

HUMAN RESOURCE SERVICES MANUAL

SECTION 3: STATE CLASSIFIED PERSONNEL

STATEMENT OF ADMINISTRATIVE GOALS RELATING TO CLASSIFIED PERSONNEL

Colorado State University shall endeavor to promote an environment within which each staff member can perform to maximum capability. This document is an expression of the standards toward which the institution will strive, acknowledging the constraints of available resources. The goals incorporated herein constitute an essential part of the CSU administrative philosophy.

Colorado State University will endeavor to provide the following to each state classified employee:

- A safe and healthy working environment.
- Adequate resources, instructions and training for performance of assigned duties.
- Courteous, respectful and considerate interactions with others within the University community.
- Administrators who:
 - know and practice administrative due process under the Rules and Regulations of the Colorado State Personnel System, CSU Human Resource Services Manual, and the CSU State Classified Personnel Handbook, and
 - are fair to the individual supervised.
- Open two-way communication with administration which includes:
 - provision of appropriate information concerning the employee's job, organizational unit, CSU, and the Colorado State Personnel System;
 - timely information concerning promotional opportunities; and
 - reasonable answers to rational questions and suggestions.
- Assistance from administration, when appropriate, in achieving deserved and timely job advancement and promotion based upon merit, ability, and opportunity.
- A current job description and a clearly defined, realistic performance plan.
- Regular and objective evaluations by the immediate supervisor of the employee's job performance, based on the current job description and performance plan.
- A job classification and pay rate that corresponds to the primary job duties performed.
- A working climate characterized by basic ethical and legal principles.

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APPOINTING AUTHORITY DELEGATION

The President of Colorado State University has delegated Appointing Authority powers for all actions affecting the University's employees covered by the State Personnel System requiring such power to the Director and Associate Director of the Human Resource Services Department. Any involuntary separation of a state classified employee from the University or any other action contemplated which may affect an employee's pay, status or tenure must be forwarded to the Director of Human Resources for consideration and appropriate action. The President has also delegated to the Director of Human Resources the authority to further delegate authority over matters of discipline to those University officials who, in her/his opinion, possess the judgment and the knowledge of the rules of the State Personnel System to properly exercise such authority. This may include re-delegation of authority for discipline to a specific individual within a particular department or to other employees within the Human Resource Services Department not specifically outlined in the President's Appointing Authority Delegation – State Personnel System (refer to Appendix 13 for the complete document).

Nothing in this delegation should be interpreted to affect the ability of academic and administrative department heads to make decisions implementing policy which affect their subordinate State Classified employees including, but not limited to, assignment of duties, scheduling of work hours, approvals of time off, etc., whenever such authority is exercised in accordance with Federal or State laws, University policy and State Personnel rules and procedures. However, the Director of Human Resource Services shall have the authority to modify or rescind the operational decisions of academic and administrative department heads which in her/his judgment, are inconsistent with such rules, policies or procedures.

The President has also delegated Appointing Authority power in grievance and performance pay dispute matters affecting employees covered by the State Personnel System to the Provost, Vice Presidents and Deans. Should the cognizant Provost, Vice President or Dean be unavailable or unable to deal with the issue due to a conflict of interest, the Director of Human Resources shall delegate this authority to another University official on a case by case basis.

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Classification System

The system provides a basis upon which all employees are graded and compensated. The system is comprised of classes and each class is comprised of positions that have comparable duties and responsibilities.

1. Positions

Every position within a class shall: bear the common descriptive title of the class; be subject to the same class definition of duties, responsibilities, and authority; require the same minimum training and experience; and be subject to the same compensation range. See the University compensation plan on the Human Resource Services Department web site for job titles, codes, pay grades and salary ranges (Appendix 5 –8 of this manual).

2. Assignment of Duties and Responsibilities

The University shall be responsible for assigning position responsibilities, authorities, and duties which may be temporary or permanent, incidental or essential. Further, the University may determine the location of work for the position, the tools and equipment to be furnished, and set the hours of work and work conditions. The classification plan of the State Department of Personnel may in no way be construed to limit or to interfere with the University's authority and responsibility as outlined above.

3. Position Classification

Positions are classified on the basis of duties and responsibilities to classes described in State of Colorado class descriptions which indicate: title, general duties, and level of: complexity, decision-making, purpose of contact, and line/staff authority.

Assignments may be periodically reviewed for changes in duties and responsibilities which may impact classification. If a person believes his/her position warrants such a review, the employee should submit to his/her supervisor an original Position Description Questionnaire (PDQ). After review and signature from the supervisor, department head and any other required University official, the PDQ should be forwarded to the Employment Section of the Human Resource Services Department.

The University may, at any time, request a job description of any position to ensure that it has been properly classified, i.e., allocated to the appropriate class.

Positions Within the Personnel System

Positions within the personnel system may be:

1. Regular full-time positions which are established for a full-time schedule.
2. Regular part-time positions which are established for less than a full-time schedule where the schedule is fixed. Positions of this type may be established for reoccurring periods of less than 12 months such as full-time 9 month positions.
3. State classified hourly positions which are established to staff on call or irregular work schedules, thus making it impractical to establish a regular part time (salaried) position. The same basic policies that apply to state classified salaried personnel for establishing a position, methods of filling a position, hiring rates, etc., also apply to state classified hourly personnel.

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Methods of Filling Positions

State classified positions may be filled from an eligible or reemployment list, or via the transfer, reappointment, reinstatement or demotion of an applicant without using an eligible list. Detailed information may be obtained from the Employment Section of the Human Resource Services Department.

Establishing a Position

Before a state classified appointment can be made, a position must be established through the Human Resource Services Department. The department must complete a Position Description Questionnaire (PDQ) form, describing the duties and responsibilities of the position, and submit it to the Employment Section for classification.

Appointment Process

1. Be sure there is a provision in the departmental budget and FTE for the position. The fact that a position appears on the department budget does not mean that the job is established with the State Classified Personnel System.
2. Check with the Employment Section of the Human Resource Services Department to determine your options for filling the position. An eligible list may need to be developed if one does not already exist. If an eligible list does exist, a referral will be generated with the names of applicants eligible to interview. The vacancy will be posted on the weekly transfer bulletin.
3. If the individual you wish to appoint is not from an eligible list (i.e., transfer, reinstatement, reappointment, demotion) obtain clearance from the Records Section of the Human Resource Services Department before making an offer of employment to ensure the individual is eligible to be hired.
4. Certain eligible list referrals require clearance from the Office of Equal Opportunity prior to an offer being extended. This additional requirement is clearly noted on such lists.
5. After selection of the individual, the new hire completes the top portion of the State Classified Personnel Action Data Initial Employment form and this information, along with the appointment data the department supplies (found on the bottom of the form), is entered by the department into the Personnel/Payroll System and submitted for electronic approval. The required new hire forms described later in this section must be completed and forwarded to the Records Unit as well before final approval of the action can be made (see Section 11: Forms and Related Instructions, State Classified Personnel). If the appointee is a transfer and the Employee Group remains the same, the new department must initiate the transfer through the Personnel/Payroll System. If the appointee is transferring and the Employee Group is different, or the appointee will be working both jobs, the new assignment must be set up as a new Concurrent Assignment in the Personnel/Payroll System.

Examinations

1. Examinations, required for each classification, are designed to assess the knowledge, skills, and abilities that applicants possess relative to the duties of the position. Examinations result in the establishment of an eligible list of applicants in order of score attained. In some cases, a physical examination, background security check or polygraph may be requested by the department as a requirement of employment. If required, such physical examinations, background security checks or polygraphs are paid for by the University.

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Examinations (continued)

2. All examinations for classified positions at the University are administered by the Human Resource Services Department and/or other State agencies.
 - a. Open competitive examinations are open to all residents of the State of Colorado, including current and former employees who meet the minimum requirements for the position. In certain cases where it can be demonstrated that a position requires special qualifications, there is an insufficient in-state applicant pool, and it is not feasible to train and hire from within, a residency waiver may be granted by the State Personnel Board.
 - b. Promotional examinations are open to current classified Colorado State University employees, and former classified employees with reemployment rights who meet the requirements. There is no required length of service for promotional examinations.
 - c. Applications for examinations are available in the Employment Section of the Human Resource Services Department, Room 136 Student Services Building; at State of Colorado Job Services Centers; or at any authorized State agency in Colorado.

Probationary Period

The probationary period for all new employees including reinstated employees will be 12 months. Earlier certification may be granted at any time with a written request from the employing department and completion of a written performance evaluation of Level 2 or higher, subject to approval by the Director of Human Resource Services. Continued employment and certified status will depend upon the employee successfully completing the probationary period. Supervisors with performance issues relating to probationary employees should consult with the Associate Director of Human Resource Services.

Employees on a probationary appointment are entitled to the same rights and privileges as certified employees, except for the 1) right to a hearing to review a disciplinary action which is based on unsatisfactory performance, 2) right to be placed on a reemployment list, and 3) privilege of reinstatement. They do, however, have the privilege of being considered for transfer.

Trial Service Period

Current certified employees who are promoted, reinstated or transfer to a different class must serve a trial service appointment period of no more than six months. Certified status may be granted at any time with a written request and completion of the trial service rating form indicating an acceptable level of performance, subject to approval by the Director of Human Resource Services. Certification may not be granted retroactively. If an employee's performance is not satisfactory during the trial service period, the employee shall be reverted to a vacant position in the previously certified class with no right to a hearing or, if no vacancy exists, shall be accorded any retention rights to which the employee may be entitled under the layoff provisions. At the discretion of the Director or Associate Director of Human Resources, corrective or disciplinary action may be administered instead of reversion or administrative separation.

Early Certification

A request for certified status sooner than the full 12-month probationary period or the 6-month trial service period should be submitted in writing to the Human Resource Services Department by the employing department. A performance evaluation or a trial service rating form, as appropriate, should accompany the request. Early Certification will not be granted if a layoff is in progress in that job classification. Certification will be granted upon resolution of the layoff.

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Promotions

Employees may be promoted in the following ways:

1. Open competitive and promotional examinations which put the employee on eligible lists for referral to vacant, higher level, positions.
2. Reclassification based on changes in job duties and responsibilities, provided the incumbent employee meets the minimum qualifications for the new level of the position.
3. Satisfactory completion of training in a class identified as an Intern class.

Reinstatement

Certified employees who either resign or voluntarily demote in good standing have the privilege of being considered for reinstatement to any class which is at the same level, or lower, than the class previously certified at, providing they meet the minimum qualifications for the position. Current and former employees interested in reinstatement opportunities contact the hiring department directly for consideration. A listing of available positions is generated weekly on the Transfer Bulletin, available on the Human Resource Services web site.

Reinstated former certified employees must serve a one-year probationary period before being certified. They will also receive a new service date as the date of rehire unless they have documented continuous state service, including state employment outside the state personnel system but excluding temporary and student employment, or they reinstated within 90 days of the date they left the state personnel system.

Separation

Employees may separate from the University by resignation, retirement, lay-off, physical inability, dismissal or death. Broad definitions are given below. More detail may be found in the Personnel Board Rules and Personnel Director's Administrative Procedures of the Colorado State Personnel System.

1. Resignation

Resignation is the voluntary termination of employment by an employee. An employee may resign by submitting a written resignation through the supervisor to the Director of Human Resource Services at least ten working days prior to the effective date. Upon mutual agreement by the supervisor or department head, less written notice may be accepted. If the employee does not give ten working days notice or gives less notice than mutually agreed upon, the employee is considered to have resigned with prejudice and the employee's records shall reflect the same. An employee may withdraw a resignation within two business days after giving notice of resignation.

All permanent employees who are leaving, whether by resignation or involuntary separation, are required to come to the Records Section of the Human Resource Services Department any time during the last week of the employment, but prior to the employee's last day of work.

2. Retirement

Retirement is the termination of employment and transfer to retired status. An appointment should be made with the Benefits Section of the Human Resource Services Department, 60 to 90 days prior to the anticipated retirement date.

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Separation (continued)

3. Lay-off/Job Abolishment

The head of any University department contemplating the abolishment of a state classified position due to lack of work, lack of funds or administrative reorganization should so notify the Director of Human Resource Services in writing with a copy to the appropriate dean or vice president at least 70 days prior to the anticipated effective date.

If it is determined that the abolishment will have an effect on another University department as a result of the affected employee exercising retention rights, the Director of Human Resource Services shall convene a conference between the department head and dean or vice-president of the college or administrative area contemplating the abolishment and the department head and dean or vice-president of the college or administrative area affected by the exercise of retention rights. The purpose of the conference will be to reach agreement as to whether or not the position abolishment and the potential ensuing displacement of employees is the course of action which is in the best interest of the University as a whole. If such agreement is not reached in the conference, the matter shall be resolved by the Academic Vice-President, if only organizational units reporting to that position are involved, or by the President. Questions concerning abolishments which affect two departments in the same college or administrative area will be resolved by the appropriate dean or vice president.

Layoff provisions in the State Personnel System are very complex and retention rights are determined by Human Resources. Only certified employees have retention rights and retention rights are limited to University positions. Employees must meet the minimum qualifications and any special qualifications in order to exercise retention rights against a position. An employee can only displace another employee if the displacing employee has been certified in the class. Funded vacant positions within a 75-mile radius are offered first, and if none are available, occupied positions filled by probationary employees are offered. If there are no probationary employees, positions occupied by certified employees are offered. Full-time employees are offered other full-time positions before part-time, and part-time employees are offered other part-time positions before full-time. Time bands are established for three-year periods based on seniority. The three-year period begins with the calendar year in which the layoff notice is given and extends backward, e.g., a notice issued in 2005 creates the most junior time band of 2003-2005. Employees in the most junior time band must be displaced before employees in more senior time bands. For purposes of layoff, seniority is the calendar year in which continuous state service began, including up to 10 additional years of military service for those eligible for veteran's preference. Within each time band, employees are ranked based on the following weighted factors: 90% Performance (average of the final overall ratings for the latest three years); and, 10% Year of Hire (within the time band). Employees with lower matrix rankings in the time band must be displaced before employees with higher matrix rankings, except no veteran can be displaced before a non-veteran regardless of rank. Previously certified classes at the same maximum pay rate or at a lower level (demotion) are considered when there are no positions at the current certified class that the employee can exercise retention rights against. If the only retention opportunity within a 75-mile radius is a demotion, a position outside of the 75-mile radius in the current certified class will also be offered.

4. Administrative Separation for Physical Inability

When an employee has exhausted all accumulated paid leave, Family Medical Leave, and Short-Term Disability Leave and continues to be unable to perform the essential functions of his/her job, the department may request that the employee be administratively separated for physical inability to perform the job. All such requests must be forwarded in writing to the Director of Human Resources for consideration. When a certified employee has been administratively separated for physical inability and subsequently recovers he/she has reinstatement privileges.

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Separation (continued)

An employee with a disability as defined by the Americans with Disabilities Act (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.

5. Dismissal

Dismissal is the disciplinary termination of employment and requires the approval of the Director of Human Resource Services or her/his designee.

Compensation of State Classified Employees

1. New Hires

The hire rate for all classes will be set to the minimum of the pay grade (refer to the CSU Compensation Plan). These hire rates will be reviewed periodically to determine if, due to recruiting difficulties, adjustments are necessary for individual classes, occupational groups, geographic areas or across the board. Salaries of new hires must be set in accordance with the guidelines outlined below unless prior authorization from the Director of Human Resources has been obtained.

- a. “General Use” Classes: In the case of a “general use” class where competition for the same applicant pool could occur between departments, new hires will all be paid at the hire rate. These “general use” classes are defined as Administrative Assistant Intern-III, the Accounting Technician series, Custodian I-II, and Dining Services I-III.
- b. All Other Classes: For all classes except “general use” classes described above, departments will have the flexibility to make an employment offer anywhere from the hire rate to 10% above the hire rate when recruitment difficulty or other unusual conditions exist, without prior authorization from the Director of Human Resources.

Upon the request of the employing department and a showing of recruiting difficulty or other unusual condition, the Director of Human Resource Services may authorize the appointment of a person at a salary in the pay range higher than the hire rate, or in the case of a non “general use” class, higher than 10% above the hire rate. When an individual salary above the hire rate is established, it shall apply only to the person for whom it is established. Note: For “general use” classes, acceptable grounds for approving starting salaries above the hire rate typically must include geographic differences where local salary rates exceed those prevalent in the Fort Collins area.

2. Transfers

Salaries of transferring employees will remain at the employee’s current pay rate, or the hire rate of the class, whichever is higher. If the employee is transferring from another state agency however, pay cannot exceed the maximum of the pay grade. Note: When an employee transfers from another state agency after receiving a final overall rating under that agency’s performance pay program, the University is obligated to pay the employee a base and/or non-base salary adjustment based upon the terms of the CSU plan for the performance rating level received.

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Compensation of State Classified Employees (Continued)

3. Reinstatements

Salaries can be set anywhere from the hire rate of the class being reinstated into, up to a salary rate which reflects the relative position within the pay grade the employee was previously certified at, adjusted for salary survey and occupational study changes. In the case of the reinstatement of a current employee, if the current salary exceeds the previous rate described above, the current rate is the maximum rate. Note: the new salary cannot be set above the pay grade maximum of the new classification.

4. Demotions

Demotions resulting from individual classification review will not affect existing base pay, but if the current salary is above the pay grade maximum of the new class, base pay will only be saved above pay range maximum for up to three years as per the provisions of the State Personnel Rules and Administrative Procedures. Salaries for voluntary demotions will remain at the employee's current pay rate, or the new pay grade maximum, whichever is lower. For disciplinary demotions, pay at the new level will be determined by the Director or Associate Director of Human Resources, as appropriate.

5. Promotions

Upon promotion from either an eligible list or via individual position audit, the employee will receive an increase equal to the percentage difference between the pay grade maximum of the current class and the new class, not to exceed a 10% increase over the employee's current salary. Note: the new salary cannot be set below the hire rate, or above the pay grade maximum (in the case of saved pay situations), of the new pay grade.

6. System Maintenance Studies

Classification changes resulting from the implementation of system maintenance studies will not affect the pay of employees in those classes unless the hire rate in the new class is above the employee's current salary, in which case the pay will be adjusted to the hire rate. In cases where the employee's current base pay exceeds the pay range maximum of the new class, base pay will be saved above pay range maximum for up to three years as per the provisions of the State Personnel Rules and Administrative Procedures.

7. In-Range Salary Movements

In-range salary movements may be used to increase base salaries of employees who remain in their current classes and positions when there is a critical need, due to salary range compression, not addressed by any other pay mechanism. Salary range compression occurs when longer-term employees are paid lower in the range than new hires over a period of time resulting in documented ongoing retention difficulties. In these unusual circumstances, there is a valid need to increase one or more employee's base salary in recognition of contributions equal to or greater than the newly hired employees. To be eligible, an employee must be performing satisfactorily as evidenced by the most recent final overall performance rating. Salary movements of this type are discretionary, subject to available funding and must be approved by the Director of Human Resources.

8. Supplemental Pay

The use of supplemental pay requires prior authorization from the Director of Human Resources. Supplemental pay is a non-base building temporary form of payment in addition to base pay that may be used

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Compensation of State Classified Employees (Continued)

when: an employee assumes the full set of duties of a higher-level position that is vacant or the incumbent is on extended leave for a period of one to six months (i.e., acting/interim appointment), or; an employee is assigned to a long-term project that is not an expected or customary part of the employee's regular assignment and is critical to the mission and operations of the University. Supplemental pay may not be used to substitute for a promotional or position classification review process. Likewise, employees who are eligible for overtime and who are performing additional temporary duties that are similar to their regular assignment are entitled to overtime payment for any hours in excess of 40 in a given work week and cannot be paid supplemental pay in lieu of overtime.

9. Achievement Pay

Colorado State University believes that it is very important that its performance management plan provides achievement pay that rewards employees commensurate with demonstrated performance. The base achievement pay will be the same percentage of pay for all employees not yet at their pay range maximum, according to their overall performance rating. The achievement pay for each level will be set in accordance with the state's directives on an annual basis.

Prior to the payment of achievement pay, the State Personnel Director will specify a percentage for base and non-base achievement pay according to available statewide funding. If the final overall rating is Level 3 (exceptional performer), the base building achievement pay shall not cause base pay to exceed the pay grade maximum. Any portion of the achievement pay that exceeds pay grade maximum shall be paid as a one-time lump sum in the July payroll. The statutory salary lid does not apply to any non-base building portion of the adjustment. If the final overall rating is Level 2 (successful performer), the base building achievement pay shall not cause base pay to exceed the pay grade maximum. If base pay is at pay grade maximum or in saved pay above the maximum, the employee is ineligible for achievement pay. If the final overall rating is Level 1 (needs improvement), the employee is ineligible for achievement pay.

An employee granted achievement pay shall not be denied the payment because of a corrective or disciplinary action issued for an incident after the close of the previous performance cycle. All achievement pay is effective on July 1. The payment is based on the final overall rating. The employee must be employed on July 1 to receive payment. Achievement pay (base building and non-base building) will be a percentage of the employee's salary, in accordance with state rules. Base building achievement pay, up to pay grade maximum, is a permanent adjustment to the employee's base pay and is paid as regular salary. Non-base building amounts (lump-sum) count toward the highest average salary (HAS) for PERA. The current pay ranges set by the Colorado Department of Personnel are listed in the CSU Compensation Plan located on the HRS website at: www.hrs.colostate.edu.

Employees hired on or before the last working day in December will be evaluated through the formal evaluation process for their partial year of employment. Employees hired on or after the first working day in January will have an informal review for purposes of giving feedback and beginning the formal performance planning and evaluation process. Employees hired into the system prior to July 1 are eligible to receive the full percentage of base achievement pay on July 1.

Complete information on the performance management program is available in the Performance Management Program User Guide on the HRS website at: www.hrs.colostate.edu.

10. Overtime Payment

Refer to Section 1, General Provisions, for a complete discussion of overtime.

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Compensation of State Classified Employees (Continued)

This provision shall not apply in those cases where an employee is required to report early or to extend the shift because of an emergency and when such early or late work results in continuous duty. Normal overtime provisions will apply when these conditions exist.

Employees exempt from overtime are not normally eligible for call back pay; however, under special circumstances it may be authorized by the State Director of Personnel. Specific cases should be referred to the Director of Human Resource Services.

14. On-Call Pay

Some positions require that an employee be subject to call to duty but not actually performing work. The Director of Human Resource Services must approve individual positions eligible for on-call pay, and will consider the prevailing labor market practice for the job and the degree of restricted activity of the employee. Only time while actually on-call shall be paid at the on-call rate of \$2 per hour. In call-back situations, employees eligible for both on-call and call-back pay shall receive call-back pay only.

15. Positions Brought into State Personnel System

Employees of state government who enter (applies to a state employee who moves from a position outside the state personnel system, i.e., academic faculty, administrative professional, non-CSU state job, to a position within the personnel system), or are brought into (applies to the movement of an existing state position along with the incumbent of that position into the state personnel system), the state personnel system are credited with their previous state service for purposes of accumulated leave, leave earning rates, longevity and other benefits, excluding retirement credit, afforded employees within the state personnel system providing there has been no break in service. In these cases, the employee must be appointed from an eligible list and the salary can be set anywhere from the pay grade minimum to the current salary of the individual, except that the salary cannot exceed pay grade maximum.

Payments to State Classified Personnel

1. Pay Schedule. State classified personnel will be paid on the last work day of each month for regular time worked during the month, except for the month of June, in which the pay date will be delayed to the first working day of July. Excess regular hours and shift differential should be reported monthly and will be paid the month following the work. Overtime will be paid the same way unless compensatory time off is granted. State classified hourly personnel should be reported bi-weekly. Refer to Appendices 1 and 2 for the salaried and hourly payroll schedules.
2. Regular Full Month's Pay. Employees who work all scheduled work days of a month, who are on paid leave all scheduled work days of a month, or who work some of the scheduled work days and are on paid leave the remaining scheduled work days shall be compensated for a full months work at the appropriate monthly rate.
3. Partial Month's Pay - Full-time Employees. Full-time salaried employees shall be compensated on a monthly pro rata basis if the number of days worked plus the number of days on paid leave are less than a full month; the salary is to be computed by multiplying the daily rate times the number of days to be paid for the month. The daily rate is determined by dividing the monthly base pay by the number of workdays in the month.

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Payments to State Classified Personnel (Continued)

4. Permanent Part-time Employees Who Work a Regular Part-time Monthly Schedule. These employees shall be compensated at the appropriate pro rata rate. Permanent part-time employees who work a full-time schedule for a month shall be paid at the monthly rate. If the schedule worked is less than a full month, compensation shall be as prescribed in item 3 above.
5. Permanent Part-time Employees Who Work an Irregular or Intermittent Schedule. These employees shall be compensated at the appropriate hourly rate for time actually worked.

Processing Excess Hours, Shift Differential and Overtime

Excess hours, shift differential and overtime for salaried employees are normally reported on the Hourly Timesheet and then processed for payment via the Monthly Time File (see Hourly Payroll Form and Instructions For Classified Excess Hours, Shift Differential and Overtime in Section 11: Forms and Related Instructions, General). Time files will be electronically transferred monthly and employees will be paid in the month following the month the excess hours, shift differential or overtime occurred.

Processing Hours Worked by State Classified Hourly Employees

Hours worked by state classified hourly employees should be reported on the Hourly Timesheet and then processed for payment via the Hourly Time File unless a time clock or other special time recording system is used which provides the basic data and certifications (refer to Section 11: Forms and Related Instructions, General, for hourly payroll procedures and sample hourly payroll forms). Hourly time files will be electronically transferred biweekly and employees will be paid biweekly according to the schedule shown in Appendix 2.

Overtime Pay Examples

The following table shows examples of hours worked and the calculations for overtime and shift differential hours (for eligible job classifications).

EX	S	S	M	T	W	R	F	TOT HRS WKD	HRS FOR PAY	OVR TIM HRS	SFT DIF HRS	SFT DIF OT HRS
A	0	0	8	8	8	8	8	40	40	0		
B	0	0	10	10	10	8	8	46	46	6		
C	0	0	10	10	10	10	TO	40	40	0		
D	8	8	8	L	8	8	8	48	56	16		
E	0	0	8	10	12	12	L	42	50	10		
F	0	0	8	8	8	CT	CT	24	40	0		
G	0	0	H	L	8	8	8	24	40	0		
H	0	0	*8/H	8	8	8	8	40	48	8		
I	0	0	*8/H	8	TO	8	8	32	40	0		
J	0	0	8	8	8	H	L	24	40	0	24	
K	0	0	8	8	10	H	L	26	42	2	24	2
L	4	8	4	8	4	4	8	40	40	0		
M	0	0	8	8	8	8	11	43	43	3	40	3

L = Leave (pd)
H = Holiday not worked
TO = Time off (unpaid)
CT = Compensatory time (for previously worked overtime)
* = Holiday worked

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Performance Planning and Evaluation

The performance of state classified employees must be evaluated annually using the performance planning and evaluation procedures outlined in the University's Performance Pay Program User Guide. The User Guide is located on the Human Resource Service's website. The performance planning and evaluation cycle includes performance planning, mid-year review and evaluation.

1. Performance planning. Performance plans should be completed during the month of April and are effective for one year. For new employees, a performance plan should be created within 30 days of the date of employment. The performance plan establishes a common understanding between the employee and the supervisor of the employee's work priorities and expected outcomes for the coming year.
2. Mid-year review. Supervisors must conduct a formal meeting with state classified employees in October to review the employee's progress, modify the performance plan if needed, and give the employee feedback and coaching.
3. Performance evaluation. In April, the supervisor evaluates the employee's annual performance based on the goals and standards for performance established in the performance plan. After securing approval from the reviewer (academic or administrative department head or the dean or vice president for employees in those central administrative offices, or their designees) supervisors of state classified employees will meet with the employee to discuss the employee's overall job performance and final rating (level 1, level 2, or level 3).

The performance planning and evaluation process is conducted on a cycle from April 1 – March 31. Effective January 1, 1990, State Law (CRS-24-50-118), requires all supervisors of state classified employees to complete timely performance evaluations on a yearly basis. Failure to do so will result in sanctions against the supervisor.

More frequent evaluations may be required whenever an employee's overall performance evaluation is less than acceptable. Additionally, interim evaluations are required whenever the working relationship between an employee and the supervisor is broken. This situation can occur in the case of transfers, promotions, demotions, terminations or other changes in reporting relationships.

A detailed explanation of the performance planning and evaluation process, relevant forms, definitions, dispute resolution process, and the performance pay program is in the Performance Pay Program User Guide. Additional information is available by contacting the Human Resource Service's Employee Relations Manager.

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Leave Policies

The granting of any and all leave or time off from work by state classified employees except annual and sick leave, family medical leave, injury leave, short-term disability leave, bereavement leave, military leave, jury duty leave, administrative leave, holiday leave, and leave without pay shall be at the discretion of the Governor. No department or agency head in the Executive Branch of Colorado State Government shall approve time off from work for circumstances not expressly covered by statute or a rule or regulation of the State Personnel System without the approval of the Governor.

Department heads are responsible for: maintaining records of sick and annual leave earned and taken for all eligible employees in their departments; retaining written requests for bereavement leave showing relationship to the deceased and reason for the number of days requested; retaining documentation on military leave; retaining copies of court summons which require jury leave; documenting the need for, and use of, unpaid victim protection leave, short-term disability leave or any other type of unpaid leave; retaining documentation on the use of administrative leave; and, for placing covered employees on Family Medical Leave and monitoring the use of such leave.

Employees will be paid for approved time off on accumulated sick or annual leave. Department heads however, must ensure that a leave without pay personnel action has been processed through the Personnel/Payroll System when the employee has used all leave and has not returned to work. Failure to submit the action on a timely basis could result in over payment to the individual. In the case of illness, accumulated sick leave will be used first, then accumulated annual leave and finally leave without pay.

1. Annual Leave

Scheduling annual leave is a responsibility of the department head. Annual leave should be scheduled as to least interfere with effective operations of the offices concerned but desires of the employees should be considered since annual leave is provided for an employee's personal needs. Annual leave may not be denied, however, when it results in forfeiture of accumulated annual leave.

Employees may use annual leave as it is accrued. Accumulation of annual leave starts with the beginning date of employment. Leave is credited on the last day of the month in which it is earned and is available for use on the first day of the next month, Terminating employees shall be compensated for leave earned through the last date of employment if they work or are on paid leave through the date of termination.

The annual leave earning/accrual schedule for full time employees is as follows:

<u>Years of Service *</u>	<u>Days Earned Per Month</u>	<u>Maximum Accrual</u>
1st through 5th	1 day (8 hours)	24 days
6th through 10th	1 1/4 days (10 hours)	30 days
11th through 15th	1 1/2 days (12 hours)	36 days
16th and over	1 3/4 days (14 hours)	42 days

* Computed from the first calendar day of the month following hire unless the employee began work on the first working day of the month, in which case the first calendar day of the month of hire is used.

Part-time employees who work regular, non-fluctuating schedules earn leave on a pro-rated basis based on the percentage of the regular appointment, rounded to the nearest 1/100 of an hour. Leave for part-time employees who work irregular, fluctuating schedules and full-time employees who work or are on paid leave less than a full month is calculated by dividing the number of hours worked by the number of work hours in the pay period. The percentage is then multiplied by the employee's leave earning rate (number of hours a full time employee would earn per month) to derive the leave earned. Overtime hours are not included in leave calculations.

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Leave Policies (Continued)

Formula:

(number of hours in a paid status/number of work hours in the month) * leave earning rate in hours based on full-time employment = number of leave hours earned for the month.

Example:

A full-time employee who earns 10 hours of annual leave per month has 8 unpaid hours in August 2005 which has 23 work days. Applying the formula: $((22 * 8) / (23 * 8)) * 10 = 9.57$ hours of annual leave earned during the month of August by this employee.

Employees earn annual leave during periods of leave with pay; however, such leave is not credited until the end of the month after return to continuous regular employment. Annual leave is not accrued during periods of leave without pay.

Movement to the next higher leave earning rate is adjusted one month forward for each 173.33 working hours of leave without pay in a 12 month period. Leave usage is to be recorded in terms of eight hour days only (rounded to the hour). For example, a work day of annual leave taken by a half-time employee should be recorded as 4.00 hours. State regulations require that state classified employees be notified of their annual leave balances in writing as of July 1 of each year.

On July 1 of each year, employees forfeit all accrued annual leave in excess of maximum accrual limits. An employee continues to accrue leave after July even though the maximum accrual has been attained, and loses only the excess on July 1 of the following year.

Annual leave earning and accrual rates are restored to former employees who are eligible for and exercise reinstatement or reemployment privileges.

Upon termination or death, unused annual leave is paid out up to the maximum accrual rate in a lump sum.

2. Sick Leave

Sick leave is provided for use when time off is needed for health reasons. Sick leave is granted when an employee is absent for treatment of illness or injury or is unable to perform assigned duties due to illness or injury. Sick leave may be used for all medical and dental appointments as well as for the treatment of illnesses including alcoholism and drug addiction. Accumulated sick leave may also be used for the health needs of the employee's child who is under the age of 18 or an adult child incapable of self care, parent, spouse, legal dependant, OR a person in the household for whom the employee is the primary care giver. The department head or appointing authority may request documentation of the familial relationship. A physician's statement is required for any absence from work of more than three consecutive work days.

If an employee has exhausted all sick leave and continues to be unable to return to work for health reasons, accrued annual leave must be used.

As of July 1, 1988, full-time employees earn 10 days sick leave per year (6.66 hours per month). Part-time employees who work regular, non-fluctuating schedules earn leave on a prorated basis based on the percentage of the regular appointment, rounded to the nearest 1/100 of an hour. Leave for part-time employees who work irregular, fluctuating schedules and full-time employees who work or are on paid leave less than a full month is calculated by dividing the number of hours worked by the number of work hours in the pay period. The percentage is then multiplied by the employee's leave earning rate (number of hours a full time employee would earn per month) to derive the leave earned. Overtime hours are not included in leave calculations.

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Leave Policies (Continued)

Formula:

(number of hours in paid status / number of work hours in the month) * 6.66 = number of leave hours earned for the month.

Example:

A full-time employee has 8 unpaid hours in August 2005, which has 23 work days. Applying the formula: $((22 * 8) / (23 * 8)) * 6.66 = 6.37$ hours of sick leave earned during the month of August by this employee.

Employees must be at work or on paid leave to earn monthly leave. Leave is credited on the last day of the month in which it is earned and is available for use on the first day of the next month. Overtime and call-back hours do not add time for leave accrual. Sick leave is not accrued during leave without pay.

Sick leave usage is to be recorded in terms of eight hour days only (rounded down to the nearest quarter hour). For example, a work day of sick leave taken by a half-time employee should be recorded as 4.00 hours. State regulations require that state classified employees be notified of their sick leave balances in writing as of July 1 of each year.

Any sick leave an employee has accrued as of July 1, 1988 remains. An employee can accumulate an additional 45 days (360 hours) on top of their July 1, 1988 accrual. In other words, employees will have individual maximum accrual rates. For example, an employee who had 100 days of sick leave accrued as of July 1, 1988 would have a maximum accrual limit of 145 days. An employee who had 20 days of sick leave as of July 1, 1988 would have a maximum accrual limit of 65 days. All employees hired July 1, 1988 or thereafter would have a maximum accrual limit of 45 days.

At the end of a fiscal year, an employee who has accumulated sick leave beyond the maximum limit may convert the excess sick leave to annual leave at a ratio of 5:1 (i.e., five sick leave days per day of annual leave), not to exceed two days of annual leave per fiscal year.

Previously accrued sick leave is restored to former employees who are eligible for and exercise reinstatement privileges. Employees eligible for retirement at the time of termination receive pay for $\frac{1}{4}$ of their unused sick leave, up to the maximum accrual rate. If such an employee subsequently re-enters the State Personnel System, no accrued sick leave from the previous employment will be credited. In the case of death, an employee will have $\frac{1}{4}$ of their unused sick leave paid out up to the maximum accrual rate to their estate.

3. Holiday Leave

The State provides 10 holidays per year. Since many of these holidays conflict with the academic schedule, the University has been granted authority to establish its own holiday schedule. The official University holiday schedule is published annually by the Director of Human Resource Services. All references to holidays refer to those observed by the University.

Sometimes it is necessary for the individual departments to deviate from the University holiday schedule because of the operating schedule of the department. Use of a departmental holiday schedule should be limited to those areas which require unusual work schedules. A written copy of the departmental schedule indicating employees affected should be forwarded to the Human Resource Services Department. Employees should be advised of their schedule at least two weeks in advance

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Leave Policies (Continued)

of their departmental holiday, or in advance of the University holiday, whichever occurs first.

Employees are granted up to eight hours to observe each legal holiday (prorated for unpaid leave in the month) provided they are in paid status the scheduled workday before or after the holiday. Part-time employees who work regular, non-fluctuating schedules shall be granted a pro-rated amount of holiday based on the percentage of the regular appointment, rounded to the nearest 1/100 of an hour. Holiday leave for part-time employee who work irregular, fluctuating schedules is calculated by the following formula:

$(\text{number of hours worked} / \text{number of work hours in the month}) * 8 = \text{number of holiday hours earned}$

Example:

A part-time employee working an irregular, fluctuating schedule works 80 hours in July 2005, which had 21 work days. Applying the formula: $(80 / (21 * 8)) * 8 = 3.81$ hours of holiday leave earned.

If a holiday occurs during a period of paid leave (excluding payments from short-term disability or workers' compensation benefits), holiday leave shall be granted for that day and employees shall not be charged paid leave of any type for the holiday.

Employees who work on a scheduled University holiday, or a departmental holiday in case of alternative scheduling, shall be compensated in the following manner:

- Employees eligible for overtime compensation: hours of work for the holiday shall be recorded as the number of holiday hours the employee is entitled to plus the actual number of hours worked on the holiday.
- Employees exempt from overtime compensation: employees shall be granted an alternative day off. Employees who terminate employment prior to taking the alternative day off shall be compensated for the day as an "unused" holiday at the time of separation.

If an employee is granted a day off in advance of the University holiday and terminates prior to the University holiday, the payment for unused annual leave or final work period will be reduced by amount of payment made for the holiday.

If an employee works on a University holiday and is terminated prior to the departmental day of observance, cash payment for the holiday must be included in the final paycheck.

4. Military Leaves

Upon presentation of proper military orders, an employee who is a member of the National Guard or military reserve shall be granted military training leave with pay for the annual encampment or equivalent reserve training period. A maximum of fifteen (15) working days in any calendar year shall be granted and shall not be charged as annual or compensatory leave. Leave shall commence the first working day the employee is absent from his job and terminate the last calendar day in a military training status, as evidenced by copy of military orders.

Military leave provides unpaid leave to permanent employees who are called to active service, including training or declared emergencies. Unused military training leave is used before being placed

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Leave Policies (Continued)

on unpaid leave. The employee may request the use of annual leave before being placed on unpaid leave.

5. Bereavement Leave

Bereavement leave provides up to 40 hours of paid leave to an employee at the time of death of a family member or other person with whom the employee had a close relationship. Bereavement leave may be approved for services and memorials taking place at some later date if they are formally scheduled at the time of death as evidenced in official death notices such as obituaries published in local newspapers or arrangement notices published by funeral homes or crematoria.

Bereavement leave cannot be used for settling an estate. The decision to grant leave and the appropriate amount of leave is based on the individual circumstances and includes such factors as the employee's relationship with the deceased, travel requirements and the business needs of the work unit. Human Resource Services' Employee Relations Managers are available to assist departments in making reasonable determinations regarding bereavement leave.

Any deviations from this general policy require the approval of the Director of Human Resource Services.

6. Jury Leave

Employees shall be granted jury leave with pay for the period they are required to serve on jury duty. Pay for jury leave is retained by the employee.

7. Administrative Leave

Upon the approval of the Department Head and, in some cases, the Director of Human Resource Services, employees may be released from work and granted administrative leave with pay to engage in activities deemed to be for the good of the University. Activities performed in an official employment capacity are typically considered work time and do not require administrative leave such as:

- Approved job-related training
- Approved job-related meetings
- Participation in hearings or settlement conferences at the direction of the State Personnel Board or State Personnel Director and to testify in court or official hearings on job-related matters when required by the University or subpoena. Compensation for such participation received by the individual on working days is turned over to the University except for mileage and parking expenses. **NOTE:** Employees who serve as a witness in an individual capacity on personal or non-university related matters are charged annual leave or leave without pay. Compensation received for such services is retained by the employee.

As outlined below, administrative leave must be granted in some instances and Department Heads have discretion in granting administrative leave in other instances. Department Heads should

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consider prudent use of University resources and the business needs of the department when considering discretionary administrative leave requests. Departments are required to keep records on the usage of administrative leave and report any leave granted to an employee that exceeds 20 working days to the Director of Human Resources immediately. The granting of administrative leave for any activity not specifically authorized below requires prior approval from the Director of Human Resources.

Administrative leave MUST be granted for the following:

- Participation in examinations given for state classified positions within Colorado State University and to employees working a full-time schedule to be interviewed as a candidate for University positions.
- Elected officers of recognized employee organizations shall be granted a reasonable amount of administrative leave to attend official meetings, delegate assemblies, or conferences of their respective organizations. Administrative leave must be granted to elected members of the Classified Personnel Council to attend meetings of that organization and its committees. Meetings of local chapter officers are not considered official meetings for purposes of this policy. Employee organizations that wish to utilize administrative leave should consult with the Director of Human Resource Services Department concerning the approval procedure for requests of this nature.
- Up to two hours to vote in any general election providing the employee (1) is a registered voter; and (2) does not have 3 hours of unscheduled work time during the hours the polls are open (7 a.m. – 7 p.m.). The non-working hours do not need to be consecutive.
- Up to 2 days per fiscal year for organ, tissue, or bone donation for transplants.

Administrative leave MAY be granted for the following:

- Department Heads may grant administrative leave to part-time employees to interview for positions with Colorado State University, or to employees to participate in examinations given for positions in the State Personnel System outside the University or to interview for such positions.
- Up to 5 days per fiscal year may be granted for local or 15 days for national emergencies to employees who are certified disaster service volunteers of the American Red Cross.
- With the permission of the supervisor, employees may use up to five hours of administrative leave per month to volunteer in the public schools through the University's VIPS (Volunteers In Public Schools) Program. The amount of hours allowable for a part-time employee is pro-rated based on the percentage of the appointment. Employees must complete a VIPS Participation Authorization Form to use this leave, available from the Benefits Section of the Human Resource Services Department.
- Other circumstances as deemed appropriate by the Director of Human Resources.

8. Leave Without Pay

When approved by the department and Director of Human Resource Services, an employee may be granted leave without pay for justifiable personal reasons. If approved by their department head, employees need not exhaust all accrued leave prior to requesting leave without pay unless the reason for

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Leave Policies (Continued)

the leave would be covered by the provisions of the sick leave policy. Generally, leave due to illness or injury requires all sick and annual leave be exhausted prior to the granting of leave without pay. However, exceptions may exist for absences qualifying under the State's Short-term Disability Insurance Policy or under Workers' Compensation. Check with the University Benefit's Office in these cases.

Employees on unpaid leave receive no service credit and the service date is adjusted one month forward for every 173 hours accumulated in a 12-month period, except those on military leave or voluntary furlough. Probationary and trial service periods are extended by the number of days on unpaid leave.

Leave without pay processing requires that a personnel action be processed through the Personnel/ Payroll System that shows the dates the employee begins and ends leave so that the Payroll Office can make all necessary adjustments for pay.

a) Short-Term Disability (STD) Leave

Short-term disability leave is a type of unpaid leave of up to 6 months while either state or PERA STD benefit payments are being made. To be eligible for this leave, employees must have 1 year of service and an application for the STD benefit must be submitted within 30 days of the beginning of the absence or at least 30 days prior to the exhaustion of all accrued sick leave.

b) Victim Protection

Victim protection is a type of unpaid leave granted for up to twenty-four hours (prorated for part-time employees) per fiscal year for victims of stalking, sexual assault, or domestic abuse or violence. An employee must have one year of state service to be eligible and have exhausted all annual and, if applicable, sick leave. Leave is available for seeking a restraining order, health care for the employee or employee's children, securing or seeking safe housing, and seeking legal assistance and participating in legal matters. All information related to the leave shall be confidential and maintained in separate confidential files with limited access.

9. Injury Leave

An employee who incurs a work-related injury or illness that qualifies for workers' compensation benefits is granted up to 90 working days of injury leave with full pay if the employee signs over his/her workers' compensation to the University. If after 90 working days (any covered hours in a work day count as a full day of injury leave), the employee is still unable to work, the employee is placed, on a "make whole" basis, first on accrued sick and annual leave, and after exhaustion of all paid leave, may be given leave without pay. After exhaustion of injury leave, workers' compensation payments are made to the employee.

Time lost on the day the injury occurs should be recorded as paid administrative leave. Time lost subsequent to the day of the injury should be charged to injury leave or to accumulated paid leave or LWOP as appropriate in the following manner:

- a) Absences of 3 work days or less should be charged to paid sick leave if available or to annual leave or LWOP in cases of insufficient sick leave.
- b) Absences of 14 calendar days or less should have the first 3 days charged as noted in (a) and all remaining work days charged to injury leave.
- c) Absences that extend beyond 14 calendar days should have all workdays charged to injury leave.

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Injury Leave is not granted if a determination is made that the injury or illness was caused by willful misconduct of the employee or by willful disobedience of reasonable rules and regulations resulting in reduction of compensation payments.

10. Family Medical Leave Act (FMLA)

Under the provisions of the Family Medical Leave Act of 1993, state classified employees shall be granted up to 520 hours of unpaid family/medical leave each fiscal year for: (1) birth and care of a child or placement and care of an adopted or foster child within one year of the event; (2) a serious health condition of the employee's immediate family member as defined below for either physical care or psychological comfort; or (3) the employee's own serious health condition. For purposes of family/medical leave, the term "immediate family member" means the employee's child including a foster, adopted, or step child, a legal ward, or an adult child incapable of self care; parent, including an individual who filled the role of a parent (daily care and financial support); or spouse. The department may request documentation of the familial relationship. Paid leave is included in determining the 520-hour family leave period and the use of paid leave does not extend the maximum 520 hours. The amount of family leave that is paid or unpaid and which type of paid leave (annual or sick leave) is appropriate depends on the individual circumstances of the situation and the amount of paid leave an employee has accrued. To be eligible, an employee must have 1 year of State service as of the date the leave will begin. If part time, the amount of leave is prorated based on the regular appointment or schedule. If a part time employee works an irregular, variable schedule, the amount of leave is prorated based on the average number of hours worked in the 12 weeks prior to the beginning of the leave (rounded to the nearest 1/100 hour). If temporary, the employee must have worked 1250 hours within the 12 months prior to the date the leave will begin. Contact the Benefits Section of the Human Resource Services Department for more information.

11. Leave Sharing Bank

In spring 1990, the State of Colorado approved a Leave Sharing Program for all classified staff employees. The University, with the assistance of the Classified Personnel Council, has developed a Leave Sharing Program for Colorado State's classified staff.

The leave sharing program was established to provide some income protection while a state classified employee needs to be absent from work for a prolonged period of time but who have inadequate paid time off (annual or sick leave, compensatory time or accrued holiday time) accumulated to cover the absences. This program is intended to cover serious medical hardship or catastrophic illness or injury, such as cancer, major surgery, serious accident, heart attack, etc., posing a threat to life and requiring inpatient, hospice, or resident care.

Leave sharing is available for those instances involving employee as well as family members (i.e. the employee's child, parent, spouse, legal dependent, or another person living in the employee's household for whom the employee is the primary caregiver).

An employee must have completed at least one year of employment at the University and have exhausted all sick and annual leave before becoming eligible to use the leave bank. Employees may apply to the bank for an allocation of leave up to a maximum of 176 hours (22 work days). Additional time may be granted with subsequent applications.

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Leave Policies (Continued)

Normal pregnancy, common illness, and illness/injury covered by short-term disability (STD), long-term disability (LTD), PERA or Worker's Compensation are excluded. The time (30-day benefit waiting period) prior to STD eligibility may be covered as well as the period following exhaustion of STD benefits. This program is not intended to cover cases of suspected abusive leave usage.

Employees may contribute annual leave in blocks of 4 hours (4 hour minimum) to the Leave Bank Please note that it is time (hours/days) that is being donated, not the dollars represented by the time. No donations can be made in excess of available annual leave for the donating employees.

In addition, employees may make direct contributions to an individual. However, donations should not be made until his/her application has been approved. Once contributions are made they cannot be refunded. Contributions are strictly voluntary and are kept confidential.

Complete information on the program and leave sharing application requirements and forms are available in the Benefits Section of the Human Resource Services Department.

12. Prolonged Illness

An employee unable to perform required duties as a result of illness or injury should contact the Benefits Section of the Human Resource Services Department for information on filing a claim for Short Term Disability. An employee unable to return to work who has used all sick, annual, and short-term disability leave, and who has exhausted his/her entitlement to Family Medical Leave is either placed on leave without pay or is administratively discharged for physical inability. Human Resource Services makes the final decision regarding leave without pay or termination. When a certified employee has been administratively separated for physical inability and subsequently recovers he/she has reinstatement privileges.

An employee with a disability as defined by the Americans with Disabilities Act (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.

Administrative Suspensions

Employees who are charged with a felony or other offense involving moral turpitude may be suspended, without pay, indefinitely pending the outcome of a trial and any appeal. Such suspensions require the approval of the Director or Associate Director of Human Resource Services.

- An employee convicted of a felony or other offense involving moral turpitude shall not be compensated for the time lost during the suspension and may be dismissed. The word "convicted" refers to a finding after trial, a plea of guilty, or a plea of nolo contendere. If the board or hearing officer reverses a dismissal, but finds valid justification for the imposition of disciplinary action, a suspension may be substituted for a period of time up to the time of the decision.
- Any employee who is not convicted or has the charges dismissed prior to trial, shall be restored to the position and granted full pay and service credit for the period of suspension.
- A conviction is not final if the employee appeals unless the conviction is affirmed by the appellate courts of the jurisdiction in which the employee is tried.

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Corrective and Disciplinary Actions

An employee may only be corrected or disciplined once for a single incident but may be corrected or disciplined for each additional act of the same nature. In cases where disciplinary action may be justified, departments should not administer corrective actions without the approval of the Director of Human Resources.

Corrective actions are administered by the department and include written warnings, reprimands and censures which are primarily intended to correct and improve an employee's job performance or behavior. Corrective actions do not adversely affect the employee's current pay, status or tenure.

Corrective actions, in addition to being in writing, must indicate to the employee the nature of the offense, the corrective actions the employee should take, the time allotted to make the correction, and the consequences the employee will face if the employee fails to follow corrective instructions. The employee must be informed that they may submit a written explanation to be attached to each copy of the corrective action; the employee must be informed of the grievance procedures. A copy of each corrective action must be forwarded to the Director of Human Resource Services for inclusion in the employee's personnel file. Supervisors considering a corrective action should consult with the Employee Relations Manager in Human Resource Services. A copy of the Corrective Action form is included in Section 11: Forms and Related Instructions, State Classified Personnel.

Disciplinary actions are only administered by the Director of Human Resources or her/his designee and include suspension, demotion, dismissal, adjustment of pay to a lower level within or below the assigned pay range for a specified period, and any other action affecting the current pay, current status or tenure of an employee. Under State Personnel Rules, disciplinary actions may be imposed for:

1. Failure to perform competently.
2. Willful misconduct (willful violation of State rules or law or rules of the University or employing department).
3. False statements of fact during the application process.
4. Willful failure to perform duties assigned, including failure to plan or evaluate performance in a timely manner, or inability to perform.
5. Final conviction of a felony or other offense including moral turpitude.
Conviction shall include a plea of nolo contendere.

The Director of Human Resource Services should be contacted immediately whenever a department feels that a state classified employee has been performing at an unsatisfactory level or has violated the law or the rules of the State, University or department to such an extent that disciplinary action is justified. State Personnel Rules provide that employees must be given the opportunity to refute charges or to explain any mitigating circumstances to the Director of Human Resource Services or his/her designee before any formal disciplinary action is imposed.

Grievance and Appeal Process

The University encourages employees to act to resolve disagreements or misunderstandings which may arise in the course of employment. If it is not possible to resolve concerns through informal discussion among the individuals involved, the employee may choose to pursue resolution through the appropriate grievance/appeal procedure. An employee filing a grievance must provide a copy of the original complaint and all subsequent materials filed throughout the grievance process to the Director of Human Resources. The employee's department must also submit

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Grievance and Appeal Process (Continued)

all responses at each step of the grievance to the Director of Human Resources.

Employees who are denied the opportunity to process a grievance or appeal in accordance with the procedure or who are threatened or subjected to duress as a result of processing a grievance should notify the Director of Human Resource Services in writing. The Director shall ensure that the appropriate steps are taken to address the employee's complaint.

Situations involving complaints of discrimination, sexual harassment should be brought to the attention of the Office of Equal Opportunity.

Grievance Process

A formal grievance may be initiated by an employee who is aggrieved by any action, not otherwise appealable, which relates to his/her working conditions or relationships or to agency policies, rules or regulations. Grievances include, but are not limited to, such matters as performance evaluations, corrective actions, employee/supervisor relationships, duty assignments not affecting job classification, shift and job location assignments, hours worked, working facilities and conditions, policies for granting leave, health and safety issues, and similar matters. A grievance cannot include any issue pertaining to the sharing of annual leave by state employees. Employees have the right to be represented by a person of their choosing at any step in the process. Once a decision is rendered through the final step of the grievance process an employee may petition the State Personnel Board for a discretionary review.

The Employee Relations Manager shall advise both parties on matters relating to the interpretations of applicable rules or policies; shall attend each scheduled conference as a resource person and/or facilitator if so requested by either party; and shall mediate disagreements concerning time limits, requests for time extensions, the determination of the effect of prearranged or emergency absences from campus on the specified time limits or other procedural matters relating to the effective resolution of grievances. If an opinion provided by the Employee Relations Manager concerns matters related to the administration of the State Personnel Board rules, the employee is entitled to have the opinion reviewed by the Executive Director of the State Department of Personnel or the State Personnel Board under one of the appeal options identified in this section.

Employees and applicants shall be informed of their rights to seek review through grievance, including the time limits in which such right or option must be exercised, and the official to whom correspondence should be directed. The agency official who gives notice of any corrective action shall be responsible for conveying such information together with the written action. Notice of right to grieve, given with a corrective action, will be considered sufficient if it contains the following information:

“If you wish to protest this action, you may initiate the grievance process. To do so you must request to meet with me for discussion of the situation (step 1) within ten calendar days of your receipt of this corrective action. If you are dissatisfied with the results of this discussion and wish to continue with the grievance process, you must put your grievance in writing and present it to (name of second step official) (step 2) within five working days after you have received my decision.

Forms and other provisions of the grievance process, which must be closely followed, are available from the Colorado State University Human Resources Services Department, 204 Howes Administrative Building, 555 South Howes. Their phone number is 491-5793.”

If your grievance alleges discrimination, there is an additional requirement: it must be in writing and mailed or delivered to the State Personnel Board no later than the tenth calendar day after you receive this corrective action. The State Personnel Board is located at 633 17th Street, Suite 1320, Denver, Colorado 80202.

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Grievance and Appeal Process (continued)

Additional information about the grievance process (i.e., actual steps and timelines) is available in Appendix 14 of this Manual and from the Employee Relations Manager in the Human Resource Services Department. A copy of the grievance form is included in Section 11: Forms and Related Instructions, State Classified Personnel.

Job Evaluation and Examination Action Review Process

Employees who are dissatisfied with job evaluation or examination actions may appeal first to the person rendering the initial decision and then, as a second level, to the Manager of Employment and Classification in the Human Resource Services Department. Appeals beyond the second level would be to the Associate Director of Human Resources Services and then, as a fourth and final University step, to the Director of Human Resource Services.

After the final University decision, employees whose position has been reallocated to a lower pay grade may appeal to the Executive Director of the State Department of Personnel and Administration within 10 days of notice of final decision.

Employees objecting specifically to the content or conduct of an examination may also appeal to the Executive Director of the Department of Personnel and Administration, but must do so within 10 days from the receipt of the original written notice of the action they object to, and may need therefore, to file an appeal with both the University and the Executive Director of the State Department of Personnel and Administration simultaneously in order to preserve their rights.

External Appeal Process

- Matters appealable to the Executive Director of the State Department of Personnel and Administration are disputes resulting from the administration of the state personnel system that are not otherwise directly addressed elsewhere, or matters relating directly to the responsibilities of the Executive Director such as the content or conduct of examinations, individual position classifications decisions resulting in the reallocation to a lower pay grade, or Performance Pay System disputes. Appeals to the Director must be filed within 10 calendar days of the action giving rise to the appeal, or knowledge of such action. Matters concerning the job evaluation system, the amount of a performance award under the Colorado Performance Pay Program, leave sharing, personal services contracts, and the annual compensation survey results are not directly appealable.
- Matters appealable directly to the State Personnel Board which entitle the employee to a full hearing are matters directly affecting a certified employee's current base pay, status or tenure such as disciplinary actions (suspensions, demotions, terminations, etc.). Appeals of this type must be filled within 10 calendar days of the date of the action or the employee's knowledge of such action.

Additionally, employees may petition the State Personnel Board for a review of matters not directly appealable to the Board, or other matters relating to the administration of the State Personnel Board's rules within 10 calendar days of the action or knowledge of such action. Full hearings may be granted in these cases based upon the recommendations of a hearings officer after a preliminary review.

Personnel Actions and Forms Required

New hires personnel actions must be initiated by the department through the Personnel/Payroll System for electronic approval. Required forms must be submitted to the Human Resource Department before final approval of an action

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Personnel Actions and Forms Required (Continued)

can be made. Data submitted should be kept current to ensure proper reports and pay. Refer to Section 11: Forms and Related Instructions for copies of forms and additional information.

1. State Classified Initial Employment Form

The State Classified Initial Employment Form is the appointment document and provides primary data input to the personnel-payroll system. The top section of the Initial Employment Form is to be completed by the new employee, and the bottom section of the form is completed by the department and input into the Personnel/Payroll System for electronic approval as soon as possible after the hiring decision has been made. Changes to existing employees are keyed directly into the Personnel/Payroll System for approval as well.

2. Withholding Exemptions

Form W-4, Employee's Withholding Exemption Certificate, is initially completed in the new employee's home department to determine the Federal and State income tax to be withheld, and is then forwarded by the department to the Payroll Office. If this form is not completed, the Payroll Office is required to withhold tax as if the employee is single with no (or zero) exemptions. A new form must be completed when the number of exemptions change. Employees should contact the Payroll Office when a change is necessary. Exemption W-4 certificates are valid for one year only and must be completed by February 15 of each year.

When an employee is working in a state other than Colorado, they must also complete an Out-Of-State Work Location Information Sheet to ensure that the correct state income taxes are withheld.

3. Deductions

State classified personnel may authorize payroll deductions for approved voluntary deductions such as insurance, Colorado Combined Campaign, University Club, etc. Employees should contact the Payroll Office of the Human Resource Services Department for forms and assistance.

4. PERA Member Information Form/PERA Exclusion Form

Employees must complete either the PERA Member Information or PERA Exclusion Form. This form is completed in the employee's home department and forwarded to the Records Unit before final approval of the new hire can be made.

5. Payment Disposition Action Form

The Payment Disposition Action Form must be completed to indicate the bank to which the employee's pay is deposited. New employees will complete this form in their home department and the department must forward this on to the Records Unit before final approval of the new hire can be made. Employees wishing to change the information contained on this form should contact the Payroll Office.

6. Biographical Data

The University is obligated to collect certain biographical data (gender, ethnic origin, disability status, and veteran status) to meet various state and federal reporting requirements. The top portion of the Initial Employment Form is used to voluntarily collect this information from the employee, and the department is responsible for the input of this information into the Personnel/Payroll System.

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Personnel Actions and Forms Required (continued)

7. Sick and Annual Leave Report

Departments must submit sick and annual leave balance reports annually to the Human Resource Services Department. The reporting period is from July 1 through June 30 (see Section 11 for sample report).

8. Faculty/Staff Study Privilege Employee Registration Form

Any half-time or greater state classified employee desiring to register for a University course (excluding non-credit Department of Educational Outreach courses) under the University's Study Privilege Program should complete the Employee Registration Form available in Room 100 Administration Annex. When appropriate approvals have been obtained, the form is submitted to Benefits Section of the Human Resource Services Department.

9. Position Description Questionnaire (PDQ)

This form should be completed when a position is to be established or changed. Contact the Human Resource Service's Employment and Classification Section for more information and the PDQ form.

10. Trial Service Appraisal

Current employees who are promoted serve a trial service period in the new classification. Performance for this six-month trial service period should be evaluated on the form sent by the Human Resource Services Department. Failure to return the trial service form within the specified time period will result in the automatic certification of the employee at the new classification.

11. Employment Eligibility Verification Form (Form I-9)

The I-9 Form must be completed for all employees within three days of commencing work by the home department, and forwarded to the Records Unit before final approval of the new hire can be made. When the current work authorization of a foreign national has expired (personnel/payroll System I-9 Expiration Date), the department must stop working the employee and terminate his/her employment unless extended work authorization has been secured by the employee and reported to the University Tax Accounting Office, and a new I-9 form has been completed by the department and forwarded to the Records Unit.

12. Statement Concerning Your Employment in a Job Not Covered by Social Security (Form SSA-1945)

Effective January 1, 2005, all new hires must sign a notice (Form SSA-1945) attesting to the fact that they are aware of a possible reduction in their future Social Security benefit entitlement. Departments should give the required notice to employees prior to the start of employment and forward the original signed Form SSA-1945 to the Human Resources Record's Unit before final approval of the new hire can be made.

13. State Classified Compensatory Time Agreement

For employees entitled to overtime compensation under the FLSA, acceptance of compensatory time in lieu of overtime payment is a condition of employment at Colorado State University. This form must be completed by all new employees and forwarded to the Records Unit before final approval of the new hire can be made.

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Personnel Actions and Forms Required (Continued)

14. Performance Planning and Appraisal

The performance of state classified employees must be evaluated annually. Effective January 1, 1990, State law (CRS-24-50-118), requires all supervisors of state classified employees to complete timely performance appraisals on a yearly basis. Failure to do so will result in sanctions against the supervisor. Your department has the planning and appraisal form appropriate for your employees.

15. Hourly Timesheet

The supervisor should record all hours worked by state classified hourly employees on the Hourly Timesheet. This form is also used to record regular state classified excess hours, shift differential and overtime.

16. Colorado State University Time Sheet and Overtime Form (30-5-70)

State fiscal rules require that the individual Time Sheet and Overtime Form be completed for each state classified employee eligible for overtime. Personnel who use time clocks or comply with other detailed time accounting systems which provide required data may be exempted from form 30-5-70 requirements upon department head application to and approval by the Controller or the Vice President for Administrative Services.

For each other employee eligible for overtime, the immediate supervisor should establish and maintain a form at the start of each fiscal year. After close of the fiscal year all forms should be retained by the respective department for five years.

17. Overtime Approval and Recording

Overtime may be authorized either orally or in written form, as designated by each department. Those requiring prior written authorization may utilize the Usage Request and Authorization Certificate of Performance of Overtime (Form 30-1-73). One form is to be completed for each employee, or group of employees, planning to perform overtime. The department head or other authorized individual must sign this form before any overtime work is performed.

In emergency situation, the supervisor may authorize overtime prior to an official request. However, this form shall be filled out and signed by the appropriate supervisor or manager as soon as possible after commencement of the work.

18. Policy on Rights and Responsibilities Related to Creative Works

All employees must complete a Policy on Rights and Responsibilities Related to Creative Works Form as a condition of employment. This form is completed in the employee's home department and forwarded to the Records Unit before final approval of the new hire can be made.

19. Extended Sick Leave

The Extended Sick Leave Request memo is used to charge the cost of excess sick leave (those days over 30) to the fringe benefits pool.

20. Supplemental Pay

Supplemental pay which is authorized and earned should be reported to the Human Resource Services Department on the Authorization for Supplemental Pay form and the Supplemental Pay Approval form. Pre-

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Personnel Actions and Forms Required (Continued)

approval by the Director of Human Resource Services is required before work is done by state classified personnel.

21. Corrective Action Form

Corrective actions are administered by the department and a copy must be forwarded to the Director of Human Resource Services for inclusion in the employee's personnel file.

22. Grievance Form

When a formal grievance is initiated by an employee who is aggrieved by an action, not otherwise appealable, related to his/her working conditions or relationships, or to the agency policies, rules or regulations, a copy of the grievance must be forwarded to the Director of Human Resources.