

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Purpose

The purposes of this Human Resource Services Manual are to:

1. Provide the personnel and payroll policies and procedures affecting the various categories of University employees.
2. Outline the employee classifications, regulations and benefits.
3. Establish requirements and instructions for submission of Human Resource System data.
4. Outline the conditions, methods and schedules of employee pay.
5. Provide format and instructions for the time and effort reporting system.
6. Outline provisions and procedures of the workers' compensation insurance coverage.

Authority

The classifications, rates of pay, leave policies, insurance benefits and retirement, as well as the basic records and procedures are prescribed by State regulations and by the Governing Board. The personnel policies and procedures are issued in compliance with the rules and regulations of the Colorado State Personnel System. Basic payroll policies and procedures are contained in State Fiscal Rules.

If through administrative error any part of the manual is in conflict with State law, rules of the State Personnel System, or policies of the Governing Board of the University, such other authority prevails.

Responsibilities

1. Department Head

The department head is responsible for compliance with policies and procedures set forth in this manual and for prompt and accurate submission of required data. The department head or other immediate supervisor is responsible for accurate recording of time worked by employees and for certification and submission of required time sheets and Time and Effort Reports.

2. Office of Equal Opportunity and Diversity

The Office of Equal Opportunity and Diversity (OEOD) is responsible for implementing, monitoring and evaluating programs, activities and procedures that support the University's commitment to diversity. OEOD is specifically charged with:

1. Providing leadership to diversity enhancement efforts and monitoring the progress and implementation of the University Strategic Plan for Diversity
2. Developing and implementing the University's Affirmative Action Program
3. Reviewing and developing policies that support diversity goals
4. Developing procedures for and monitor all Academic Faculty and Administrative Professional searches to ensure compliance with Affirmative Action and nondiscrimination requirements
5. Working in conjunction with Human Resource Services in the hiring process used for State Classified employees to ensure compliance with Affirmative Action and nondiscrimination requirements
6. Developing and implementing procedures for the investigation and resolution of complaints of discrimination and sexual harassment
7. Coordinating University compliance with the Americans with Disabilities Act and Title IX of the Education Amendments of 1972
8. Providing education and training to students, staff and external constituencies in diversity related areas

3. Human Resource Services Department

The Human Resource Services Department has the following responsibilities:

1. Maintaining a personnel policy that is directed toward equity to employees, preservation of employee rights, and optimum employee morale and job satisfaction, to the extent possible within the capability and resources of the University as a public institution.
2. Maintaining, or recommending to the administration as appropriate, policies and practices which ensure compliance with laws and regulations.

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Responsibilities (continued)

3. Counseling supervisors and employees on matters involving employment relationships.
4. In cooperation with the University Office of Equal Opportunity, assuring that personnel policies and practices are supportive of the commitment of the University to affirmative action and equal opportunity.
5. Providing training programs designed to enhance opportunities for and performance by employees.
6. With advice from the Faculty Benefits Committee, developing and maintaining employee benefit programs for academic faculty and administrative professionals. Administering employee benefit programs established by the State Personnel Director and the Public Employees Retirement Association.
7. In cooperation with the State Department of Personnel and Administration, administering programs for state classified employees with respect to recruitment, testing, and employment classification. Determining exemption of positions from state classification in accordance with statutory provisions and established guidelines.
8. Serving as the delegated appointing authority in all actions affecting the University's employees covered by the State Personnel System requiring such power. Refer to Appendix 13: Appointing Authority Delegation – State Personnel System for additional information.
9. Processing and recording of personnel actions, transactions of data of all University personnel except for student hourly employees.
10. Publishing administrative and informational manuals which provide guidance on personnel matters to University departments and employees.
11. Serving as technical liaison to the Classified Personnel Council.
12. Administering the unemployment compensation insurance program.

4. Payroll Office of the Human Resource Services Department

The Payroll Office has the following responsibilities:

1. Verification of payroll data to see that all employees are paid accurately and in a timely manner.
2. Process Expense Transfers and Payroll Journal Entries.
3. Input and/or Verification of additional types of pay. (Supplemental pay, uniform allowances, tips, overtime, shift differential, etc.)
4. Entry of W-4's and Payment Disposition Data.
5. Input and/or verification of payroll deduction items, including insurance benefit programs, tax shelters, taxes and various other deductions. Also, collect and remit cash payments for benefit programs not otherwise covered.
6. Payments of all monies withheld through the payroll system to the appropriate agency including: Federal, State and local taxes, Medicare, PERA, insurance programs, retirement accounts, employee and student receivables, athletic ticket accounts, University Club, etc.
7. Prepare and submit Federal, State and other required reports associated with payroll processing.
8. Calculate, withhold and remit monies ordered by court systems for garnishments, tax levies and child support. These include Department of Social Services; Federal, State and local court systems throughout the U.S.A., Guam, Virgin Islands, Puerto Rico and the District of Columbia.
9. Prepare and submit W-2's and maintain records for prior years.
10. Certify all PERA data for prospective retirees and maintain PERA records.
11. Load and monitor back salary, tax adjustments and overpayments due to late paperwork submission.
12. Handle stop payments, prepare and process special checks and hand drawn checks concerning payroll.
13. Distribution of Certification Reports and maintenance of certification data in the Personnel/Payroll System.
14. Maintaining or recommending to the administration as appropriate, policies and practices which ensure compliance with Federal, State and local tax laws.

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Responsibilities (continued)

5. Student Employment Services

Student Employment Services is responsible for basic student employment data including job classification codes, pay rates and student employee wage structure.

6. Office of Budgets and Institutional Analysis

The Office of Budgets and Institutional Analysis is responsible for providing, as of July 1, the staffing pattern for continuing faculty and classified employees.

7. Environmental Health Services Office

The Environmental Health Services Office is responsible for processing employee claims for workers' compensation benefits. Information about this insurance and the required forms/reports can be obtained directly from the Office of Environmental Health Services web site at www.ehs.colostate.edu.

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Classification of Employees

Employees of Colorado State University are categorized as:

1. Academic Faculty and Administrative Professionals

These employees are appointed by the Governing Board or President of the University as applicable, upon recommendation of University officials. See Section 2 for details.

2. State Classified Personnel

State classified personnel are appointed by the Director of Human Resource Services. These employees are classified according to and are governed by State Personnel Rules and Regulations and University policies. See Section 3 for details.

3. Non-Student Hourly Employees

Non-student hourly employees are employed in jobs where the work usually is of short duration or intermittent in nature. These employees are paid by hourly rates. Personnel and payroll data are entered by the department and electronically transferred to the Personnel/Payroll System. See Section 4 for details.

4. Student Employees

Student employees perform duties assisting in an academic program, routine general labor and general office duties. These employees are treated as hourly personnel for payroll purposes. Students may be hired as student hourly or work-study employees. Special eligibility criteria and maximum hours of work apply. Processing is handled by Student Employment Services, a section of the Student Financial Services. See Section 5 for details.

5. Graduate Assistants, Veterinary Residents and Fellowship Grant Trainees

Graduate assistants assist with academic programs and research, but are students first and foremost. Veterinary residents are graduate veterinarians licensed to practice in Colorado who are enrolled in a three year combined graduate and residency program resulting in an advanced degree (Pathology, Clinical Sciences, Radiological Health Sciences, etc.), which may ultimately prepare the intern for advanced board certification in a recognized specialty. Fellowship Grant Trainees are not University employees, but rather post doctoral, graduate or undergraduate level fellows being paid on Federal grants. See Section 6 for details.

6. Post Doctoral Fellows, Veterinary Interns and Clinical Psychology Interns

Post doctoral fellows typically have recently completed their P.H.D.s, and are engaged to work primarily on research projects. Veterinary Internships are formalized through the Veterinary Teaching Hospital and the interns are DVM's completing a 1 year program that results in receipt of a certificate of completion in a specialty area (small animal medicine or surgery, large animal medicine or surgery, or combination). Clinical psychology internships are formalized through the University Counseling Center and the interns are pre PH.D.s in Counseling or Clinical Psychology who are typically completing the last requirement of their PH.D. program, the internship, which results in receipt of a certificate of completion. See Section 7 for details.

Every individual performing work for the University (except for independent contractors as defined in the appropriate section below) must be employed in one of the employee categories above.

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Volunteer Services

Generally, the use of volunteer services without compensation by individuals performing functions for which compensation normally would be paid is discouraged. The volunteer would not be covered by workers' compensation. In some cases involving injury to a volunteer, the "employer" has been held liable for medical costs.

However, this is not intended to apply to University students who perform services to the University as part of their educational experience, nor to affiliate faculty, guest speakers and lecturers, performers and artists, members of advisory committees and boards, 4-H club volunteer fund raisers, boosters and the like.

Questions concerning interpretation of this policy in specific cases should be directed to the Director of Human Resource Services.

Agricultural Labor Furnished by Crew Leader

Generally, individuals providing agricultural labor to the University are employees hired as non-student hourly personnel subject to withholding of payroll taxes, Medicare and Public Employee's Retirement Association contributions. However, a special provision in the Internal Revenue Code of 1986 states that if a crew leader (1) furnished agricultural labor to the University, (2) pays the workers either on his own behalf or on the behalf of the University, and (3) is not designated as the University's employee in any written statements between himself and the University, then the laborers are employees of the crew leader rather than the University. The crew leader is an independent contractor under these circumstances. It is the responsibility of the crew leader to collect, pay over and report payroll taxes of the laborers. Crew leaders may be paid, as any other independent contractor, through the Accounts Payable Section or they may be paid from special operations imprest bank accounts. If payment from an imprest account is contemplated, please refer to *Financial Policy and Procedure Instruction Manual, Number 15.00 "Special Operations Imprest Bank Account."*

Independent Contractors

1. General

Careful distinction must be made between work which should be accomplished by employees on the University payroll or by individuals or firms on a personal services contract (verbal, letter or formal). Since there are numerous employer-employee obligations as well as independent contractor liabilities, the individual's status should be carefully considered and cases of doubt resolved in favor of the employee classification. An erroneous classification as an independent contractor can result in serious penalty to the University for failure to deduct withholding taxes. In some circumstances, the University contracting officer should require a certificate of insurance coverage to not only relieve the University of liability but to further establish a valid independent contractor relationship.

Work may be undertaken as an independent contractor only when the individual or firm is as defined below and is not an employee of the University, unless specific exception is provided by the Director of Human Resource Services.

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Independent Contractors (Continued)

2. Definition of an Independent Contractor

An independent contractor, for the purposes of this manual, is defined as an individual or firm who performs personal services and who:

- A. Retains the right to decide the way in which final results are achieved and the details of when, where and how the work is to be done, and also
- B. Receives no benefits, directly or indirectly, that accrue to University employees. For example, the individual(s) is not covered by the University for workers' compensation covering personal injury, for public liability covering injury to others, or for unemployment compensation.

The above factors are controlling.

In addition an independent contractor generally:

- A. Provides own tools and materials.
- B. Has a place of business and a business listing in a directory where the services are offered to the public.
- C. Agrees to perform specific services for a fixed price.
- D. Is free to work for any one or more clients during any given interval.

3. Performing Artists, Athletic Officials and Consultants

Employment of performing artists, athletic event officials and consultants is covered in the Purchasing Manual.

Nondiscrimination Policy

Colorado State University does not discriminate on the basis of race, age, color, religion, national origin, gender, sexual orientation, veteran status or disability. The University complies with the Civil Rights Act of 1964, related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veteran's Readjustment Act of 1974, the Age Discrimination in Employment Act of 1967, as amended, Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, and all civil rights laws of the State of Colorado. Accordingly, equal opportunity of employment and admission shall be extended to all persons and the University shall promote equal opportunity and treatment through a positive and continuing affirmative action program. The Office of Equal Opportunity and Discrimination is located in Room 101 Student Services Building. In order to assist Colorado State University in meeting its affirmative action responsibilities, ethnic minorities, women, and other protected class members are encouraged to apply and to so identify themselves.

The University affirms its intention to maintain a work and study environment that is fair, humane and responsible. Sexual harassment or other abusive treatment of individuals on a personal or stereotyped basis will not be tolerated. Incidents of sexual harassment should be reported to the Director of Human Resource Services Department or the Office of Equal Opportunity and Diversity.

Discrimination Complaints

University employees have the right to file a complaint with the Office of Equal Opportunity and Diversity when they believe there has been a violation of the Nondiscrimination Policy. The same right is available through State and Federal agencies for discriminatory acts based on race, age, color, religion, national origin, gender, sexual orientation, veteran status or disability.

Americans with Disabilities Act (ADA) Employment Accommodation Requests

An employee with a disability as defined by the ADA may be entitled to employment accommodations under that act. The Office of Equal Opportunity and Diversity is responsible for determining whether an individual qualifies for protection under the ADA. Any employee who believes that he/she has a qualifying disability must submit a request for determination to that office.

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Employment of Minors

The Colorado Youth Employment Opportunity Act of 1971 and the child labor provisions of the Fair Labor Standards Act outline specific requirements concerning times, hours and categories of work permitted for minors between the ages of 14 and 17. Departments contemplating employing a minor should refer to the Human Resource Services Summary of Child Labor Laws in Appendix 10.

Immigration Reform and Control Act (IRCA)

The Immigration Reform and Control Act of 1986 (IRCA) requires all employers, under penalty of fine and/or imprisonment, to hire only U.S. citizens and aliens lawfully authorized to work in the United States and to maintain documentation indicating compliance. Enforcement of this new law rests with the Department of Homeland Security (DHS). An Employment Eligibility Verification (Form I-9) must be used in documenting compliance. Every employee hired on or after June 1, 1987, must have a completed I-9 Form on file within three days of commencing work. See "CLASSIFICATION OF EMPLOYEES" and "INDEPENDENT CONTRACTORS" in Section 1 of this manual.

The DHS requires employers to certify examination, via Form I-9, of work authorization documents, acceptable to the DHS, as a prerequisite to employment of anyone hired on or after June 1, 1987. Employers are responsible for updating and/or re-verifying employment eligibility of employees whose employment eligibility documents carry an expiration date. Questions pertaining to foreign passports, alien registration cards and VISAs should be directed to the Office of International Services.

In cases where individuals are waiting to obtain documents needed to establish their identity or work authorization, the employer can satisfy the verification requirements by obtaining some official verification of the employee's application for such documentation within three days of the initial hiring and then examining the documents within twenty-one days of hire. Those employed for less than three workdays must provide identity and work authorization by the end of the first workday.

I-9 Forms must be kept on file in the Human Resource Services Department for three years after the date of hire or for one year after the date the employment is terminated, whichever is later.

To assure compliance with the IRCA, no appointment will be approved until a properly completed Employment Eligibility Verification Form (refer to Section 11: Forms and Related Instructions, General, for a copy of the I-9 Form and instructions) has been forwarded to the Human Resource Services Records Unit. Departments must follow the established University process outlined below:

1. Obtain a Form I-9 from every employee within three days of hire or upon expiration of an existing Form I-9, as prescribed by law.
2. Review certain documentation to ensure that the individual employee is authorized to work in the United States. The documentation the employee presents shall be used as long as the documents satisfy the requirements listed on the Form I-9. Completed I-9 forms must be forwarded to the Records Unit of the Human Resource Department.
 - a. If the documents presented appear valid on their face, and if they meet the requirements listed on the reverse of the form, the review of the documents is sufficient and no further action is necessary.
 - b. If the documents presented appear to have been tampered with or do not appear to be "authentic", the matter should be referred to the Director of Human Resources for resolution.
3. If separate information is received regarding an individual's immigration status, the University may be obligated to review and respond to that information as deemed appropriate, based upon the circumstances. These cases should be referred to the Director of Human Resources.

NOTE: Departments should contact the Director of the Human Resource Services Department, Office of Equal Opportunity or Office of General Counsel before taking any employment action related to the I-9 process which might deviate from the process outlined above.

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Social Security Protection Act

The Social Security Protection Act of 2004 requires state and local government employers like Colorado State University, who do not participate in the Social Security program, to disclose the effect of the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) to employees hired on or after January 1, 2005. Under the provisions of the GPO and the WEP, Social Security benefit calculations are based on a modified formula when a worker is entitled to a pension from a job where the worker did not pay Social Security tax. As a result, these workers may receive a lower Social Security benefit than if they were not entitled to the public pension. Starting in CY 2005, new employees who are required to be covered by a retirement plan (PERA, DCP or SERP) must be advised of the potential reduction of future Social Security benefits.

Form SSA-1945, Statement Concerning Your Employment in a Job Not Covered by Social Security, is the document that must be used to meet the requirements of the law. The SSA-1945 explains the potential effects of two provisions in the Social Security law (GPO and WEP). This form is available online at the Social Security website, www.socialsecurity.gov/form1945.

For employees hired on or after January 1, 2005, departments are required to:

1. Prior to the start of employment, give the required notice (Form SSA-1945) to any employee required to participate in a retirement plan. This includes:
 - a. Academic Faculty
 - b. Administrative Professionals
 - c. State Classified regular and hourly employees
 - d. Post Doctoral Fellows
 - e. Clinical Psychology Interns and Veterinary Interns
 - f. Non-Student Hourly employees
 - g. Certain student employees not qualified for exemption from retirement plan participation (Student Employment will notify affected employees and their respective departments to secure the required form)
2. Have these new employees sign the notice attesting to the fact that they are aware of a possible reduction in their future Social Security benefit entitlement. When completing Form SSA-1945, use 84-6000545 for the Employer ID Number, and the employee's social security number for the Employee ID Number.
3. Forward the original signed Form SSA-1945 to the Human Resources Record's Unit (or to Student Employment in the case of a student employee) along with other required new hire forms (i.e., Creative Works Policy, Form I-9, W-4). As per the provisions of the law, the Human Resource Services Department is required to maintain the Form SSA-1945 and to forward a copy to the appropriate retirement plan provider.

Questions about this procedure should be directed to the Records Unit of the Human Resource Services Department. Additional information about the GPO and WEP is available on the Social Security website at: www.socialsecurity.gov/gpo-wep/.

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Work Provisions and Definitions

1. Established Work Week

An established work week is any regularly recurring period of 168 hours - seven consecutive 24-hour periods - designated as a period of work for an employee. The established work week for all University departments shall be 168 consecutive hours beginning 12:01 a.m. each Saturday. Deviations from this established work week must be approved in writing by the Director of Human Resource Services.

Generally, administrative offices are open from 7:45 a.m. to 4:45 p.m. or 8:00 a.m. to 5:00 p.m., Monday through Friday, during the academic year, and from 7:30 a.m. to 4:30 p.m. during the summer. However, many units have operating hours that deviate from these times based upon client service or other operational considerations that dictate different schedules.

The nature of the educational endeavor makes it impractical to establish specific work hours for academic faculty and administrative professionals who's assignments are in the areas of teaching, research, and administration of these areas of institutional responsibility.

2. Hours Worked

Hours worked is the time for which an employee is entitled to compensation. For employees eligible for overtime, compensation must be paid for the time the employee is required to be on duty on the employer's premises, or at a prescribed work place, and for the time the employee is "suffered or permitted" to work, whether or not requested to do so. Thus, hours worked can include time spent in idleness and in incidental activities as well as in productive labor.

Scheduled meal periods are discretionary, are not counted as work time and must be at least 20 minutes. However, if the employee is materially interrupted or not completely free from duties, the meal period is counted as work time.

Work breaks are discretionary. If granted, breaks of up to 20 minutes are considered work time. Breaks shall not be used to offset other work time nor to substitute for paid leave, shall not be taken at the beginning or end of the workday, nor shall be used to extend meal periods.

3. Flexible Work Hour System

At the discretion of the department head or director, a department may implement a flexible work hour schedule for its employees. The two components of the flexible work hour system are 1) "core time" of 8:30 a.m. to 3:30 p.m. when all employees must be present except for lunch break, and 2) "flexible time" of 7:00 to 8:30 a.m. and 3:30 to 5:30 p.m. within which individuals may select a starting time and related departure time. The department head will review work schedules to ensure adequate staffing at all times. Further information is available from the Director of Human Resource Services.

4. Special Plans

Special work hour plans up to the limitations contained in the Federal Fair Labor Standards Act may be granted when certain special operating conditions or hardships exist. Departments having unusual operations caused by seasonal or other factors and desiring a special plan should submit a request with justification to the Director of Human Resource Services.

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Overtime

1. Overtime Definition

Overtime is the time an employee in a position eligible for overtime is directed or allowed to work in excess of a forty hour established work week, except as outlined in special plans. Work over eight hours on a single work day may be balanced by time off in the same work week at a time mutually agreeable to the employee and supervisor. Overtime will not accrue until more than forty hours are accrued in a single work week. Authorized paid leave and holidays shall be counted as time accrued for purposes of determining overtime. For state classified staff, periods of compensatory time off are also counted.

2. Overtime Use

Overtime should be considered a reserve resource to be used sparingly and only on occasions when emergencies require. The utilization of overtime shall be at the discretion of the department head, subject to the provisions of this manual and limited by the availability of funds. Overtime may be authorized: (1) in the event of unforeseeable emergency, (2) for the purpose of manning a station or assignment when another employee is not available for work, (3) to provide essential services which cannot be provided by overlapping work schedules, and (4) to carry out short-range assignments for which the utilization of regular employees is more advantageous than the hiring of additional personnel.

Prior approval of the department head (or his or her designee) should be secured before an employee eligible for overtime is directed, authorized or allowed to perform overtime that will exceed the 40 hour per workweek threshold. Overtime approval may be verbal or written as determined by the supervisor. The hours worked in excess of 40 in a single work week will be paid at a rate of one and one half times the employee's hourly rate, or shall be taken as compensatory time, unless the excess hours are balanced with time off during the same week, keeping the weekly total to 40 hours or less. Emergency overtime should be reported to the supervisor as soon as possible for approval. The overtime approval status should be noted on the timesheet by the supervisor. All overtime will be paid regardless of approvals, but non-approved overtime may be subject to corrective or disciplinary action.

3. Time Off

Time off is equivalent hours authorized away from the job to balance extra (over eight) hours worked on days of the same work week so that no overtime liability is incurred. No leave is charged for this time off.

4. Overtime Eligibility

The Human Resources Department individually reviews all state classified positions and designates each as either eligible or ineligible for overtime. These determinations are based upon the criteria contained in the Fair Labor Standards Act (FLSA). Departments and/or employees who question the stated designation may ask that a review be conducted. Requests should be submitted to the Director of Human Resource Services. Information concerning the FLSA criteria is available in the Human Resource Services Department.

All employees paid on an hourly basis are eligible for overtime regardless of the noted overtime designation for the appropriate job classification, with the exception of certain employees in computer related occupations who are paid at an hourly rate exceeding \$27.63. Employees in computer related classes normally exempt from overtime whose hourly rates exceed this minimum are paid their normal hourly rate for all hours worked.

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Overtime (Continued)

5. Travel Time and Overtime

For employees who regularly work in a fixed location who are given a special one day assignment in another city, travel time is compensable working time.

When employees travel overnight on business, they must be paid for time spent in traveling, except for meal periods, during their normal working hours, including Saturdays, Sundays and holidays. However, they shall not be paid for time spent in travel outside those hours.

6. On-Call Status

This is a condition where an employee is subject to call to duty but is not actually performing work. An employee who is required to remain on call on University premises, or so close thereto that the time cannot be used effectively for personal purposes, is working while on call. An employee who is not required to remain on University premises, but is merely required to provide a means of contact with University officials is not working while on call. The determination is made on the degree of restricted activity, and not on the basis of location.

7. Sleep-in-Time

At times an employee is required to remain on the job and is permitted to sleep while on duty. Sleep-in-time is generally considered work time and requires compensation. However, the employee and the department may mutually agree to exclude compensation for sleep-in and meal time if the employee is required to be on University premises twenty-four or more consecutive hours.

8. Weekends and Periods of Paid Leave

Employees whose established work week includes Saturday and/or Sunday shall have such day(s) treated as any work day for the purposes of overtime.

9. Casual, Occasional or Sporadic Employment

Hours worked by an employee are excluded from calculation of overtime hours if the work is: 1) in a different capacity from any capacity in which the employee is regularly employed; 2) is at the employee's option, and; 3) is on an occasional or sporadic basis.

10. Accrual and Recording of Overtime

For employees in job categories eligible for overtime, time worked shall be recorded daily on the applicable time sheet in hours and minutes. For example, if an individual works 8:00 a.m. to 5:16 p.m., 8 hours and 16 minutes should be recorded. However, compensable overtime will not accrue until more than forty hours are worked in a single work week.

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Overtime (continued)

11. Charging Overtime When Working in Two or More Positions

Employees whose positions entitle them to overtime compensation are to be paid overtime compensation for all time worked over forty hours in a work week, whether the excess hours result from work in a single department or work in two or more University departments or state agencies/institutions combined. Employees are responsible for advising their employing department(s) and securing approval prior to commencing employment with another University department or agency/institution. Each department should coordinate with other department, agency/institution sharing the services of an employee to ensure that overtime is properly recognized and compensated. Overtime for employees working in more than one department, agency/institution should be reported by and will be charged to the department, agency/institution where the hours over forty are actually worked (the last hours worked in the week).

12. Payment of Overtime

Overtime may be paid either in cash or in compensatory time. At the time the overtime is worked the department must decide whether the overtime is to be paid in cash or in compensatory time. Departments must reach an agreement with employees hired after April 15, 1986, regarding compensatory time payment. For new employees, an agreement to accept compensatory time off in lieu of cash payment is a condition of employment.

If overtime is paid in cash, the rate is 1 1/2 times the employee's regular pay rate. If paid in compensatory time, the time allowed shall be 1 1/2 hours off for each hour of overtime worked. This must be a mutual agreement between the employee and the department and a written record must be kept.

Cash payment for overtime will be made no later than the next regularly scheduled payday following the end of the payroll period in which the overtime hours were worked.

13. Compensatory Time

Standard Provision - A nonexempt salaried employee may accumulate up to 160 hours of overtime equating to 240 hours of compensatory time at any given point in time. Any overtime worked in excess of this amount of accumulated overtime hours must be paid for in cash at the next regular pay period.

Accumulated "comp" time must be scheduled and taken as soon as practical. Whenever possible, the time for taking such "comp" time shall be by mutual agreement between the employee and the department.

14. When Separated from University Service

Employees being separated from University service and who have accumulated compensatory time resulting from overtime shall be paid for such time in cash.

Time Off for Exempt Employees

The salary level of employees who are exempt from overtime pay takes into account that it may be necessary for the employee to work a reasonable amount of overtime. However, there may be unusual situations in which an "exempt" employee is required to work significant amounts of overtime for an extended period of time.

In such an event, the department may grant discretionary administrative leave to an exempt employee. Under no circumstances shall an exempt employee be granted extra time off on an hour-for-hour basis.

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Employee Benefits and Privileges

Certain benefits are provided to University employees. Some benefits are completely paid for by the University, some are cost shared, and some are paid for by the individual at group rates. Contact the Benefits Section of the Human Resource Services Department for complete details.

Insurance Plans

- a) Select Benefits Plan and Faculty Benefit Pay. The Select Benefits Plan is a "cafeteria" approach to benefits which makes it possible to select an individually tailored benefits package which best meets employees needs and which also makes the most effective use of funds devoted to benefits by the University and its employees. All academic faculty, administrative professional, post doctoral fellows, veterinary interns and clinical psychology interns eligible for benefits under the Select Benefits Plan receive a monthly cash contribution from the University toward the purchase of benefits selections under the plan called Faculty Benefit Pay. For a complete description of faculty benefit plans see the *Summary Plan Description, Benefits and Privileges, Academic Faculty, Administrative Professionals & Post-Doctoral Fellows*, available in the Benefits Section of the Human Resource Services Department.

The following employees are eligible for the Select Benefits Plan and Faculty Benefit Pay :

- All regular and special, non-federal, academic faculty and administrative professionals of ½ time or greater appointment.
 - All temporary, non-visiting, academic faculty and administrative professionals after 1 year of continuous ½ time or greater appointment.
 - All paid post doctoral fellows of ½ time or greater appointment. Those post doctoral fellows not eligible for the Select Benefits Plan may elect to enroll in the Student Health Insurance plan.
 - All veterinary interns of ½ time or greater appointment. Those veterinary interns not eligible for the Select Benefits Plan may elect to enroll in the Student Health Insurance plan.
 - All clinical psychology interns of ½ time or greater appointment. Those clinical psychology interns not eligible for the Select Benefits Plan may elect to enroll in the Student Health Insurance plan.
- b) State Classified and State Classified Hourly Employees. State classified and state classified hourly employees are eligible to enroll in the State of Colorado insurance plans. The State's contribution to the medical plan is paid if the employee works at least 1 full work day per month.
- c) Graduate Assistants and Veterinary Residents. Graduate assistants and veterinary residents may elect to enroll in the Student Health Insurance plan and are eligible for a medical subsidy each October and March if they have a ¼ time or greater appointment and are taking at least 6 credit hours.
- d) Fellowship Grant Trainees. Fellowship grant trainees may elect to enroll in the Student Health Insurance plan.
- e) Non-Student Hourly Employees. Non-student hourly employees are not eligible for any insurance plans.
- f) Student Hourly and Work Study Students. Student hourly and work study students may elect to participate in the Student Health Insurance plan.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Employee Benefits and Privileges (continued)

University Study Privilege

State classified staff and regular or special academic faculty and administrative professionals who obtain consent from their department heads may register for up to six credits, on a space available basis, each academic year, beginning with the summer session through the following spring term, at no charge for tuition or regular fees. Temporary academic faculty and administrative professionals, and paid post doctoral fellows, veterinary interns and clinical psychology interns are eligible for the study privilege program after completing 1 year of continuous service at a ½ time or greater appointment. Registrants must pay special class fees (if any).

Only credit courses which are a part of the Colorado State Curriculum, as defined by the University Catalog, are available under this benefit. Courses audited are included in the maximum. Tuition will be assessed as soon as credits are taken in excess of the maximum credits listed below.

Available credits are based on level of appointment as follows:

- 100% appt. - 6 credits
- 75-99% appt. - 4 credits
- 50-74% appt. - 3 credits
- under 50% appt. - not eligible

Registration forms are available at the Records counter in Room 100 of the Administration Annex (see Section 11: Forms and Related Instructions, General).

Faculty and staff may also enroll in credit courses (section numbers 700 or higher) listed in the Continuing Educational bulletin. Registration forms for these courses are available in Spruce Hall.

Contact the Benefits Section of the Human Resource Services Department at 491-6737 for information about using the Study Privilege at Colorado State University - Pueblo or University of Northern Colorado.

The courses applied for must be either job related or career enhancement in nature. Time off for courses which are taken at the direction of the department or which are considered by the department to be job-related is considered to be administrative leave with pay.

Tuition Scholarship Program

A scholarship for 25% of tuition is available to spouses and dependent children of eligible faculty and staff. Applications are available in the Benefits Section of the Human Resource Services Department.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Employee Benefits and Privileges (continued)

Retirement Plans

All employees of the University, except for those student employees who qualify for exemption under federal law, are required to participate, according to their employment status, in one of the retirement plans summarized below. CSU employees are not covered by Social Security. Refer to Section 11: Forms and Related Instructions, General, for copies of retirement enrollment forms

1. Public Employees Retirement Association (PERA)

PERA covers all state classified and non-student hourly employees, and certain faculty and administrative professional employees eligible for membership under PERA rules. PERA retirees who are rehired are exempt from PERA membership. Coverage begins as of the date of employment. Thereafter, 8.0% (current rate) of the employee's salary is deducted from the employee's monthly pay. The University also makes a contribution, which is a percentage of the participant's salaries and wages.

Effective July 1, 1984, the 8% employee contribution to PERA will be subject to tax-deferral. All PERA benefits (retirement, survivor benefits, etc.) will be calculated on full pay.

The amount deducted from the employee's salary and the University's contribution are used to establish a retirement annuity fund for the employee. If requested, the employee's contribution is refunded upon termination. The employee is eligible for a retirement annuity after five or more years of service and may apply for a deferred annuity rather than a refund.

Employees wishing to apply to receive monthly retirement benefits should contact the Benefits Officer in the Human Resource Services Department between 60 and 90 days prior to their planned retirement date. Application forms and proof-of-age documents will be processed at that time.

2. Defined Contribution Plan (DCP)

Academic faculty, administrative professionals, post-doctoral fellows, veterinary interns and clinical psychology interns hired on or after April 1, 1993, are covered under the DCP unless they have an existing PERA account and request coverage under that retirement plan instead of the DCP and PERA permits such coverage. The DCP also covers those academic faculty, administrative professionals, post-doctoral fellows, veterinary interns and clinical psychology interns who elected between April 2 and May 31, 1993, to transfer from PERA to the DCP. Coverage begins as of the date of employment.

All DCP participants contribute 8.0% of their covered earnings to the plan. The University also makes a contribution, which is a percentage of the participant's covered earnings, toward the DCP retirement accounts of academic faculty and administrative professionals with regular or special appointments of half-time or greater, and of academic faculty and administrative professionals with temporary appointments and post doctoral fellows, veterinary interns and clinical psychology interns after one year of continuous half-time or greater service. Effective July 1, 2005, the University is required to make the employer match payments to PERA on all employees receiving an annuity from PERA. PERA annuitants newly hired or reappointed on or after July 1, 2005, and tenured faculty members going on Transitional Appointments on or after January 5, 2006 will be subject to a reduction in the employer match to the DCP by any amount the University is required to pay PERA on behalf of such annuitant. The University also contributes a percentage of covered earnings toward the cost of employee benefits and post-retirement health care for those academic faculty and administrative professional DCP participants who qualify for participation in the University's Select Benefits ("Cafeteria") Plan.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Employee Benefits and Privileges (continued)

Participant and University contributions, plus earnings on those contributions, are available for distribution to the participant upon termination of employment with the University and attainment of age 55, or can be rolled over to another employer's IRS qualified retirement plan or to an Individual Retirement Account (IRA).

Participants can choose among three companies with which to invest their DCP accounts: Fidelity, TIAA/CREF, and VALIC. Participants can be with only one company at a time, but can change annually as of each January 1st. Participants can allocate their DCP accounts among the individual investment funds of their selected company in whatever manner and as frequently as their selected company permits.

3. Student Employees Retirement Plan (SERP)

The Student Employee Retirement Plan has been established by the State of Colorado for eligible employees. This retirement plan is provided by TIAA-CREF.

Student employees (work study and student hourly), veterinary residents and graduate assistants of the University may voluntarily choose to participate in SERP, but participation becomes mandatory if they do not meet one of the following conditions for exemption:

- A. Undergraduate students: An officially admitted student enrolled at least half-time (6 credits each semester for the academic year and 3 credits for summer).
- B. Graduate students: An officially admitted student enrolled at least half-time (5 credits each semester for the academic year and 3 credits for summer).

Participants contribute 7.5% of their gross earnings to individual accounts held by TIAA-CREF. SERP account balances are available for distribution to participants upon the expiration of period(s) of covered employment, subject to IRS limitations.

University Retirement Policy

Refer to Appendix 14 for the University's retirement policy for academic faculty, administrative professional and state classified employees, as approved by the CSU Board of Governors on May 5, 2005.

Continuation of Medical Insurance Under COBRA

Effective March 1, 1987, provisions of the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) permit employees who would otherwise lose group medical and dental coverage to extend this coverage for up to 18 months. Dependents who lose coverage due to end of employment, divorce, attainment of the maximum age for dependent child eligibility, death of employee or other specific events may continue group coverage under COBRA for up to 36 months. Enrollment forms for continuation of benefits under COBRA are available from the Benefits Section of the Human Resource Services Department. Election for continuation must be made within 60 days of normal insurance termination date.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Personnel-Budget-Payroll System

The Personnel System and the Payroll System are integral parts of an overall computerized Personnel-Budget-Payroll System. Data is primarily provided through the Human Resource Services Department and the Personnel/Payroll System, and a common master data file provides data for personnel operations, payroll operations, time and effort reporting, reports to State and Federal agencies and budget preparation.

The following table indicates the basic personnel actions and data forms required. These forms and instructions for preparing and submitting them are located in Section 11: Forms and Related Instructions, General.

	Personal Action Data (electronic submission)	W- 4	Voluntary Deductions	Payment Disposition	Retirement Application	Overtime Auth/ Certif	CSU Time Sheet	State Time Sheet FR 30-5-73	I- 9
Academic Faculty and Administrative Professionals	X	X	X	X	X				X
Classified-Exempt from O .T.	X	X	X	X	X				X
Classified-Salaried Eligible for O .T.	X	X	X	X	X	X	X(1)	X	X
Classified-Hourly	X	X	X	X	X	X	X	X	X
Graduate Assistants-Post Doctoral	X	X		X	X(2)		X(1)		X
Non-Student Hourly	X	X		X	X	X	X		X
Student Work Study	X	X		X	X(2)		X		X
Student Non-Work Study	X	X		X	X(2)	X	X		X

- (1) Only for approved additional hourly work and/or overtime.
- (2) Only for mandated or voluntary enrollment as applicable.

Form deadlines. To ensure timely payment of employees and meet Personnel/Payroll processing, all personnel actions and data forms should be submitted through the appropriate channel(s) as soon as possible. All salaried time files that are complete and approved by the tenth of the month will be paid that month. Any received after the tenth will be subject to processing deadlines and may not get paid until the following month end. Personnel actions that have received final organizational approval (reach the HRS office) at least 2 days prior to the published payroll processing date will be reflected in that payroll cycle. To be sure that personnel actions make it all the way through the approval process, initiate actions well in advance of the payroll processing date.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

General Payroll Information

1. Payroll Documents

Time sheets are the primary documents to record and authorize regular hourly, overtime and special pay. It is essential that these documents be accurately completed by knowledgeable supervisors, that documents be adequately secured against fraudulent entry data, and that documents be signed by authorized personnel and time appropriately and timely entered on the Personnel/Payroll System timefile.

2. Pay and Pay Periods

Salaried employees are paid monthly on the last state work day of the month, except for the month of June of each year, in which the pay date will be delayed to the first working day of July, effective cy 2003 (see schedule in Appendix 1). Hourly employees are paid bi-weekly (see schedule in Appendix 2). As of January 1, 1996, all new hires are required to have their pay directly deposited to a checking or savings account at the financial institution of their choice, as indicated on the employee's Payment Disposition Action form. Pay stubs/earnings statements (see sample in Appendix 4) will be distributed to the employee each month through campus mail. Those grandfathered employees still receiving checks may pick them up at the Payroll Office, Room 221 Student Services Building, between the hours of 8:00 a.m. and 4:00 p.m. on normal business days.

3. Tax Withholding

Payments of salaries and wages are made through the Payroll Office and taxes are withheld in accordance with each employee's tax status as indicated on the W-4 form (see Section 11: Forms and Related Instructions, General). When an employee is working in a state other than Colorado, they must also complete an Out-Of-State Work Location Information Sheet (see Section 11: Forms and Related Instructions, General) to ensure that the correct state income taxes are withheld. Anyone claiming "exempt" must file a new W-4 form prior to February 15 for that year. Scholarship payments are not made through the Payroll Office and there is no withholding of State or Federal taxes.

4. Extended Sick Leave

When an employee's sick leave exceeds 30 continuous work days, the cost of the excess sick leave (those days that exceed 30) should be charged to the fringe benefits pool. This is done by the department filling out an extended sick leave request memo (see Section 11, Forms and Related Instructions, General) and submitting it along with a physician's statement or other medical information to the Benefits Section of the Human Resources Services Department. The Benefits Section will review the information for appropriateness and send it on to the Payroll Section, which will process an Expense Transfer (expense transfers are discussed in Section 7, Management Reports) of the excess sick leave amount from department accounts to the Fringe Pool account.

5. Terminal Pay

Employees who retire, resign or are discharged, and survivors or estates of deceased employees will be paid the salary due plus unused annual and allowable sick leave. Terminal pay will be included in the employee's final pay if all required documents have been processed.

Payments to employees for accrued annual leave upon termination and accrued sick and annual leave upon retirement will be charged to the fringe pool. The Payroll Section will make such charges based on data available on termination or retirement personnel actions.

6. Time Limitations for Terminal Pay

Following are statutory provisions for paying terminating employees:

- Employees who terminate will be paid on the next regular pay day.
- Employees who are terminated at the volition of the University must be paid immediately. In this event, the department must make prior plans to have the employee's pay check ready for immediate delivery to the employee.
- The time for payment is not extended because of accrued leave.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

General Payroll Information (continued)

7. Taxes on Terminal Pay

Taxes may be calculated and withheld on a fixed amount or on the percentage aggregate method. Employees who are to receive a substantial amount on the final payment should contact the Payroll Section prior to preparation of the payroll and determine the method desired for tax calculation.

Income earned may not be deferred until the next calendar year for tax purposes. The Internal Revenue Code states that if income is available in a calendar year it is taxable in that year. As an example, employees retiring on November 30 (last day worked) will receive their regular pay for November on the November payday. Pay for accumulated annual leave and the allowable sick leave will also be received in the same November paycheck.

8. Moving Expense Reimbursements

Changes in federal law (OBRA-93, effective January 1, 1994) requires some moving costs to be considered taxable income. See the University Financial Policy and Procedure Instruction Manual and State Fiscal Rules for details on procedures.

9. Advances

The State does not permit advance payments or loans against future pay.

10. Overseas Pay

The compensation of University employees located overseas may consist of four elements: the University base salary, overseas incentive pay, overseas (post) differential pay and Sunday premium pay.

The base monthly salary must be shown on the salary screen of the job assignment in the Personnel/Payroll System. Authorized incentive and overseas differential should be processed on a supplemental pay request form, but may be for periods longer than one month. See the *Academic Faculty and Administrative Staff Manual*, section D, for further information.

Sunday Premium Pay should be calculated and requested on a supplemental pay form (page 2-27) listing the appropriate dates and description.

The overseas (post) differential is payable beginning on the date of arrival at the assigned overseas post and continues through the day of departure from the overseas post en route to the United States. Differential is not allowable while the employee is away from the duty station on home leave. Also when the assignment is a short term assignment the pay does not begin until the 43rd day at the post. The department should notify Payroll by memo of any periods for which an employee is not entitled to overseas differential pay.

For partial months the regular pay will be computed dividing the days worked by the total work days in the month and multiplying by the monthly rate. The differential pay will be computed by dividing the work days eligible (as defined above) by the total work days in the month and multiplying by the monthly differential rate.

11. Earnings Statements

Departments should ensure that employee's earnings statements are delivered in a timely and confidential manner. In cases of terminated employees, departments should mail earnings statements to the employee's forwarding address, if known. If no forwarding address is available, the earnings statements should be returned to the Payroll Office.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Payroll Deductions

Employees are subject to mandatory deductions for State and Federal income tax, and with the exception of those student employees who qualify for exemption under Federal law, retirement and Medicare tax, and for any court ordered payments. Academic faculty, administrative professionals and state classified personnel may also authorize voluntary deductions made available by the University. Requests for additional deductions or changes to existing deductions must be made to the Human Resource Service's Payroll Section no later than 2 working days prior to the current month payroll processing date to be effective for that month.

Deductions will be handled as follows:

1. When an employee changes category (academic faculty or administrative professional to state classified or state classified to academic faculty or administrative professional) all voluntary deductions for the category the employee is leaving will be canceled and new deduction enrollment forms appropriate to the new category must be completed.
2. Personnel going on special leave or leave without pay, and those holding appointments with special pay arrangements where the pay varies from month to month, should contact the Human Resource Services Payroll Section to make arrangements for the premium payments of continuing benefits while on leave.
3. If a state classified employee receives pay for one day 1 day in a month, the State's share of health and life insurance will be paid. Insurance premiums for the employee's share will be deducted if the employee receives enough pay to cover the costs.
4. State classified hourly employees are eligible for optional payroll deductions. Since there is no guarantee that the pay for the hours worked in any two week period would exceed the amount of the deductions, hourly employees should refer to the state classified hourly insurance procedures and cash payment schedule (see Appendix 3) for cash payment requirements.
5. Amounts owed to the University for unpaid parking fines, veterinary hospital charges, and other valid obligations will be deducted from the employee's paycheck after written notice of the pending deduction has been sent to the employee.
6. Court ordered child support, garnishments, tax levies and liens take priority over **all** voluntary reductions or deductions.
7. Termination of Voluntary Deductions:
 - a. Voluntary deductions will terminate at the end of the contract period. At the time of termination, amounts owed the University for travel advance, athletic tickets, accounts receivable or any amount agreed to by the employee will be deducted from the final paycheck.
 - b. When an academic faculty, administrative professional, post doctoral fellow, veterinary intern or clinical psychology intern retires or terminates employment with the University, coverage under the Select Benefits Plan will terminate at the end of the month in which employment ceases. No payroll deductions for insurance premiums will be taken out of the last paycheck.
 - c. Premiums for state classified insurance plans will be deducted from a terminating employee's last payroll check to pay for coverage for that current calendar month. Coverage ends at the end of the month of termination.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Overpayments and Underpayments of Salaries and Wages and Other Amounts

While the University makes every effort to ensure that employees are paid correctly, occasionally errors are made resulting in either overpayment or underpayment to employees, which may go undetected for some time.

1. Recovery of Overpayments: State fiscal rules require the repayment of any salary, wage or other overpayments made to State employees. Amounts owed by an employee to the University require immediate arrangement for payment. If repayment arrangements acceptable the University cannot be made, the University may offset the amounts owed against any amounts due and payable to the employee from any available source.

If the overpayment is nominal it may be deducted from the employee's next pay. In some cases the overpayment may be significant and require a repayment schedule not to exceed six months. The Payroll Office will establish a repayment schedule based on the particular facts involved in each case. The objective is to recover the overpayment as quickly as possible while taking into account the creation of an undue hardship on the employee.

2. Underpayment of Salaries and Wages: According to policy adopted by the Executive Budget Committee in December 1994, when underpayments occur, the University limits back pay awards to a 2 year period. The 2 year period is defined as the 24 month period immediately preceding the date the error was discovered. This policy does not apply to state classified personnel.

FICA Medicare Tax

All employees hired after March 31, 1986, except those student employees not required to participate in the Student Employees Retirement Plan (SERP), must have FICA Medicare Tax withheld. The rate is 1.45 percent with no maximum for eligible employee earnings. An employer contribution of an equal amount is also required.

Workers' Compensation

Colorado law requires employers to provide workers' compensation insurance for employees who are injured on the job, or contract disease related to their work duties, as determined to be compensable by the State Compensation Insurance Fund. Such insurance provides for medical treatment and lost wages replacement up to the average weekly wage established annually by the Colorado Department of Labor. A physician's statement must be presented to the respective department by the injured employee stating the specific day(s) of disability caused by the accident or occupational disease.

Colorado State University is insured for workers' compensation under self-insurance maintained by the State of Colorado for all agencies and institutions of the State. Pinacol Insurance is the claim administrator contracted by the State and all employer (University) responsibilities are handled locally by Environmental Health Services located on campus.

The University provides workers' compensation for all paid employees except visiting faculty, student interns, and independent contractors. Contact Environmental Health Services or visit their web site at www.ehs.colostate.edu for detailed information and forms.

As of January 1, 1997, state classified staff may be granted injury leave up to 90 working days with full pay when the employee agrees to allow weekly workers' compensation benefits to be paid directly to the University. After exhaustion of injury leave, workers' compensation benefits will be paid directly to the employee and the remaining one-third of the employee's salary will continue to be paid by the University and will be charged against the employee's accrued sick and annual leave. If the employee remains off work to the extent that accumulated leave is exhausted, the employee will continue receiving payments from worker's compensation, but pay from the University will cease and the employee will be placed on leave without pay. See Injury Leave (Section 3) for additional information.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Unemployment Insurance

Most employees of the University are covered by the Colorado Employment Security Act of 1971. Graduate assistants, veterinary residents, fellowship grant trainees, student hourly and work study students are not covered. Covered employees who leave the University may be entitled to unemployment benefits, and may file a claim on the basis of wages earned at the University provided the terms and conditions of the Colorado Employment Security Act are met. All cases are handled separately and rulings determining eligibility are made on an individual basis.

Social Security Number

Each employee (including faculty affiliates) must have and report a social security number. Social security number changes/errors should be immediately reported to the Human Resource Services Data Systems Section.

Due to a recent change in policy by the Social Security Administration, immigration documents submitted by foreign nationals applying for a Social Security number will be subject to verification by the Immigration & Naturalization Service (INS) prior to the issuance of a Social Security number. This verification process will delay the receipt of the Social Security card for significant periods expected to be as long as twelve weeks. Delaying the commencement of employment of foreign visitors, with proper work authorizations, for such lengthy periods imposes an unreasonable burden on both the employee and the employing University department. As a result, the procedure outlined below, developed in cooperation with the Office of International Student Services and the local Social Security Administration Office, had been implemented to allow foreign nationals to commence University employment in a timely manner. The procedure applies to both student and non-student employees.

1. The employee will secure a Form SS-5 and an accompanying letter from International Student Services, Laurel Hall. The letter and completed Form SS-5, along with their passport and form I-20 or IAP-66, should be taken to the Social Security Office located on the 2nd floor of the Old Town Post Office Building, 301 S. Howes Street, where an application for a Social Security number will be completed.
2. The employee should request a photocopy of the completed Form SS-5 and a receipt or letter verifying the completion of the Social Security number application process from the Social Security Office.
3. The employee should then schedule an appointment with the Foreign Tax Administrator (122 Johnson Hall) by calling (970) 491-2911.
4. At the time of the appointment, the Foreign Tax Administrator will determine the correct income tax status of the employee and will assign a payroll control number (000-xx-xxxx) which will be used in place of the Social Security number to permit processing the necessary appointment and other personnel action forms necessary to set the employee up in the Personnel/Payroll System. The employee will be given a copy of their W-4 Form containing the payroll control number to return to the hiring department.
5. Upon receipt of the Social Security card by the Foreign Tax Administrator, the employing department and the Human Resource Service Department will be advised of the correct number so departmental and central personnel and payroll records can be updated accordingly. Social Security cards are being sent directly to the Foreign Tax Administrator to ensure that the employee receives the card in the event of a change of address.

Name Change

Name change requests should be submitted to the Human Resource Services Data Systems Section by a memorandum from the employee requesting the change. The memo should include the employee's current and new name, and the employee's social security number.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act of 1993 entitles all eligible employees to 12 work-weeks of leave during a 12-month period for (a) the birth and care of a child or placement and care of an adopted or foster child within 1 year of the event; (b) the serious health condition of the spouse, child, or parent; or (c) the employee's own serious health condition. In the case of a non-state classified employee, the 12 month period will be rolling, measured from the 1st date FML is used to the same date 12 month later. The full FML policy for all University employees except state classified can be found in Appendix 3 of the *Academic Faculty and Administrative Professional Manual*. Contact the Benefits Section of the Human Resource Services Department whenever an employee may be eligible for FML for current procedures and forms.

NOTE: State classified employees are covered by the State of Colorado FMLA policy. Refer to Section 3, State Classified Personnel, for the specific provisions of that policy.

Inclement Weather Policy

Only the President of the University or his/her representative may make the decision to close the University. Announcement of such unscheduled closures will be communicated to the local media by the University Relations Department no later than 5:30 a.m., whenever possible. Employees are encouraged to tune in a local radio station (530-AM), or contact the University's weather-emergency hotline, (970) 491-SNOW, whenever weather conditions indicate the possibility of closure. The following is the University's Policy relative to the pay status of the University's faculty and staff during periods of inclement weather. This policy applies only to employees paid on a salaried basis. Hourly employees do not qualify for any type of paid leave and are paid only for actual time worked.

Determinations as to the operational status of all University units outside the Fort Collins area shall be the responsibility of the appropriate Department or Agency Head. Employees in such units should consult with their departments concerning their status relative to paid time off.

1. Employees who are absent due to extreme weather conditions when the University remains open must take annual leave, or leave without pay if no annual leave is available, for work time missed. Minor periods of tardiness shall be excused. However, lengthy periods should either be made up in the same work week or charged to annual leave or leave without pay as appropriate.
2. When the University is officially closed because of inclement weather, the resultant absences of employees during scheduled work time will be considered as administrative leave with pay for all normally scheduled work hours during this period.
3. Employees on scheduled leave (annual, sick, etc.) shall remain on that status during periods of closure to the extent approved or appropriate and shall not be granted administrative leave.
4. Employees required to work during periods of closure due to inclement weather may be entitled to a comparable amount of time off as outlined below if the period of closure is for one-half day or more. If the period of closure is less than one-half day, employees required to continue working will not be given time off for such work.
 - a. Overtime eligible employees required to work during periods of suspended operation of at least 4 hours are entitled to a comparable number of hours off as paid administrative leave, up to the number of hours equal to their normal work schedule. In these cases, only those hours actually worked are to be counted as "work-time" for purposes of overtime calculations (can not count the same hours twice). Such employees who terminate employment prior to taking all administrative leave hours are compensated for the unused time.
 - b. Overtime-exempt employees required to work during periods of suspended operation may be given time off for all or part of the hours worked with the specific approval of the appropriate Department Head. Terminating employees are not compensated for any unused balance.
5. Departments are responsible for notifying employees who are to respond during University emergencies including those required to report during periods of closure. In addition, others may be required to report due to unusual circumstances and will be so notified by the.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Inclement Weather Policy (continued)

appropriate supervisors at that time. Employees unsure of their status or unclear as to the nature or extent of a closure announcement should contact their immediate supervisor(s) or departmental offices for clarification

Records Policy

By action of the Board and pursuant to statute (C.R.S. 23-31-107), the Secretary of the Board is the official custodian of all University records. However, for administrative efficiency, this responsibility has been delegated to various University custodians. For information on the University records policy and procedures for release of records, refer to Section I of the *Academic Faculty and Administrative Professional Manual*. For a list of designated University record custodians contact the Office of the Vice President for Administrative Services.

Outside Employment

University employment shall be the principal vocation of full-time classified employees. However, an employee may engage in outside employment subject to the following conditions:

1. The outside employment may not interfere with efficient performance of the University assignment;
2. The outside job may not conflict with the interests of the University or the State of Colorado;
3. The outside employment may not be the type that would reasonably give rise to criticism or suspicion of conflicting interest or duties;
4. The employment shall be in keeping with the "Colorado Code of Ethics", established by Executive Order of September 13, 1966;
5. The employee has the written approval of his/her department head.

Policy on Rights and Responsibilities Related to Creative Works

Salaried employees must sign the Policy On Rights And Responsibilities Related To Creative Works statement (see Section 11: Forms and Related Instructions, General) as a condition of employment. Refer to the *Academic Faculty and Administrative Professional Manual* for further information.

Oath of Allegiance

All academic faculty, administrative professionals, post doctoral fellows, veterinary interns, clinical psychology interns, veterinary residents, and graduate assistants are required by state law to execute the State Loyalty Oath per House Bill No. 1194 enacted by the 1969 Session of the Colorado Legislature. Refer to Section 11: Forms and Related Instructions, General, for a copy of the Oath of Allegiance.

Code of Ethical Behavior and Conflict of Interest Statements

For details see section D.7.7 of the *Academic Faculty and Administrative Professional Manual* (the Manual). While material in the Manual generally relates to faculty and administrative professional appointees, the section on Conflict of Interest represents the University's policy on this matter for all faculty and staff, including its state classified employees. However, the required disclosures at the time of appointment and annually thereafter contained in D.7.7.4 apply to state classified employees only in cases where the employees are engaged in policy or rule making, negotiating, reviewing, approving and/or signing contracts for the purchases of goods or services on behalf of the Board of Governors or the University.

HUMAN RESOURCE SERVICES MANUAL

SECTION 1: GENERAL PROVISIONS

Political Activities

For details on the University policy on legislative lobbying, participation in political campaigns and holding public office, refer to the *Academic Faculty and Administrative Professional Manual* or the *State Classified Personnel Handbook*.

Smoking in Campus Buildings

Smoking is prohibited in all State-owned or leased University buildings and vehicles per the Governor's Executive Order effective January 1, 1991.

Notification Procedure for Death of a Current Employee, Retiree, or Former Employee

In the event of death of a current or former academic faculty, administrative professional or Classified staff member, the following procedures should be followed:

1. Current Employee. Report of an employee death should be made as soon as possible to the Benefit Services Manager, or, in the absence of that individual, to the Benefits Counselor, Human Resource Services, (970) 491-6737. Information provided should include as much of the following as is available: employee name, title, department, next of kin, funeral/memorial service arrangements, designated memorial (if applicable). The Benefits Services Manager will verify the accuracy of the information and implement the appropriate administrative actions.
2. Retiree or Former Employee. Notify the Benefits Services Manager as soon as possible. The Benefits Services Manager will implement appropriate administrative actions.

Employee Liability

The Colorado Governmental Immunity Act, C.R.S. 1973, protects public employees from liability, and from the costs of defense, where the claim against the public employee arises out of injuries sustained from an act or omission of such employee occurring during the performance of his duties and within the scope of his employment.

The Colorado Governmental Immunity Act defines "employee" as "an officer, employee or servant of the public entity, whether or not compensated, elected or appointed, but does not include an independent contractor or any person who is sentenced to section 42-4-1202(4), C.R.S. 1973, to participate in any type of useful public service".

The University does maintain insurance to protect itself, in most cases, from financial loss due to claims of liability against the University and its employees. However, employees should exercise due caution and use common sense in attempting to avoid accidents and injury which could result in liability to themselves or to the University.

To qualify for protection under the Colorado Governmental Immunity Act, employees, as defined above, should adhere to the following criteria:

1. Incidents or occurrences that can reasonably be expected to lead to a claim should be reported as soon as possible to the employee's supervisor and to the University Risk Management Office. Incidents or occurrences involving injury or death should be reported immediately.
2. Injured persons, or claimants, should be referred to the University Risk Management Office for details on how to file a claim with the Office of the Attorney General of Colorado.

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SECTION 1: GENERAL PROVISIONS

Employee Liability (continued)

3. Employees must not compromise or settle claims without consent of the University and the Attorney General.
4. An employee who has been served with notice of a court action against the employee and/or the University must notify the Office of the Attorney General of Colorado, in writing, within fifteen days of receipt of such notice.
5. No protection is provided
 - a. when the act or omission is outside the scope of employment, or
 - b. for acts or omissions that are criminal, intentional, willful or wanton.

Questions on liability insurance should be directed to the University Risk Management Office. Questions of a legal nature should be referred to University Legal Counsel.

Provisions as stated in the Colorado Governmental Immunity Act and the University's contract of liability insurance supersede any statement made in this manual.