various types of reports described above will be delegated to the department, which in its sole discretion, the University deems appropriate to perform or delegate the task.

#### Timing of reference, credit and background checks:

Reference, credit and background checks will be initiated when a position is to be filled with a new employee or when there is a transfer, promotion, reclassification, or change in job duties requiring the check to take place. If approved by the Vice President for Finance and Business Affairs, new employees can be provisionally hired before a credit or background check has cleared. New hires, however, will be released from employment if their credit or background check is incomplete before the expiration of the introductory period (or at the end of the first semester of employment for faculty).

Credit and criminal background checks may be repeated as deemed necessary by the University.

#### Impact of Adverse Findings in Background Check

The University reserves the right to determine what, if any, disciplinary action will result from a background check that reveals information which makes the candidate or employee unsuitable for the position which he or she seeks or holds. Disciplinary action may include reassignment, suspension, or termination of employment.

#### Compliance with Federal, State or Local Law

The University intends this Policy to be executed consistently with federal, state, and local law, including but not limited to, the Fair Credit Reporting Act.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Job Descriptions

**Policy No:** 208

**Applicability** *Staff & Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**JOB DESCRIPTIONS**

A job description is a formal document describing the nature, scope, physical requirements, and responsibilities of a specific job within the organization. Job descriptions are used for the purposes of training and development, annual performance appraisals, promotions, recruiting, and hiring.

Vice Presidents, deans, directors, department chairs and other supervisors will ensure that all staff and administrative positions have a written position description. They will further ensure that the incumbent in each University staff and administrative position has a copy of the description for the position to which they are appointed.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Posting Available Positions

**Policy No:** 209

**Applicability** *Staff & Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**POSTING AVAILABLE POSITIONS**

Job openings will occur from time to time either through normal attrition or a management decision to create new or additional jobs. It is Millikin University's intention to advertise all positions to:

- Enable current employees to indicate an interest and to have an opportunity to present their qualifications for open positions.
- Improve the quality of the work force (where appropriate) by considering those outside the University who may bring new skills or perspectives
- Improve diversity in the workforce.

The decision to advertise a job or not and, the decision about the extent of competition will be made on the basis of the needs of the University as determined by the hiring official, the Human Resources Director and others (President, Cabinet, VP for Finance & Business Affairs, Affirmative action officer ) as appropriate. The final decision is University management's.

Human Resources will post available positions on the website. Both non-exempt and exempt positions will be posted for a minimum of five (5) working days. For positions where external recruiting is appropriate, the Human Resources Director may advertise in trade publications, in the local media or other venues.

Employees applying for internal positions must have completed a minimum of six (6) months in their current position. This provision may be waived with the approval of the employee's current manager and Human Resources.

To apply for an open position, an employee must complete an online application. Positions may require a cover letter and resume long with your online application. Interviews should be scheduled by the hiring manager or Human Resources through the employee's current supervisor. Upon completion of the interview process, the hiring manager or Human Resources should inform all internal candidates regarding his/her final decision.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employment Applications

**Policy No:** 210

**Applicability** *Staff & Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYMENT APPLICATIONS**

Millikin University does not accept applications and/or resumes except for positions which Millikin University currently has open. All applications and/or resumes must designate the open position being applied for or they will be disposed of. Millikin University retains applications and/or resumes for a minimum of one year. Individuals interested in applying more than once for employment must submit an application and resume each time they apply.

No individual can be made an offer of employment with Millikin University without filling out Millikin University's Application for Employment in full.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employment Contracts

**Policy No:** 211

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYMENT CONTRACTS**

For hourly staff and administrators, employment at Millikin University is usually on an at-will basis. This means that employees are free to resign their employment at any time, for any reason, and the organization retains the right to terminate on the same basis.

Faculty will normally receive an initial employment contract that is renewable in accordance with the conditions of Policies and Procedures – Faculty. There will also be cases in which an administrator or staff member is offered an employment contract. Requirements for employment contracts are:

- To be binding on the organization, an employment contract must be signed by the President or the Vice President of the division in which the employee will work. No statements to the contrary, written or oral, made either before or during an employee's tenure with Millikin University can change this. No individual supervisor or manager can make a contrary agreement, except for the University President or President designee in which case, such an agreement must be set forth in a written contract.
- Unless executed by the President, or in accordance with a provision of Policies and Procedures – Faculty, initial contracts may be issued for not longer than 18 months. If there is a need for a follow on contract, it may be awarded for not longer than 12 months. After expiration of the initial or follow on contract, the employee assumes an at will status or (if faculty) assumes the status defined in Policies and Procedures – Faculty.

Unless signed by the President, no contract may supersede an existing employment, compensation or benefit policy.

Contracts will normally be single party agreements between the employee and the University. Except as otherwise provided for elsewhere in University policy, spouses, dependents, partners or other persons will not be party to or have rights under a contract between the University and a prospective employee or faculty member.

## **Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employee Orientation and Training

**Policy No:** 212

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

### **EMPLOYEE ORIENTATION AND TRAINING**

In an effort to ensure a smooth transition to Millikin University, all newly hired faculty, staff and administrators will participate in an orientation. Faculty orientation sessions are scheduled in the fall for full-time faculty, and in the fall and beginning of spring semester for adjunct faculty. Administrator and Staff Orientations are scheduled within a reasonable period from date of hire. Orientation is the joint responsibility of the new individual's Vice President, Dean, Director, Department chair or other supervisor and the Human Resources Department. Human Resources will be responsible for providing new persons with:

- A history of the organization
- An explanation of the operations of the organization; and
- An overview of the organization's policies, procedures, and benefits

Regular full-time and part-time employees must attend an orientation session. During the orientation session, the employees will be given an opportunity to ask questions about any information contained in the employee handbook and other pertinent information.

The new employee's Vice President, Dean, Director, Department chair or other supervisor is responsible for ensuring that each employee attends an orientation session. In addition, leadership as outlined above is responsible for all job training.

Individuals employed by the University may be sent, at University expense, to specialized training programs to develop new skills or expand existing ones, or to develop expertise on new policies, laws or practices the University must comply with. Employees may also be requested to take University courses as a part of their training.

The University may require all personnel to participate in short courses, seminars or lectures involving major changes in policy or on subjects of significant importance to the University. These sessions may involve (but are not limited to) sessions on safety, sexual harassment and equal opportunity policy, legal matters and appropriate conduct/relationships between individuals employed by the University and students.

The University will attempt to schedule training, orientation sessions and seminars to avoid conflicts with work and teaching schedules. Faculty, staff and administrators scheduled to attend such sessions, however, are expected to do so as a condition of employment.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Introductory Period

**Policy No:** 213

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:** August 1, 2008

---

**INTRODUCTORY PERIOD**

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Millikin University uses this period to evaluate employee capabilities, work habits, and overall performance, and give at least one performance evaluation. Either the employee or Millikin University may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice and without the right to file a grievance.

All new hourly employees work on an introductory basis for the first ninety (90) days after their date of hire. If Millikin University determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specific period.

During the introductory period, new employees are eligible for those benefits that are required by law, such as worker's compensation insurance and social security. Full-time employees are eligible for other benefits such as medical, dental, life, supplemental life, long-term disability, retirement plan following the waiting period for each benefit. Employees should read the information for each specific benefit program for the details on eligibility requirements.

The introductory period of employment cannot be accomplished during an approved leave of absence, (i.e., for medical reasons). An introductory period interrupted by an absence of one week or longer will be extended by the length of the absence.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employment Records

**Policy No:** 214

**Applicability** *All*

**Effective:** July 16, 2004

**Revised:**

---

**EMPLOYMENT RECORDS**

Millikin University maintains files on each faculty member, staff employee and administrator. These records support hiring, termination, promotion and discipline, help determine eligibility for pay and benefits and record skills and accomplishments. Millikin faculty, staff and administrators have a reasonable expectation of access to and accuracy of their personnel records. Faculty, staff and administrators have a reasonable (and in some cases a legal) right of privacy concerning such records. The University's personnel records may be reviewed and be subpoenaed in certain kinds of legal action.

The University supports several official record keeping systems:

- The Office of the Provost will maintain material relevant to the academic activities of Faculty members.
- The Human Resources Department maintains individual employment records for all faculty, staff and administrators.
- The Human Resources Department maintains all medical information relating to an employee in a separate medical records file.
- Special sensitive information: As needed, the HR department will maintain separate and distinct files on Immigration and Naturalization form I-9's, medical leave records and to the extent necessary, files on background checks and drug testing results.

Contact the Human Resources Department for additional information concerning employment records and files.



**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Transfers and Promotions

**Policy No:** 215

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**TRANSFER/PROMOTIONS**

When job openings occur in other departments of the University, and if a current employee is qualified for that vacancy, that individual may request a transfer to the new department. Employees interested in transferring will be given consideration before the position is filled. If transfers within departments would appear to be to the best advantage of both an employee and the University, the University may initiate a transfer.

Employees may also request to be considered for a promotional opportunity. However, to be promoted, there must be a position available within the organization. In addition, employees will only be eligible for promotion if they have been in their current position for a minimum of six months, have a satisfactory performance record and have not been issued any corrective action in the previous six-month period. In the event of extraordinary circumstances, any of the above criteria may be waived with the approval of Human Resources.

Employees requesting a promotion should apply to Human Resources. Human Resources will review the employee's resume and his/her personnel file to ensure that he/she meets the requirements for a promotion.

Employee transfers or promotions should not create a direct or indirect supervisor/subordinate relationship with an immediate family member.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Termination of Employment or Appointment

**Policy No:** 216

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**TERMINATION OF EMPLOYMENT OR APPOINTMENT**

Faculty, staff and administrators, regardless of position, typically have significant access to assets and information belonging to the University. They may also have obligations to the University that must be discharged before employment or appointment concludes. At such times as they leave University service, the following shall be observed:

Notification:

***Resignation:***

Staff and Administrators desiring to terminate their employment relationship with Millikin are expected to notify Millikin at least two weeks in advance of their intended departure. Such notice should be given in writing to your supervisor and the Human Resources Department.

Faculty may provide notification any time but are expected to complete the academic year in session when they announce their intention to resign. Mid year resignations must be approved by the Provost.

***Retirement:*** Employees who plan to retire are urged to provide Millikin with a minimum of two month's notice. This will allow ample time for the processing of appropriate pension forms to ensure that any retirement benefits to which an employee may be entitled commence in a timely manner.

The Department Chair, Director, Dean or immediate supervisor of the terminating faculty, staff or administrative employee shall be responsible for written notification to Human Resources within 48 hours of resignation (or 24 hours prior to termination in the case of involuntary separation. Notification to include:

- The last day of employment
- Earned but unused vacation days to be paid (if applicable)
- Return of University property: All property, documents, publications, software, and equipment of all University property shall be returned on the last day of employment. Items to be returned include:

- University I.D. card
- All University issued keys

- University credit or telephone calling cards
- Media equipment, laptop computers or other University owned property

Human Resources will verify the information and notify the following departments or groups (via e-mail): Controller, Student Service Center, University Services, Library, Information Technology, Access Control, Payroll, Mail Room, and Development regarding the discontinuation of e-mail, voice mail, Banner administration, building access and other system or network access. Unless other arrangements are made and approved by the Director of Information Technology, access to University systems and networks will be eliminated on the last day of employment. Any exceptions will require the approval of the appropriate Vice President and Human Resources.

Involuntary separations: The Department Chair, Director, Dean or immediate supervisor of the terminating faculty, staff or administrative employee shall notify Human resources of the reason for the involuntary termination. The Human Resources Director shall be given the opportunity to review and approve the proposed termination and, if necessary consult with the University Attorney regarding the proposed termination.

When an employee wishes to resign because of illness or for personal reasons, the possibility of a leave of absence may be explored if the employee has a good work record and has sufficient length of service. The employee is expected to give at least two weeks notice before voluntarily terminating employment. Employees are required to turn in all company property prior to receiving their last paycheck.

When employees leave Millikin University voluntarily, they will be asked to participate in an exit interview. The primary purpose of this exit interview is to ask for valuable feedback about employees' work experiences at Millikin University. Participation in an exit interview is strictly voluntary.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Re-employment

**Policy No:** 217

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**RE-EMPLOYMENT**

A former employee seeking re-employment with the University is required to show previous University employment on his/her application. If the termination period is for more than one year, the employee forfeits previously accrued sick leave, length of service for vacation privileges, and other benefits as might be based upon length of continuous service with the University. Such an individual will, upon re-employment, be considered for benefits on the same basis as a new employee.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Employment of Relatives

**Policy No:** 218

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYMENT OF RELATIVES (NEPOTISM)**

The University may employ relatives of current employees provided such individuals meet regular University employment standards.

For purposes of this policy, the term "relatives" includes spouse, parent, child or individual for whom a faculty or staff member has been assigned legal responsibility in a guardianship capacity, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, cousins, step relatives, in-law relations, or any individual with whom an employee has a close personal relationship (such as domestic partners, co-habitant, or significant other). No faculty member or administrator will directly supervise a relative as defined in this policy. Supervision includes acting as Chair in the same department, Dean of the same school or other situations involving review of academic performance and other decisions about how, when, where, and to whom course content is delivered. Millikin reserves the right to determine in all cases if a close enough familial relationship exists to prohibit a supervisory relationship.

Faculty or staff members shall not initiate, participate in, or exercise any influence over departmental or institutional decisions involving a direct benefit to a member related by family or marriage (such benefits include initial appointment, retention, promotion, tenure, salary, leave of absence, and grievance adjustment).

In situations where a conflict of interest related to family relationships might occur under normal operating procedures, the responsibility for the decision will pass to the next higher administrative level.

**Marriage Relationship between Employees**

Employees who marry or establish a close personal relationship such as a domestic partnership can continue in their current positions as long as a prohibited employment relationships is not created. If a prohibited situation does occur, attempts will be made to find another position within the University to which one of the employees can transfer or find an alternative reporting structure. If accommodations of this nature are not feasible, the University will terminate the employment of one of the employees.

Employees who become subject to this policy's provisions due to marriage or commencement of a close personal relationship must inform their supervisor and Human Resources as soon as practical.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Job Sharing

**Policy No:** 219

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**JOB SHARING**

In order to accommodate the needs of our employees, Millikin University will permit some employees in specific positions to job share. Some positions within the organization, by their very nature, cannot be shared. For example, positions that require the supervision of other employees usually cannot be shared since it is an integral part of the position for the supervisor to establish a one-on-one coaching relationship to assist employees in their growth and development. Millikin University will determine whether a specific job may be effectively performed by two individuals and whether both individuals can effectively work in a job sharing arrangement.

Employees interested in job sharing should discuss with their managers whether job sharing is an option in their current position. If the manager agrees, the employee and manager should meet with Human Resources in order to draft an agreement that permits two employees to job share. That Agreement will need to be signed by both employees; the employees' manager, and Human Resources. The Agreement will include:

1. the hours and days each employee must be present in the workplace;
2. the work equipment that will be necessary for the employees to job share;
3. the performance expectations for the jobs; and
4. the reporting requirements for the job under a job share arrangement.

Millikin University reserves the right to revise or rescind this arrangement at any time for any reason or no reason at all.

Participation in a job sharing arrangement does not alter the "at will" nature of employment at the University. The University, therefore, retains the right to terminate the employment of either employee or both employees in the job sharing arrangement at any time.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employment

**Policy:** Service Dates

**Policy No:** 220

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**SERVICE DATES**

Your service date, for the purpose of determining benefits, is the date that you were initially employed full-time by the University, after which there has been no break in service by reason of termination of your full-time employee status.

Your service date, for the purpose of seniority, is the date you initially began employment at Millikin University, after which there has been less than a one-year break in service.

**Section 3**  
**Compensation**



**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Wage and Salary Information

**Policy No:** 301

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**WAGE AND SALARY ADMINISTRATION**

In establishing its wage and salary administration program, Millikin University strives to achieve the following:

- Attract and retain highly competent employees;
- Offer employees incentives to excel in their work;
- Maintain internal equity among employees based on similar education, skills and responsibilities;
- Reward individual efforts; and
- Comply with all governmental regulations.

The procedure for establishing wage scales and job ranges is:

- To evaluate each job in objective terms;
- To establish a salary range for each job, taking into account its relative importance to the organization
- To determine a jobs' worth in comparison to the marketplace; and
- To set an individuals salary within the job range by using such factors as performance, time in the specific job, the employee's education, and the employee's unique skill set.

Employees have the right to know the salary range of their current job upon request. They should also be made aware of the salary range of any job for which they apply within the organization.

Human Resources is responsible for the overall administration of all wage and salary programs and for developing and publishing specific guidelines and policies for its implementation.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Employee Classifications

**Policy No:** 302

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYEE CLASSIFICATIONS**

The Fair Labor Standards Act requires all employees to be classified according to the overtime provisions of the law. For the purpose of paying any compensation, all employees are classified as either "Exempt" or "Non-Exempt" from overtime compensation. All determinations of wage classification status are made through the job evaluation process.

Human Resources is responsible for classifying all employees into one of three categories for eligibility to receive certain benefits offered by Millikin University. These categories are defined as:

1. Full-Time – An employee who is normally scheduled to work a minimum of 32 hours per week for a minimum of 40 weeks per year.
2. Part-Time – An employee who is expected to establish a continuity of service, but is scheduled for less than 32 hours per week. A part-time employee is expected to work more than twenty-six weeks per year.
3. Temporary (or Seasonal) – An employee who is hired for a specific period of time and is not expected to establish a continuity of service. It is expected that an employee should not remain in temporary job status longer than six (6) months.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Pay Periods and Pay Days

**Policy No:** 303

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PAY PERIODS AND PAY DAYS**

All exempt employees are paid on a semi-monthly basis, usually on the 15<sup>th</sup> and on the last day of the month. If the scheduled payday falls on a weekend or University observed holiday, you will usually be paid on the workday preceding the weekend or holiday.

All non-exempt employees are paid on a bi-weekly basis. If the scheduled payday falls on a University observed holiday, you will usually be paid on the preceding workday. The payroll period ends every other Saturday at midnight and the compensation for that period is normally distributed on the following Friday.

Employees who have regular e-mail access will receive a statement of earnings electronically via MU Online. Notification that statements of earnings are available for view will come to each employee via e-mail.

Employees should take care not to endorse checks until they are actually in a cashing facility. Lost checks or non-delivery of funds to the employee's bank should be reported to the Payroll Department immediately. If theft is suspected on University premises, the Security Office should also be called. Payroll checks may not be mailed to, or given to, anyone other than the employee for whom the check is intended, unless the employee designates, in writing, another individual to pick up the check.

Questions regarding time or hours worked, holiday pay, or sick pay should be discussed by the employee with the supervisor or department head. If necessary, the Controller's office or Human Resources may be consulted for clarification of questions regarding salary and paychecks.

All employees whose service date is July 1, 2000 or later will receive pay or expense reimbursements via electronic deposit to the financial institution of their choice. Contact Human Resources to set up a direct deposit and to ensure that pay is directed to the proper financial institution.

## **Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Working Hours And Overtime

**Policy No:** 304

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

### **WORKING HOURS AND OVERTIME**

Workday and week: The normal workweek for full-time employees is 40 hours measured from Sunday through Saturday of a week; the normal work hours are 8:00 a.m. to 5:00 p.m., with a one-hour period for lunch (depending upon department assignment) at a time to be designated by your supervisor. It is sometimes necessary to reschedule employees to work other than normal hours of duty. Department work schedules will be announced to give employees as much advance notice as possible. Employees are expected to report to work on time daily and to remain on the job throughout their regular work hours.

Non-exempt employees receive two fifteen-minute paid break periods for each full workday, one approximately a quarter of the way into the workday and one approximately three quarters into the workday. Employees are not to leave the premises during this paid break period

Modification to working hours: Millikin University reserves the right to modify an employee's starting and quitting time as well as the number of hours worked to accommodate business needs.

#### Overtime

**Exempt Employees:** Administrators (those paid semi-monthly at Millikin) are normally considered exempt under the provisions of the Fair Labor Standards Act and the University's overtime policy. As such, they are not eligible to be paid overtime for hours worked in excess of 40 hours during the week. Exempt employees are expected to perform their duties for such periods as may be required. This may require extending their normal workweek to fulfill the requirements of their positions when necessary. Equivalent time off or additional pay will not be granted for any services rendered in excess of the normal work schedule. A supervisor may adjust an employee's workweek if they choose to by allowing an employee to come in late or leave early, providing the time off is taken within the same work week.

**Non-exempt Employees:** Non-exempt staff (those paid hourly at Millikin) are subject to the Fair Labor Standards Act and, as such will be paid at the rate of one and one-half times their regular rate of pay for all hours worked in excess of 40 hours in one workweek.

1. The use of overtime must be authorized prior to actual overtime hours being worked. Overtime is approved by the employee's immediate supervisor and by the Dean, Director or Vice President to whom the employee reports. Upon completion of overtime work, the supervisor is required to certify the number of hours worked and that the required work was completed by signing the overtime approval on the timesheet.

2. Overtime is computed on a 7-day, 40-hour workweek. Overtime will be paid for all hours or fractional hours (calculated on a quarter hour basis) worked in excess of 40 hours in any given week. In order to qualify for overtime payments, employees must work in excess of 40 hours during the week. Fractional hours (i.e. quarter hour increments) are credited after 7 minutes. In other words, an employee whose shift ends at 5:00 p.m. is credited with 15 minutes overtime at 5:08. Vacation/sick time and other paid hours do not count toward hours worked for computing overtime. Overtime is at the supervisor's discretion and before working overtime, you should secure your supervisor's permission. Failure to do so may be considered grounds for discipline, up to and including termination.

3. An employee who must work on a designated paid holiday will be paid straight time for hours worked in addition to the regular holiday pay.

Adjusted Workweek: Employees may take time off with pay instead of being paid overtime if the workload permits (as determined by the supervisor) and if the overtime was earned during the same week. If it is not possible to schedule this time off within the same work week, the overtime must be paid rather than granting time off with pay at some future time. Your supervisor will attempt to provide you with reasonable notice when the need for overtime arises. Please remember, however, that advance notice may not always be possible.

On Call Time: Due to the nature of the business, non-exempt employees are occasionally required to respond to business needs outside of normal business hours. Therefore, if non-exempt employees are called in to work outside of their normal workday, they will be paid for a minimum of two hours work or for the amount of time worked, whichever is greater.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Time Cards and Time Sheets

**Policy No:** 305

**Applicability** *Hourly Staff*

**Effective:** March 15, 2005

**Revised:**

---

**TIME SHEETS/TIME RECORD FORMS**

Time sheets are official records of time worked. The working day includes either 30 minutes or one hour for lunch (depending upon department assignment). To ensure that accurate records are kept of the hours that you actually work (including overtime) and of the accrued leave time you have taken, and to ensure that you are paid in a timely fashion, please record your time worked and absences on Millikin's official time record form. You should fill in this form daily and at the end of the workweek, sign it and forward it to your supervisor for review.

Processing:

1. After reviewing all time record forms and resolving any discrepancies, supervisors will sign the forms and forward them to payroll for processing.

2. Time sheets are available either in your department or in the mailroom, (Shilling Hall 105).

3. It is the employee's responsibility to ensure that his or her actual hours worked and leave time taken are recorded accurately. Each employee is responsible for accurately completing of his/her time sheet. Altering or submitting another employee's time sheet is a violation of University policy and is grounds for immediate termination. Notify your supervisor immediately if you believe your time has been improperly recorded or your pay has been incorrectly calculated

4. The Use of overtime must be authorized prior to actual overtime hours being worked. The University requires submission of an overtime approval form that is available on the University Web site. Search for "Quick Links" and click on employment. Overtime is approved by the employee's immediate supervisor and by the Dean, Director or Vice President to whom the employee reports. Upon completion of overtime work, the supervisor is required to certify the number of hours worked and that the required work was completed.

2. Completed overtime authorization forms are to be attached to the employee's time sheet for the time period during which overtime was worked. Payroll will not pay overtime unless the overtime approval form is attached.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Safe Harbor Policy

**Policy No.** 306

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**SAFE HARBOR POLICY**

It is Millikin University's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws.

Millikin University makes every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes happen. When mistakes do happen and are called to our attention, we will promptly make any corrections necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred, or you have any questions please use the reporting procedure outlined below.

**Non-exempt Employees**

If you are classified as a non-exempt employee, you must maintain a record of the total hours you work each day. These hours must be accurately recorded on a timesheet to verify that the reported hours worked are complete and accurate. Your timesheet must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures and lunch break. At the end of every other week, you should submit your completed timesheet to your supervisor for verification and approval. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" works means work you may perform but fail to report on your timesheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination.

It is a violation of Millikin University's policy for any employee to falsify a timesheet, or to alter another employee's timesheet. It is also a serious violation of Millikin University's policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's timesheet to under- or over-report hours worked. If a manager instructs you to (1) incorrectly, or falsely under- or over-report hours worked; or (2) alter another employee's timesheet records to inaccurately or falsely report that employee's hours worked, you should report it immediately to Human Resources at 217-362-6416.

**Exempt Employees**

If you are classified as an exempt employee you will receive a salary, which is intended to compensate you for any hours you may work for Millikin University. This salary is established at the time of hire or when you become classified as an exempt employee. In addition, Millikin University will not make deductions from salary that is prohibited under the Fair Labor Standards Act.

### **To Report Concerns or Obtain More Information**

If you have questions about deductions from your pay, please contact the Payroll or Human Resources Department. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked you should immediately report the matter to your supervisor. If the supervisor is unavailable or if you believe it would be inappropriate to contact that person, you should immediately contact Human Resources at 217-362-6416. If you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the Vice President of Business and Finance at 217-424-6314.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including termination for any employee(s) who violate this policy. In addition, Millikin University will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in Millikin University's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.



**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Social Security

**Policy No:** 307

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**SOCIAL SECURITY**

The University and the employee contribute equally to the cost of Social Security benefits. The deduction from the paycheck and the amount contributed by the University are deposited to the credit of the employee with the Federal government according to Federal regulations.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Time Cards and Time Sheets

**Policy No:** 308

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PAYROLL DEDUCTIONS**

Required payroll deductions are:

1. Federal income tax
2. State income tax
3. Social Security (FICA)
4. Those otherwise required by law and court order.

An employee may request these additional deductions:

1. Tax-deferred annuities (tax-sheltered) for retirement
2. University sponsored dependent medical and dental insurance premium
3. Flexible Spending Account (FSA)
4. Other deductions authorized by the employee (e.g. United Way, Millikin Fund, Capital campaign)

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Relocation Expenses

**Policy No:** 309

**Applicability**

***All***

**Effective: March 15, 2005**

**Revised:**

---

**RELOCATION EXPENSES**

The Human Resource Director manages a recruiting account that includes funds to help defray the costs of employee relocation. As relocation can be a very large expense, the following guidelines apply:

- Relocation assistance is available only to those faculty, staff and administrators who are newly hired.
- No relocation assistance is available for newly hired employees who already live within 50 miles of the University.
- No member of management may commit to relocation reimbursement without prior approval of the Vice President for Finance and Business Affairs.
- Reimbursement is limited to two categories of expenses:
  - a. Cost for the transportation of Household Goods and Personal Effects
  - b. Personal transportation and lodging expenses.

The actual amount to be reimbursed will be negotiated by the hiring manager and Director of Human Resources. The maximum amount that will normally be paid, however will be equal to the sum of:

- a. The cost of a rental moving van (e.g. U-Haul, Ryder) acquired for the minimum driving time and distance needed to transit from the employee's former residence to Decatur.
- b. The average per diem rate published in IRS publication 1542 (<http://www.irs.gov/pub/irs-pdf/p1542.pdf>).

Throughout the relocation, the employee is required to keep a record of allowable relocation expenses incurred along with receipts. Reimbursement of allowable expenses will be paid upon receipt of an expense report accompanied by the required paid receipts. The expense form should contain only relocation expenses and must be signed by the employee's immediate supervisor and forwarded to the Director of Human Resources for review and approval. The approved expense form will be forwarded to Accounts Payable for check preparation.

The employee must remain employed with the organization at least one (1) year following the final payment of relocation expenses, or the employee will be responsible for repaying

relocation expenses in full. Employees who are laid off from their positions will not be required to repay any relocation expense paid on their behalf by Millikin University.

At such time as the recruiting fund is exhausted for the year, relocation expenses shall be reimbursed from the budget of the Department employing the new hire.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** Payroll Advances & Loans

**Policy No:** 310

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PAYROLL ADVANCES/LOANS**

Employees are expected to use their banking institution or other resources whenever loans are needed. Any advance against future earnings should be considered an unusual request and granted only under extreme circumstances (e.g. home destroyed due to fire or natural disaster, untimely death of spouse etc).

The employee receiving the advance will sign a promissory note outlining repayment provisions. The entire advance will be deducted from the employee's next check. These terms must be indicated in the promissory note.

Requests for Payroll advances shall be presented to the Controller.

**Millikin Employee Handbook/Policy Guide**

**Section:** Compensation

**Policy:** University Vehicles as Compensation

**Policy No:** 311

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**UNIVERSITY VEHICLES AS COMPENSATION**

Certain job positions allow for the personal assignment of a University vehicle. As a general rule, an employee will be considered for assignment of a University vehicle only when the employee's duties are discharged outside of the Decatur area more days than the employee is on campus in Decatur.

University owned vehicles are typically intended for use on University business. Use of a University owned vehicle for personal business or pleasure is taxable and must be reported on the employee's W-2. The amount reported is generally determined either by the leasing cost of a comparable automobile or, under a special valuation method set forth in IRS regulations.

Employees are responsible for keeping accurate trip records and substantiating the percentage of time a vehicle is used for personal vs. work purposes. Based in part on the employee's records, the Business office will provide employees with an amount that will be included on the W-2.

Transits between home and work are considered personal use. W-2's for Employees who have been issued a University vehicle as part of their compensation package will normally reflect the percentage of personal use.

Employees operating University vehicles whether on or off University business are prohibited from using cellular or mobile phones while the vehicle is in motion.

**Millikin Employee Handbook/Policy Guide**

**Section:** Benefits

**Policy:** Unemployment Compensation

**Policy No:** 312

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**UNEMPLOYMENT COMPENSATION**

Employees of the University are eligible to file for unemployment compensation benefits. The State of Illinois Division of Unemployment Compensation administers this program. There is no direct cost to the employee for this benefit since the University must reimburse the State for the cost of benefits paid to former employees.

**Section 4**  
**TIME OFF BENEFITS**



**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Vacation for Administrators

**Policy No:** 401

**Applicability** *Administrators*

**Effective:** March 15, 2005

**Revised:** December 1, 2011

---

**VACATION FOR ADMINISTRATORS**

Full-time exempt employees accrue vacation at the rate of 1.67 days per month to a maximum of four (4) weeks per year. Although Administrators accrue vacation at 1.67 days per month, vacation time is given in a lump sum every July 1, or upon initial hire date. New hires, whose start date is a date other than July 1, will receive pro-rated vacation during their first year. There is no carry over of unused vacation time from one year to the next, with the exception of new hires (See examples below). All vacation requests must be approved by the supervisor prior to taking the vacation time and will be tracked through payroll. The approved vacation request forms are on the Human Resources website and should be sent to payroll each pay period.

Employees are required to take their earned vacation. No payments will be made in lieu of taking vacation except at termination. Employees are entitled to payment on a prorated basis for all unused, accrued vacation on their final paycheck.

Procedure for Administering Vacation Policy

- A. Continuing Employees:  
Employees will receive four (4) weeks' vacation each July 1. Any unused vacation from the previous year will not be carried over into the new vacation year. In addition, should the employee leave their position with the University, the University will pay vacation days on a pro-rated basis based on the number of months worked, up to the 20-day maximum accrual.
  
- B. New Hires:  
There is a six (6) month waiting period before an employee can begin using their vacation. However, new hires begin earning at the rate of 1.67 days per month, beginning with the first full month of employment. The vacation accrual schedule is as follows:

<b>FIRST FULL MONTH OF EMPLOYMENT</b>	<b>VACATION DAYS EARNED</b>
July	20
August	18.37
September	16.7
October	15
November	13.36

December	11.69
January	10
February	8.35
March	6.68
April	5
May	3.34
June	1.67

If the six (6) month waiting period ends after April 1, the employee's partial year accrual shall be added to the four (4) week accrual received on July 1.

Example:

1. DOH 2/2/2011, partial year accrual equals 8.35 days and the employee is eligible to take vacation on 8/3/2011. Since this occurs *after* April 1, 2011, the employee would have 28.37 days of vacation, which must be taken between 8/3/2011 and 6/30/2012.
  
2. DOH 8/11/2011, partial year accrual equals 16.67 days and the employee is eligible to take vacation on 2/12/2012. Since the six (6) month waiting period is before April 1, the 16.67 vacations must be taken between 2/12/2012 and 6/30/2012. Any unused days will be forfeited. Effective July 1, the employee will accrue four (4) weeks vacation.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Vacation for Staff

**Policy No:** 402

**Applicability** *Hourly Staff*

**Effective:** March 15, 2005

**Revised:**

---

**VACATION FOR STAFF**

Vacation benefits are provided for each regular full-time employee and are necessary for the proper fulfillment of his or her employment. Employees are expected and encouraged to take their earned vacation within the specified time. Vacation time is not earned during an extended leave of absence. The maximum number of hours that may be earned depends upon the employee's length of service. Full-time employees are entitled to vacation with pay according to the following schedule:

Less than one-year employment	Vacation time will accrue but may not be taken until after six (6) months of employment
1 to 10 years	80 hours of vacation
10 to 20 years	120 hours of vacation
20 years and over	160 hours of vacation

Maximum vacation carry-overs are as follows:

1 to 10 years	Maximum 120 accrued vacation hours
10 to 20 years	Maximum 180 accrued vacation hours
20 years and over	Maximum 240 accrued vacation hours

If one of the basic paid holidays falls within the employee's vacation period, such time will not be charged against accrued vacation time. No allowance will be made for sickness or other incapacity.

It is your responsibility to know your accrued vacation hours.

Scheduling of vacations is coordinated by the employee's immediate supervisor, and senior employees will generally be given preference whenever possible.

Vacations may be split providing the workload of the department permits this kind of scheduling. As determined by the supervisor, vacation time can be taken in increments of one-half (1/2) hour or more. If your department shuts down for a specific period, you may be required to take your vacation during the period of shutdown.

Employees are required to take their earned vacation. No payments will be made in lieu of taking vacation. Employees who terminate are entitled to payment for all unused, accrued vacation.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Holidays

**Policy No:** 403

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**HOLIDAYS**

The University observes eleven holidays and allows time off with pay for regular, full-time employees. They are: **New Year's Day, Martin Luther King's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the following Friday, Christmas Eve, and Christmas Day.** **Administrative and Staff employees will receive one floating holiday per calendar year.**

If a holiday occurs on Saturday, it will be observed on Friday. If a holiday occurs on Sunday, it will be observed on the following Monday. Full-time employees may receive holiday pay immediately upon employment. Floating holidays are subject to departmental approval and must be taken in the calendar year in which they are earned; they do not accrue. All floating holidays earned but not taken in the calendar year will be forfeited.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Holiday Pay and Time off

**Policy No:** 404

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**HOLIDAY PAY AND TIME OFF**

If a holiday occurs on an employee's regular day off, an additional day off with pay may be granted. For hourly employees, this additional day off must be within the same pay period.

Hourly employees who must work on a designated holiday for which an alternate day off cannot be arranged, will be paid for their hours worked plus holiday pay. Holiday pay will not be counted towards overtime. To receive holiday pay, the hourly employee must work their scheduled day before and after the holiday.

An employee is eligible to receive Holiday pay if they are on an approved vacation or personal day for these required days. When the holiday falls while an eligible employee is on an approved paid leave, the holiday will not be charged against the employee's accrued leave balance.

Part time and temporary employees are not eligible to receive holiday pay.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Sick Leave

**Policy No:** 405

**Applicability** *Staff and Administrators*

**Effective:** September 1, 2006

**Revised:** December 1, 2011

---

**SICK LEAVE**

*General policy:* The University provides sick leave benefits for the protection of the employee in times of illness. Sick leave may also be used for illnesses related to the employee's eligible dependents, as defined under FMLA. Accumulated sick leave may be used after at least sixty (60) days of continuous employment when an accident, illness, including pregnancy, or injury not covered by Worker's Compensation, and related confinement, prevents an employee from performing his/her assigned duties.

*Eligibility for Sick Leave:* To be eligible for sick leave, the following conditions must be met:

Employee must notify their supervisor or department head of their illness as early as possible in advance of the beginning of their work shift. The employee should describe the nature of the illness and expected date and/or time of return to work.

Sick leave compensation normally will be paid for the first two days without a physician's statement. A physician's statement may be required for absences of three or more working days. However, a physician's statement may be requested at any time whenever deemed appropriate by the supervisor. Each employee is responsible for keeping his/her supervisor or department head informed of his/her physical condition and estimated date of return throughout his/her absence.

*Accounting for sick leave:*

Sick leave will generally begin when the supervisor is informed that the employee is ill or when employee submits a statement from his/her physician that he/she is physically unable to work (whichever is earlier). Sick leave will continue until the employee returns or (if after three days) the physician indicates that the employee is physically able to return to work. Sick leave may also be used for medical, dental, and optical appointments. The record of each employee's accumulated sick leave hours is maintained in the Payroll Office, with the balance reported each pay period on the employee's paycheck stub.

Holidays occurring during a paid sick leave shall be paid as a holiday and not as sick leave.

Illness or injury during a vacation or during an unpaid leave of absence will not be considered for paid sick benefits.

Any employee returning to work from an illness or injury that requires an absence of three working days or more may be required to submit a physician's statement indicating that the employee is fit to return to work.

Sick leave is not payable upon termination and may not be counted toward the computation of overtime or compensatory time. Sick leave should be treated as a form of insurance and not as extra days off from work.

*Abuse of Sick Leave:* Repeated occurrence of sick leave or request for sick leave just before or after normal absences (e.g. sick on Monday after a weekend, sick just before scheduled vacation or a holiday) may be an indication of abuse of sick leave. When abuse of sick leave is suspected, the supervisor shall document the pattern he/she is seeing and shall issue a written warning that abuse of sick leave is possible. It is the employee's responsibility to successfully refute that sick leave is being abused. If the pattern continues, disciplinary action, up to and including termination, is appropriate.

*Accrual of Sick Leave for Administrators and other exempt staff:*

- Full-time administrative (exempt) staff shall be eligible for sick leave benefits. The maximum number of sick days allowed shall be 120 days. Sick days can be used to cover an employee's absence due to personal illness or injury. Sick leave when used in conjunction with Family Medical Leave may also be used to cover an absence due to a serious illness or injury of an immediate family member. Unused sick leave will not be paid upon termination of employment. An illness or injury that occurs during a vacation or an unpaid leave of absence will not be considered for sick leave benefits.
- New employees shall receive pro-rated sick leave benefits for the first year at the rate of 1 day per each full month of employment beginning July 1. Following the first year, exempt employees shall accrue 12 sick days per year on July 1, up to the maximum number of sick days allowed. Sick leave accruals will appear on the employee's pay stub.

<b>FIRST FULL MONTH OF EMPLOYMENT</b>	<b>PRORATED SICK DAYS</b>
July	12
August	11
September	10
October	9
November	8
December	7
January	6
February	5
March	4
April	3
May	2
June	1

*Accrual of Sick Leave for Hourly Staff:*

Sick leave benefits for hourly staff accrue at the rate of 13 days for each year of service up to a maximum total of 130 days or 1040 hours. Sick leave may be taken in increments of ½ hour or more.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Personal Time

**Policy No:** 406

**Applicability** *Hourly Staff*

**Effective:** March 15, 2005

**Revised:**

---

**PERSONAL TIME**

Personal time is provided to all regular full-time hourly employees. It may be taken after at least sixty (60) days of continuous employment. Personal time accrues at the rate of 1.5385 hours per pay period to a maximum of 40 hours. The number of hours accrued is shown on each earnings record. Personal time may be taken after consultation with the hourly employee's immediate supervisor and should be arranged well in advance. Personal time may be added to vacation time only at the discretion of the supervisor. Personal time is intended to be used for such matters as legal or court affairs, emergencies, and the like. Personal leave may be taken in increments of ½ hour or more.



**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Leave Under The Provisions of the Family Medical Leave Act

**Policy No:** 407

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYEES WHO QUALIFY FOR A LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993**

Millikin will grant a leave of absence to regular full-time and regular part-time employees (who meet the requirements described below) for the care of a child after birth or adoption or placement with the employee for foster care, the care of a covered family member (spouse, child, or parent) with a serious health condition, or in the event of an employee's own serious health condition. In general, eligible employees are entitled to take up to twelve weeks of FMLA leave during any "leave year". The "leave year" is measured backward from the date FMLA leave is used. Generally, employees are not required to take the total annual FMLA leave all at once. Each time an eligible employee takes FMLA leave, the remaining leave entitlement would be any balance of the twelve weeks which has not been used during the prior twelve months. For example, if an employee has taken eight weeks of FMLA leave during the past twelve months, an additional four weeks of leave could be taken.

An employee must have completed at least one full year of service with Millikin and have worked a minimum of 1,250 hours in the twelve-month period preceding the leave to be eligible for such leave. Employees who do not qualify for leave under the family medical leave act or who request unpaid leave in excess of that permitted hereunder may apply for a leave of absence subject to the conditions described in policy 409 (Personal Leaves of Absence).

**Child/Family Care Leave**

If you request a leave of absence to care for a child after birth, adoption, or placement in your home for foster care or to care for a covered family member with a serious health condition, you will be granted unpaid leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty (30) days' written notice prior to the anticipated leave date.
2. If the leave is unexpected, you should notify your supervisor and the Human Resources Department in writing as far in advance of the anticipated leave date as is practicable. (Normally, this should be within two (2) business days of when the need for the leave becomes known to the employee.

Employees requesting a leave to care for a covered family member with a serious health condition may be required to provide medical certification from the family member's physician

attesting to the nature of the serious health condition, probable length of time treatment will be required, and the reasons that the employee is required to care for this family member. Employees may also be required to provide additional physician's statements at Millikin's request at reasonable intervals. Further, the family member may be required to submit to a medical examination by a physician designated by Millikin at Millikin's expense.

### Leave for Employee's Serious Health Condition

If you request a leave of absence for your own serious health condition, you will be granted leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty (30) days' written notice prior to the anticipated leave date.
2. If the leave is unexpected, you should notify your supervisor and the Human Resources Department in writing as far in advance of the anticipated leave date is practical. (Normally, this should be within two (2) business days of when the need for the leave becomes known to the employee.)
3. Any time that you expect to be or are absent for more than five (5) consecutive work days as a result of your own serious health condition (including pregnancy), you will be required to submit appropriate medical certification from your physician. Such certification must include, at a minimum, the date the disability began, a diagnosis, and the probable date of your return to work.

During your leave, you may also be required to provide Millikin with additional physician's statements on request from Millikin or Millikin's insurance carriers at reasonable intervals, attesting to your continued disability and inability to work. You may also be required to submit to medical examinations by physicians designated by Millikin at its discretion at Millikin's expense, at the beginning of, during, or at the end of your leave period, and to provide Millikin with access to your medical records as required.

Before you will be permitted to return from medical leave of five (5) consecutive days or more, you will be required to present Millikin with a note from your physician indicating that you are capable of returning to work and performing the essential functions of your position, with or without reasonable accommodation. Where required, Millikin will consider making reasonable accommodation for any disability you may have in accordance with applicable laws.

### Leave Entitlement

Eligible employees are entitled to a leave for up to twelve (12) weeks during any "leave year". The "leave-year" is measured backward from date FMLA leave is used. However, married couples employed by Millikin are entitled to a combined total of twelve (12) weeks of leave for childcare or to care for a sick parent.

Leave taken to care for a child after birth, adoption, or placement in your home for foster care must be taken in consecutive workweeks. Leave taken for the employee's or a covered family

member's serious health condition may be taken consecutively, intermittently, or on a reduced work/leave schedule based on certified medical necessity. In such instances, Millikin will follow applicable federal and state laws in reviewing and approving such leave requests. If intermittent leave is requested, the University may require you to transfer temporarily to an alternative position that better accommodates such schedule provided the alternative position that alternative position has equivalent pay and benefits.

To request a leave you will need to complete a Request for Family and Medical Leave of Absence Form in duplicate.

You should complete the form in detail, sign and submit to your immediate supervisor for proper approval and forwarding to the Human Resources Department.

### Benefits

All Millikin benefits that operate on an accrued basis (e.g., vacation, sick, personal time) will cease to accrue during any unpaid leave period.

You will be required to use all paid leave to which you are entitled, such as vacation, sick and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.

All group health benefits will continue during the leave period provided you continue regular employee contributions. (Other benefits such as retirement, life insurance and long-term disability, will be governed in accordance with the terms of each benefit plan).

In the event you do not return to work upon completion of an approved unpaid leave of absence, Millikin may recover from you the cost of any payments made to maintain employee coverage, unless your failure to return to work was for reasons beyond your control. Benefits entitlement based on length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

### Reinstatement Rights

Eligible employees are entitled on return from leave to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees (generally, among the highest ten percent of salaried employees) under certain conditions. In addition, employees on a leave extension are not guaranteed reinstatement. These employees will be handled in accordance with the reinstatement provisions in policy 409.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Victim's Economic Security and Safety Act (VESSA) Leave

**Policy No:** 408

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**VICTIM'S ECONOMIC SECURITY AND SAFETY ACT (VESSA) LEAVE**

**Eligibility for Leave**

An employee who is a victim of domestic or sexual violence is entitled to an unpaid leave for a maximum of twelve (12) weeks during a 12-month period for any of the following reasons:

- To obtain medical attention or to provide recovery from physical or psychological injuries caused by domestic or sexual violence;
- To obtain services from victim service agencies, psychological counseling, to participate in safety planning, temporary or permanent relocation or taking actions to increase safety; or
- Seeking legal assistance to ensure the health and safety of the employee, or the employee's family or household member or participate in a civil or criminal legal proceeding relating to domestic or sexual violence.

VESSA Leave may be taken for an employee or a member of their family or household member. For purposes of this policy, "family or household member" is defined as a parent and/or legal guardian, spouse, or child, whether a natural, adopted or step relationship.

VESSA DOES NOT CREATE ADDITIONAL RIGHTS UNDER FMLA, NOR IS VESSA LEAVE PROVIDED IN ADDITION TO FMLA. THE TOTAL LEAVE TAKEN UNDER VESSA AND/OR FMLA MAY NOT EXCEED TWELVE WEEKS.

**Request for Leave**

When foreseeable, employees are required to give a minimum of forty-eight (48) hours advance notice prior to the date the leave will begin. In the event the leave occurs unexpectedly, an employee must provide notice as soon as practical.

An employee requesting leave must identify in writing the reason for the leave, the anticipated start date and the anticipated duration of the leave. Human Resources may request appropriate certification to verify the reasons for the leave. A request for leave based upon domestic or sexual violence, whether it involves the employee or his or her family or household member, must be supported by certification. The request must be submitted before the leave is to begin if possible, or within ten (10) days after the request. Failure to provide the certification may result in denial of all privileges and benefits under this policy and result in

denial of reemployment upon completion of the leave. Millikin reserves the right to obtain additional corroborating evidence, if needed.

All information provided under this policy will be kept confidential, unless disclosure is required by federal or state law or applies to employment benefits.

### **Substitution of Paid Leave for Unpaid Leave**

All Millikin benefits that operate on an accrued basis (e.g., vacation, sick, and personal time) will cease to accrue during any unpaid leave period. An employee requesting leave will be required to substitute unused sick, personal or vacation days for unpaid leave under this policy. Once such benefits are exhausted, the balance of the leave will be without pay.

### **Intermittent Leave**

An employee may also take intermittent or reduced leave. Intermittent leave must be approved in advance. When an employee requests intermittent leave, Millikin reserves the right to temporarily transfer the employee to an alternate position for which the employee is qualified, with equivalent compensation and benefits. An employee is expected to use reasonable efforts to schedule medical appointments so as not to unduly disrupt the operations of Millikin University.

### **Continuation of Benefits**

All group health benefits will continue during the leave period provided the employee continues their regular contributions. (Other benefits such as retirement, life insurance and long-term disability, will be governed in accordance with the terms of each benefit plan).

In the event the employee does not return to work upon completion of an approved unpaid leave of absence, Millikin may recover from the employee the cost of any payments made to maintain the coverage, unless their failure to return to work was for reasons beyond their control. Benefits entitlement based on length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

### **Reinstatement Rights**

Eligible employees are entitled on return of leave to be reinstated to their former position or an equivalent position with equivalent benefits, compensation and terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., the employee's position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees (generally, among the highest ten percent of salaried employees) under certain conditions. In addition, employees on a leave extension are not guaranteed reinstatement. If an employee does not return to work at the end of the leave, they will be considered to have resigned voluntarily from their position with Millikin.

No employee will suffer adverse employment conditions because they have exercised their rights under this policy.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Personal Leaves of Absence

**Policy No:** 409

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**PERSONAL LEAVES OF ABSENCE**

1. Faculty

Leave Without Pay:

Full-time faculty with a year or more of continuous active service may request a leave of absence without pay, for reasons such as educational leave or personal leave. The normal maximum allowable time for a leave of absence without pay will be for a period of time not to exceed twelve months.

Faculty must submit a formal written request for a leave of absence to their departmental chair no later than December 15th, for an educational leave for the following academic year and at least two months in advance beginning date for personal leave. Emergency leave will be considered on an individual basis. The effective dates and the reason(s) for the leave of absence must be included in the request.

All leaves of absence without pay are subject to the approval of the individual's academic dean and Provost. If the request for a leave of absence exceeds four weeks, the President must approve it. Extensions beyond the original period must be approved by the individual's academic dean and Provost.

Faculty on an approved leave of absence without pay may continue to be covered by health, dental, and life insurance benefits if allowed under the plan currently in place and provided that the faculty member requests continuation of coverage in writing to the Human Resources Office and makes arrangements to remit the full premiums(s), monthly in advance.

Leave With Pay:

Full-time faculty may request a leave of absence with pay for extended medical leave (any illness which requires the employee to be absent from work for more than four weeks). The normal maximum allowable time for a leave of absence with pay will be for a period of time not to exceed six months.

Faculty members who are unable to perform their job duties due to an accident, illness (including pregnancy) or injury not covered by Worker's Compensation may request a leave of absence with pay for medical reasons. The circumstances requiring a leave of absence should be reported to the appropriate dean. Leave status will be approved by the dean and Provost.

Any faculty member returning to work from a medical leave of absence may be required to submit a physician's statement to Human Resources with a copy to the Provost, indicating that the faculty member is physically able to return to work.

Administrative approval of all cases of extended medical leave is the responsibility of the President of the University who will receive recommendations as to the appropriate action from the Dean and Provost.

## 2. Staff and Administrators:

There may be the rare occasion when an employee is faced with an emergency or special circumstance and needs to take an unpaid personal leave of absence. The employee's supervisor, in conjunction with Human Resources, may grant a personal leave of absence without pay. Each request for a leave of absence will be evaluated on an individual basis, taking into consideration length of service, work record, staffing needs, and reason and length of the leave. To qualify for a personal leave of absence, the employee must be classified as a full-time employee and must have completed at least three months of full-time service at the time of the request.

If approved, personal leaves of absence may be granted subject to the following terms and conditions:

1. Leave requests must be made at least thirty (30) days in advance of the date the employee would like the leave to begin or, in emergency situations with as much advance notice as is practicable. (Normally, this should be within two (2) business days of when the need for the leave becomes known to the employee.)

2. Employees, who are granted personal leaves of absences, are expected to exhaust any paid time off they have accrued before their leave status changes from paid to unpaid. Unless required by applicable law, employees will not accrue additional paid time off while on an unpaid leave of absence.

3. Unless otherwise required by law, leaves will be limited to a six-month duration. Leave may be extended at the sole discretion of the University.

4. Unless otherwise required by law, reinstatement will not be guaranteed to any employee requesting a Personal Leave of Absence. However, Millikin will endeavor to place employees returning from leave in their former position to a position comparable in status and pay, subject to budgetary restrictions and Millikin's need to fill vacancies and its ability to find qualified temporary replacements.

All questions regarding leaves of absence should be directed to Millikin's Human Resources Department.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Military Leave

**Policy No:** 410

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**MILITARY LEAVE**

Leaves of absence without pay for military or Reserve duty are granted to full-time regular and part time employees. If you are called to active military duty or to reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to your supervisor and to Human Resources as soon as is practical. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off will not be considered benefit time. However, employees may elect to have their reserve duty period be considered as benefit time to the extent they have such time available. To apply for leave, please see "Military Leave" in the "Procedures" section.



**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Bereavement Leave

**Policy No:** 411

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**BEREAVEMENT LEAVE**

Millikin University recognizes the need for time away from work in instances of personal loss. Should a death occur in the immediate family of any full-time employee, he/she will be granted up to five (5) days off without loss of pay, benefits or without incurring other compensation related penalties. If employees need time in excess of five days, they may request a leave of absence or use accrued vacation or personal leave time with the approval of their supervisor and Human Resources. Payment for the bereavement leave is at the employee's straight time rate of pay.

Immediate family shall be defined as spouse, parent, child, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, stepparent and stepchild.

One (1) workday with pay will be granted for the funeral of the following relatives: grandparent, grandchild, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece.

To be eligible for excused absences, the employee should notify their supervisor or department chair immediately. Millikin University reserves the right to request all pertinent information including the deceased relative's name, name and address of the funeral home, and date of the funeral.

Time off with paid vacation day(s) or personal day(s) may also be granted to attend the funerals of other close relatives or friends with the approval of the employee's supervisor.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Religious Leave

**Policy No:** 412

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**RELIGIOUS LEAVE**

The University observes a traditional Monday through Friday business and academic week. Except for those assigned to off hours shifts, Faculty, Staff and Administrators desiring employment accept regular business and academic hours as a condition of employment.

Employees may use benefit time for religious observances that occur during the regular work week.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Jury Duty and Witness Leave

**Policy No:** 413

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**JURY AND WITNESS DUTY LEAVE**

Full-time employees called to jury duty during their regular period of employment will be compensated at their regular rate of pay. Regular pay will be continued for scheduled days missed up to two weeks. Regular pay will also continue when an employee is called as a witness in a court case where the employee is providing first hand knowledge or facts. In order to receive compensation, employees must present any summons to their Vice President, Dean, Director, Department Chair or other supervisor on the first working day after receiving the notice.

If an employee is not required to serve on a day he/she is normally scheduled to work or if the employee is excused before serving three hours of jury duty, he/she is expected to return to the University to resume normal responsibilities.

In addition, proof of service must be submitted to your Vice President, Dean, Director, Department Chair or other supervisor when your period of jury or witness duty is completed. The employee is also allowed to retain the allowance received for such service.

Witness duty leave will not be granted for appearances as an expert witness unless approved by the Dean, Director or the individual's Vice-President.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** Time Off to Vote

**Policy No:** 414

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**TIME OFF TO VOTE**

Millikin University encourages its employees to participate in the election of government leaders. Polls are generally open for local, state or national elections a sufficient number of hours for employees to be able to vote before or after working hours, or between classes. Every effort should be made to vote either before or after the normal workday. However, if a Faculty member, administrator or staff employee cannot exercise his or her right to vote except during normal working hours, he or she should arrange with his or her Vice President, Dean, Director, Department Chair or other supervisor for sufficient time off to vote. If possible, employees should make their requests at least forty-eight (48) hours in advance of Election Day. The time off may be designated by the supervisor and may not exceed two hours. This time is given without penalty or without loss of wages.

**Millikin Employee Handbook/Policy Guide**

**Section:** Time Off Benefits

**Policy:** School Visitation

**Policy No:** 415

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**SCHOOL VISITATION**

Millikin University encourages University-employed parents and guardians to play a role in the education of their children. In the event they are unable to meet with their children's educators due to a work conflict, University-employed parents and guardians will be granted the right to an allotment of time during the school year to attend necessary educational or behavioral conferences.

Up to eight hours unpaid time off in any school year may be granted for the purpose of attending necessary educational or behavioral conferences

No leave may be taken under this procedure unless the employee has exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to employee except for sick leave and disability leave.

To be eligible for unpaid time off for school visitation, the employee must have been on the payroll for at least six consecutive months prior to the request and must work at least 20 hours per week.

The employee will provide the University with a written leave request at least seven (7) days in advance. However, in emergency situations, no more than twenty-four (24) hours of notice will be required to be given the University.

**Section 5**  
**EMPLOYMENT AND HEALTH RELATED BENEFITS**

**Millikin Employee Handbook/Policy Guide**  
**Section:** Group Health and Employment Related  
Benefits  
**Policy:** General Benefits Policy  
**Policy No:** 501  
**Applicability** *All*  
**Effective:** March 15, 2005  
**Revised:**

---

### **General Benefits Policy**

Millikin has established a variety of employee benefits programs designed to assist employees and their eligible dependents in meeting the financial burdens that can result from illness, disability and death and to help employees plan for retirement, deal with job-related or personal problems and enhance job related skills.

Group Health and Employment Related Benefits policies (policies 502 through 505 and such policies as may be added in the future) highlight some features of our benefits program. Our group health and life insurance and retirement-related programs are described more fully in summary plan description booklets. These booklets are provided to employees once they are eligible to participate in these programs. Complete descriptions of University group health insurance programs are also in Millikin's master insurance contracts with insurance carriers. These are maintained in the Human Resources office. Complete descriptions of the University's retirement-related programs are in the appropriate master plan documents which are likewise maintained in the Human Resources offices. If information in this handbook and our summary plan descriptions contradicts information in these master contracts or master plan documents, the master contracts/documents shall govern in all cases.

The University reserves the right to amend or terminate any of these programs or to require or increase employee premium contributions toward any benefits with or without advance notice at its discretion. This reserved right may be exercised in the absence of financial necessity.

For more complete information regarding any of our benefits programs, please contact the Human Resources Director.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Group Health and Employment Related Benefits  
**Policy:** Health and Welfare Benefits  
**Policy No:** 502  
**Applicability** *All*  
**Effective:** March 15, 2005  
**Revised:**

---

## **HEALTH AND WELFARE BENEFITS**

An employee's eligibility to participate in the benefits programs is determined by the following classifications:

- Full-time employees who are regularly scheduled to work a minimum of 32 hours per week are eligible for full University benefits (as defined below).
- Full time faculty (as defined by Policy and Procedures – Faculty) are eligible for full University benefits
- Temporary (or seasonal), part-time employees and adjunct faculty are eligible to participate in the University's tax deferred annuity plan only.

Millikin University pays a significant portion of the costs of benefits for employees. Employee contributions will be deducted from paychecks on a pre-tax basis for any medical and dental premiums and section 125 contributions. Employees will pay no Federal or Social Security taxes on this amount.

Our benefits programs are described more fully in summary plan description booklets. You will receive these materials once you are eligible to participate in benefit programs. Formal plan documents are maintained in Human Resources. If information in this handbook and our summary plan descriptions contradicts information in the master plan documents, the master plan documents govern in all cases.

Millikin reserves the right to amend or terminate any of its benefit programs or require and/or increase employee premium contributions toward any benefits, with or without advance notice, at its discretion. This reserved right may be exercised in the absence of financial necessity.

A summary of Millikin's current benefits programs is included below.

### Life Insurance and Accidental Death and Dismemberment Insurance

The University provides life insurance to all regular full-time employees. The University currently pays the entire cost of this insurance. The group plan provides a death benefit equal to \$50,000. Details of the insurance benefits may be obtained from the Human Resources. Coverage becomes effective the first of the month following one month of full-time employment. Accidental death and dismemberment coverage is provided in this policy.



### Supplemental Life Insurance

The University offers supplemental life insurance, which allows full-time employees to purchase additional insurance for themselves and their dependents. Details of this benefit and the cost of coverage may be obtained from Human Resources. Coverage becomes effective the first of the month following one month of full-time employment.

### Medical Insurance

The University offers a group medical insurance plan for all regular, full-time employees. The University pays for a portion of this coverage and the employee pays for a share via payroll deduction. Employee cost will be minimized to the maximum extent practical but the employee share will be reviewed from time to time by the Administration and the Board of Trustees. It is subject to change. Coverage may be extended to dependents with the employees paying the cost for this coverage. Details of the insurance benefits and the cost of coverage may be obtained from Human Resources. Coverage becomes effective the first of the month following one month of full-time employment.

### Dental Insurance

The University offers group dental insurance coverage for all regular, full-time employees. Coverage may be extended to dependents, with employees paying the cost for this coverage. Details of these benefit, and the cost of coverage may be obtained in Human Resources. Coverage becomes effective the first of the month following one month of full-time employment.

### Retirement Program

Each employee's retirement plan at Millikin University is comprised of Social Security and our retirement program with Teachers Insurance and Annuity Association (TIAA). Regular full-time employees (and part-time employees as described in the plan document, who work 1000 plus hours per year) are eligible to participate in the Retirement Plan after one year of Service and attainment of age 21. Details of this plan are in the Plan Summary.

### Tax Deferred Annuity Plan

A Tax Deferred Annuity Plan is available to both full and part time faculty, staff and administrators. Employees may participate in the plan as soon as they begin employment with Millikin. There are no age restrictions for participation. The University does not contribute to this plan. Details of the plan are available in the Plan Summary, a copy of which is available in Human Resources.

### Long-term Disability Insurance

Regular full-time employees who have completed one year of full-time employment are covered by a long-term disability insurance plan. The University pays the cost of this benefit.

Six months after an employee is totally and permanently disabled, monthly benefits will begin at a rate of 60 percent of the regular monthly salary to a maximum benefit of \$8,000 per month. Payment may be reduced by deductible sources of income and disability earnings such as benefits under the Social Security Act or from Worker's Compensation insurance. Details of the plan are available in Human Resources.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Group Health and Employment Related  
Benefits  
**Policy:** Employee Assistance Program  
**Policy No:** 503  
**Applicability** *All*  
**Effective:** March 15, 2005  
**Revised:**

---

## **EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) is a resource designed to provide a highly, confidential and professional service to employees and their immediate family members who are experiencing personal problems on or off the job. The program is designed to encourage early intervention and awareness of such problems and to offer help at the earliest opportunity. Employees are responsible for their performance and for taking constructive action to resolve any personal problems that affect or threaten to affect their on-the-job behavior. Vice Presidents, Deans, Directors, Department Chairs and other supervisors are responsible for remaining alert to all instances of substandard work performance and bringing these instances to the attention of the employee, along with an offer of assistance, at the earliest indication of a recurrent problem.

Utilization of the EAP is on a voluntary basis, regardless of whether an employee is referred by a member of management. The decision to seek or accept assistance through the EAP will not adversely affect an employee's job security or advancement opportunities. However, participation in the EAP in no way relieves the employee of the responsibility to meet acceptable work performance and attendance standards.

All full-time and part-time employees, members of an employee's household, and benefit-eligible dependents are eligible to receive assistance through the EAP. The EAP will not reveal any information that the individual discloses to the EAP except in the following circumstances:

- The employee consents in writing;
- The law requires disclosure; or
- It is believed that life or safety is threatened by nondisclosure.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Group Health and Employment Related  
Benefits  
**Policy:** Workers Compensation  
**Policy No:** 504  
**Applicability** *All*  
**Effective:** September 1, 2004  
**Revised:** June 1, 2015

---

## **WORKER'S COMPENSATION**

Injuries or illnesses occurring in the course of employment may be covered by worker's compensation insurance. Worker's compensation insurance is effective on the employee's first day of employment and may pay medical benefits, as well as wage replacement benefits in accordance with the provisions of the Illinois Workers' Compensation laws.

**Reporting** - All work-related injuries or illnesses should be immediately reported to Public Safety. (If the employee is unable to file a report with Public Safety, their supervisor should file the initial report.) It is important that all work-related injuries be reported immediately, regardless of how minor the injury may appear. In the event of an accident, our priority is always the employee's safety first. Therefore, the employee should first secure treatment for the injury. The supervisor or department head should be notified as soon as possible.

Human Resources will contact the worker's compensation insurance company, who will investigate all reported claims requiring services or treatment. (Claims for injuries or illnesses caused by an employee's willful misconduct, alcohol, or drug usage or that occur during the employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Millikin University, will not be compensable.) Full cooperation by the employee is essential and expected for the effective and timely management of claims.

### **Return-to-work program**

Millikin University is committed to returning our employees to modified or alternative work, as soon as they are medically able, following a work related injury or illness. Employees who have been released to work but are unable to perform all of the essential functions of their regular job, or needs a temporary accommodation, may be transitioned into the Return-to-work program. In this program, current positions may be modified to fit an injured employee's medical restrictions by altering tasks or reducing hours. If this is not possible, temporary transitional jobs may be made available either within the employee's department or through a temporary assignment with another department.

Written clearance to return to work is required. Employees who fail to return to work after being released by an approved physician will be considered to have resigned.

Worker's compensation fraud is a punishable crime. Providing false or fraudulent information in connection with a worker's compensation claim may be reported to law enforcement and can result in disciplinary action up to and including termination.

**Millikin Employee Handbook/Policy Guide**

**Section:** Benefits

**Policy:** Educational Assistance

**Policy No:** 505

**Applicability** *All*

**Effective:** January 1, 2005

**Revised:** July 1, 2013

---

**Educational Assistance**

**PURPOSE**

Millikin University encourages continued professional and personal development and offers several educational benefit options for employees, their spouses/domestic partners, and qualifying dependent children.

All individuals utilizing the University-funded tuition waiver will be subject to the same admission requirements, enrollment procedures, and satisfactory academic progress standards that apply to all students of the University. The waiver applies to tuition only and does not cover books, parking, comprehensive fees, lab fees, study abroad or travel fees, or any other costs associated with the program.

**ELIGIBILITY BY PROGRAM:** Please note that the programs described below have varied eligibility requirements which may affect availability and/or admission into a program.

<b>Program</b>	<b>Traditional</b>	<b>PACE</b>	<b>MBA</b>	<b>MSN</b>	<b>DNP</b>	<b>Tuition Exchange</b>	<b>Non-degree seeking Courses/Auditing</b>
<b>Full-time Employees</b>	X	X	X	N/A	X	N/A	X
<b>Spouse/Domestic Partner</b>	X	X	N/A	X	N/A	N/A	X
<b>Dependent Children</b>	X	N/A	N/A	N/A	N/A	X	N/A
<b>Eligible Retirees</b>	X	X	N/A	N/A	N/A	N/A	X

**ELIGIBILITY AND DEFINITIONS:**

Eligibility for this benefit begins after the completion of 1 year of continuous, full-time employment at Millikin University. If the service requirement occurs after the registration period, participation will commence with the first day of the subsequent term.

For purposes of this policy, eligibility for benefits is defined below:

**Employee:** Regular full-time employee, which is defined as full-time faculty, administrator, or support staff who works a minimum of 32 hours per week, including full-time employees on paid or unpaid leaves of absence and sabbaticals.

**Spouse/Domestic Partner:** Refers to a legal spouse or domestic partner. Employees are required to complete a "Statement of Domestic Partnership" to determine benefit eligibility for a domestic partner.

**Dependent Children:** For purposes of this policy, dependency is defined as: A qualifying child under the age of 24 prior to the beginning of the term for which the benefit will be used. A qualifying child is defined as:

- A biological child
- A legally adopted child of the employee
- A stepchild
- A biological child of the employee's qualified domestic partner
- The employee is the legal guardian of the child, as defined by a State Court, and the child resides with the employee.
- In instances where the child does not reside with the employee:
  - An employee is considered to support a child when they provide over 50% of the child's living expenses.
  - An employee is responsible for educational expenses by virtue of a divorce decree.

NOTE: Children of any age who are married are not considered dependent and will be ineligible for the waiver benefit.

**Retiree:** A Retiree is defined as an employee who formally retires from the University after age 59 and after having completed a minimum of 10 years of continuous full-time service. If a University employee retires, tuition waiver benefits for a spouse and/or eligible dependent may continue until the student graduates or completes their program of study. A dependent child that has not yet enrolled may continue to be eligible for the tuition waiver until the definition of dependency is no longer met.

**Disabled/Deceased Employee:** If a University employee dies or becomes disabled, tuition waiver benefits for a spouse/domestic partner or eligible dependent child may continue until the student graduates or completes their program of study. A dependent child that has not yet enrolled in courses may continue to be eligible for the tuition waiver until the definition of dependency is no longer met.

#### **TO APPLY FOR THE WAIVER:**

- **Employees/students must adhere to all filing deadlines and are responsible for completing the waiver form prior to the census date per term/semester.**
- Students must apply for federal, state, and institutional financial aid before receiving a tuition waiver. This includes the filing of a FAFSA - Free Application for Federal Student Aid ([www.fafsa.gov](http://www.fafsa.gov)). In some instances, Federal and State assistance must be coordinated with the tuition waiver benefit. The FAFSA is available after January 1<sup>st</sup> of each calendar year and should be filed as soon as possible after its availability. Estimated tax data may be used if Federal taxes have not yet been submitted. This requirement may only be waived by the Director of Financial Aid in consultation with the Vice President for Enrollment. (Does not apply to auditing.)
- Tuition waiver forms must be completed for each term for PACE, MBA, MSN, DNP, and non-traditional, non-degree seeking students. Dependent students in the traditional undergraduate program should combine fall and spring terms on the same form.

## **GENERAL POLICIES FOR ALL EDUCATIONAL ASSISTANCE PROGRAMS:**

- Students must demonstrate good citizenship, meet Satisfactory Academic Progress requirements, and remain in good academic standing to qualify for continuation of this benefit. **The Satisfactory Academic Progress Policy is published in the University Bulletin each academic year.**
- Students must remain in good standing on their account in the Student Service Center to initially qualify for, and for continuation of, the tuition waiver benefit. Accounts must be current prior to receiving the benefit for the next term.
- Admission into any program or course shall be governed by University admission policies as well specific program policies. In addition, program standards and requirements must be met to continue in the program.
- Tuition waiver recipients may not displace tuition-paying students. Class size will not be increased to accommodate the enrollment of tuition waiver recipients.
- Non-degree seeking students may not displace full-time degree seeking students.
- A service charge will be assessed to all tuition waiver students for summer and immersion courses involving off campus travel.
- Taxability – The value of Millikin funded educational assistance may be considered taxable income. Any tax liability incurred through participation in the educational assistance program is the responsibility of the employee or the person receiving the benefit.
- This policy is subject to changes or elimination and the University retains the right to designate eligible courses for this benefit. Summer courses designated as directed study, independent study, or internships are not eligible for waiver of tuition.
- Millikin funded educational assistance is provided by the University as a benefit of employment. Abuse of this benefit, including falsifying information, may result in the loss of the benefit. Disciplinary action of the employee may also be taken.
- The Tuition Waiver Benefit for dependent children is available for those pursuing their first Baccalaureate Degree. Individuals holding a Baccalaureate Degree from another institution may enroll at Millikin but are ineligible for the tuition waiver program for a second degree or individual courses.
- The Tuition Waiver Benefit for spouses/domestic partners is available for those pursuing their first Baccalaureate Degree and those pursuing non-degree educational efforts.

- Classes should not interfere with job responsibilities. Supervisors and employee/student must discuss and agree on arrangements for lost work time if applicable. Employees may take one course per semester during normal working hours (including audited classes). Time lost may be substituted with appropriate leave balance or must be made up within the same work week.
- No preparation for class or homework will be permitted during working hours.
- If a supervisor directs that a course be taken to improve or enhance the employee's work performance, release time may be granted with approval of the Director of Human Resources.
- In the event the employee terminates employment (voluntarily or involuntarily) during a term in which the individual, spouse/domestic partner or dependent child is receiving this benefit, the waiver will be permitted to continue until the end of the current semester. The student must have begun attending classes prior to the termination event. If employment is terminated prior to the first day of classes, the waiver will be cancelled.
- For financial aid purposes, Millikin funded educational assistance is considered institutional aid.
- Employees utilizing Millikin funded educational assistance and who are enrolled on a part-time basis, or who are in the PACE or MBA programs shall not be eligible for the Student Health Service or other programs requiring student status but rather shall retain employee status.

**Application Process:** Students must apply through the Office of Admission and meet admission criteria.

### **MBA PROGRAM**

- Waivers are for employees only.
- Employee must satisfy MBA admission requirements and deadlines.
- Admission is on a competitive basis and determined by the MBA office. The Graduate Education Committee reviews all applicants. The admission process considers three components of an applicant's qualifications: academic performance, work experience, and the interview process.
- Once admitted, the student employee should apply for the waiver.
- Waivers are typically restricted to one per cohort. Applicants will be forwarded to Human Resources and recipients will be notified by the Office of the President.
- Recipients of the MBA waiver are required to maintain employment at the University for one year beyond completion of the MBA Program. Participants who do not complete one year of service following program completion may be required to reimburse Millikin



for the full tuition of the program. Waiver recipients are required to sign a promissory note agreeing to this reimbursement process.

**Application Process:** Employees must apply through the MBA office and meet admission criteria.

### **MSN PROGRAM**

- The MSN tuition waiver is applicable only to the Nurse Educator Track (the **first** 37 hours), the Clinical Nurse Leader Track (the **first** 37 hours), and The Master's Entry into Nursing Practice Track (the **last** 41 hours). The MSN tuition waiver is not eligible for the Nurse Anesthesia Program Track.
- The MSN tuition waiver is available to spouses/domestic partners of employees.
- The spouse/domestic partner of the employee must satisfy the MSN admission requirements and deadlines.
- Admission is on a competitive basis and determined by the SON office. The Graduate Studies Committee of the School of Nursing reviews all applicants.
- Once admitted to the MSN program, the spouse/domestic partner of the employee is eligible to apply for the MSN tuition waiver.
- The MSN tuition waiver is typically restricted to one per cohort. Applicants will be forwarded to Human Resources and recipients will be notified by the Office of the President.
- Recipients of the MSN tuition waiver are required to maintain academic eligibility in the MSN program.

**Application Process:** The spouse/domestic partner of a Millikin employee must be admitted to the MSN program in accordance with the application process and requirements.

### **DNP PROGRAM**

- The DNP tuition waiver is available to MSN-prepared School of Nursing faculty members for Track 2 of the DNP. The DNP tuition waiver is not available for the Nurse Anesthesia Program DNP Track 1.
- The employee must satisfy the DNP admission requirements and deadlines.
- Admission is on a competitive basis and determined by the SON office. The Graduate Studies Committee of the School of Nursing reviews all applicants.
- Once admitted to the DNP program, the employee is eligible to apply for the DNP tuition waiver and the Director of the SON advances one or more candidates for the DNP tuition waiver to the Office of Human Resources.
- The DNP tuition waiver may be restricted to one per cohort and recipients will be notified by the Office of the President.
- Recipients of the DNP tuition waiver are required to maintain academic eligibility in the DNP program to progress
- Recipients of the DNP waiver are required to maintain employment at the University for one year beyond completion of the DNP. Participants who do not complete one year of service following program completion may be required to reimburse Millikin for the full

tuition of the program. Waiver recipients are required to sign a promissory note agreeing to this reimbursement process.

**Application Process:** The Millikin University SON employee must be admitted to the DNP program in accordance with the application process and requirements.

### **TUITION EXCHANGE PROGRAM**

- Millikin University participates in two tuition exchange programs. The programs offer attractive scholarship-type opportunities for which eligible dependent children may apply. As with scholarships, tuition exchange awards are granted based on each individual's schools selection criteria and are quite competitive.
- Tuition exchange participation is also subject to the regulations of each of the two different programs and Millikin's status in them.
- If accepted into one of the two exchange programs by a particular school, a dependent child could attend the participating college either tuition-free or paying a percentage tuition charge. (Room, board, and fees must be paid in full and are the responsibility of the parent/student in most cases.)
- Students must meet the usual admission requirements of the admitting institution. In addition, there are limitations on the number of students accepted at a particular institution under the exchange programs. It is the student's responsibility to obtain information and application forms directly from the institutions.
- Participation in the tuition exchange program is limited to undergraduate programs and to students seeking their first undergraduate degree.

**Application Process:** If you have a dependent child interested in the exchange program, please contact the Tuition Exchange Liaison at Millikin. The application process should be started as early as possible.

### **SCHOOL OF MUSIC PREPARATORY PROGRAM**

- A full-time employee or eligible dependent enrolling for instruction in the preparatory program of the School of Music will receive a 10% discount.

**Application Process:** Students must apply through the Preparatory office.

### **AUDITING OF COURSES:**

- An auditor attends classes and lectures regularly and participates in class activities and discussions but does not have the responsibility for outside work and exams and does not receive a grade or credit.

**Application Process:** Employees, spouses/domestic partners, and retirees should apply through the Admission Office and complete a waiver with Human Resources.

**ADMINISTRATIVE RESPONSIBIITY:**

- Human Resources is responsible for the administration and interpretation of the educational assistance policy. The Director of Financial Aid is responsible for all related student financial aid regulations and procedures.

**EXCEPTIONS:** This policy may be altered with the approval of the President to include the following:

- Waivers may be granted in lieu of salary
- Waivers may be used as conditions of employment
- Exceptions must be restricted to the same admission criteria

**Millikin Employee Handbook/Policy Guide**

**Section:** Benefits

**Policy:** Domestic Partner Benefits

**Policy No:** 506

**Applicability** *A//*

**Effective:** July 1, 2007

**Revised:**

---

**Domestics Partners**

It is the policy of Millikin University to provide coverage for qualified domestic partners (same-sex and opposite sex), as well as dependent children of qualified domestic partners, for certain allowed policies. To enroll, both the employee and the domestic partner must complete a "Statement of Domestic Partnership" and submit it to Human Resources. This affidavit outlines a specific set of criteria, which must be kept confidential insofar as the law allows. Employees must notify Human Resources with thirty-(30) days should a domestic partnership be terminated.

Millikin University employees may enroll a domestic partner in most of the same benefit plans offered to full-time married employees, with a few distinctions. Domestic partners are subject to the same eligibility requirements and plan provisions, which govern all other participants in the benefit programs. Electing benefits may have tax implications to the employee. As a result, employees are advised to seek guidance from a tax advisor before choosing whether or not to elect benefits. It should also be noted that any contributions related to such coverage will be made on a post-tax basis.

The following is a list of benefits offered to domestic partners by Millikin University:

Health Insurance, Dental Insurance, Tuition Waiver, Supplemental Life Insurance, Bereavement Leave, Employee Assistance Program (EAP), other leaves of absences, including the Family Medical Leave Act, and use of Recreational Services/Facilities.

Please contact Human Resources for eligibility requirements and applicable forms.

**Millikin Employee Handbook/Policy Guide**

**Section:** Benefits

**Policy:** Retirement Recognition

**Policy No:** 507

**Applicability** *A//*

**Effective:** June 1, 2015

**Revised:**

---

**Retirement Recognition**

In order to honor retiring employees and yet be fiscally responsible, Millikin University has adopted the following policy regarding retirement gifts and receptions for faculty, administrators, professional staff, and support staff.

**Policy**

One of Millikin University's greatest assets is its employees. The University wishes to support the recognition of retiring employees who have invested a significant portion of their careers at Millikin University and filled a vital role in the attracting, retaining and teaching of Millikin's student body and supporting each other during their tenure. Millikin University values the importance of recognizing those contributions and wishes to celebrate and support retirements understanding that the following guidelines must be met.

1. To be considered an eligible Millikin University retiree under this policy, full-time employees must have a minimum of 15 years of total employment with no more than 1 year between employment periods and be at least 55 years of age. Part-time employees must have a minimum of 25 years of total employment with no more than 1 year between employment periods and be at least 55 years of age.
2. By March 1 of each academic year, the employee's supervisor shall notify the Human Resource department of their employee's pending retirement. Once notification has been received, Human Resources shall contact the employee to discuss the Retirement Recognition Policy, which includes the following:
  - a. If the retiree has met the criteria in guideline #1, professional staff, support staff, faculty, and administrators who retire after having served the University for a minimum of 15 years of full-time employment or 25 years of part-time employment shall receive an engraved captain's chair or rocking chair with the University seal at no cost to the employee.
  - b. Faculty who are retiring and will be presented for emeritus status will be recognized at the Traditional Commencement ceremony each May whereby the retirement chair shall be formally presented to them. Upon conclusion of the Commencement ceremony, the retirement chair may be taken home by the retiree or arrangements can be made through Human Resources to have the chair delivered to the retiree's home address at a later date.
  - c. Professional and support staffs have the option to be recognized at the

annual April Service Awards/Employee of the Year celebration on campus or at a private retirement party whereby the retirement chair may be formally presented to the employee.

- d. Upon approval of the retiree's department supervisor, each department may spend up to, but not over, \$150 of departmental funds for the purpose of a retirement reception/function and any costs associated with the reception/function. Any amounts above \$150 will then become the responsibility of the retiree and/or his/her colleagues. Costs include food, beverages, invitations, printing, postage and any other expenditures associated with the function.

**Special Note**

The above-stated policy pertains to professional staff, support staff, faculty and administrators. Faculty retirement receptions fall under the direction of the employee's department chair as approved by the Provost's Office. Professional staff, support staff and administrators fall under the direction of the employee's department supervisor, and approved by the appropriate Vice President.

**Section 6**

**CONDITIONS OF EMPLOYMENT AND CONDUCT**

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Guidelines for Appropriate Conduct

**Policy No:** 601

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**GUIDELINES FOR APPROPRIATE CONDUCT**

As an integral member of the Millikin team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others but also demands that both in your business and in your personal life you refrain from any behavior that might be harmful to you, your coworkers, and /or Millikin, or that might be viewed unfavorably by the public at large.

Whether you are on or off duty, your conduct is a reflection of Millikin. You are encouraged to observe the highest standards of professionalism at all times.

Listed below are rules and regulations that Millikin considers inappropriate. This list of inappropriate behavior and conduct is not all-inclusive and could lead to disciplinary action, up to and including termination of employment (without prior warning and at the sole discretion of the university).

1. Falsifying employment or other records;
2. Violating Millikin's nondiscrimination and/or sexual harassment policy;
3. Soliciting or accepting gratuities from students or clients;
4. Establishing a pattern of excessive absenteeism;
5. Engaging in excessive, unnecessary, or unauthorized use of Millikin's supplies, particularly for personal use;
6. Reporting to work intoxicated or under the influence of drugs or medications;
7. Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs;
8. Bringing or using alcoholic beverages on Millikin property or while engaged in Millikin business off campus, except where authorized;
9. Fighting or using obscene, abusive, or threatening language or gestures;
10. Stealing property from coworkers, students, or clients of Millikin;
11. Violating the weapons policy;
12. Disregarding safety or security regulations;
13. Insubordination or neglect of duties;
14. Release of confidential information to unauthorized person;
15. Misuse of leave privileges or other benefits;
16. Willful violation of law, regulation or ordinance in the discharge of one's duties or in the administration of University programs.
17. Failing to perform duties and operating equipment with care to protect the safety of the employee, co-workers, and the public;



If your performance, work habits, overall attitude, conduct, or demeanor becomes unsatisfactory in the judgment of Millikin, based on violation of any Millikin University policy, you will be subject to disciplinary action, up to and including termination.

In addition to their own conduct, faculty, staff and administrators shall be responsible for ensuring that the conduct of any of their guests at a University-sponsored function is respectful and not offensive to anyone in attendance.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Attendance and Punctuality

**Policy No:** 602

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**ATTENDANCE AND PUNCTUALITY**

It is the University's expectation that you will be present to fulfill your job responsibilities. Absenteeism is a serious issue in any organization. When you are unable to report for work as scheduled, it places a burden on your co-workers and management, causes scheduling problems, and decreases the level of service provided to the university.

The University's policy regarding the use of sick leave serves as a guideline for supervisors in deciding whether or not an employee is abusing or excessively using sick leave. Employees whose use of sick leave is considered unacceptable may be subject to the University's disciplinary process.

However, Millikin recognizes the need for employees to be absent from work due to illness or the need to take care of unavoidable personal business. The University has instituted paid vacation and sick time for all full-time employees and personal time for hourly staff. (Please see the appropriate section of this handbook for information regarding these benefits). In addition, Millikin has established a long-term disability plan to compensate eligible employees for extended medical reasons. Under the provisions of the Family Medical Leave Act, employees may also qualify for a leave of absence for their own major illness, the major illness of a family member or the birth or adoption of a child. Absences are also authorized for worker's compensation injury or military and/or National Guard duty. Limited Personal Leaves of Absence are also authorized to allow employees to deal with situations not covered by other programs. In as much as the University has provided for these situations, it is important to remember that excessive absenteeism, tardiness is not acceptable.

Employees who are going to be absent, tardy, or leave early from work are responsible for notifying their supervisors as soon as possible, regardless of whether they have sufficient benefit time to cover the absences. Employees who are absent and fail to notify their supervisors will be subject to corrective action for failure to notify. Employees who have been absent three consecutive days without calling to speak with their supervisors will be considered to have voluntarily resigned.

An employee who is absent for more than five consecutive workdays for sickness is required to produce a statement from a physician before he or she will be permitted to return to work. In such instances, Millikin also reserves the right to require the employee to submit to an examination by a physician designated by Millikin at its discretion. Doctor's notes may be required in other circumstances where absences due to sickness are repetitive.

Occasionally an employee will exhibit a pattern of absenteeism (i.e., consistently missing a specific date of the week, the day before or after a holiday, the day before or after a scheduled vacation) that may indicate other, more serious problems. Such cases should be reviewed with Human Resources before issuing corrective action to ensure that the employee is offered other support to go along with the corrective action.

Cases of unauthorized absence may be charged to regular vacation time if the employee has sufficient time on record.

Absenteeism or tardiness that is unexcused or excessive in the judgment of Millikin is grounds for disciplinary action, up to and including termination.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Discipline and Corrective Action

**Policy No:** 603

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**DISCIPLINE AND CORRECTIVE ACTION**

Millikin University expects that following basic standards of conduct will promote a high quality of work environment and ensure responsible behavior. The employee must, at minimum, perform adequately in the job, follow the rules established by the department or supervisor, follow the policies of the University and the law, act with honesty and integrity, and respect the rights of others in the work environment. Violation of University policies and/or procedures may lead to disciplinary action. Any discipline that is imposed is intended to correct or modify an individual's conduct, to deter such conduct on the part of others, and to protect the rights of the University and everyone working at, or associated with, the University.

Discipline may take the form of verbal or written warnings, suspension with or without pay, or termination of employment. An employee may also be suspended with or without pay during any investigation of possible misconduct. All disciplinary action is administered with consideration given to the seriousness and frequency of the offense, the employee's past record (including work history and earlier disciplinary record) and the circumstances surrounding the particular case. Because of the individual nature of each situation, Millikin University reserves the right to impose discipline appropriate to the circumstances.

All disciplinary action should be thoroughly documented. Such documentation should articulate to the disciplined employee what behavior needs to be corrected, what measures must be taken to correct unacceptable behavior, what opportunities (if any) will be provided to correct the situation and what the consequences are of continued improper conduct or inadequate performance. The employee should be given a copy of the documentation and should be asked to sign that he or she has received it.

The nature of the discipline chosen may vary depending on the circumstances of the conduct, the number or prior disciplinary situations and the employee's work history.

In cases where the supervisor feels an employee should be terminated immediately, the supervisor should:

1. Advise the employee he/she is immediately suspended;
2. Request the employee immediately leave the premises;
3. Inform Human Resources of the circumstances with a recommendation for termination, and;

4. Meet with the employee to advise him/her of their employment status.
5. Notify security and information technology

If corrective action needs to be taken during a new employee's introductory period, the offending employee will be issued a Final Written Notice that clearly states that an additional occurrence of unacceptable behavior within the 90-day introductory period will result in termination. The employee will be asked to sign the document indicating that he/she had read the notice.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Grievance Procedure

**Policy No:** 604

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**GRIEVANCE PROCEDURES**

A grievance shall be considered to be any complaint or dissatisfaction arising from an interpretation, application, or claim of violation of any provision of the University policy, rules or regulations which results in the imposition of disciplinary action or the loss of any University benefits.

Millikin University makes every effort to provide prompt and impartial consideration to any complaint, which its employees may have within the course of their work. When the circumstances require, employees are encouraged to submit complaints or grievances in accordance with the procedures outlined below. Employees may use this procedure without penalty or fear of reprisal. However, this procedure should not be construed as preventing, limiting or delaying Millikin from taking disciplinary action against any individual, up to and including termination. Particular attention must be given to the time period shown for each step.

When employees or former employees have complaints, or any difficulty in their job or working relationships, the grievance procedure outlined below should be initiated within five (5) work days following the incident which causes them to feel that a grievance should be filed; or, if the grievance is connected with termination, within ten (10) work days following termination from the University.

**Step 1**

- A. Discuss the problem with your immediate supervisor; or if you do not believe a discussion with your supervisor is appropriate;
- B. Discuss it with the Director of Human Resources who will attempt to mediate any differences between you and the supervisor.

In either case, you will be given a written response within three (3) working days of meeting.

If a mutually satisfactory adjustment is not reached within five (5) workdays from the time of the written notification, you may proceed to Step 2.

**Step 2**

Submit the matter under discussion in writing to the person at the next supervisory level (dean, director, manager, department head, etc.) within three (3) working days.

The Director of Human Resources will, when requested, assist the employee in presenting the matter to the proper supervisor, including assistance in writing the letter.

If a mutually satisfactory solution is not reached within five (5) workdays after this second step begins, the employee may proceed to Step 3.

### Step 3

With the continued assistance of the Director of Human Resources, if requested, submit the grievance in writing to the Vice President for Finance and Business Affairs, who will have the matter studied by a committee established especially for the case. The aggrieved employee will select one member; the appropriate supervisor will select the second member. The third member will be selected by the other two and shall serve as a Chairperson.

Members selected to staff a grievance committee must be current employees of Millikin University in good standing. Care should be taken to select participants who are capable of being independent and exercising objective judgment. Parties who were involved in or have close knowledge of the incident giving rise to the grievance may not participate on that particular grievance committee. Individuals with pending grievances against the same co-worker(s) or supervisor similarly may not serve on a grievance committee.

In the event that the third member cannot be agreed upon by the two selected members within five (5) work days following initiation of Step No. 3, the Vice President for Finance and Business shall appoint the third member after consultation with both representatives.

This committee will accumulate and study the facts about the case and will submit a written report and recommendation to the Vice President for Finance and Business who will render the decision within twenty (20) working days. The Vice President will submit his decision in writing to the employee within five (5) work days after receipt of the committee's report.

In the event the decision is unsatisfactory to either the employee or the appropriate supervisor, either may, within five (5) work days after receipt of the decision of the Vice President, file a written notice of appeal to the President of the University. The President shall review the data and reports and make his/her decision within fifteen (15) working days of receipt of appeal. The decision of the President shall be final.

The fact that a grievance has been filed does not exempt the parties from performing their responsibilities, treating student, parents and other employees in a professional manner, respecting the exercise of legitimate supervisory authority and compliance with other University rules and procedures.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Personal Appearance and Demeanor

**Policy No:** 605

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PERSONAL APPEARANCE AND DEMEANOR**

Millikin does not have a dress code but employees are expected to present themselves in ways appropriate for their position and the degree to which they represent the University to the public. Those in executive positions or who work in the office of the President, Vice Presidents and Deans should normally present themselves in business attire (particularly during the academic year) or when meeting with Trustees or peers in the business community. Others should observe the practices of their peers.

Dress which creates an unwarranted distraction in the workplace or which can be considered offensive to co-workers, students, parents or others with whom the University frequently comes into contact is inappropriate.

On approved casual days, employees may dress in casual clothing, including blue jeans and tee shirts, although dress standards still require a neat, clean appearance. Employees meeting with business partners or prospective students should wear attire appropriate for the meeting.

Uniforms are provided for those employees whose job requires the wearing of one. Uniformed employees must wear neat and clean uniforms at all times. Safe, clean shoes in good repair should be worn at all times.

Clothing must not constitute a safety hazard. Definition of clothing that may constitute a safety hazard may include jewelry, clothing that is torn, has holes in it and does not fit properly. Other clothing that is unsafe may be determined by the employee's supervisor.



**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Personal Property

**Policy No:** 606

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PERSONAL PROPERTY**

Personal belongings brought onto Millikin University's premises are the employee's responsibility. While the organization does all it can to protect employee's property, it cannot be held responsible for the loss or theft of personal belongings. If employees find property missing or damaged, they should report it to their supervisor and the Security Department immediately.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Workplace Harassment and/or  
Discrimination

**Policy No:** 607

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:** September 1, 2015

---

**WORKPLACE HARASSMENT AND/OR DISCRIMINATION**

**NONDISCRIMINATION**

Millikin prohibits any form of unlawful employee harassment based on race, color, religion, sex, national/ethnic origin, age, sexual orientation, gender identity or expression, disability, genetic information, marital status, military/veteran status or on any other basis prohibited by applicable state or federal law, in its educational programs, activities, admission, or employment policies. Improper interference with the ability of Millikin's employees to perform their expected job duties is not tolerated. This policy applies to all employees, applicants, guests, students and other persons visiting Millikin's premises or while acting on behalf of Millikin.

With respect to sexual harassment (also see policy #627 Sexual Misconduct) , Millikin prohibits the following:

Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment or evaluations of their performance; or
- Such conduct involves a student as recipient or victim
- Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working, academic or learning environment.

Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

- Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, brushing against another's body, or any other sexually suggestive activity
- Grabbing, groping, kissing, fondling.
- Interference with normal work or movement or otherwise invading the personal privacy of another person.
- Lewd, off-color, sexually oriented comments or jokes.
- Foul or obscene language or gestures.

- Leering, staring, stalking.
- Suggestive or sexually explicit posters, calendars, photographs, drawings, graffiti, cartoons or writings including that which may be transmitted on the University's computer or electronic mail systems.
- Unwanted or offensive letters or poems.
- Sexually explicit communications including in-person, telephone, written or electronic mail.
- Sexually-oriented or explicit remarks, including written or verbal references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies, or prowess.
- Questions about one's sex life or experiences.
- Unwelcome social advances such as repeated requests for social dates or other non-business related activity where the invitee has indicated that she/he is not willing to accept such invitations.
- Sexual favors in return for employment rewards, or threats if sexual favors are not provided.
- Sexual assault or rape.
- Threats or slurs
- Derogatory or offensive public comments about such characteristics as gender, race, age, national origin or disability
- Any other conduct or behavior intended to encourage or incite behavior that harms or disadvantages others because of their gender, race, age, national origin or disability

### **Resolving complaints involving alleged violations of EEO or Harassment policy**

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers.

If you experience any job-related harassment based on your sex, race, national origin, disability, or another factor, or believe that you have been treated in an unlawful, discriminatory manner, you should take the following course of action:

1, Tell the individual to stop the conduct. State your objection to the action and the specific behavior to which you object. If this discussion does not resolve the problem, or if you feel uncomfortable confronting the individual, proceed to step 2.

2. Promptly report the incident to your Dean, Director, Department Chair, Human Resource Director, or supervisor. The Chair or Administrator closest to you in the organizational hierarchy will investigate the matter and take appropriate action, including reporting the complaint to the Director of Human Resources. If you believe it would be inappropriate to discuss the matter with your Dean, Director, Department Chair or supervisor, you may bypass that person and report the incident directly to the Director of Human Resources. An investigation will be undertaken. Your complaint will be kept confidential to the maximum extent possible.

If Millikin determines that an individual employed by the University is guilty of harassing another individual or a student, appropriate disciplinary action will be taken against the offending individual, up to and including termination of employment.

Millikin prohibits any form of retaliation against any student or any individual employed by the University for filing a bona fide complaint under this policy or for assisting in a complaint investigation. However, if, after investigating any complaint of harassment or unlawful discrimination, Millikin determines that the complaint is not bona fide and was not made in good faith or that false information has been provided regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Personal Relationships in the Workplace

**Policy No:** 608

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PERSONAL RELATIONSHIPS IN THE WORKPLACE**

While Millikin University encourages amicable relationships between those in campus leadership positions (e.g. Vice Presidents, Deans, Directors, Department Chairs and other supervisors) and their subordinates/colleagues, it recognizes that relationships that are poorly managed may compromise one's leadership role or may impact the leader's ability to perform his/her duties.

Any relationship between employees that results in charges of favoritism, disparate treatment, diminished or ineffective performance, involves failure to demand reasonable accountability, discloses a lack of professionalism or which disrupts the workplace will be considered in any evaluation of the performance of the individual who holds a leadership role. Vice Presidents, Deans, Directors, Department Chairs and other supervisors whose performance fails to meet goals or expectations because of a personal relationship will be counseled or disciplined appropriately. Such discipline may include disciplinary action, up to and including termination of the Vice President, Dean, Director, Department Chair or other supervisor.

Romantic relationships between students and employees in leadership positions (as are listed above) will be considered unacceptable and may result in discipline or termination.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Children in the Workplace

**Policy No:** 609

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**CHILDREN IN THE WORKPLACE**

The presence of children in the workplace with the employee parent during the employee's workday is inappropriate and is to be avoided except in emergency situations. This policy is established to avoid disruption in job duties of the employee and co-workers, reduce property liability, and help maintain a professional work environment:

If bringing a child to work with the employee is unavoidable, the employee must contact his/her supervisor as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working. Factors the supervisors will consider are the age of the child, how long the child needs to be present, the work environment in the employee's areas, and any possible disruption to the employee's and co-workers' work. Consideration will not be given to allowing a child with an illness to come to work with the employee.

A child brought to the workplace in unavoidable situations will be the responsibility of the employee parent and must be accompanied and be under the direct supervision of the employee parent at all times.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Use of Corporate Identity

**Policy No:** 610

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**USE OF CORPORATE IDENTITY**

Millikin University letterhead and official stationery may only be used in connection with University business or academic activities. The University will not be held liable for any matter printed on its letterhead that is not officially sanctioned.

Millikin University's name and seal are the exclusive property of Millikin University. Consequently, they may not be used in connection with outside professional activities without the prior permission of the President.

As permitted by other sections of this handbook, Millikin faculty, staff and administrators may, from time to time, be awarded grants to themselves personally, engage in outside employment, provide consulting services or be involved in other personal business activities. These activities are solely and individually the responsibility of the faculty, staff and administrator involved. Millikin University assumes no responsibility for the competence or performance of outside professional or commercial activities engaged in by the faculty member Administrator or Staff nor may any University responsibility be implied with respect to such activities

Misusing the University identity can have serious consequences for Millikin as a tax-exempt entity. Improper use of the University identity can also bind the University contractually, may require the outlay of significant sums or may require the Millikin to be responsible for delivery of goods or services at its expense. Any unauthorized use of University identity (letterhead, name, seal, corporate authority) can be grounds for disciplinary action up to and including termination.

Faculty, staff and administrators who bind the University without authorization will be required to reimburse Millikin for any costs it incurs as a result of the employee's actions.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Conditions of Employment and Conduct  
**Policy:** Confidentiality/Release of Information  
**Policy No:** 611  
**Applicability** *A//*  
**Effective:** March 15, 2005  
**Revised:**

---

## **CONFIDENTIALITY STATEMENT/RELEASE OF INFORMATION**

### Release of Information about Faculty, Students, Staff or Administrators:

Private or sensitive information concerning students or other employees is not to be discussed with anyone, including fellow employees, unless individuals receiving the information are authorized by their job duties to hold such information.

Because various federal and state laws govern the release of confidential information, inquiries about students shall initially be referred to the Dean of Students or Registrar. Inquiries about Faculty, Administrators or Staff shall initially be referred to Human Resources. Divulging confidential information to unauthorized personnel is considered a breach of both academic and professional integrity. Disciplinary action will be pursued up to and including termination.

Release of Information about Millikin's business or administrative activities: Millikin University is a Private, Non-Profit corporation. As an integral part of the community, it seeks to be as open to the community as possible and shares information about its activities as readily as possible. Indiscriminate release of information about the University's business or administrative activities, however, can damage the University, its business partners, alumni and potential donors. The University, therefore, must have control over the content and timing of business or administrative information it releases. As such, only the following may release information about the University to the public:

The President of the University  
The Vice President for Enrollment  
The University Marketing and Media Relations  
Dean of Students (limited to issues pertaining to students)

### Public comments by members of the University faculty, administration or staff:

Public comments about the University, its programs, facilities, business activities, student functions, the official duties of faculty, staff or administrators or, comments about other events or occurrences involving the University will be made through the University's Communications Director or the Marketing Office. Unless specifically approved by the President or the Vice President for Enrollment (or for very routine matters involving Athletic contests) public appearances, interviews and media appearances will be cleared through communications and/or marketing.



The University respects its employee's right of free speech and understands that, from time to time individuals may comment publicly about an issue of personal concern, as members of an external group, committee or board or, on an issue where their personal expertise has been sought by the press or others. The University has no objection to such comments provided that the makers clearly represent themselves as doing so in a private capacity and that the maker does not imply that his/her comments represent a position held by the University, its administration or its trustees.

Under certain conditions faculty, staff and administrators may be required to sign a confidentiality agreement in order to perform certain duties, participate as a member of certain committees or otherwise to protect the University or University personnel.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Conditions of Employment and Conduct  
**Policy:** Violence In The Workplace  
**Policy No:** 612  
**Applicability** *All*  
**Effective:** March 15, 2005  
**Revised:** November 26, 2012

---

**VIOLENCE IN THE WORKPLACE**

**Philosophy:** A comfortable work environment is essential to the well being of our employees. It provides minimum distractions for faculty, staff and administrators to freely contribute to the University's educational and service goals. Further, it assures that no distractions occur to interfere with our emphasis on safety for employees, students and visitors.

Conduct creating an intimidating, hostile or offensive working environment will not be tolerated. Millikin University reserves the right to take any administrative, physical and legal action necessary to protect its employees, students and visitors.

**Definition of Prohibited behaviors:**

- Threat: An expression of intent to perform an act or acts that could cause physical harm to self or others.
- Harassment: The act of someone creating a hostile work environment through unwelcome words, actions, or physical contact not resulting in physical harm.
- Assault: Occurs when an employee reasonably fears another is going to touch the employee in a harmful or offensive way. No touching is necessary. The mere threat may be considered an assault.
- Battery: Intentional, harmful or offensive acts that result in contact. An employee need not suffer actual physical harm.
- Physical attack: Aggression resulting in a physical assault with, or without the use of a weapon.

**Examples of Prohibited behaviors:**

- Intentionally damaging the property of the University or of any faculty, staff member, administrator or student.
- Verbally threatening, harassing, abusing or intimidating any faculty, staff member, administrator or student.
- Threats, intimidation and harassment by non-verbal means such as gestures.

- Causing physical injury to another person, attempting to injure another, or other physical acts against another person such as hitting, pushing, shoving and/or kicking.
- Behavior that is aggressive or threatening and that puts another employee in fear of injury.
- Possessing a weapon while on University property or on University business
- Other acts, such as arson, sabotage, vandalism and stalking.

Any person who participates in prohibited behavior as defined above while on University premises or on University business shall be removed from the premises or from the person's current assignment as quickly as safety permits. If there is an imminent threat, Safety and Security should be notified. The person shall remain off University premises and be separated from University activities and/or termination of any business relationships pending the outcome of an investigation. Following investigation, Millikin will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

All faculty, staff and administrators are responsible for making proper notification of any threats that they witness or receive or that they are told another person witnessed or received. Proper notification is defined as Supervisor, Dean, Human Resources, Safety and Security, or a member of the Risk Threat Assessment Team. Even without a specific threat, all employees should report any potentially threatening or violent behavior they have witnessed or any behavior that could endanger the health or safety of an employee, student or visitor. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.

Victim privacy and confidentiality regarding actions discussed in this policy will be maintained to the maximum extent practical.

**Millikin Employee Handbook/Policy Guide**  
**Section:** Conditions of Employment and Conduct  
**Policy:** Drug & Alcohol Abuse  
**Policy No:** 613  
**Applicability** *A//*  
**Effective:** March 15, 2005  
**Revised:**

---

## **DRUG AND ALCOHOL ABUSE**

### **Policy Statement**

Millikin University complies with the Federal Drug-Free Workplace Act of 1988 (the "Drug-Free Workplace Act") and the Drug-Free Schools and Communities Act Amendments of 1989 (the "Drug-Free Schools Act" (collectively, the Acts)).

Millikin University strictly prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on University premises, in vehicles provided by Millikin, at any work site or location at which University duties are being performed by Millikin faculty, staff and administrators, or as part of any other Millikin activities. Common examples of controlled substances, as defined by law, are cocaine, marijuana, and heroin among many others.

Consistent with federal, state and local laws individuals employed by the University who violate any portion of the above rule will be disciplined according to the severity of the violation. Such disciplinary action may include requiring satisfactory participation in a substance abuse treatment, counseling or education program as a condition of reinstatement or continued employment, suspension, termination of employment, and/or referral for prosecution.

Any employee convicted under a criminal drug statute must report that conviction to his/her immediate supervisor within five days of the conviction. The supervisor must immediately report the conviction to the Human Resources Director. Failure to report such conviction will result in disciplinary action up to and including termination.

The Drug-Free Workplace Act makes strict compliance with this policy statement a condition of employment on all federal grants and contracts. Within ten (10) days of learning of a drug conviction resulting from workplace activities of any individual engaged in work under grants or contracts funded by a federal agency, Millikin must notify the relevant funding agency that a violation of this policy statement has occurred.

Employees using prescription drugs according to a physician's instructions or using over-the-counter drugs for medicinal purposes where such drugs may impair their physical, mental, emotional or other faculties, must notify their Vice President, Dean, Director, Department Chair or supervisor.

All information relating to drug and/or alcohol screens is to be kept strictly confidential. The information will be kept in each employee's medical file, which will be maintained separately from employee's personnel file. These medical files will be kept locked and secured, and access

will be limited to individuals specifically authorized by law, regulation and policy to view them in the course of their official duties. Under no circumstances should the results of drug and/or alcohol screen be discussed with individuals that do not have a work-related need to know.

### **Drug Abuse and Treatment Program**

The University believes that the decision to seek diagnosis and accept treatment for any suspected illness is the responsibility of the employee. The decision to seek treatment will not be detrimental to job security. Supervisors and managers are not professionally qualified to diagnose alcoholism, drug addiction or any other illness. Any referrals by them are to be based strictly on unsatisfactory job performance or job related misconduct.

The University believes that confidential handling of the diagnosis and treatment of alcoholism and other drug addiction or emotional illness is essential.

Millikin has contracted with St. Mary's hospital (1900 E. Lake Shore Drive, Decatur Illinois) to offer an Employee Assistance Program (EAP) providing initial drug and alcohol counseling. EAP is offered as an addition to the University benefit program and is offered at no cost to the employee or the employee's family members. Counseling services are available to all full-time and part-time personnel including adjunct faculty, spouses and dependent children.

Appointments at EAP can be made by calling 464-2339 in Decatur or 1-800-879-7005.

Brochures further explaining the EAP program are available in Human Resources.

**Section:** Conditions of Employment and Conduct  
**Policy:** Smoking/Tobacco Use  
**Policy No:** 614  
**Applicability** *A//*  
**Effective:** March 15, 2005  
**Revised:**

---

### **SMOKING AND TOBACCO USE**

Tobacco use includes but is not limited to use of cigarettes, cigars, pipes and smokeless tobacco. Millikin University is a non-smoking, non-tobacco use facility. The use of tobacco products will be allowed only outside of campus buildings. The Administration will designate areas outside buildings where the use of tobacco products will be allowed. This policy relates to all work areas at all times, including before and after normal working hours.

Employees smoking in any non-smoking area may be subject to appropriate disciplinary action, up to and including termination.

**Section:** Conditions of Employment and Conduct  
**Policy:** Business Ethics and Conflict of Interest  
**Policy No:** 615  
**Applicability** *A//*  
**Effective:** March 15, 2005  
**Revised:**

---

## **BUSINESS ETHICS AND CONFLICTS OF INTEREST**

**Ethical Behavior:** The University cannot thrive if its honesty and ethics are questioned by parents, students, business partners and potential donors. Therefore, University personnel, are expected to exhibit the highest standards in the management of financial resources, in the truthfulness of information provided to students and the public, and in the stewardship exhibited in the use of University resources. Complaints of unethical behavior should be reported to the Department Chair, Dean, Director, supervisor or Vice President of the individual whose behavior is being questioned. If the person making the allegation of unethical behavior does not feel comfortable reporting the situation to the appropriate line administrator, he or she may report concerns to the Human Resources Department.

**Conflicts of Interest:** Faculty, staff and administrators often find themselves in a position to receive goods or services, special treatment or favors from the University's business partners, vendors or service providers. Employees of the University must not put themselves or the University in a position where their actions on behalf of the University can be criticized or their ability to act objectively in the future is compromised. It is the University's policy, therefore, that faculty, staff and administrators may not benefit personally in any substantial way from a gift or other consideration given by a vendor, business partner or service provider. Faculty, staff and administrators should observe the following:

- Unless reviewed and approved by the President or a Vice President, Faculty, staff and administrators may not accept personal gifts from vendors, business partners or service providers that have more than nominal value. Nominal value is defined as no more than \$50.00.
- When refusing a gift that exceeds nominal value would cause offense or damage the future relationship between the parties, such gifts must be reported to and, if possible, turned over to the Development office. The employee may be asked to reimburse the university for value greater than \$50.00.
- Employees may not use proprietary and/or confidential information for personal gain or to the organization's detriment, nor may they use assets or labor for personal use.
- Employees may not sell to third parties any information, products, or material acquired from Millikin University.
- Employees may engage in outside business activities, provided such activities do not adversely affect Millikin or the employee's job performance at Millikin.

- Unless reviewed and approved by the President or a Vice President, an employee of the University may not also act as a contractor or service provider to the University.

- Immediate family members of an employee are similarly precluded from receiving contract business with the University unless such a contract is the end result of a competitive bidding process.

- University employees shall recuse themselves from the decision process in cases where family members, friends, relatives, former employers or firms in which the employee is a stockholder are being considered for University business.

- University funds (including grant monies, student activity funds and other restricted funds) may not be used to reciprocate for gifts or favors received from vendors, business partners or service providers.

- If an employee or someone with whom the employee has a close personal relationship has financial or employment relationships with a competitor, vendor, potential vendor, or customer of Millikin, the employee must disclose this fact in writing to Human Resources. The organization will determine what course of action must be taken to resolve any conflict it believes may exist. If the conflict is severe enough, Millikin University will take such personnel actions as are appropriate to eliminate the conflict (up to and including termination of employment). Millikin University has sole discretion to determine whether such a conflict of interest exists.



**Section:** Conditions of Employment and Conduct  
**Policy:** Solicitation  
**Policy No:** 616  
**Applicability** *A//*  
**Effective:** March 15, 2005  
**Revised:**

---

## **SOLICITATION**

The University encourages faculty, staff and administration to keep personal business separate from their workplace responsibilities to the maximum extent practical. The University understands, however, that there may be times when solicitation for charitable purposes, for one person (or group) to provide services to others or for the sale of personal property may be appropriate. In the interest of maintaining a proper business environment, preventing interference with work, avoiding inconvenience to others and preventing situations when solicitations make others feel uncomfortable, the following guidelines are offered:

- Vice Presidents, Deans, Directors, Department Chairs or other supervisors should not solicit junior colleagues, students or others subordinate to them.
- Employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time.
- Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature of any kind to them.
- Solicitations should never use Millikin stationary, its seal or its name or imply in any way that any solicitation is endorsed or sponsored by the University.
- Solicitations to support political parties, political action committees or other groups whose aims involve bringing pressure to bear on public officials are not authorized.

From time to time, the University may consider requests to post notices or solicitations on University Bulletin Boards. No such literature shall be posted, however, without the authorization of the Office of Student Programs.

Solicitation and/or distribution of material on company property by persons not employed by Millikin University are prohibited at all times.

**Section:** Conditions of Employment and Conduct  
**Policy:** Use of University Premises, Property and  
Materials

**Policy No:** 617

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**USE OF UNIVERSITY PREMISES, PROPERTY, AND MATERIALS**

This policy is being reviewed in response to faculty request.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Campus Visits by Candidates for Political Office

**Policy No:** 618

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**POLICY ON CAMPUS VISITS BY CANDIDATES FOR POLITICAL OFFICE**

*Context:* During election campaigns, the University receives requests from candidates for office to use our campus as a place for press conferences and political rallies. While we invite sitting office holders to campus and often garner media attention for those efforts, we have not typically held press conferences, rallies and other events for the promotion of one candidate over another, lest it appear that the University is endorsing a particular candidate.

We have, however, held events during an election year like the Debate Watch program, which offer opposing candidates the opportunity to present their views. In years past, student organizations have hosted events and invited all available candidates for offices to attend.

Also at issue is the IRS view of political candidates on college campuses. We must be careful not to jeopardize our 501C3 status. We have examined what other institutions have established as policy and paid particular attention to the ACE (American Council on Education) guidelines, which take into consideration IRS regulations and federal law.

Introduction

Millikin University is first and foremost an educational institution. As such, lively debate and free speech are highly valued and encouraged. However, the University, as an institution, does not endorse individual political candidates or partisan policy. The University does not live in isolation from societal issues, but for reasons of philosophical perspectives that may be widely divergent among individuals, the educational value of the political process must be preserved, rather than the endorsement of particular candidates or views. To that end, the following University policy guides our behavior:

Policy

- During election campaigns, Millikin University welcomes open debate and discussion of the issues by candidates for office. This process is educational for our students and campus community. We welcome opposing candidates for the same office to present their views in campus forums that allow for exchange of ideas and considerate discussion. However, the purpose of the visit must be educational for our students and campus community.
- Millikin University may from time to time invite sitting office holders to campus for educational purposes; these visits will sometimes generate media attention. Millikin University may also allow current office holders to make announcements from the

campus that are for the general public good. Such announcements must be limited to the general public good and not used as a forum to advance particular political views or causes. Such visits would not typically be held within two weeks of an election.

- The University does not allow candidates for office to hold press conferences, political rallies or other such events to promote their views over those of other candidates in a setting that does not allow for open debate and discussion of the several sides of an issue.
- We do not allow yard signs for candidates to be placed on University property or for stickers to be placed in external windows of faculty and administrative offices. The use of University e-mail or message boards to endorse candidates is not permitted, nor is the use of University mailing lists or letterhead. This policy is meant to be considerate of the many views and opinions that exist during elections campaigns and to be certain that the University is not viewed as endorsing one candidate over another.
- When expressing personal opinions about candidates or political policy, faculty, staff, administration and students should make every effort that their views are seen as their own and not those of Millikin University, or Millikin's endorsement of a particular candidate or view.
- Activities aimed at political fund-raising for particular candidates or views is not permitted.
- Millikin University participates in programs to promote voter registration and to educate students about the electoral process.

This policy is meant on every level to provide educational opportunities for Millikin students and campus community that present varying views, open debate and considerate discussion.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Responsibility Toward Supervision

**Policy No:** 619

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**RESPONSIBILITY TOWARD SUPERVISION**

The responsibility for accomplishing the objectives of any University organizational element rests with all faculty, staff and administrators but in particular with the Vice Presidents, Deans, Directors, Department Chairs and other supervisors. Employees have a distinct right, as well as responsibility, to seek their guidance and support in matters relating to their assignment. Do not hesitate to seek out Vice Presidents, Deans, Directors, Department Chairs and other supervisors when you are in doubt regarding any part of your job. Establish clearly at the beginning of any assignment the person responsible for supervision and guidance of your work.

Faculty, staff and Administrators also have a responsibility to support the President as well as Vice Presidents, Deans, Directors, Department Chairs and other supervisors in the conduct of University business.

Disagreements should be resolved in face to face discussions with Vice Presidents, Deans, Directors, Department Chairs and supervisors whenever possible. When normal communication does not resolve the problem, employees are expected to use the University Grievance Procedure, the Grievance Procedure in Policies and Procedures Faculty and the University procedure for investigating and resolving Equal Opportunity and discrimination complaints.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Performance Evaluations

**Policy No:** 620

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**PERFORMANCE EVALUATION**

In order to ensure that all employees receive regular feedback on their performance, supervisors should evaluate the job performance of every employee who works for them on a regular basis. Performance reviews establish a performance history with the University and are used in performance, promotion, transfer and merit increase decisions. Evaluations are not a commitment to provide salary or other form of compensation, continued employment, or retention.

Supervisors should conduct regular, timely performance evaluations at least annually. These evaluations should take place regardless of whether the employee is eligible for an increase. A performance evaluation is not necessarily linked with a salary increase. Supervisors may review performance more often than is required by this policy.

Supervisors should use a coaching approach to help an employee grow in his/her position. Part of this process involves regular reviews to evaluate performance. Some factors considered are dependability, quality and quantity of work, interpersonal skills and conduct. The purpose of this evaluation is to guide employees' progress in their current position, to discuss ways in which their performance can be improved, and when appropriate, explore their potential for advancement. These formal performance evaluations are in addition to the informal meetings supervisors should have with employees throughout their employment.

Goals and objectives should be reviewed with the employee at the beginning of their employment or review period so that they understand the performance criteria. When the evaluation form has been reviewed with the employee, the employee and the employee's supervisor need to sign it. An employee's signature on his/her evaluation only acknowledges that it has been reviewed with the employee. Employees are encouraged to attach any written comments they wish to their evaluation form. The Evaluation, along with any employee comments, will become a part of the employee's personnel file. The completed form should be forwarded to Human Resources.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Temporary Modified Duty

**Policy No:** 621

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**TEMPORARY MODIFIED DUTY**

Millikin University is committed to providing work, when possible, for employees who have been restricted by a physician due to a work-related injury or illness. Such work will be provided subject to availability. Work will be assigned due to the nature of the injury or illness and the limitations set forth by the treating physician. Every effort will be made to place employees in positions within their own departments, but if necessary, employees will be placed wherever an appropriate position is available.

While on temporary modified duty, employees will continue to receive their regular rate of pay. Employees who are placed outside their department will continue to have their salary charged to their regular department.

Employees on temporary modified duty must furnish a written update of their medical condition to Human Resources from the treating physician after each visit in order to remain in the reassigned job. Temporary modified duty assignments are subject to review. Being placed on a temporary modified duty assignment does not excuse an employee from following all rules and regulations.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Outside Employment

**Policy No:** 622

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**OUTSIDE EMPLOYMENT**

Your position at the University is expected to be your primary one, if you are a full-time employee. However, most outside employment is allowed if it does not interfere with your University function. This outside employment should not bring discredit to the University nor should you use the University position or name to acquire the position. Employees should be certain that a conflict of interest does not exist. Before accepting the off-time employment, it is advisable to discuss the matter with your supervisor.

Approval is necessary from both the supervisor and the Vice President for Finance and Business Affairs if the outside employment will require the employee's services for 16 or more hours per week, including the availability to work overtime if necessary.



**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Meal and Break Periods

**Policy No:** 623

**Applicability** *Staff and Administrators*

**Effective:** March 15, 2005

**Revised:**

---

**MEAL AND BREAK PERIODS**

Federal law requires that an employee who is to work 7 ½ continuous hours or more shall be provided an unpaid meal period of at least 30 minutes. The meal period must be given to an employee no later than 5 hours after beginning work. Generally, meal periods at Millikin University are one (1) hour. Please inquire with your supervisor the allotted time allowed in your department.

Work schedule permitting, breaks are allowed. Employees should be aware that taking a break depends upon the department involved and whether or not normal work can be continued while employees take breaks. Where breaks are allowed, they are limited to two, fifteen-minute breaks per day. Breaks may not be used to offset arrival, extend lunch periods, or to shorten the workday.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Employment References

**Policy No:** 624

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**EMPLOYMENT REFERENCES**

All inquiries regarding employees who are currently employed or who have been previously employed by Millikin University are to be referred to Human Resources.

The University is not obligated to provide employers with information about the character, performance, scholarship or potential of current or former employees who are seeking employment elsewhere. Should the University choose to provide a reference, it will be given by the Human Resource Director. Normally, the University's reference will be limited to dates of employment, position and job title.

An exception to the above statement is that Human Resources may release salary information to credit institutions when such information will assist the employee in securing credit, provided the request for salary information is made in writing and the employee authorizes release of information.

The University understands that individual faculty, administrators or staff may be asked to provide references for former colleagues. Such references are permitted, however, the following guidelines should be observed:

- Faculty, staff or administrators who voluntarily provide reference information understand that they are doing so as a former colleague or peer, not as representatives of the University. They should make it clear that their thoughts represent their own opinion and that they do not represent the opinion of the Board of Trustees, the President, Cabinet or other officers of the University.

- Written references will not be provided on University stationary or letterhead.

- Limit comments to what is known from personal observation or data that can be reproduced. Avoid third hand information or hearsay.

- Limit comments to issues related to Millikin University. Comments on an individual's personal life or work prior to coming to Millikin should be avoided.

- Some former employees have ended their association with the University under a separation arrangement that may include a non-disclosure agreement. Faculty, staff or administrators who are asked to provide reference information should check with the Human Resources office to make sure that they are not violating such an agreement.

**Millikin Employee Handbook/Policy Guide**

**Section:** Conditions of Employment and Conduct

**Policy:** Sexual Misconduct Policy

**Policy No:** 625

**Applicability** *A//*

**Effective:** August 1, 2016

**Revised:**

---

**I. STATEMENT OF POLICY**

Millikin University is committed to providing a campus culture that respects and values diversity and expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national/ethnic origin, age, sexual orientation, gender identity or expression, disability, genetic information, marital status, military/veteran status or on any other basis prohibited by applicable state or federal law, in its educational programs, activities, admission, or employment policies. Improper interference with the ability of Millikin's employees to perform their expected job duties is not tolerated.

Millikin University is also committed to providing an academic and work environment free from sexual misconduct, as well as unwelcome sexual advances, requests for sexual favors, sexual favoritism, or other verbal or physical conduct or communications constituting sexual harassment. Sexual misconduct is unlawful and will not be tolerated.

**SCOPE**

This policy applies to all employees, applicants, guests, students and other persons visiting Millikin's premises or while acting on behalf of Millikin.

**II. TITLE IX AND DISCRIMINATORY HARASSMENT**

Title IX of the Education Amendment of 1972 is a federal law intended to end gender based discrimination in all areas of education. It applies to non-discrimination based on sex/gender to all recipients of federal funds and applies to issues of program equity, such as in athletics, and also to sexual misconduct, including sexual discrimination, sexual harassment, and sexual violence.

Millikin University is obligated to respond promptly, thoroughly and equitable when it learns of any form of possible sex/gender discrimination. This obligation remains even in the absence of a formal complaint. The Title IX Coordinator is the compliance officer who will coordinate the University efforts of resolving complaints of sex/gender based discrimination, harassment and sexual misconduct and carry out the responsibilities

under Title IX. The Title IX Coordinator at Millikin University is Diane Lane, Director of Human Resources, and can be reached at:

**Title IX Coordinator**  
**Diane Lane; Director, Human Resources**  
**Shilling Hall, Room 212**  
**(217)362-6416**  
[dlane@millikin.edu](mailto:dlane@millikin.edu)

The Title IX coordinator is authorized to designate Deputy Title IX Coordinators to investigate discrimination and harassment complaints as deemed appropriate.

**Title IX Deputy Coordinators:**

**For students:**

Raphaella Prange 217-424-6395  
Dean, Student Development

**For faculty, staff, visitors, or others:**

Tammy Maxwell 217-362-6416  
Asst. Director, Human Resources

**File an electronic report**

[TitleIX@millikin.edu](mailto:TitleIX@millikin.edu)

**File an anonymous report**

Campus Conduct Hotline 866-943-5787

**For disability discrimination:**

Carrie Pierson 217-424-3999  
Director, Student Success/ADA Coordinator

III. **DEFINITIONS**

**Sexual Misconduct** is a broad term encompassing any unwelcome sexual contact or activity that occurs without the direct and verbal consent of any individual involved. Millikin University recognizes that individuals of any sex, sexual orientation or gender identity may be victims of sexual misconduct.

Sexual misconduct offenses covered by this policy include, but are not limited to, the following offenses:

1. **Sexual Harassment**
2. **Non-Consensual Sexual Contact (or attempts to commit same)**

### **3. Non-Consensual Sexual Intercourse (or attempts to commit same)**

### **4. Sexual Exploitation**

**1. Sexual Harassment** is described as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual or sex-based nature. Conduct constitutes sexual harassment when:

- Submission to such conduct is made, or threatened to be made, either explicitly or implicitly, a term or condition of employment and/or education. (Quid Pro Quo)
- By a person having power or authority over another constitutes sexual harassment when
- Submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that individual; (Retaliatory) or
- Such conduct is sufficiently severe, pervasive and persistent so as to alter the conditions of or have the effect of creating an intimidating, hostile, or offensive working, academic or learning environment. (Hostile environment)

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence, intimate partner violence, stalking; gender-based bullying.

Sexual harassment can take many forms. It can be committed by both men and women and can occur between members of the opposite sex or between members of the same sex. All such act of sexual harassment are forms of sexual misconduct.

Some examples of possible Sexual Harassment include, but not limited to:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in a professor's office or on the exterior of a residence hall door.
- Two supervisors frequently "rate" several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.

- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.

Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the Title IX Coordinator or a Deputy Coordinator. Remedies, education and/or training will be provided in response.

**2. Non-Consensual Sexual Contact** is any intentional sexual touching, however slight, with any object or body part, by one person upon another, without consent, or by force. Sexual touching also includes an individual making someone else touch him or her with, or on, any body parts.

**Sexual Contact includes:**

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

**3. Non-Consensual Sexual Intercourse** is defined as rape, sexual assault, unwanted penetration of parts of another person, or subjecting a person to sexual intercourse against her/his will or without her/his consent. This includes sexually motivated penetration of any kind by any object, however slight.

**Intercourse includes:**

- Vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

**4. Sexual Exploitation** occurs when an individual takes non-consensual or sexual advantage of another individual for the purpose of benefitting anyone other than the individual being exploited. Sexual exploitation also includes behavior that is not otherwise by one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Non-consensual digital, video or audio-recording of nudity or sexual activity;
- Unauthorized sharing or distribution of digital, video, or audio recording of nudity or sexual activity;
- Engaging in voyeurism;
- Going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex);

- Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Prostitution;
- Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

## **GENDER-RELATED VIOLENCE**

In addition to the offenses of sexual misconduct discussed above, Title IX also governs gender-related violence. Gender-related violence is defined by any action (sexual or not) that is motivated by the gender-identity of the victim. Gender-related violence includes domestic violence, dating violence, and stalking.

- **Domestic Violence** – Any act of abuse or violence by a family or household member. "Abuse" could be physical abuse, harassment or intimidation of a dependent.
- **Dating Violence** – Abuse or violence between partners or former partners to maintain control over the other. Violence can be between same sex or different sex partners and does not require sexual intimacy.
- **Stalking** – repeated harassment, intimidation or threats that would cause a reasonable person to fear for their safety. This could be done by telephone, mail, electronic communication, social media, or other action, device, or method.

## **ADDITIONAL APPLICABLE DEFINITIONS:**

**Complainant** – The reporting party that is filing a complaint with the University.

**Respondent** – The person responding to the complaint.

**Consent** - is defined as clear, knowing, and voluntary words or actions, that give permission for specific sexual activity – an unforced "YES" to the sexual act in question.

- Consent is active, not passive.
- Silence, in and of itself, cannot be interpreted as consent.
- Consent can be given in words or actions, as long as those words or actions create a mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- Consent to any one forms of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

- Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
- In order to give consent, one must be of legal age.
- Sexual activity with someone you know to be, or should know to be, incapacitated constitutes a violation of this policy.
  - Incapacitation – defined as a state in which an individual is unable to make a reasonable judgment concerning the nature or harmfulness of the activity because of his or her intoxication, unconsciousness, mental deficiency or incapacity. Specifically, incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.

**Discrimination**, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender

**Retaliation** is defined as any adverse action taken against a person participating in a protected activity because of a person’s participation in that protected activity.

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).

- Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.  
(**NOTE:** There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance.)

**Intimidation**, defined as implied threats or acts that cause an unreasonable fear of harm in another

**Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity

**Bullying**, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally that is not speech or conduct otherwise protected by the 1<sup>st</sup> Amendment.

**Cyber Bullying** is bullying through email, instant messaging, chat room exchanges, web site posts, or another electronic means. Cyber bullying, like traditional



bullying, involves an imbalance of power, aggression, and a negative action that is often repeated.

## **OTHER OBJECTIONABLE CONDUCT**

Objectionable conduct that does not rise to the level of gender discrimination or that is of a generic nature not on the basis of a protected status may not result in the imposition of discipline under this policy, but may be addressed through other remedial actions, education and/or conflict resolution mechanisms. For assistance, employees should contact Human Resources and students should contact the Dean of Student Development.

### **IV. CONSENSUAL RELATIONSHIPS Involving Employees & Students**

Employees with direct supervisory, teaching, or evaluative responsibility over other employees or students must recognize and respect the ethical and professional boundaries that exist in such situations. There is an inherent imbalance of power and potential for exploitation in such relationships. These dangers include:

- A conflict of interest may arise if the employee in a leadership position must evaluate the student's or employee's work or make decisions affecting the employee or student.
- The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees.
- A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

Therefore, consensual sexual and amorous relationships will be considered unethical and are prohibited between a student and any member of the faculty or administrative staff who teaches, supervises, evaluates, or otherwise is in a position to exercise power or authority over the student. Efforts by members of the faculty or administrative staff to initiate these relationships are also prohibited.

Romantic or sexual relationships between a supervisor and a subordinate are also considered inappropriate. In the event that such relationships do occur, Millikin University has the authority to transfer any involved employee to eliminate the supervisory authority of one over the other. Such action by the University is a proactive and preventative measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

### **V. DUTY TO REPORT** **Employees' Duty to Report**

All Millikin employees (faculty, staff, and administrators) are considered mandated reporters and have a duty to promptly report any gender-based discrimination, gender-based harassment, gender based violence or retaliation that they observe, receive a report of, or otherwise obtain information about such conduct when they receive a report of such conduct, to the Title IX Coordinator or a Deputy Coordinator. This includes employees who may have a professional license requiring confidentiality if they are not employed by the University in that professional role. Once individuals receive a report, it is considered official notice to the University. Failure to cooperate with, or otherwise interfere with, an investigation conducted by, or on behalf of, the University could lead to disciplinary action, up to and including, termination, expulsion, removal from campus and/or cancellation of contract.

In addition, all faculty and staff who become aware of an alleged sexual offense involving a minor (under the age of 17) must report that information to the Illinois Department of Children and Family Services (DSFS). You may contact the hotline at 1-800-25-ABUSE or refer to the DCFS website at [www.state.il.us/dcfs/FAQ/faq\\_can.shtml](http://www.state.il.us/dcfs/FAQ/faq_can.shtml).

### **Confidential Discussions**

If a student or employee has experienced an incident of discrimination or harassment but does not desire action by the University but would like to speak to a "CONFIDENTIAL" resource, they may contact Growing Strong Sexual Assault Center (who serves as Millikin's CONFIDENTIAL reporting resource) at 217/428-0700.

## **VI. REPORTING OPTIONS**

Individuals who experience any job-related harassment or believe that they have been treated in an unlawful, discriminatory manner, are encouraged to promptly notify the alleged perpetrator verbally or in writing that his/her conduct is unwelcome. Regardless of this notice, all employees, students, applicants, volunteers, vendors and guests are strongly encouraged to report any incidents of gender-based discrimination or harassment. Reports may be made orally or in writing and such reports should be made to the Title IX Coordinator or a Title IX Deputy Coordinator. Reports may also be made to any Human Resources professional, Dean, Director, Department Chair, Supervisor, Provost/Vice President, Head Coach, University Director/Chief of Police or Assistant Director/Deputy Chief. Anyone receiving reports of gender-based discrimination, harassment or misconduct are required to forward those reports to the Title IX Coordinator, Diane Lane, Director of Human Resources, who will ensure prompt response and initiate the preliminary investigation. She can be reached at (217)362-6416 or [dlane@millikin.edu](mailto:dlane@millikin.edu).

You can also make a confidential, electronic report via the email address [TitleIX@millikin.edu](mailto:TitleIX@millikin.edu). Reports submitted through this email address will be responded to within twelve (12) hours.

In addition, the University participates in a service called the **Campus Conduct Hotline** which accepts anonymous complaints 24 hours a day, seven days a week at **(866) 943-5787** toll-free.

## VII. **INTERIM MEASURES**

Upon receipt of a report of sex/gender-based discrimination, harassment or violence, the University will take interim measures to address the short-term effects of harassment, discrimination and/or retaliation to redress harm to the reporting party and the community and to prevent future violations. The need for such temporary measures shall be reevaluated on a regular basis during the pendency of the investigation to ensure the need for such temporary measures remain present. These measures may include, but are not limited to:

- Referral counseling and health services;
- Referral to the Employee Assistance Program
- Education to the community
- Implementing contact limitations between the parties
- Relocation of office and/or parking;
- Providing campus escorts
- Altering work arrangements for employees;
- Altering housing and dining schedules
- Offering adjustments to academic deadlines, class schedules, etc.
- Interim suspensions

Additionally, the University may make a preliminary, non-binding assessment of the information contained in the report (and any supplement to the report) to determine whether that information, if true, would pose an imminent threat of immediate harm, then, consistent with the grievance procedures identified below, temporary measures may be imposed against the respondent to mitigate the threat during the pendency of the investigation.

## **KNOW YOUR RIGHTS**

The University strives to provide members of the campus community with fair and equitable resolution processes that include both formal and information options. Under Title IX, both the complainant and the respondent have equal rights to:

- Be informed of all reporting options
- Be accompanied by an advisor or support person of their choice at the proceedings and any related meeting
- Present evidence or have witnesses speak on their behalf
- Have timely access to information that will be used at the investigation/hearing
- Be present at pre-hearing meetings that provide an opportunity to present their testimony

- To have unrelated prior sexual conduct with anyone other than the respondent excluded from the hearing
- Receive a prompt, fair and equitable resolution – including a prompt, thorough, and impartial investigation
- Receive the final decision in writing simultaneous without being required to sign a non-disclosure agreement
- Have the right to appeal a final decision

## VIII. INVESTIGATION PROCESS

- A. **Purpose of the investigation.** The purpose of the investigation is to evaluate the allegations of sex/gender based harassment, discrimination or misconduct, formulate a response that addresses the facts as they are determined, and follow up to ensure that the necessary action steps are completed.
- B. **Intake/Initial Assessment.** A complaint can be made to a “Responsible Employee” or directly to the Title IX Coordinator (or deputy coordinator). Upon receipt of notice, the Title IX Coordinator (or deputy coordinator) will schedule an intake meeting with the complainant to provide the complainant with a general understanding of the policy and to identify forms of support or immediate interventions available to the complainant (no contact, etc.)

After analyzing the information, the Title IX Coordinator (or deputy coordinator) will determine whether it is more likely than not (by use of the preponderance of the evidence standard) that the alleged conduct occurred and how the complainant wishes to proceed (informal resolution or formal complaint). It is important to note that the law may require the University to investigate even when a complainant does not wish to pursue informal resolution or formal investigation. The Title IX Coordinator (or deputy coordinator) will take care in these instances to protect the claimant’s personal information as much as possible, although confidentiality cannot be guaranteed. Moreover, the ability of the University to investigate the complaint may be limited when the complainant refuses to participate in the investigation or wishes to remain anonymous. As necessary, the University reserves the right to initiate an investigation without a formal complaint by the victim/complainant.

Depending on the facts of the case, the Coordinator (or deputy coordinator) may determine that there is a reasonable cause to believe the policy has been violated and will initiate a prompt, thorough, and impartial resolution or investigation.

- C. **Informal Resolution Procedures.**
- (i) Though not required, it is encouraged to initially attempt to resolve complaints at the lowest level possible. An informal resolution, such as supervised mediation, can be instituted in cases like this.

- (ii) If Complainant would like to proceed informally, they should ask their supervisor, Human Resources professional or Title IX coordinator to intervene. Do not rely on other co-workers or individuals who are not familiar with University policy. In cases involving allegations of sexual assault or other serious violent offenses, informal resolutions are not appropriate, even on a voluntary basis.
- (iii) Complainant has the right to end the informal process at any time and begin the formal resolution process.
- (iv) Supervisors, administrators, and faculty should always contact the Title IX Coordinator or a Deputy Coordinator before attempting to resolve any complaints.

**D. Formal Complaint.**

- (i) The person who wishes to file a formal complaint is encouraged to submit a brief written statement of fact to the Title IX Coordinator or the assigned Deputy Coordinator. If a written statement is not submitted, the Title IX Coordinator or assigned Deputy Coordinator will prepare a statement that is approved by the complainant, which may address the following:
  1. Identification of the respondent and relationship to the University;
  2. Description of the incident(s), including dates, locations, and the presence (and identity) of any witnesses or other who might have been subject to the same or similar conduct;
  3. The impact of the respondent's action on the complainant;
  4. Any steps complainant has taken to try to stop the harassment;
  5. Any other information that complainant believes to be relevant including supporting documents or other evidence.

**E. Presence of advisor/support persons.**

Each party is allowed to have an advisor of their choice present for all meetings and proceedings. The advisor may be a friend, mentor, family member, attorney or any other supporter they choose. Witnesses cannot also serve as advisors. This person is not provided documentation on the investigation or allowed to interject during the investigation interview.

**F. Investigation.**

Upon receipt of the statement, the Title IX Coordinator will open a formal case file and begin the investigation herself or assign the investigation to a Deputy Coordinator, who will conduct the investigation under the supervision of the Coordinator. The investigator will begin by providing both the Complainant and the respondent with formal notice of the complaint.

The investigation may range along a continuum from a one-on-one conversation with the accused with an agreement as to further interactions; to an inquiry with several witness interviews. During the investigation, the interviewer may

interview the parties, witnesses who have first-hand knowledge of the events and gather relevant documents.

**NOTE:** Cases involving student on student sexual misconduct not in the employment setting will be handled in accordance with the Standards of Conduct in the Student Handbook and are not covered under this procedure. The Office of Student Development will be responsible for the investigation and resolution of such allegations.

G. **Possible outcomes.** An investigation may result in one of the following findings:

1. **A determination that there is sufficient evidence to indicate a violation of university policy.** This will result in the allegation being assigned to the Title IX Coordinator/Director of Human Resources for review and formal disciplinary proceedings. In matters involving general staff or administration, the Title IX Coordinator/Director of Human Resources, in conjunction with the respondent's supervisor, will make a formal sanctioning decision. This decision will be delivered in writing to both the complainant and respondent while respecting guiding employment law best practices. In allegations involving faculty members, the Title IX Coordinator/Director of Human Resources will advise the Provost who will determine if Faculty Policy and Procedures, specifically 2.4.5, should be instituted.
2. **A determination that there is insufficient or no evidence to indicate a violation of university policy.** This determination will be reviewed by the Coordinator/Director of Human Resources. If in agreement, the file will be considered closed (pending appeal) and the complainant and respondent will be notified in writing simultaneously.
3. **A determination that inappropriate behavior has occurred, although not rising to the level of a policy violation.** This determination will be reviewed by the Coordinator/Director of Human Resources. If in agreement, the complaint will be forwarded to the appropriate office for resolution.

## **Sanctions**

Sanctions may be imposed upon any member of the community found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. Factors considered in sanctioning are defined in the Student Handbook, The Faculty P & P and the All Employee Handbook. The following are typical sanctions that may be imposed upon students or organizations singly or in combination, and should not be perceived as an exhaustive list:

### **Possible Student Sanctions (referred to in the Student Handbook)**

1. Warning
2. Probation
3. Suspension
4. Expulsion
5. Organizational Sanctions
6. Other Reparative Actions

### **Possible Employee Sanctions (Faculty P&P and Employee Handbook)**

- Warning – Written or Verbal
- Performance Improvement Plan
- Required Counseling
- Required Training or Education
- Demotion
- Loss of Annual Pay Increase
- Suspension without Pay
- Suspension with Pay
- Termination
- Other Reparative Actions

- H. **Cooperation with Law Enforcement.** In the event that an internal complaint is also being investigated by law enforcement, the University will comply with law enforcement request for cooperation and such cooperation may require the University to temporarily suspend the fact-finding aspect of the investigation while the law enforcement agency is in the process of gathering evidence. The University will promptly resume its investigation two weeks after receiving approval from law enforcement. This restriction does not limit the University's ability to put interim protective measures in place or other actions to ensure campus safety and security.
- I. **Conclusion of the investigation.** It should be the goal of the University to have all complaints investigated and concluded within sixty (60) days of the initial complaint being filed. If this is not reasonably possible due to extenuating circumstances, the Title IX Coordinator/  
Director of Human Resources should inform the complainant and respondent of the status of the review and an estimated conclusion date.
- J. **Outcome of Investigation.** The University shall prepare a written summary of the outcome of the investigation and provide both complainant and respondent with written notice of the outcome simultaneously within five (5) business days of such finding being made.

Regardless of the method of resolution or the outcome, complainants may choose to pursue their complaints through the criminal and/or civil courts, with the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity

Commission (EEOC), the United States Department of Education (Office of Civil Rights), in addition to, or instead of, the University's process. Complainants are encouraged to utilize the resources available through growing Strong (legal advocates) and may wish to consult with an attorney.

- K. **Appeal Rights.** Both the complainant and the respondent have the right to appeal a decision. The appeal must contain
- the name of the complainant
  - name of the respondent
  - A statement of the determination of the complaint, including corrective action, if any
  - A detailed statement of the basis for the appeal including the specific facts, circumstances, and arguments in support of it, and
  - Requested action, if any

An appeal is not a re-hearing and must clearly demonstrate one of the following elements:

- **New Information of a Substantive Nature:** New, significant or relevant information regarding the case becomes available that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
- **Substantive Procedural Error:** The specified procedural error or error in interpretation of university conduct procedures significantly impacted the outcome of the decision;
- **Substantive Disproportionate Sanction:** The sanction appears to be significantly incongruent with the violation, given either the individual's prior record or the usual action for the offense.

Appeals must be filed with the Title IX Coordinator within five (5) business days from receiving the decision. The Title IX Coordinator will forward to the appropriate individual as listed below:

- Appeals involving students will be heard following the Standards of Conduct in the Student handbook.
- Appeals for Faculty members will be heard by the Provost.
- Appeals for Administrative and Staff employees will be heard by the Vice President for Finance & Business Affairs.

The finding will be in writing and provided to both parties, will be final, and cannot be appealed. The appeals officer will typically render a written decision to all parties within five (5) business days from hearing the appeal.



## **IX. CORRECTIVE ACTION IMPLEMENTATION**

When discrimination or harassment is found, steps will be taken to ensure that the behavior is stopped promptly. In compliance with existing University policy, appropriate corrective action may range from counseling, written reprimands, suspensions, or other action, up to and including termination. The Office of Human Resources will monitor corrective action to ensure compliance.

- A. In cases involving faculty members, corrective measures may be imposed in accordance with Policies and Procedures: Faculty; Section 2.4.5 *Dismissal for Cause*, 2.46 *Action Short of Dismissal*, and 2.5 *Grievance Procedure*.
- B. In cases involving students acting in their employment capacity, measures may be imposed in accordance with policy in the Student Employee handbook. In all other cases, measures may be imposed in accordance with the Standards of Conduct in the Student Handbook.
- C. In cases involving all administrative and staff employees, refer to Policy #601 *Guidelines for Appropriate Conduct* and #603 "*Discipline and Corrective Action*" in the Employee Handbook.

## **X. CONFIDENTIALITY**

The University wishes to create a safe environment in which individuals are not afraid to discuss concerns. Therefore, the University will maintain the confidentiality of the complaint to the greatest extent possible and on a need-to-know basis, consistent with the law and the University's goal of conducting a thorough and complete investigation. Efforts will be made to safeguard the privacy and rights of all persons involved. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

## **XI. RETALIATION**

The University will not tolerate retaliation in any form against any faculty, staff, student or volunteer, who files an allegation, serves as a witness, assists an alleged, or participates in an investigation of discrimination, harassment, or gender based violence. University policy and state and federal law prohibit retaliation against an individual for reporting, or cooperating with, an investigation of discrimination, harassment, or gender based violence. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the allegation. Allegations of retaliation should be directed to the Office of Human Resources.

## **XII. ADDITIONAL POLICY PROVISIONS**

### **A. False Allegations**

It is a violation of this policy to make an intentionally false report of sexual harassment that is known to be false. Any member of the University community who knowingly files a false complaint of discrimination or harassment, or who knowingly provides false

information to or intentionally misleads any University official who is investigating a complaint, is subject to disciplinary action, up to and including termination.

## **B. Amnesty Policy For Reports Of Sexual Misconduct**

Millikin University encourages reporting of sexual misconduct and seeks to remove any barrier for reporting parties. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential consequences for their own conduct. Any student who reports sexual misconduct, either as a victim or witness, will not be subject to student conduct action by the University for their own personal consumption of alcohol or drugs during the incident so long as the consumption did not result in harm to others or the community at-large. The University does reserve the right to engage in developmental and educational practices in relation to alcohol/drug education with involved parties.

### **XIII. COUNSELING AND SUPPORT SERVICES**

Any person seeking counseling or support services may contact any of the following:

- Millikin University Public Safety 217-464-8888
- Decatur Police 911
- Growing Strong Sexual Assault Center 217-428-0770
- DOVE Domestic Violence Advocacy Center 217- 423-2238
- Decatur Memorial Hospital 217-876-8121
- St. Mary's Hospital 217-464-2966
- National Domestic Violence Hotline 800-799-SAFE(7233)
- National Sexual Assault Hotline 800-656-HOPE(4673)

#### **For Employees:**

- Employee Assistance Program (EAP): free confidential counseling for University employees, as well as their dependents, through LifeWorks. To speak with a counselor or to schedule an appointment with a local counselor, call 877-234-5151 toll-free.

#### **For Students:**

- Millikin/DMH Health Clinic & Counseling Center 217-424-6360
- Millikin Office of Student Development 217-424-6395

### **XIV. NOTICE, TRAINING AND EDUCATION FOR STUDENTS AND EMPLOYEES**

The University supports a complete program for the education of its community with respect to the meaning and implementation of this policy. Employee and student training is scheduled accordingly.

#### **For Employees:**

- All employees, including faculty, administrative and support staff will receive annual awareness training as it pertains to Title IX.
- All new employees are provided awareness training at or before New Employee Orientation advising them of the policy and what constitutes sex/gender discrimination, harassment and sexual misconduct and the consequences of violating these policies.
- Special trainings are also held for positions/department with particular Title IX concerns (i.e. Athletics).

**For Students:**

- Training and informational services will be made available to all students during New Student orientation with university-wide programming occurring throughout the academic year.
- Special trainings are also held for specific groups including resident assistants, fraternity and sorority groups, and student athletes & coaches.

**For Volunteers:**

- Volunteers will be provided a copy of Millikin's written policy on prohibited discrimination advising them of the policy and what constitutes sex/gender discrimination, harassment and sexual misconduct.

**Section 7**  
**EMPLOYEE SERVICES**

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Parking

**Policy No:** 701

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**PARKING**

Motor vehicles driven on campus or parking in University lots must be registered and display a parking pass. Parking fees are examined and assessed annually during the budget process. Employees required to pay parking fees will make payments in the Student Service Center. Once paid, employees wishing to park on Millikin property will be authorized to pick up a parking pass in the Security Department (first floor, Walker Hall). Employees are expected to be familiar with and to observe campus-parking regulations. Drivers should be especially aware that pedestrians have the right-of-way over vehicular traffic on campus. Automobiles, which do not display required parking passes or are illegally parked, may receive parking tickets or will be towed away at the owner's expense.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:**

**Policy No:** 702

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

BLANK.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Administration of Employee Accounts

**Policy No:** 703

**Applicability:** *All*

**Effective:** January 1, 2005

**Revised:**

---

**ADMINISTRATION OF EMPLOYEE ACCOUNTS**

1. Charges using your Millikin ID Card: As an employee of Millikin University, you are able to charge vending machine and food charges to your personal account by using your ID card. This process works just like a credit card. Charges incurred will be reflected on your Millikin account at the beginning of the month and are due and payable by the end of the same month.

To activate the charging privilege on your ID card, Millikin requires submission and approval of a Financial Responsibility Agreement form. These forms are available on the University Web site. Search for 'Quick Links' and click on employment.

2. Other Charges: Parking tickets, library fines, phone charges, tuition and fees for course work and (for those whose employment is not current) medical/dental charges may be recorded on employee accounts.

3. Billing & Payments: Account balances are available to you on Millikin Online. Effective January 1, 2005, account balances are due and payable when billed. Faculty, staff and administrators may not carry over balances month to month. Failure to make payment in full each month will result in loss of charging privileges. Continued failure to pay may result in disciplinary action up to and including termination of employment. Employee accounts more than 90 days over due may be sent to a collection agency. The billing cycle for employee accounts is:

Data transferred from Diebold swipe card system to Banner/MU On Line	5 <sup>th</sup> Day of the month
Account balances due and payable	20 <sup>th</sup> Day of the month
Opportunity to question/contest bills	20 <sup>th</sup> day to 30 <sup>th</sup> day
Swipe card charging feature turned off	30 <sup>th</sup> day of month

The Student Service Center sends out monthly e-mail reminders that payments on account are due. Payments may be made by credit/debit card at MU On Line. Charges may also be paid in the Student Service Center or may be left in the drop box outside the Student Service Center's door.

4. Financial Responsibility Agreement: To maintain an account (including activation of the charging privilege on your ID card) Millikin requires submission and approval of a Financial

Responsibility Agreement form. These forms are available on the University Web site. Search for 'Quick Links" and click on employment. For employees who fail to sign a Financial Responsibility Agreement, charges will be due immediately when incurred and ID card charging privileges will be deactivated. Signed financial responsibility agreements should be delivered to Human Resources.

5. Questions and clarifications: Any questions or appeals involving specific charges should be directed to the Student Service Center at 217-424-6317 or via e-mail at [studentservicecenter@mail.millikin.edu](mailto:studentservicecenter@mail.millikin.edu).



**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Decatur Indoor Sports Center

**Policy No:** 704

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**DECATUR INDOOR SPORTS CENTER**

Millikin University and the Decatur Park District have agreed to allow employees of the University and families of full-time employees to receive a discount on the membership fee for the Decatur Indoor Sports Center at Millikin. Specific facility availability and fees are:

Millikin Weight Room (on lower level): Access to the weight room is free. Simply present your Millikin I.D. card at the front desk.

Track & Basketball/Volleyball Courts & Soccer Field

You have 2 options:

1. Buy a DISC I.D. card
2. Buy an annual Track & Court Pass

Full Facility (includes Fitness Center on lobby level, track, courts, rock wall & 50% off classes)

You have 3 options:

1. Buy a DISC I.D. card and pay daily fee. This does not include rock wall or discounted classes.
2. Buy an annual Full Facility Pass.
3. Buy a 3-month Full Facility Pass.

DISC pricing changes from time to time and is available by contacting the DISC or the Decatur Park District. Monthly payment plans are also available. Family Passes, Youth Passes and Senior (65+) Passes are available in all instances. For more information, call the DISC at 429-3472.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Dining Services

**Policy No:** 705

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**DINING SERVICES**

Employees have access to several dining service locations throughout campus. (Please see Administration of Employee Accounts, Policy No. 703).

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Admission to University Events

**Policy No:** 706

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**ADMISSION TO UNIVERSITY EVENTS**

Millikin employees receive complimentary passes to regular season Millikin athletic events; access to tennis courts and to a \$1 million state-of-the-art all-weather track and field complex. Millikin employees are eligible for membership at the Decatur Indoor Sports Center (DISC) at Millikin as well as discounts on selected performances at the Kirkland Fine Arts Center. All employees have access to Staley Library and enjoy a discount at several dining service locations throughout campus.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Staley Library

**Policy No:** 707

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**STALEY LIBRARY**

All staff can use their Millikin ID card to borrow from Staley Library (one month borrowing periods for most materials). Other library privileges for staff include interlibrary loan service from libraries throughout Illinois and beyond. In addition, staff can access the library's Web site from anywhere on campus (<http://www.millikin.edu/staley/index.html>), or clicking on the Staley Library bar on the University's home page. The library's Web site offers access to electronic catalogs and indexes, to the full text of many journal articles, to databases such as Encyclopedia Britannica, to World Wide Web search engines, and to a number of how-to pages developed by the librarians.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Mail Services

**Policy No:** 708

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**MAIL SERVICES**

Incoming mail is usually sorted by 10:00 a.m. and available for pick-up at the Mail Room. Outgoing mail (either inter-office or mail going to the post office) should be dropped off at the Mail Room. Personal mail should be stamped, and dropped off at the Mail Room. In addition, the Mail Room has a fax machine for University employees' use. Personal incoming and outgoing faxes are to be paid for at the time of the fax, and business related faxes would be billed to the departmental phone account.

Personal mail should not be regularly delivered to you through the University mailroom.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Use of University Housing

**Policy No:** 709

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**USE OF UNIVERSITY HOUSING**

Millikin operates a guesthouse on Fairview Avenue across the street from the Leighty-Tabor Science Center. Four rooms are furnished and are normally available at no charge. Bathroom facilities exist but must be used on a "shared" basis. Employees and visitors may reserve space by contacting the Business Office. Occasionally, employees may rent space for a limited time in one of two apartment buildings owned by the University. Contact Student Life for further information.

Under certain circumstances the University may allow employees to occupy university owned housing as part of their compensation agreement. Employees understand that such occupancy is most often considered taxable income. If appropriate, the University will withhold amounts necessary to cover the resultant tax liability and will report the compensation to the IRS and Social Security Administration.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Identification Cards

**Policy No:** 710

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**IDENTIFICATION CARDS**

ID Cards can be obtained from University Services. Cards are used as security identification; to obtain discounts at certain university functions and select dining service locations. You may also purchase items in the vending machines by using your ID Card. Lost or stolen ID cards should be reported to Safety and Security immediately to prevent fraudulent charges to your account. Employees are prohibited from allowing others to use their Millikin ID card for any purpose. Employees must return their ID Cards to Human Resources upon termination.

Also See policy 703: Administration of Employee Accounts.

**Millikin Employee Handbook/Policy Guide**

**Section:** Employee Services

**Policy:** Check Cashing

**Policy No:** 711

**Applicability** *All*

**Effective:** January 1, 2004

**Revised:**

---

**CASHING PERSONAL CHECKS**

The University bears a significant cost to maintain a large volume of cash on campus. Maintaining large amounts cash is also a security and theft risk.

The University has been successful in finding a local bank that has agreed to maintain and service an ATM machine. The ATM is currently located in the lower level of the Richards Treat University Center.

Because of the availability of ATM's both on and off campus, the Student Service Center no longer cashes employee personal or payment advance checks.

See policy 703: Administration of Employee Accounts

See: Millikin University Finance and Administration Policy on Cash Advances dated August 1, 2004



**Section 8**  
**SAFETY AND SECURITY**

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Observation of Safety and Environmental  
Laws, Regulations and Procedures

**Policy No:** 801

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**OBSERVATION OF SAFETY AND ENVIRONMENTAL LAWS, REGULATIONS AND PROCEDURES**

Safe working conditions are of primary importance throughout the University. While Academic institutions are somewhat unique and do not have the same goals and objectives as private industry, we do not have any automatic exemption from compliance with state, federal and local safety and environmental laws and regulations. Faculty, staff and administrators, therefore, will comply with all applicable federal and state occupational health and safety laws.

Millikin's policy is aimed at minimizing the exposure of our employees, students, and other visitors to our facilities to health or safety risks. To accomplish this objective, all Millikin employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating procedures designed to prevent injuries and illness.

The responsibilities of all employees of Millikin in this regard include:

1. Exercising maximum care and good judgment at all times to prevent accidents and injuries;
2. Reporting and seeking first aid for all injuries, regardless of how minor;
3. Reporting unsafe conditions, equipment, or practices to supervisory personnel;
4. Establishing classroom/lab/workplace/residence hall protocols that preclude discharge of or exposure to hazardous materials, pollutants or other substances that can injure students, staff, faculty or visitors.
5. Using appropriate safety and protective equipment at all times; and
6. Observing conscientiously all safety rules and regulations at all times.

Millikin will seek to recover the costs of fines and penalties from faculty, staff and administrators who knowingly or negligently violate safety and environmental laws and expose the University to fines, penalties or court judgments.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Fire Prevention and Training

**Policy No:** 802

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**FIRE PREVENTION AND TRAINING**

Millikin expects each employee to do everything possible to safeguard the students, employees and faculty as well as the University from damage by fire.

Each employee can help prevent such a disaster by keeping his or her work area clean and free of rubbish, and by observing all rules regarding fire prevention.

***Combustible & Flammable Materials***

Flammable materials such as paper, cardboard, oily rags, etc., must never be placed near steam pipes or radiators. All oily waste and other materials of no value must be placed in the provided metal receptacles.

Care must be exercised in the handling of flammable materials, especially flammable liquids. Extreme caution should be taken to see that such materials are not spilled or splashed, particularly on clothing. Flammable liquids must be kept only in properly labeled safety containers that are provided for the purpose.

Except for supervised academic activities, use of candles or other devices intended to produce open flame is prohibited in all University buildings.

***Fire Exits & Drills***

Supervisors should instruct each new employee of the location of the two exits nearest his or her workplace.

In case of fire, WALK to the assigned exit. Do not shout or say anything that might lead to panic among fellow employees. A building can be emptied quickly if everybody keeps calm

Fire drills are occasionally held to ensure the prompt and safe exit of employees from all buildings in case of an actual fire. Prompt obedience to supervisors' and fire captain's instructions is required during these drills.

***Reporting Fire Hazards***

The importance of fire prevention in all divisions cannot be over emphasized. Carelessness and thoughtlessness are the two main reasons for fire disasters. Some major fire hazards that employees should report are:

1. Cigarettes, cigars or pipe ashes in wastepaper baskets;
2. Flammable liquids left uncovered after use or improperly stored;
3. Accumulation of paper, oily rags, etc., in storage or other areas;
4. Defective wiring or electrical devices, use of extension cords as permanent wiring;
5. Smoking in non-smoking areas;
6. Open fire doors.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Right to Know Law

**Policy No:** 803

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**RIGHT TO KNOW LAW**  
**(toxic substances disclosure to employees) (820ILCS255)**

More and more substances in today's workplace are toxic – not necessarily life threatening, although many are – and governmental bodies nationwide are addressing a newfound awareness of this problem. The Illinois Right-to-Know (IRTK) law became effective in 1984. Its purpose is to give employees "an inherent right to know about the known and suspected health hazards which may result from working with toxic substances, so that they may make knowledgeable decisions regarding any personal risks of employment." Training for the IRTK is provided to our employees during employee orientation and then as needed by law. Anyone exposed to these substances is required to inform the Safety and Security Department as soon as possible.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Office and Building Keys

**Policy No:** 804

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**USE OF OFFICE AND BUILDING KEYS**

On an "as needed" basis, faculty, staff and administrators will be provided with keys to their office or workplace. Faculty, staff and administrators may also be authorized key access to other areas such as storage areas, labs, maintenance shops, and equipment rooms. Key systems on campus will be designed to limit entry to those locations where the employee regularly requires access. Master keys will not be distributed. No University key is to be duplicated without the permission of the Director of Physical Plant Operations. Intermittent access to locations other than the regular work, teaching or storage spaces can be arranged by contacting Security. If such access requires temporary issue of a master key, that key may not leave campus.

On an occasional basis, a faculty member or administrator may request security to issue a key to a contractor or student on a longer-term basis. Requests for such key issues should be forwarded to the Security office in writing. Keys intended for students will be issued on a semester basis. Keys requested for others may be issued for not longer than 90 days. Where such a request, by necessity, gives the student, contractor or visitor access to areas used by other employees, the request must be approved by a Department Chair, Dean, Director or Vice President.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Emergencies

**Policy No:** 805

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**EMERGENCIES**

In the event of an emergency or breach of security, call Security on extension 8888 or 464-8888.

The emergency guidelines explained herein will not cover every situation. Your first priority is the safety of students, employees, other visitors and yourself. Use your best judgment to meet that priority first. For more detailed information and guidance refer to the University's Emergency Response Plan.

If you are made aware of a real or threatened emergency, please follow these procedures:

***Accidents/Injuries***

Each employee is responsible to report every work-connected injury, no matter how slight, to his or her supervisor and to Safety and Security. Each supervisor is responsible for seeing that employees report all accidents. Emergency medical help should be summoned immediately, if necessary. If professional help is not immediately available, first aid may be administered. Judgment should be exercised prior to moving an injured individual taking into account the nature and severity of the injury and the danger, if any of remaining in the area.

***Fire, explosion, catastrophe, etc***

You should attempt to take steps to protect yourself and others in the vicinity. As promptly as possible sound the alarm verbally and/or by pulling the fire alarm system. Notify Security (8888) to the extent possible under the circumstances. Continue to see that persons are evacuated at least 500 feet away from the danger. Close windows, doors and other sources of drafts prior to exiting the building. Do not use elevators in fire or storm emergency weather.

***Threats (bomb threat, etc.)***

By utilizing the Millikin University Notification of Threat Form attempt to determine the source of the threat. Note the time at which the call began to the nearest minute as accurately as possible. Do not hang up the telephone--if the circuit is left open the call can be traced more easily. Using another telephone, notify Security (University extension 8888) of the threat, reporting as much information as you were able to obtain from the caller. Remain where you are until told to evacuate the area. Use this time to check your area for unusual objects. Lock any

materials that are confidential or should be secured in a safe place. Unless imminent harm appears likely, DO NOT pull the fire alarm nor sound a verbal alarm.

### ***Search assistance in case of a bomb threat***

Evacuation of a building will ordinarily be accomplished by sounding the fire alarm. Move quickly (but do not run) to the nearest exit. DO NOT lock your office, storeroom or workroom doors. In the event of a bomb threat, emergency services are responsible for searching the building(s) where the threat has been identified. DO NOT reenter a building that has been evacuated until emergency services have given the all clear.

### ***Cooperation with Law Enforcement and Emergency Response Personnel***

Although Millikin staff will often be the first to respond to an on campus emergency, police, fire and other governmental emergency response personnel have jurisdiction on Millikin property. Once police, fire or emergency response personnel are on scene and begin to assert control, Millikin employees will assume a support role and will refrain from interfering with emergency response activities. Problems should be referred to the Director of Physical Plant Operations or the Security Officer on Scene.

Employees should also familiarize themselves with the Millikin University Emergency Preparedness Manual.



**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Blood Borne Pathogens

**Policy No:** 806

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**BLOODBORNE PATHOGENS**

The University complies with the Occupational Safety and Health Act's Blood borne Pathogen Standard as adopted by the Illinois Occupational Safety and Health Act. In compliance with this Standard, all employees are required to use "universal precautions" whenever they come into direct contact with blood or other body fluids and follow University procedures for the containment, treatment, transportation, and disposal of infectious waste. A summary of these procedures is as follows:

- Always use the latex gloves when performing tasks that may expose you to blood, other body fluids or infectious waste
- In the event CPR becomes necessary, a CPR Micro-Shield should be used. These are provided to all employees trained in CPR by Millikin University.
- Any materials, including latex gloves and CPR Micro-Shields, used in administering first aid should be discarded in the red biohazard bags located in Security or the Athletic Training office in Griswold.
- Hands should be thoroughly washed following any first aid procedure.

The red biohazard bags will be picked up by a special arrangement with the local waste management company. Contact Safety and Security for further assistance.

The University has also developed a written exposure control plan that is available in The Office of Safety and Security. If an employee is exposed to blood or other body fluid, report the exposure incident immediately to the supervisor. Failure to follow universal precautions, including those regarding the containment, treatment, transportation and disposal of infectious waste, may result in disciplinary action. Training for Blood borne Pathogen Standard is provided during employee orientation and as needed by law. Anyone exposed to a BBP is required to inform the Safety and Security Department as soon as possible.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Weapons

**Policy No:** 807

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**WEAPONS**

All employees of Millikin University are prohibited from possessing or carrying weapons of any kind while on university property, regardless of whether they are licensed to carry the weapons or not. Such prohibition extends to such individuals having such weapons in briefcases, purses, toolboxes, personal vehicles, or other personal property or effects. The prohibition includes such special purpose devices as starter's pistols and those that may be used in theater productions.

The exceptions to this policy are:

- (a) Firearms in the possession of individuals who have written authorization from the University's Director of Physical Plant Operations to carry such weapons;
- (b) Weapons inspected and approved by the Director of Physical Plant Operations for use in various academic or athletic activities. Such weapons are only approved when they are in the possession of a coach or faculty member and when properly stored (in accordance with Director of Physical Plant Operations instructions).
- (c) Firearms in possession of sheriffs, police officers, law enforcement officers and correctional officers who are duly authorized by law to carry such firearms;
- (d) Equipment, tools, devices and materials which are prescribed for use by University employees as a condition of employment or class enrollment; and
- (e) Legal chemical dispensing devices, such as pepper sprays, that are sold commercially for personal protection.

University property includes all University owned, leased, or otherwise controlled buildings and lands. University vehicles are covered by this policy at all times whether or not they are on university property. University sanctions will be imposed on offenders as appropriate and, in addition, criminal charges may be filed. For the purposes of this policy, "weapons" include:

- (a) Firearms, such as handguns, shotguns, rifles, pellet guns, machine guns, stun guns, lasers, or electronic stun weapons;
- (b) Explosives, such as bombs, grenades, blasting caps, fireworks or other containers containing explosive substances; and
- (c) Other equipment, material and devices that, in the manner they are used, could ordinarily be used, or are intended to be used, or are readily capable of causing serious bodily injury. The items described in clause (c) include, but are not limited to, knives (except small personal pocket knives with folding blades that are less than three (3) inches long), tear gas, chemical subtonics, brass knuckles, clubs or chains.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Workplace Searches

**Policy No:** 808

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**WORKPLACE SEARCHES**

To protect the safety, health and property of our students, our employees, and the University, Millikin reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, computers, or any other possessions or articles carried to and from Millikin's property. In addition, Millikin reserves the right to search any employee's office, desk, files, locker or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of Millikin and are issued for the use of employees only during their employment with Millikin. Inspections may be conducted at any time at the discretion of Millikin. Because even a routine inspection or search might result in the viewing of an employee's personal possessions, employees are encouraged not to bring any item of personal property to the workplace that they do not want revealed to Millikin University.

Any prohibited materials (or materials that maybe found to be prohibited) that are found in an employee's possession during an inspection or search will be collected by management and placed in a sealed container or envelope. The employee's name, date, circumstances under which the materials were collected, and by whom they were collected will be recorded and attached to the container or written upon the envelope. If after further investigation, the collected materials prove not to be prohibited, they will be returned to the employee, and the employee will sign a receipt for the contents. If the prohibited materials prove to be illegal and/or dangerous, they will not be returned to the employee but will be turned over to the appropriate law enforcement agency.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees working who (after the inspection) are believed to be in possession of stolen property, illegal drugs or other substances thought to be dangerous to the campus community, will be sent immediately to Safety and Security. Individuals will be subject to disciplinary action up to and including discharge if on investigation they are found to be in violation of Millikin's security procedures or any other Millikin rules and regulations.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Licensed Equipment Operators

**Policy No:** 809

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**LICENSED EQUIPMENT OPERATORS**

In order to provide a safe working environment, equipment operators should be properly trained and licensed. All equipment operators must be 18 years of age and have a valid driver's license. In order to be certified to operate motorized equipment, each operator must successfully complete the instructional course and must pass a University driving test administered by Safety and Security

Any unsafe actions by a licensed operator will lead to corrective action up to and including termination.

Any employees choosing to operate motorized equipment without proper training, license and the consent of their supervisors will be subject to correction action up to and including termination.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Security Systems

**Policy No:** 810

**Applicability:** *All*

**Effective:** March 15, 2005

**Revised:**

---

**SECURITY SYSTEMS**

Millikin University has installed and maintains a security system to protect the premises from fire, unlawful entry, and theft. Employees will be given the details of the system if it is determined that such knowledge is necessary to perform their job duties. Employees are encouraged to assist management in ensuring that the system is not compromised in any way. Tampering with the system, violating procedures, or revealing any details about the security system to others may result in immediate termination.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Inclement Weather/Emergency Closing

**Policy No:** 811

**Applicability** *All*

**Effective:** March 15, 2005

**Revised:**

---

**INCLEMENT WEATHER/EMERGENCY CLOSING**

Millikin University is a residential community and, as such, is a unique employer. Activities related to teaching and research (which include library and computer services), facilities support, housing, dining services, safety and security must continue as necessary on a seven-day schedule. Because these services must be maintained, the University is always open. However, unusual conditions such as extreme weather, power outages and equipment failures may make it impractical to operate the workplace. Certain conditions affect the safety and wellbeing of employees and may be reason to close the University, delay the opening, cause early closure or remain open for a limited range of services. In all cases when there are emergencies, employees must use their best judgment to determine their own safety when traveling to and from work.

**Notification:** Official University notification regarding changes to University work hours will be determined by the President and announced on Millikin's e-mail as well as the local media sources including:

- WAND TV
- WSOY – 1340 AM
- WJMU – 89.5 FM

**Delayed Arrival Condition** – When there is a weather emergency, the University may announce a delayed arrival time and employees should arrive by that designated time. **Employees should notify their offices within a reasonable amount of time if they are unable to report to work by the official delayed arrive time.**

**Early Dismissal Condition** – If weather conditions develop during the day which create hazardous travel conditions, the University may authorize an early dismissal. Official notification will be made through the University e-mail system and local media when appropriate.

When there is an official delay or closing, full-time, non-exempt employees will be granted administrative pay for the time lost because of the official closing.

When there is no official delay or closing, non-exempt hourly employees who do not report to work or who report to work late or leave early due to inclement weather have various options to make up time missed, including:

- Vacation or personal time (full-time employees)
- Leave without pay
- Make up the time within the workweek, with supervisor's approval

Employees who are already scheduled off work due to sick leave, vacation, personal or leave of absence without pay will be charged accordingly (i.e. the entire day will be charged to vacation, etc.).

Emergency or Equipment Failure – Some emergencies or equipment failure may result in assigning alternative duties to employees. Such duties should be as consistent as possible under the circumstances with current job descriptions. In the event that an employee's work site at the University is not usable due to inclement weather and an alternative work space is unavailable, an employee should be excused with pay.

In the event of extraordinary weather conditions, reasonable tardiness should be excused and employees will not be issued corrective action for attendance unless such absences are repetitive and impact work effectiveness.

**Millikin Employee Handbook/Policy Guide**

**Section:** Safety and Security

**Policy:** Use of University Vehicles

**Policy No:** 812

**Applicability** *A//*

**Effective:** March 15, 2005

**Revised:**

---

**USE OF UNIVERSITY VEHICLES**

The University makes vehicles available for use by employees on a daily basis for University business. Prospective drivers will be administered two tests before they may use a University vehicle.

- A tutorial and test available through the Help desk in the office of Information Technology.
- A Driving test administered by Safety and Security.

Both parts of this testing protocol must be completed satisfactorily before a prospective driver may be issued a University vehicle.

Employees who require the use of university vehicle must sign for it and pick up the key at Safety and Security. Fluid levels should be checked each time that the vehicle is fueled. When returning University vehicles, the vehicle should be parked in the designated area and the key promptly returned to Safety and Security. In addition to turning in the key, the employee should also sign in the vehicle.

Employees are expected to drive safely while on University business. Millikin requires all personnel who drive on Millikin business to:

- Abide by all traffic laws
- Heed all traffic signs and signals
- Practice defensive driving
- Maintain good driving records

The University considers an acceptable driving record to be no more than two violations in the last three years. The University does not differentiate between violations occurring during working and non-work time. All who drive on University business are required to report all traffic violations within 24 hours of a conviction or a guilty plea.

Accidents: All vehicular accidents, no matter how minor must be reported to the University Safety officer immediately. Drivers may be required to submit to a drug and alcohol test after an accident. Drivers involved in accidents should:

4. Obtain all information relating to the accident including names and addresses of all other drivers and witnesses and insurance information for any other vehicles involved in the accident.



5. Do not admit responsibility or make promises of payment for injury or damages or attempt to negotiate settlements of any claims.
6. Complete a written report as soon as possible.

Millikin expects employees who are judged at fault during accidents to share any costs borne by the University. Employees may be charged for the lesser of:

- One half of our insurance deductible
- One half of the cost of repairs borne by the University

Payment of speeding, traffic and/or parking tickets is the sole responsibility of the employee driving the vehicle. Failure to pay such tickets prior to notification to Millikin University by law enforcement agencies may result in corrective action up to, and including, termination of driving privileges.

Employees operating University vehicles whether on or off University business are prohibited from using cellular or mobile phones while the vehicle is in motion.

It is state law and University policy that seat belts must be worn at all times.

Smoking is prohibited in University vehicles

Security: Vehicles must be locked and secured at all times to prevent theft of University and/or personal property. In the event of theft or vandalism employees should report the incident as soon as practical to the University Safety Officer.

**MILLIKIN UNIVERSITY**

**INTELLECTUAL PROPERTY POLICY**

**October 5, 2006**

Adapted from:

- The "Goucher College Intellectual Property Policy: Working Draft" (<http://www.goucher.edu/x4640.xml>) with the permission of Goucher University.
- "Tufts University Policy on Rights and Responsibilities With Respect to Intellectual Property" ([http://techtransfer.tufts.edu/tufts/pol\\_guide/ip.html](http://techtransfer.tufts.edu/tufts/pol_guide/ip.html)) with the permission of Tufts University.
- "The University of Kansas Intellectual Property Policy for the Lawrence Campus" ([http://www.provost.ku.edu/policy/intellectual\\_property\\_policy/](http://www.provost.ku.edu/policy/intellectual_property_policy/)) with permission from Marilu Goodyear, Vice Provost for Information Services & Chief Information Officer.
- "Baker University Intellectual Property Policy: Working Draft, July, 2004" (<http://www.bakeru.edu/index.php?module=articles&func=display&aid=247>) with permission from Bonnie Postlelwaite, Associate Vice President for Information Services.

# MILLIKIN UNIVERSITY<sup>1</sup> INTELLECTUAL PROPERTY POLICY<sup>2</sup>

## Table of Contents

	<b>PAGE</b>
<b>I. WHAT IS THE PURPOSE OF THE MILLIKIN UNIVERSITY INTELLECTUAL PROPERTY POLICY?</b>	2
<b>II. WHO IS COVERED?</b>	2
<b>III. DEFINITIONS</b>	3
<b>IV. COPYRIGHTABLE INTELLECTUAL PROPERTY</b>	4
<b>V. PATENTABLE INTELLECTUAL PROPERTY</b>	6
<b>VI. OTHER INTELLECTUAL PROPERTY</b>	7
<b>VII. AGREEMENTS REGARDING INTELLECTUAL PROPERTY</b>	8
<b>VIII. WHAT SPECIAL RULES APPLY TO STUDENTS?</b>	8
<b>IX. WHAT IS THE PROCESS FOR FORMALIZING OWNERSHIP AND ALLOCATION OF RIGHTS/RESPONSIBILITIES?</b>	9
<b>X. HOW ARE ROYALTIES DISTRIBUTED?</b>	10
<b>XI. WHAT IF THERE IS A CONFLICT OF INTEREST?</b>	10
<b>XII. POLICY ADMINISTRATION; DISPUTE RESOLUTION</b>	10

---

<sup>1</sup> All occurrences of "Millikin University", "University", or "the University" refer to Millikin University, Decatur, Illinois and any University program or course offered off-site

<sup>2</sup>All occurrences of "the Policy", "this Policy", or "Intellectual Property Policy" refer to the Millikin University Intellectual Property Policy.

## **I. WHAT IS THE PURPOSE OF THE MILLIKIN UNIVERSITY INTELLECTUAL PROPERTY POLICY?**

A. The specific aims of the Millikin University Intellectual Property Policy are to:

1. Promote and encourage creativity and knowledge creation both in and outside the classroom;
2. Protect the rights of scholars and students with respect to owning the products of their intellectual endeavors;
3. Set forth mechanisms for determining ownership rights in intellectual property and for resolving disputes with respect to such property;
4. Set forth guidelines for how the University and members of the University community will participate in any net profits that result when intellectual property is introduced for commercial development;
5. Protect the rights of a scholar to take his or her work and use the work elsewhere when leaving the institution and, in certain circumstances, retain for the University the right to use certain works developed by faculty and staff who may leave the institution;
6. Protect the University's interest in work products developed for the University by outside consultants and independent contractors;
7. Support the preservation of and access to intellectual property.

## **II. WHO IS COVERED?**

A. This Policy applies to all "covered individuals," who are:

1. All persons employed by Millikin University, including full and part-time faculty, adjunct and visiting faculty or researchers, administrators, staff members, and student workers;
2. Independent contractors or consultants; Any adjunct faculty who sign contracts designating them as independent contractors are treated as faculty for purposes of this Policy;
3. Students: For purposes of this Policy, a "student" is any individual who registers for any course at the University, including any staff that might register for such courses. Where a student is also an employee, s/he is considered staff with regard to intellectual property as a result of his/her employment and as a student with regard to other intellectual property. A full-time non-faculty employee who is also taking one or more courses is considered to be staff with regard to intellectual property as a result of his/her employment and as a student with regard to other intellectual property;

4. Anyone using University facilities or resources under the supervision or with the permission of University personnel, including, but not limited to, volunteers and students enrolled at the University or other institutions and/or performing internships at the University.

### III. DEFINITIONS

- A. All intellectual property produced by covered individuals, acting individually or in groups, performing research or engaging in work or study at the University or in connection with a University program, is covered by this Policy. For purposes of this Policy, intellectual property is divided into three categories and defined as follows:
  1. "Copyrightable Intellectual Property" shall include, without limitation, all creative works, electronic or paper documents, course materials and syllabi, software (including source code and object code), multimedia or audiovisual materials and photographs, and any other materials that may be copyrightable under U.S. law (whether or not produced in the U.S.). While software and other proprietary information (including trade secrets) may be capable of patent protection, such intellectual property shall be considered Copyrightable Intellectual Property for purposes of this Policy. With respect to software and its appropriate disposition, the University will consult with the software creator.
  2. "Patentable Intellectual Property" shall include, without limitation, all inventions, discoveries, know-how (despite the fact that these may not benefit from patent protection) and discoveries or other material that is potentially patentable under U.S. law (whether or not produced in the U.S.).
  3. "Other Intellectual Property" shall include all registered and common law trademarks, service marks, domain names, logos and all other types of proprietary rights created specifically for the University not otherwise covered under this Policy.
- B. "Scholarly and Creative Work Exception" for Copyrightable Creations: Key Elements. The University recognizes and adopts as policy the longstanding custom that faculty own the copyright to their scholarly, pedagogical, and creative works. Such works are thus an exception to the work for hire rule. "Scholarly and Creative Works" are works that have a primary goal of disseminating academic or scholarly knowledge, or are works of artistic expression. Scholarly and creative works may include – but are not necessarily limited to – course materials, such as textbooks, lecture notes, exams, syllabi, workbooks, and laboratory manuals; scholarly publications, journal articles, research bulletins, monographs, and reviews; books, whether fiction or non-fiction; plays; poems; musical compositions; and work of visual art, such as paintings, drawings, sculpture, and photographs, and electronic expressions (including software/encoded works in some instances) of such works. For purposes of this policy, Scholarly and Creative Works are works generally expected of faculty as evidence of their professional achievement.
  1. Where copyrightable creations are created under the "Scholarly and Creative Work Exception," copyright ownership vests with the faculty creator, and royalties go to the

creator, whether or not the creator has made Substantial Use of University Resources.

2. For the purposes of this Policy, students and visiting scholars/artists are considered scholars in training and therefore copyrightable creations created by them fall under the "Scholarly and Creative Work Exception" as in (1) immediately above.
3. For purposes of this Policy, if a member of the faculty of the University takes a sabbatical, any intellectual property created by such faculty member while on sabbatical shall not be subject to this Policy, unless the faculty member has had Substantial Use of University Resources while developing such intellectual property. Notwithstanding the foregoing, if the intellectual property created by the faculty member during such sabbatical is based upon or is a derivative work of intellectual property owned by the University, then this Policy shall continue to apply.
4. The "Scholarly and Creative Work Exception" does not apply to non-faculty University employees (unless agreed to otherwise) and does not apply in the absence of an agreement assigning those rights into which the University and a non-faculty employee enter prior to the creation of the work.

C. Substantial Use of University Resources.

1. "Substantial Use of University Resources" shall mean the extensive use of any University-paid time or funding, or the extensive use of facilities, equipment, staff assistance, and/or significant administrative support, including use of dedicated laboratories, dedicated computer centers, and dedicated equipment. By way of elaboration, Substantial Use of University Resources occurs when the creation of the work requires use of University resources beyond those widely available to University personnel and students (including all classes of persons described under Article II of this Policy) in support of their academic work within their respective departments, colleges, academic or administrative units. Widely available resources include the routine use of an assigned/general purpose office and computer, libraries, generally available information resources, photocopiers, local telephone, reasonable office supplies, and limited administrative support or limited use of shared University resources.
2. Decisions about whether works of intellectual property are made with Substantial Use of University Resources may be negotiated with the University by the creators or inventors, in advance where possible, in accordance with the procedures set forth in Article XII.

#### **IV. COPYRIGHTABLE INTELLECTUAL PROPERTY**

##### **A. Responsibility for Disclosure of Copyrightable Intellectual Property**

1. The creator of Copyrightable Intellectual Property is not obligated to disclose the creation of such property, unless the Copyrightable Intellectual Property is owned by the University, as set forth below. If the Copyrightable Intellectual Property is owned by the University under this Policy, the creator is responsible for timely disclosure to the University as set forth in Article XII, when it can be reasonably concluded that Copyrightable Intellectual Property has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action

that protects rights to the Intellectual Property for the creator(s) and the University. When appropriate, the University may require the creator to warrant the originality of his or her work. Failure to disclose the creation of Copyrightable Intellectual Property will be considered a breach of academic integrity and handled accordingly. With respect to Copyrightable Intellectual Property owned by the University that generates royalties, such royalties shall be allocated pursuant to Article X of this Policy.

## **B. Determination of Rights to Copyrightable Intellectual Property**

1. Except as set forth below, the creator of Copyrightable Intellectual Property shall retain his/her rights, and the University shall not have ownership rights in keeping with the tradition of academic institutions to give faculty members and students the right to retain ownership of their copyrightable materials.
  - a. The University owns Copyrightable Intellectual Property developed under any of the following circumstances:
    - i. Development was funded as part of an externally sponsored research or development program that expressly allocates rights to the University or by any agreement that expressly allocates those rights;
    - ii. A covered individual was expressly assigned, directed, or specifically funded by the University to develop specific Copyrightable Intellectual Property, and the University has a contract with the creator;
    - iii. Copyrightable Intellectual Property was developed by administrators or other non-faculty employees, including student employees, in the course of employment duties and constitutes work for hire under U.S. law; or
    - iv. Copyrightable Intellectual Property was developed with Substantial Use of University Resources. (i.e., the creator owns the Copyrightable Intellectual Property when there has been less than Substantial Use of University Resources.)
  - b. The University has the right to use Copyrightable Intellectual Property owned by covered individuals (through the Scholarly and Creative Work Exception or otherwise) in the following circumstances:
    - i. Upon request by the University, covered individuals will grant to the University a non-exclusive, perpetual license (with royalties to be negotiated, when appropriate) to make copies of Copyrightable Intellectual Property that such creator owns that was created while the creator was employed by the University to use such Property in teaching, scholarship and research in support of the University's educational mission, provided that the covered individuals shall have the right to approve proposed uses of their Copyrightable Intellectual Property. The University has no right under this paragraph to record or distribute the recording of a covered individual's classroom lecture or performance for commercial purposes without the covered individual's permission, which is in the sole discretion of the covered individual to give.

- ii. In the event a covered individual leaves the University, the covered individual will grant to the University a license to create derivative works from Copyrightable Intellectual Property that is in the form of course materials created by the covered individual for use in the University curriculum so long as the University identifies to the covered individual the material it wishes to use. Unless otherwise requested by the covered individual with reasonable advance notice, the University will, when exercising its license, credit the covered individual.
- iii. It is suggested, but not required, that any covered individual, when publishing a scholarly work, request the publisher to place a note on the first page of the publication giving the University and other nonprofit organizations the right to make copies of all or any portion of the published work for educational purposes without written permission or payment of an additional fee. Suggested language is as follows:

"Copyright [date] [Publisher]. Permission is granted for nonprofit educational and library duplication and distribution of this [article]."
- iv. In the event that a covered individual or group of covered individuals has created Copyrightable Intellectual Property prior to the initiation of employment or matriculation at the University, the University will not assert ownership or license rights to such property. To the extent the faculty or employee or student creates derivative Copyrightable Intellectual Property from such work (that does not fall within the Scholarly and Creative Work Exception) while employed or matriculating at the University, the terms of this Policy shall govern the rights to such derivative property.

## **V. PATENTABLE INTELLECTUAL PROPERTY**

### **A. Responsibility for Disclosure of Patentable Intellectual Property**

1. Covered individuals who alone, or in association with others, create Patentable Intellectual Property with Substantial Use of University Resources are responsible for disclosing the Patentable Intellectual Property to the University as set forth in Article XII. Such disclosure shall be made when it can be reasonably concluded that Patentable Intellectual Property has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action that protects rights to the Patentable Intellectual Property for the creator(s) and the University. Creators are encouraged to seek the advice of the appropriate University cabinet member under Article XII in determining whether the subject matter is Patentable Intellectual Property within the meaning of this Policy. When appropriate, the University may require the creator to warrant the originality of his or her work. Failure to disclose the creation of Patentable Intellectual Property will be considered a breach of academic integrity and handled accordingly. With respect to Patentable Intellectual Property owned by the University that generates royalties, such royalties shall be allocated pursuant to Article X of this Policy.

### **B. Determination of Rights to Patentable Intellectual Property**



1. Except as set forth below, the creator of Patentable Intellectual Property shall retain his/her rights, and the University shall not assert ownership rights.
  - a. The University owns Patentable Intellectual Property developed under any of the following circumstances:
    - i. Development was funded as part of an externally sponsored research or development program that expressly allocates rights to the University or by any agreement that expressly allocates those rights;
    - ii. The creator was assigned, directed, or specifically funded by the University to develop specific Patentable Intellectual Property and the University has a contract with the creator that allocates ownership rights to the University;
    - iii. Patentable Intellectual Property was developed by administrators or other non-faculty employees, including student employees, in the course of employment duties and constitutes work for hire.
    - iv. Patentable Intellectual Property was developed by any individual with Substantial Use of University Resources.
  - b. The University has the right to use Patentable Intellectual Property owned by covered individuals in the following circumstances:
    - i. Upon request by the University, covered individuals will grant to the University a non-exclusive, perpetual license (with royalties to be negotiated, when appropriate) to use Patentable Intellectual Property that they own in teaching, scholarship and research in support of the University's educational mission, provided that the covered individual shall have the right to approve proposed uses of the Patentable Intellectual Property.

## **VI. OTHER INTELLECTUAL PROPERTY**

All proprietary rights that constitute Other Intellectual Property shall be owned solely by the University and Article X shall not apply. The University reserves the right to control and protect the trademarks and service marks of the University.

The Millikin University name, seal, and logo may not be used:

- In conjunction with any private or commercial enterprise.
- In tandem with the advertisement of any product.
- By any individual or group promoting itself.

Use of the University name, seal or logo on letterhead and business cards is standardized and regulated by the Marketing Department. Any questions regarding the use of the University name, seal, or logo in circumstances other than the ones listed above should be referred to the Vice-President for Enrollment.

## **VII. AGREEMENTS REGARDING INTELLECTUAL PROPERTY**

- A. Because the University aims to encourage creativity, it reserves the right to allow flexibility in applying this Policy on a case-by-case basis. In such cases, ownership of Copyrightable or Patentable Intellectual Property developed pursuant to a special agreement between the University and the creator or creators will be governed by the provisions of any such agreement.
- B. The appropriate University cabinet member shall review all contracts between the University and covered individuals or independent contractors so that the University's ownership interest in the work product may be protected. Examples include contracts for:

- Curriculum and course materials;
- Reports by consultants or subcontractors;
- Computer software;
- Architectural or engineering drawings, illustrations or designs prepared for the University;
- Artistic works commissioned by the University;
- Web pages and/or advertising material prepared for the University.

Contracts must contain work for hire language that provides that the University owns the work. Contracts with adjunct faculty may, but are not required to, include work for hire language, at the discretion of the individual department or program, but shall include language retaining all rights for the University.

## **VIII. WHAT SPECIAL RULES APPLY TO STUDENTS?**

Intellectual Property created by students is subject to the following additional rules:

- A. The University makes no claim to copyright ownership of intellectual property created by students that is not developed within the scope of an employment relationship with the University or with one of its employees, and not making Substantial Use of University Resources.
- B. Students working on a project governed by a contract or agreement to which the University is a party shall be bound by the terms of that contract or agreement.
- C. Students who are hired to perform specific tasks that contribute to the creation of Copyrightable or Patentable Intellectual Property will ordinarily have no rights to ownership of that Property, regardless of the source of funds from which they are paid. In such cases, the party who owns the copyright or patent of the rest of the Property will ordinarily retain copyright or patent ownership of the portion contributed by the student.
- D. Students collaborating with covered individuals on projects that result in Copyrightable or Patentable Intellectual Property, except those who are hired or directed to perform specific tasks that contribute to the creation of such property, will be granted the same rights and obligations of copyright and patent ownership as would another covered individual working collaboratively on the project. To the extent a covered individual working with the student

asserts sole ownership of the work product, he or she must establish this right at the outset of the collaboration, through a written agreement, or be barred from asserting sole ownership rights.

- E. If none of the above relationships applies, students performing work compensated by the University are subject to the provisions governing staff or other non-faculty employees, and their work constitutes work for hire under U.S. law, as set forth in this Policy.
- F. The University reserves the right to make copies of student papers, course assignments, dissertations and theses for use in the University curriculum, including uploading the work in the University's course management system, licensed plagiarism detection databases, and for archival purposes. The student, by enrolling in the University, gives the University a nonexclusive royalty-free license to mark on or retain the work as may be required by the process of instruction, to otherwise handle the work as set out in the Intellectual Property Policy or in the course syllabus, or to use the work to further the University educational mission. The University shall not have the right to use the work in any other manner without the written consent of the creator(s).
- G. Students may not disseminate any print, electronic materials, video or audio recordings, or any other Copyrightable or Patentable Intellectual Property created by others that they make, use, or receive in class for commercial purposes or to anyone not enrolled in the class (such as recorded lectures, lecture notes, handouts, powerpoints, etc.).

## **IX. WHAT IS THE PROCESS FOR FORMALIZING OWNERSHIP AND ALLOCATION OF RIGHTS/RESPONSIBILITIES?**

### **A. Reporting the Creation of Intellectual Property.**

The University may develop sufficiently detailed guidelines to be distributed to and consulted by individuals who, pursuant to this section, are required to determine and disclose to appropriate University cabinet members that they are creating Copyrightable or Patentable Intellectual Property that may be owned by the University or that such creator(s) have an interest in such property. These guidelines will be revised by the University as revisions become necessary or appropriate. If creator(s) of such Intellectual Property, or any individual(s) who claims an interest in such Intellectual Property, including an individual acting on behalf of the University, determine that under the University guidelines the creator(s) or other such individual has an interest in Copyrightable or Patentable Intellectual Property that may be owned by the University pursuant to this Policy, then the creator(s) or other such individual shall disclose this development to the appropriate University cabinet member(s) so that the University may act to protect its ownership interest in the property. Such disclosure shall be made when it can be reasonably concluded that Copyrightable or Patentable Intellectual Property has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action that protects rights to the Intellectual Property for the creator(s) and the University.

### **B. Waiver or Return of Rights.**

The University may, in its sole discretion, waive, transfer, or license to the creator(s) its

rights in any intellectual property when such action does not conflict with obligations to other interested parties. This could occur, for instance, if the costs for protecting and developing the intellectual property are not likely to be matched by anticipated income and royalties or other benefits. Also, if the University chooses to not properly market the Copyrightable Intellectual Property, then all rights and profits will revert to the creator.

C. Agreements regarding the ownership and use of intellectual property.

In the event the University or any covered individual wishes to negotiate a special agreement regarding intellectual property referred to in Article VII, or otherwise modify the application of this Policy to any particular intellectual property, an agreement regarding ownership and use of such property may be reached. The Vice President for Academic Affairs shall be responsible for negotiating all such agreements.

**X. HOW ARE ROYALTIES DISTRIBUTED?**

- A. Unless otherwise agreed in writing, the net income (gross royalties and license or use fees minus administrative, licensing, legal, direct, and other reasonable expenses) resulting from the creation and marketing of Copyrightable or Patentable Intellectual Property owned by the University pursuant to this Policy will be divided evenly between the creator/inventor and the University.
- B. Absent an agreement otherwise, in the event that Intellectual Property is created by multiple inventors, royalties will be shared pro rata equally among all parties (inventors and the University).
- B. The creator's share will continue after he or she leaves the University.

**XI. WHAT IF THERE IS A CONFLICT OF INTEREST?**

- A. Faculty, staff and students cannot use their institutional affiliation to popularize the competing product of for-profit enterprises.
- B. Before entering into an agreement with an outside entity to commercialize a course taught at the University, including an agreement to record or distribute classroom lectures or performances, faculty must obtain written approval from the appropriate Academic Dean.

**XII. POLICY ADMINISTRATION; DISPUTE RESOLUTION**

- A. General administration of this Policy is the responsibility of the Vice President of Academic Affairs (VPAA). General administration includes, but is not limited to:

1. Occasional review of this policy as needed, and administering any revisions to this Policy through the approval process.
  2. Development and revision of guidelines, procedures, disclosure forms and other accompanying materials and facilitation of the approval process for such materials.
  3. Establishment of procedures to ensure that employment contracts and course catalogs or syllabi state that the employee or student is subject to this Policy.
  4. Education of the Millikin community on intellectual property issues and this Policy.
  5. Interpretation and implementation of the Policy.
  6. Consultation with legal counsel regarding intellectual policy issues or revisions to this Policy.
- B. All questions about this policy should be referred to either the Vice President of Academic Affairs or the appropriate administrator as follows:

<b><u>Creator</u></b>	<b><u>Administrator</u></b>
Arts & Sciences faculty, staff, and students	College of Arts and Sciences
School of Business faculty, staff, and students	Tabor School of Business
College of Professional Studies faculty, staff, and students	College of Professional Studies
College of Fine Arts faculty, staff, and students	College of Fine Arts
Other Intellectual Property	Appropriate Vice President

- C. Submission of disclosures will be made to the appropriate administrator as follows:

<b><u>Creator</u></b>	<b><u>Administrator</u></b>
Arts & Sciences faculty, staff, and students	Dean of College of Arts and Sciences
School of Business faculty, staff, and students	Dean of Tabor School of Business
College of Professional Studies faculty, staff, and students	Dean of College of Professional
College of Fine Arts faculty, staff, and students	Dean of the College of Fine Arts
Other Intellectual Property	Appropriate Vice President

- D. As a general rule, dispute resolution with regard to this Policy will be heard by the following persons:

<b>Dispute Resolution for faculty of all schools and colleges:<u>Committee Membership</u></b>	<ul style="list-style-type: none"> <li>▪ <b>Faculty Welfare Committee</b></li> <li>▪ <b>An academic dean (at the request of the Faculty Welfare Committee, will serve in an advisory capacity)</b></li> </ul> <p><b>(See Policies &amp; Procedures: Faculty section 2.5.1 for Procedures for Hearing before Faculty Welfare Committee)</b></p>
<b><u>Appeals</u></b>	<b>Appeals of the Faculty Welfare Committee's decision will go to the VPAA.</b>

2. Dispute Resolution for students will go to an ad hoc committee consisting of

<u>Committee Membership</u>	<ul style="list-style-type: none"> <li>▪ <b>Director of Academic Development</b></li> <li>▪ <b>One faculty member outside of the student's immediate study concentration (chosen by and mutually agreeable to the Director of Academic Development and the student)</b></li> <li>▪ <b>Dean of the College or School that houses the students' first degree of record</b></li> </ul> <p><b>One student member (chosen by and mutually agreeable to the aforementioned Dean/and the student)</b></p>
<u>Appeals</u>	<b>Appeals of the ad hoc committee will go to the VPAA.</b>

3. Dispute Resolution for staff will go to an ad hoc committee consisting of:

<u>Committee Membership</u>	<ul style="list-style-type: none"> <li>▪ <b>The Director of staff member’s unit if the person involved in the dispute is not the Director of that unit</b></li> <li>▪ <b>Director of Human Resources, who is to ensure fair treatment</b></li> <li>▪ <b>Appropriate VP for all non-academic staff. Appropriate Dean for academic or Director for academic staff.</b></li> <li>▪ <b>One staff member outside of the person’s work unit (chosen by and mutually agreeable to the Director of Human Resources and the disputing party )</b></li> </ul>
<u>Appeals</u>	<b>Appeals of the ad hoc committee will go to the VPAA</b>

4. Dispute Resolution for University cabinet members will go to an ad hoc committee consisting of:

<u>Committee Membership</u>	<ul style="list-style-type: none"> <li>▪ <b>Three members of the Academic Council (chosen by and mutually agreeable to the Director of Human Resources and the University cabinet member in question)</b></li> <li>▪ <b>Director of Human Resources</b></li> <li>▪ <b>Vice President of Academic Affairs (or a presidential designee if the VPAA is the complainant)</b></li> </ul>
<u>Appeals</u>	<b>Appeals of the ad hoc committee will go to the President if the person involved in the dispute is a University vice president.</b>

## **APPENDIX B**

### ***Acceptable Use of Technology for Students and Employees***

1. Purpose: This policy is designed to identify and describe the appropriate use of technology resources provided by Millikin University.
2. Policy: This policy document is an introduction to the issues of legitimate use, information security, and privacy that arise in the use of computers, software, and electronic information. The policy strives to balance the individual's ability to benefit fully from these resources and the University's responsibility to maintain a secure and reasonably allocated computing, information technology, and networked environment.
3. Procedure: Students and employees at Millikin University routinely use University-owned computers, software, networks, and computerized information. This technology is provided to further University-related business and educational activities. In addition, some individuals may have special administrative or technical responsibility for a computer, network, or database.
4. Applies to: All members of the Millikin University community.
5. Definitions: IT (Information Technology)

### **The University's Responsibilities**

The University owns most of the computers and all of the internal computer networks used on campus. The University also has various rights to the software and information contained on, developed on, or licensed for these computers and networks. The University has the responsibility to administer, protect, and monitor this aggregation of computers, software, and networks.

Specifically, the purposes of the University's information technology management are to:

- a. Establish and support reasonable standards of security for electronic information that community members produce, use, or distribute, and protect the privacy and accuracy of administrative information that the University maintains.
- b. Protect University computers, networks and information from destruction, tampering, and unauthorized inspection and use.
- c. Ensure that information technology resources are used to support activities connected with instruction, research, and administration.
- d. Delineate the limits of privacy that can be expected in the use of networked computer resources and preserve freedom of expression over this medium without tolerating abusive or unlawful activities.
- e. Ensure that University computer systems do not lose important information because of hardware, software, or administrative failures or breakdowns. To achieve this objective,



authorized systems or technical managers may occasionally need to examine the contents of particular files to diagnose or solve problems.

- f. Communicate University policies and individuals' responsibilities systematically and regularly in a variety of formats to all parts of the University community.
- g. Monitor policies and propose changes in policy as events or technology warrant.
- h. Manage computing resources so that members of the University community benefit equitably from their use. To achieve this, authorized staff may occasionally need to restrict inequitable computer use, including shared systems or the network. For example, the University reserves the right to restrict users from using any program that is unduly resource-intensive.
- i. Enforce policies by restricting access in case of serious violations. For example, in appropriate circumstances, authorized systems administrators may find it necessary to lock a user's account. In such circumstances, if there is not a resolution within 24 hours, the systems administrator or the user should refer the matter to the appropriate official for follow-up and resolution. (See section on Sanctions for more details.)
- j. Conduct routine audits of software on University owned computers to check for licensing compliance.

### **The Individual's Responsibilities**

Millikin University supports networked information resources to further its mission of research and instruction and to foster a community of shared inquiry. All members of the University community must be cognizant of the rules and conventions that make these resources secure and efficient. It is the responsibility of each member of the University community to:

- a. Respect the right of others to be free from harassment or intimidation to the same extent that this right is recognized in the use of other media or communications.
- b. Respect copyright and other intellectual-property rights. Unauthorized copying of files or passwords belonging to others or to the University may constitute plagiarism or theft. Modifying files without authorization (including altering information, introducing computer viruses or damaging files) is unethical, may be illegal, and may lead to sanctions.
- c. Maintain secure passwords. Users should establish appropriate passwords according to the guidelines set out by the IT Department, change them when notified, and not share them with others.
- d. Use resources efficiently. Accept limitations or restrictions on computing resources -- such as storage space, time limits, or amount of resources consumed -- when asked to do so by systems administrators.
- e. Recognize the limitations to privacy afforded by electronic services. Users have a right to expect that what they create, store, and send will be seen only by those to whom permission is given. Users must know, however, that the security of electronic files on shared systems and networks is not inviolable--most people respect the security and

privacy protocols, but a determined person can breach them. Users must also note that, as part of their responsibilities, systems or technical managers may occasionally need to diagnose or solve problems by examining the contents of particular files.

- f. Learn to use software and information files correctly. Users should maintain and archive backup copies of important work. Users are responsible for backing up their own files. They should not assume that files on shared machines are backed up. They should learn to properly use the features for securing or sharing access to their files. The university encourages individuals to use their designated network drive (home directory) to store copies of their documents.
- g. Abide by security restrictions on all systems and information to which access is permitted. Users should not attempt to evade, disable, or "crack" passwords or other security provisions; these activities threaten the work of others and are grounds for immediate suspension or termination of privileges and possible additional sanctions.
- h. Student and employee owned computers, which are connected to the network, are required to have an updated anti-virus program installed. If any student or employee owned computer becomes a security or virus threat to the network, IT reserves the right to restrict its access to the network, this includes file sharing or student operated servers in residences.

**Millikin University extends these principles and guidelines to systems outside the University that are accessed via the University's facilities (e.g., electronic mail, social networking sites, or remote logins using the University's Internet connections). Network or computing providers outside Millikin University may also impose their own conditions of appropriate use, which users at this University are responsible for following.**

### Sanctions

Individuals or groups who act in a manner contrary to existing policy and accepted standards for computer use are subject to the sanctions and disciplinary measures normally applied to misconduct or lawbreaking. Computing policy violations are handled by established University channels.

In the first instance, such matters will be addressed by the appropriate IT administrators. Whenever it becomes necessary to enforce University rules or policies, an authorized IT administrator may prohibit network connections by certain computers (even departmental and personal ones); require adequate identification of computers and users on the network; undertake audits of software or information on shared systems where policy violations are suspected; take steps to secure compromised computers that are connected to the network; or deny access to computers, the network, and institutional software and databases. Users are expected to cooperate with investigations either of technical problems or of possible unauthorized or irresponsible use as defined in these guidelines; failure to do so may be grounds for suspension or termination of access privileges.

If the infringement is not settled in discussion with the computing administrator, a matter involving students will be referred to the appropriate dean of students; a matter involving faculty will be referred to the department chair or dean; and a matter involving staff will be

referred to the immediate supervisor, the manager of the unit, or an official in Human Resources. In addition, certain kinds of abuse may entail civil or criminal action as well.

## APPENDIX C

### WHISTLEBLOWER POLICY

#### 1. PURPOSE AND APPLICABILITY:

This policy is to set forth Millikin University's guidelines on disclosure of Misconduct (see Definitions, below), to protect members of the University community from Retaliation (see Definitions, below) for disclosing what they believe evidences unlawful practices or suspected Misconduct, and to deal with false allegations of Misconduct. More specifically it:

- a. Encourages all employees of the University community to disclose to the appropriate University representative Misconduct engaged in by others so that prompt, corrective action can be taken;
- b. Informs individuals how allegations of Misconduct may be disclosed;
- c. Protects reporting individuals (Whistleblowers, see Definitions, below) from Retaliation taken within Millikin University as a result of having disclosed Misconduct; and
- d. Provides individuals who believe they have been subject to Retaliation or false allegations, a fair process within the authority of Millikin University, to seek relief from these acts.

This policy is applicable to all employees of the University, including faculty, staff (includes all exempt and non-exempt employees), and student workers.

#### 2. POLICY:

Millikin University encourages all employees of the University, including faculty, staff, and student workers to make known allegations of suspected or actual Misconduct existing within the University that s/he reasonably believes is fraudulent or constitutes a violation of Millikin's financial policies, procedures or legal obligations.

It is further the policy of the University that:

- a. Employees of the University may not take any employment or other action of reprisal against any individual(s) who discloses information regarding possible Misconduct under this policy or who, following such disclosure, seeks a remedy provided under this policy or any law or other Millikin University policy.
- b. University employees may not directly or indirectly use or attempt to use their official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure about matters within the scope of this policy.
- c. An employee involved in Retaliation against a Whistleblower is subject to disciplinary action including suspension, termination, cancellation of a contract, removal from campus or any other action Millikin University deems necessary.
- d. Individuals who knowingly file false or misleading reports, or without a reasonable belief as to truth or accuracy, will **not** be protected by this policy, and

may also be subject to disciplinary action, up to and including termination of employment.

- e. This policy does not prohibit an employment action that would have been taken regardless of a disclosure of information.

### 3. PROCEDURE:

#### a. For Disclosing Misconduct

- i. Employees of the University are expected to disclose all relevant information regarding evidenced Misconduct to the reporting employee's immediate supervisor, to the Director of Human Resources, to the Vice President for Finance and Business Affairs or other appropriate University administrator who the reporting employee feels comfortable contacting and who can address the allegations properly. Disclosures shall be made in a written and signed document within ninety (90) days of the day on which the Whistleblower knew of the Misconduct.

If the employee would rather contact a source outside the University, s/he may contact the Campus Conduct Hotline (Hotline) service by calling 1-866-943-5787 toll-free. The Hotline is available for use 24 hours/7 days a week. The Hotline is operated by an independent organization assuring that any disclosures made through the Hotline are completely confidential and anonymous. Sufficient information should be provided in order that an investigation may be conducted. The Hotline will report the allegation to the Director of Human Resources who will refer it to the appropriate Designated Official for follow up.

A brochure describing the process initiated through contact of the Hotline is available from Human Resources.

- ii. Upon receipt of such information, either directly or as received through the Hotline, the Designated Official shall consider the disclosure, consult with others, as needed, and take whatever action s/he determines appropriate under the law or University policy and circumstances of the disclosure.
- iii. In the case of disclosure of Misconduct involving someone who ordinarily would be the Designated Official, the disclosure shall be directed to the next level of supervision or his/her designee to consider the disclosure and take whatever action s/he determines appropriate under the law or University policy and circumstances of the disclosure.
- iv. If the disclosure of Misconduct involves the President, the disclosure should be directed to the Chairman of the Board of Trustees or his/her designee.
- v. The Designated Official will be responsible for:

- (1) Ensuring all investigations are carried out in a fair and unbiased manner.
- (2) Ensuring that Whistleblowers are treated fairly, their confidentiality is protected to the extent the law allows, and that no Retaliation takes place.

**b. For Complaints of Retaliation as a Result of Disclosure or of False Allegations:**

- i. If an employee of the University believes that s/he has been retaliated against in the form of an adverse employment, academic or other action for disclosing information regarding Misconduct under this policy, s/he may file a written complaint requesting an appropriate remedy with the Designated Official, Director of Human Resources, or Vice President for Finance and Business Affairs or s/he may contact the Hotline.
- ii. In fairness to all concerned, any individual making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must exercise sound judgment to avoid baseless allegations, be acting in Good Faith and have reasonable grounds for believing the information disclosed indicates a violation of the policy. If an employee feels a false allegation of Misconduct has been made then s/he may file a written complaint requesting an appropriate remedy with the Designated Official, Director of Human Resources, or Vice President for Finance and Business Affairs or s/he may contact the Hotline.

**c. For Adjudication of Complaints Stemming from Disclosure**

- i. Individuals must file a complaint with the Designated Official within ninety (90) days from the effective date of the retaliatory action or from the date on which a false accusation was made. Individuals may choose to file their complaint by contacting the confidential Hotline service by calling 1-866-943-5787.
- ii. If filed with a University Designated Official, complaints shall be filed in writing and shall include:
  - (1) Name and address of the complainant (whether Whistleblower or someone who believes s/he was falsely accused);
  - (2) Name and title of individual(s) against whom the complaint is made;
  - (3) The Specific type(s) of adverse action(s) taken;
  - (4) The Specific date(s) on which the adverse actions(s) was taken;
  - (5) A clear and concise statement of the facts that form the basis of the complaint;
  - (6) A clear and concise statement of the complainant's explanation of how his or her previous disclosure of Misconduct is related to the adverse employment or other action; **OR**
  - (7) A clear and concise description of what the complainant believes was the false accusation; and
  - (8) A clear and concise statement of the remedy sought by the complainant.

- iii. Within sixty (60) calendar days of receipt of the complaint, whether direct or through the Hotline, the Designated Official shall consider the written complaint, shall conduct or have conducted an investigation which, in his or her judgment, is consistent with the circumstances of the complaint and disclosure, and shall provide the complainant with a determination regarding the complaint.
- iv. The determination shall be in writing and shall include the findings of fact, the conclusions of the investigation, and, if applicable, a specific and timely remedy consistent with the findings. The decision of the Designated Official shall be final.

#### **4. METRICS:**

Annually, the President or his/her designee will give a summary report of any actions under this policy to the Chair of the Audit Committee.

#### **5. DEFINITIONS:**

a. Designated Official:

The University employee who has the ultimate responsibility for responding to an allegation of Misconduct, Retaliation or False Accusation.

b. False Accusation:

An unfounded allegation of wrong doing.

c. Good Faith Report:

A disclosure or complaint made by a Whistleblower concerning a violation or suspected violation of University financial policy or fraudulent or illegal dealings and with reasonable grounds for the allegations.

d. Misconduct:

- i. a serious violation of University financial policy
- ii. unethical behavior
- iii. a violation of applicable state and/or federal laws and regulations
- iv. the use of University property, resources, or authority for personal gain or other non-University-related purpose except as provided under University policy
- v. Examples of Misconduct include, but are not limited to: fraudulent financial transactions or reporting; questionable accounting and/or internal controls; falsification of documents, illegal or unethical business practices; misappropriation or theft of funds; and impropriety in handling or reporting of money.

e. Retaliation:

For purposes of this policy, retaliation is an adverse action which includes, but is not limited to:

- i. with regard to employment - discharge, demotion, suspension, being threatened or harassed, or in any other manner discriminated against with regard to compensation, terms, conditions or privileges of employment.
- ii. with regard to academics - dismissing, suspending or disciplining a student or changing or lowering a grade or evaluation of a student or in any other manner negatively affecting the student's academic career;
- iii. with regard to harassment – spreading rumors whether orally or electronically, nondisclosure of information need for decision making, exclusion from events or meetings, shunning.

f. Staff:

All exempt and non-exempt employees, whether referred to in other documents as staff, administration, exempt, non-exempt, etc.

g. Whistleblower:

Whistleblower, as defined by this policy, is an employee of the University, including faculty, staff, and students workers, who report in Good Faith an activity that s/he considers to be illegal, dishonest, fraudulent, or a violation of University financial policy or procedures.