northern State university

Employee Handbook

2019

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INTRODUCTION

Welcome to Northern State University! This handbook is designed to acquaint you with Northern State University and your position. You are a part of a carefully selected team because you possess the knowledge, skills and abilities necessary to perform specific functions. You are very valuable to Northern State University.

The policies and procedures outlined in this handbook are for information only, and are subject to change by action of the State Legislature, the Board of Regents, Bureau of Human Resources, and/or the University. Further reference should be made, therefore, to current University policy and procedures manuals for specific areas, current rules and regulations of the Board of Regents, and the Administrative Rules for the State of South Dakota.

We encourage you to read this handbook and retain it as a reference. It is impossible to include all information applicable to every situation an employee might encounter and many topics cannot be fully covered in a book this size. Whenever you need further information, advice or assistance, please contact the Human Resources Department (626-2520).

Governing Board

The South Dakota Board of Regents, the governing body of Northern State University, is composed of nine members. The members of the board are appointed by the governor of the state and confirmed by the senate. The board exercises broad jurisdiction over all state-supported educational institutions and delegates many responsibilities to presidents and faculties, but must give specific approval for appointments, the conferring of degrees, certain purchases, and the sale of state property.

The Board of Regents meets regularly. At least fourteen days prior to a meeting of the board, the president of the university will file a memorandum with the executive director and the president of the board regarding any matters that will be brought up at that meeting. To comply with this deadline all routine matters calling for board action must be submitted to the president's office at least nineteen days prior to the meeting.

Statement of Intent

It is the intent of Northern State University to continue to provide high quality services to the people it supports and to the community in accordance with accepted professional standards. These policies are intended to assure equity in employment practices and to promote staff morale and efficiency in the operation of the university and in no way should these policies be interpreted as being an employment contract. These personnel policies will be made available to all employees and will be administratively reviewed at least annually and amendments may be made as the need arises.

Updated 11/01/11

Office of the President
Northern State University

Northern State is one of the country's premiere residential institutions with outstanding students, great faculty and staff, and state-of-the-art facilities. No matter what you are looking for, you'll find it here at Northern State. I invite you to visit and experience our beautiful campus.

Ours is a unique institution where students are provided the opportunity to engage with the best of academics, cultural arts and athletics. It is also a place where international cultures come together for the purpose of exploring the very finest elements of an undergraduate or graduate education. NSU has one of the highest guaranteed scholarship programs in the region, and the best in the state of South Dakota. The Wolf PACT scholarship offers incoming freshman a four-year guarantee based solely on a student's ACT score.

The professors at Northern State are committed to presenting academic materials in a challenging but intimate environment with a faculty to student ratio of 18 to one. Your classes here will be small and dynamic with many opportunities to be involved outside of the classroom. NSU is a campus with designated areas of excellence in E-learning and international business – we are truly a place where you can learn along with students from around the globe.

At NSU learning happens in class, libraries, labs, study groups, the Student Center, athletic events, in clubs and on the campus green. There are a wide variety of learning communities, internship opportunities and study abroad programs available to our students as well as an abundance of clubs and organizations, extracurricular activities to compliment academic life.

Northern State is the home of the Wolves, where some of the best athletes participate in Division II athletics in the Northern Sun Intercollegiate Conference. With the strong support Aberdeen and our surrounding communities, our men's and women's basketball programs ranked number one in attendance for the 2008-09 season. We also celebrated with head coach Don Meyer, this past January, as he became the winningest coach in the history of men's college basketball.

NSU has the best fine arts programming in the upper Midwest. Our programs allow students to experience a wide range of artistic mediums as they develop a critical understanding of art, music and theater. Members of our fine arts faculty are nationally and internationally recognized artists and musicians. Combine that with abundant studio space, rehearsal halls and behind the scenes amenities, and a new musical theater major, the NSU School of Fine Arts is the place to be.

Our graduate programs are among the best in this area, and enrollments have been growing steadily due to the exceptional programs that we offer.

Northern is a place where you can truly be yourself; we are an institution that is dedicated to allowing you to explore and create to the absolute limits of your imagination. I urge you to begin your explorations right now.

Be You. Be Us. Be Northern!

Tim Downs, President
Northern State University

Northern State University's Origins and History

Northern Normal and Industrial School was established by the South Dakota Legislature in 1901 in response to the need for an institution of higher education to serve northern South Dakota. The original curriculum emphasized the industrial arts and teacher preparation, but as the school grew, the curriculum gradually evolved in other directions to fulfill the changing needs of the community. In 1964, the institution became Northern State College, the new name reflecting the school's expansion and diversification, and in 1989 the name was changed to Northern State University.

Northern State University's Mission, Purpose, Vision and Values

MISSION

The primary purpose of Northern State University, at Aberdeen in Brown County...is the preparation of elementary and secondary teachers, and a secondary purpose is to offer preprofessional, one-year and two-year terminal and junior college programs. Four-year degrees other than in education and graduate work may be authorized by the Board of Regents. (SDCL 13-59-1)

PURPOSE

NSU is a University dedicated to the pursuit of excellence in the liberal arts and in graduate and professional education. Its distinctiveness in its pursuit of mission derives from its coeducational and residential character; its size and location; and its role as a public, state-sponsored University.

VISION

NSU will be a nationally-recognized, student-centered institution committed to academic and extracurricular excellence, providing high quality programs, cutting-edge technology, and global learning opportunities in a beautiful Midwestern setting.

VALUES

CONNECT

Highest ethical integrity in all we do.
A commitment to responsible stewardship.
Development of human, intellectual, cultural, financial, and environmental resources.

ENABLE

Teamwork, cooperation and mutual respect in an environment that is diverse in knowledge, culture, and world view.
Striving to deliver seamless, student-centered, and experience-rich educational opportunities.

EDUCATE

Expanding research and teaching to issues of importance to our community, state and region.
Assuring academic rigor and the highest standards of excellence in all intellectual inquiry.

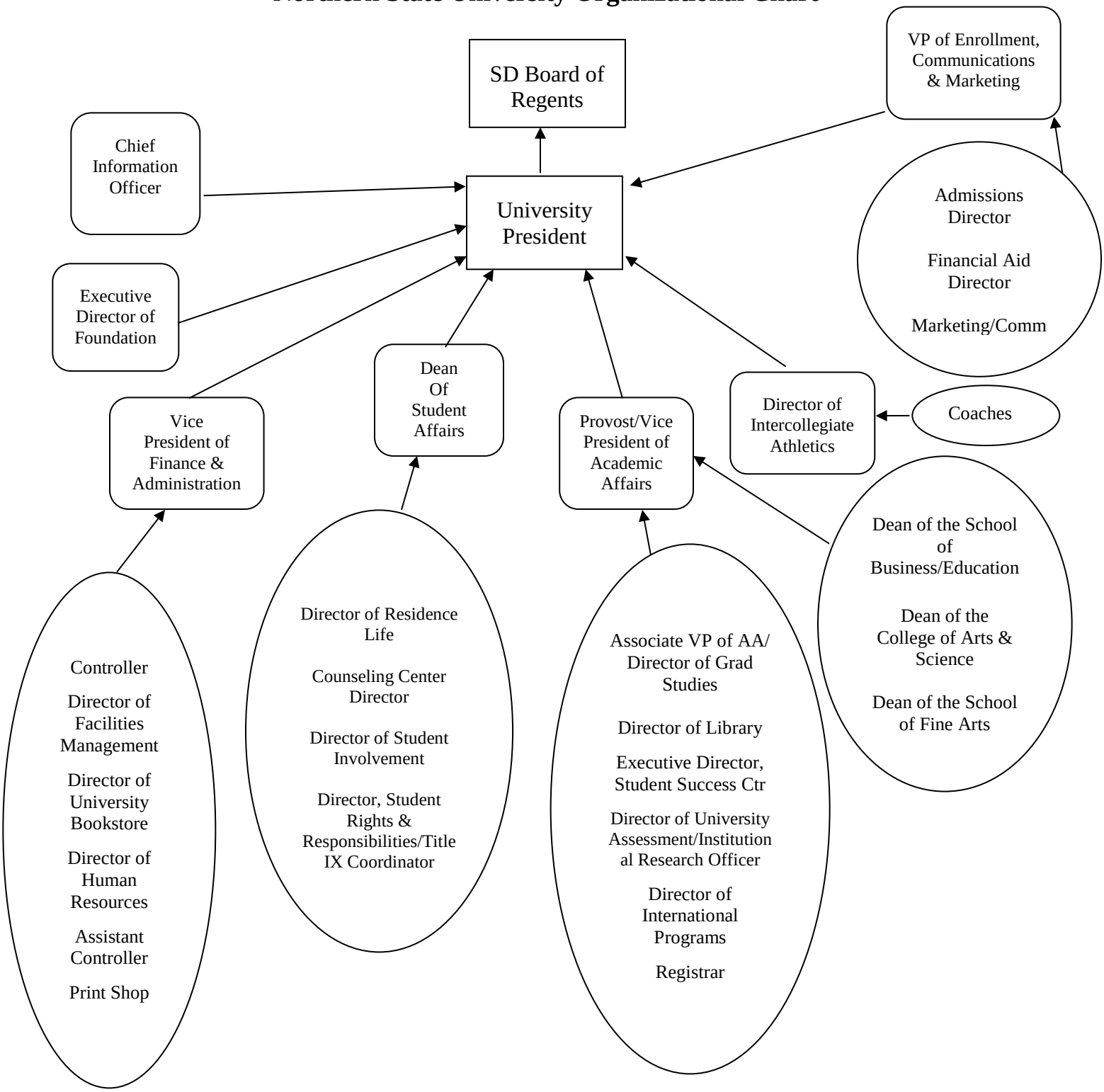
PRINCIPLES

Highest Standards
- Academic Rigor
- Intellectual Inquiry
- Experience-Rich

Engaged Learning
- Evidence-Based
- High Integrity
- Global Experience

Stewardship
- Responsible
- Efficient
- Beneficial Partnerships

Northern State University Organizational Chart



A Message from the Board of Regents CEO

Dear Board of Regents Employees,

Integrity. Ethics. Transparency. Protecting the public trust. You and I not only have the responsibility to maintain the very highest standards in these areas, but also to pass these values along to our students. Our society has long depended on higher education to enhance the ability of our democracy to function effectively and fairly for all of the people that call our nation and state home. We must assist students in their search for knowledge, in understanding themselves and their cultural and physical environments, and in developing the wisdom and skills necessary to function as responsible citizens in society.

As a Regental system employee, you play an integral role in carrying out that mission. Each and every employee has a responsibility to demonstrate to each other, our students, and the citizens of the State of South Dakota, a commitment to making stewardship and ethical behavior a part of our everyday activity. Thank you for representing the Board of Regents and your institution with honesty and integrity, and leading by example for the future leaders of South Dakota.

Sincerely,

Dr. Paul Beran
Executive Director and CEO

Section 2
POLICIES

2.0 Affirmative Action/Equal Employment Opportunity Policy

Northern State University's policy is to take affirmative action to implement and assure employment opportunities for qualified employees and all applicants for employment without regard to race, color, creed, religion, national origin, ancestry, citizenship, gender, sexual orientation, age or disability. This commitment includes, but is not limited to, the following matters:

1. We recruit, hire, train and promote persons in all job titles without regard to race, color, religion, creed, national origin, ancestry, citizenship, gender, sexual orientation, age or disability except where sex is a bona fide occupational requirement, or where a specific disability constitutes a bona fide occupational disqualification;
2. We will base decisions on employment matters so as to further principles of equal employment opportunity;
3. We will ensure that promotion decisions on employment are in accord with principles of equal employment opportunity, imposing only valid requirements for promotional opportunity;
4. We will ensure that all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoff, University-sponsored training, education tuition assistance, and social and recreational programs will be administered without regard to race, color, religion, sex, age, national origin, disability or veteran status.

Specific accountabilities have been established for carrying out the Northern State University affirmative action policy and programs. Each official and supervisor is expected to review his or her present and future personnel policies and practices to ensure that equal employment opportunity is being actively implemented and that no employees or applicants for employment suffer from any form of discrimination. Each official and supervisor will be held accountable for using good faith efforts to achieve the goals and timetables set forth in his or her area.

2.1 Employment of Relatives/Nepotism

Northern State University employees may not be supervised or receive supervision from an immediate family member which is defined as their spouse, child, mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother, sister, grandparent, grandchild, stepchildren or stepparents and other persons where circumstances establish the existence of close bonds of affections characteristic of the foregoing relationships. (Refer to the SD Board of Regents policy manual number 4:22 at https://www.sdbor.edu/policy/documents/4-22.pdf

2.2 Americans with Disabilities Act of 1990 Policy

Northern State University does not discriminate against qualified individuals with disabilities. The University provides reasonable accommodation(s), as required by law, to otherwise qualified applicants, employees, and students with disabilities in all work settings, education programs, activities, services and practices, including application procedures, admissions, course selection, the awarding of degrees, discipline and dismissal. Educational, employment, or promotion opportunities will not be denied to an employee or student because of the need to make reasonable accommodation(s) or modification(s) for the physical and mental impairment(s) of any such individual.

2.3 Civility in working with colleagues, staff members, students and others

Universities play a special role in preparing students to lead the complex social organizations through which businesses and professions operate and through which free people govern themselves. Students must be taught, and they must be shown through the example given by institutional employees, that members of stable, effective and prosperous social organizations observe norms of conduct under which all participants treat one another civilly and carry out their respective tasks in a constructive and informed manner. Complex social organizations derive their strength from the cooperation of those who participate in them. By virtue of their special role in preparing future generations of leaders, universities have a particular concern with conduct that destroys the bonds of cooperation and common purpose on which society rests by demeaning members of the community, and such conduct cannot be tolerated in an institution whose very purpose is to shape the skills and conscience of the rising generations.

Staff members are responsible for performing their duties civilly, constructively and in an informed manner. They must treat their colleagues, staff, students and visitors with respect, even when expressing disagreement, in ways that will preserve and strengthen the willingness to cooperate and to give or to accept instruction, guidance or assistance.

2.4 Harassment Policy

It is the policy of the state of South Dakota that all employees are responsible for ensuring that the workplace is free from sexual harassment. Because of the state's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct, which could be viewed as sexual harassment. Harassment includes:

- Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature an explicit or implicit condition of an employee's continued employment; or
- Making submission or rejection of such conduct the basis for employment decisions or modifying terms or conditions of employment affecting the employee; or
- Creating an intimidating, hostile, or offensive working environment by such conduct, irrespective of one's intent; if such conduct had the purpose or effect of interfering with one's work environment.

An employee who has a complaint of sexual harassment in the workplace should first follow the informal complaint procedure. If not satisfactorily resolved, he or she may continue with the formal complaint procedure.

If a supervisor or Affirmative Action Officer knows of an incident of sexual harassment, they shall immediately take appropriate remedial action. If the alleged harassment involves any type of threat of physical harm to the victim, the alleged harasser may be suspended with pay. During the suspension the Affirmative Action Officer will conduct an investigation. If the investigation supports the charges of sexual harassment, disciplinary action against the alleged harasser will take place and may include termination. If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, including termination.

2.5 Workplace Violence

Northern State University will not tolerate workplace violence of any type, from any source. This includes, but is not limited to, threatening, destructive or violent actions

directed against employees, students, visitors, or university buildings, equipment, or property. NSU executives, administrators, managers, supervisors, and employees are responsible for observing and promoting measures to establish and maintain a non-violent workplace. Additional responsibility is vested in students and visitors to the university and special schools to observe institutional regulations designed to establish and maintain a non-violent workplace. For the purposes of this policy, violence and threats of violence include, but are not limited to:

A. Any act which is physically assaulting;
B. Any substantial threat to harm or to endanger the safety of others;
C. Behaviors or actions interpreted by a reasonable person as carrying the potential for violence and/or acts of aggression;
D. Any substantial threat to destroy property;
E. Possession on worksite of any weapon or dangerous instrument (e.g. any type of firearms, certain knives, brass or metal knuckles, etc.), unless required by position duties (e.g., Security Guard).

Incidents of workplace threats or acts of violence will be treated seriously by institutional personnel. Witnesses should report such acts or threats promptly to the Administration. Reported threats or acts of violence will be investigated promptly, and appropriate action will be taken to address each incident that is reported.

The institution will respond promptly, positively, and firmly to deal with threats or acts of violence. This response will include timely involvement of the Police Department. Violations of this policy will be dealt with in accordance with the policies and procedures, which govern the behavior of NSU employees and students.

Responses to threats or acts of violence may include dismissal from employment or from enrollment, arrest, prosecution, removal from institutional property, suspension, reassignment of duties or other sanctions as authorized by specific disciplinary policies. In addition, violations of this policy by any person, including non-NSU affiliated persons, may lead to action by the criminal justice system.
https://www.sdbor.edu/policy/documents/1-25.pdf

2.6 Weapons on Campus

For purposes of this policy, dangerous weapons is defined by SDCL 22-1-2(10), “Dangerous weapon” or “deadly weapon,” any firearm, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm.

Possession of firearms or other dangerous weapons on the physical premises of the NSU campus is prohibited unless authorized by the institutional chief executive officer or designee. NSU executives, administrators, managers, supervisors, and employees are responsible for observing and promoting measures to establish and maintain a non-violent workplace. Additional responsibility is vested in students and visitors to the university to observe institutional regulations designed to establish and maintain a non-violent workplace.

2.7 Arrest Policy

Any employee who has been arrested or charged with or has reasonable knowledge to believe they will be arrested, charged with, or convicted of: 1.) any felony; or 2.) any crime (including misdemeanors) involving a sex offense or illegal drugs or illegal use of legal drugs shall immediately report this information to his or her supervisor. The supervisor is required to immediately report this information to the administration.

2.8 Accident/Injury on Campus

For University Employees: If you are injured and you are employed (faculty, staff student employee) at Northern State University you must complete a First Report of Injury within three business days of the injury. To report an injury, go to: https://apps.sd.gov/EB05FROI/eb05froi/default.aspx

Click on the Electronic First Report of Injury link in the middle of the page. Failure to report a work injury within three business days could result in denial of the claim. All claims will be thoroughly investigated by the Bureau of Human Resources.

In addition to completing a First Report of Injury, employees should report any injury to his/her immediate supervisor. Any unsafe conditions resulting in an injury should be reported immediately to Building Maintenance and the Human Resources Department.

For additional information regarding workers comp claims go to 7:14 in Section 7 of this handbook, or contact the Human Resources Department at (605) 626-2520 or the SD Bureau of Human Resources (605) 773-3148.

For Non-University Employees: If you are injured and you are a visitor or if you are a Northern State University student not employed at NSU, contact Jerilyn Mielke in the Student Affairs Office at 626-2530.

2.9 Smoking Policy

In compliance with Executive Order 92-10, dated August 28, 1992 the South Dakota Board of Regents adopted the following policy on smoking:

> Effective November 19, 1992, smoking is prohibited in all buildings or portions thereof owned, leased or occupied by the Board of Regents and in state vehicles owned by the state. Within an agency, only the residential portions of facilities operated by these agencies may be exempt (Executive Order 92-10). Smoking is not permitted in the common areas of residence halls or other multi-unit residences. For the purposes of this section, common areas include, without restriction: elevators, restrooms, laundry rooms, recreation rooms, lobbies, corridors, stairways and building entrances and exits. Signs shall be posted at all entrance and exit ways of facilities stating the facility is smoke-free and that smoking is prohibited. Institutions are permitted to designate outdoor smoking areas.

In response to this policy, all residence halls are smoke-free.

"Violation of this policy may result in corrective and/or disciplinary action." Executive Order: 92-10 August 28, 1992.

2.10 Drug-Free Workplace

Northern State University, in keeping with its institutional commitment to provide a quality experience for its students, discourages high-risk behavior with regard to the use of alcohol and other drugs.

Northern State University prohibits the possession of alcohol on University property or at student sponsored events. Furthermore, Northern State University cannot and will not tolerate the use, possession, manufacture, or distribution of illegal drugs on University property or as part of any University activities. The Alcohol and Drug Policy

of Northern State University and the BOR Drug Free Workplace policy (Number 4:27) are established to help ensure the health and safety of all members of the University community, and should be applied in such a manner and spirit. It is not the intention of Northern State University to this or any other policy to regulate the personal affairs of an individual or groups of individuals.

Northern State University encourages any employee with alcohol and other drug problems or concerns with family members to seek professional help. For more assistance, please call EAP (Employee Assistance Program) at the hotline number (800) 713-6288 or the NSU Counseling Center at (605) 626-2371.

Any employee suspected of drug or alcohol use during working hours may be subject to the Probable Cause process. (See Appendix E)

2.11 Drug & Alcohol Testing Policy

The State has implemented a drug testing procedure for applicants and employees in 1) safety sensitive positions and 2) positions requiring a commercial driver's license. Under state law, a safety sensitive position is any law enforcement officer authorized to carry firearms and any custody staff employed by any agency responsible for the rehabilitation or treatment of any adjudicated adult or juvenile. State statutes and administrative rules govern the drug testing of persons in safety sensitive positions, and these statutes and rules may be obtained from your agency's personnel representative.

The State requires that all holders of commercial drivers' licenses (CDL's) who routinely or occasionally are required to drive state vehicles requiring a CDL in conjunction with their position submit to random drug and alcohol testing procedures.

The drug-testing program is administered by the Department of Transportation. CDL holders' names are randomly drawn by the DOT for the testing. Northern State University is responsible for scheduling the appointment and arranging for the employees to submit for testing. This testing is a check for alcohol and/or drugs, such as marijuana, cocaine, amphetamines and opiates.

An employee who receives a confirmed positive result from a drug test may be suspended without pay, demoted, terminated, referred to treatment, or have his or her salary reduced. If an employee is referred to treatment and the employee fails to successfully complete the treatment, the employee will be disciplined accordingly.

The rules that implement the drug-testing program also provide the procedures for collecting, analyzing and evaluating the test samples, and for the confidentiality of the test results.

2.12 Seat Belt Policy

South Dakota Law 32-38-5 states that all front seat occupants will wear seat belts. This law became effective January 1, 1995. In addition to the state law, Executive Order 88-7 requires all state employees who are driving or are passengers in state-owned vehicles covered by the state's automobile liability insurance policy to wear seat belts, both in the front and back seats.

2.13 Attendance, Absenteeism and Tardiness

Your supervisor establishes hours you will work. Your supervisor will tell you what procedure to follow if you are going to be absent from work. Tardiness, unexcused

absences, abuse of sick leave, or wasting State time can be cause for disciplinary action.

Employees are expected to be on the job, on time, every day that they are scheduled to work. An employee absent from work due to illness or disability shall notify his/her immediate supervisor before he/she is scheduled to work, or as soon as possible. Employees must speak with their immediate supervisor when calling in absent. Leaving voicemails, text messages, emails, etc. are not appropriate manners in which to notify a supervisor. If an emergency situation exists, indicate the nature of the situation and the expected length of absence. In accordance with SDCL 3-6-7, the employee to support all leaves for sickness shall submit a medical certificate, upon the request of the Supervisor. Any employee found to have abused his/her attendance and/or benefit privileges may be subject to disciplinary action.

2.14 Children at Work

It is the policy of Northern State University that employees are not to bring children to the workplace, unless special arrangements are made with your supervisor. It is disruptive to the workplace and to fellow co-workers to regularly bring children into the workplace. Benefits eligible employees are entitled to 40 hours of personal leave annually. Personal leave may be used to care for a sick/injured child. In the case of a serious medical condition, the Family and Medical Leave Act may be available. Please contact the Human Resources office for more information.

2.15 Dress Code

It is the purpose of this institution's dress code policy to address professionalism and safety when considering an employee's appearance and attire while at work. Employees have the responsibility to act as role models for the customers and students they serve. All employees serve as representatives of Northern State University and should strive to set a positive image for the institution.

Clothing revealing cleavage, back, chest, stomach, or underwear is not appropriate. Torn, dirty clothing (even if purchased as such) or clothing with slogans, words, terms, or pictures depicting violence or obscenities or which may be offensive to others is unacceptable.

While casual dress may be allowed, consideration should be given to dressing professionally when attending meetings, dealing with the public, and acting as a representative for Northern State University.

2.16 Acceptable Computer Use Policy

INTRODUCTION

The information, computing, and instructional technology resources provided by NSU are intended to assist members of the NSU community faculty, students, and staff in the fulfillment of their educational responsibilities. These resources and their effective use, contingent upon first amendment and academic freedom principles that demand the free flow of information and a free and open atmosphere, are vital to the mission of NSU. Such use is encouraged; however, since these resources are state property, their use is a privilege. For all to benefit, proper and fair use is necessary.

PURPOSE

The purpose of this policy is to outline the rights and responsibilities of both NSU and the users of these resources.

TARGET AUDIENCE

The NSU IT Acceptable Use Policy applies to NSU faculty, staff and students as well as external constituents that utilize NSU technology resources.

POLICY

 NSU Responsibilities

NSU has the responsibility to maintain a reasonably stable and secure network environment. Scheduled downtime will be limited and well announced.

NSU has the responsibility to backup files and data stored on the campus network on a regular basis. Users should be aware, however, that no system configuration, backup process or security setup is 100% effective.

Network and computing equipment (hardware and software) provided by NSU will be legally obtained, up-to-date and sufficient for the needs of users.

NSU intends that all uses of information resources and technology support the operations and mission of the university. While doing so, the statutory rights of the individuals will be safeguarded. Ownership resides with the University and data in the system may be subject to discovery during litigation and disclosed in court proceedings.

NSU cannot guarantee the security, privacy, and confidentiality of electronic data, including e-mail. Users should not assume confidentiality of their data and email. Users are not advised to send confidential University communications (as determined by law, policy, etc.) via email. Examples of why data and email confidentiality cannot be guaranteed are:

 Email and data may be subject to disclosure under law.

 Back-up copies may be retained for periods of time and in locations unknown to senders and recipients even if the user has deleted it from their account or PC.

 In the course of routine systems maintenance and troubleshooting, network or systems staff may inadvertently see the content of email messages or data files.

 Password protections are advised but cannot be guaranteed.

 E-mail messages and electronic files can be forwarded without permission to individuals or groups.

 User Responsibilities

Users have a responsibility to backup files and data stored on their personal office machines on a regular basis.

Users have a responsibility to ensure that their computing devices are physically and electronically secure.

Users have a responsibility to treat other users and the staff with consideration and respect. Abuse or harassment of others will not be tolerated. Users should be sensitive to the diverse and public nature of facilities.

Since users have a right to resources sufficient to their needs, they have a responsibility not to use excessive resources. This would include chain letters, spam, mass mailings, and excessive printing, game playing, P2P, or otherwise unnecessary network traffic. In addition, users must only keep NSU business/academic related documents on the home directory (F: drive) and other file server storage locations.

Users have a responsibility to manage their data appropriately by occasionally reviewing contents and removing outdated, duplicated or otherwise unnecessary files to ensure that this resource is reliable and available.

Users must obey the law. Under state and federal laws, the following activities are illegal: distribution or retrieval of child pornography, distribution of pornography to minors, obscenity, scams and pyramid schemes, copyright infringement, and unauthorized duplication of software. Users have the responsibility not to use illegally obtained or pirated software. Copyright and intellectual property laws must be obeyed (for additional information on copyright and intellectual property law, see the library home page (refer to actual document). Proof of ownership must be provided to staff prior to installing or helping with software.

Users have a responsibility not to abuse or mistreat equipment or data or to use networks and accounts or access data for which they do not have authorization. This includes any form of computer hacking.

Users are to take precautions to prevent the unauthorized use of all account passwords. Passwords are not to be shared with others and their confidentiality is to be strictly maintained.

Users will be held accountable for all actions performed with their passwords, including those performed by other individuals as a result of user negligence in protecting codes.
Users must exercise caution to ensure their private and privileged information is not exposed to inadvertent disclosure.
Northern State University treats policy violations of computing facilities, equipment, software, information resources, networks or privileges seriously. Disciplinary action resulting from such abuse may include the loss of computing privileges and other sanctions including non-renewal, discharge, and dismissal. Alleged violations of the policy shall be processed according to the judicial processes outlined in the SDBOR/COHE Higher Education Contract, the Faculty Handbook, and the Student Handbook.
Where the facts that would trigger disciplinary action under this policy may also constitute a criminal infraction under state and federal law it may be reported to responsible authorities, whether or not disciplinary action is initiated.

2.17 Email Accounts

All NSU employees will be assigned an email account. The NSU email account will be used for official notification of important information regarding employment. Employees are expected to regularly review their email and are accountable for information conveyed by this means. NSU email accounts will be disabled immediately upon termination.

2.18 Cellular Phones

NSU issues or pays individual cellular phones to university representatives who are required to be in close contact with the university at all times. While cell phones are a necessary convenience of the business world, we require that our employees follow the guidelines listed below for their own and the safety of others.

Policy

All employees are required to be professional and conscientious at all times when using company phones.

Usage

It is the policy of Northern State University that representatives of our organization who are issued a cellular phone understand the phones are issued for business use only. Employees are expected to make every effort to not exceed the current contracted allowed minutes. Upon separation from employment, employees who have been supplied with a cellular phone, must return the equipment in good working condition, or assume the cost of replacement.

Cellular phone bills are reviewed when they arrive, any employee who exceeds their contracted allowed minutes is subject to additional usage review. According to Board of Regents policy, those employees being provided a cell phone that is also used for personal calls, will be assessed payroll taxes on the value of the service being used by the employee.

Discretion must be used in receiving personal calls or text messages on a cellular phone during work hours. Excessive personal calls or messaging during the workday, whether by company phone or personal cellular phone, can interfere with productivity and create a distraction for others. Personal calls should be limited to non-work time whenever possible.

Driving

NSU has a zero tolerance policy regarding using a cell phone while driving. This includes, calling, texting, emailing, etc. For the safety of our employees and others, it is imperative that you pull over and stop at a safe location to dial, receive or converse on the cell phone in any way.

2.19 Emergency Closing Policies and Procedures

This policy covers emergency circumstances that require closings of universities or special schools which may include, but is not limited to, inclement weather, utility failure, fire or other forced evacuations. For the purpose of this policy, canceling classes does not imply that the campus is closed. Classes may be canceled while the campus will remain open. In the event the campus is closed, notification will be provided to staff that the buildings will be closed for business.

The president establishes the reporting procedure with the media, which include KSDN, KSFY, and KELO-TV. In addition, the Campus Alert system (see 2.22) will also be used to notify registered staff and students, by telephone, e-mail or text message.

Unless an emergency closing is announced, all employees are expected to report to work. However during inclement weather, you are to use your discretion in deciding if the commute to work is safe. In the instance that an emergency closing has not been declared, employees who do not report to work have the option of taking vacation, accrued compensatory time, leave without pay, or adjusting the work week as approved by the supervisor. Employees who feel they cannot safely reach the worksite should make arrangements with the supervisor to be absent from work. (Refer to the SD Board of Regents policy manual number 4:40 at https://www.sdbor.edu/policy/documents/4-40.pdf).

2.20 Procedure to follow in the Event of a Bomb Threat

The person receiving the threat is to record the exact wording of the threat and the time it was received; to attempt to get as much information about the location, time, and other details as possible; immediately call 9-911 to notify the Aberdeen City Police.

2.21 Fire Alarms

The fire alarm bells signal evacuation of a building for a fire, fire drill, bomb threat, or any other reason.

Employees should close all windows and doors to their offices and leave the building immediately. Specific instructions for evacuation are provided for each building; however, the following general policy will provide direction in most instances.

When the fire alarm sounds occupants of the building are to walk (not run) down the halls and stairs in single file. They will leave the building through the closest exit to their respective areas. Sufficient room must be provided at all times on stairways and in the halls for fire fighters in case of a fire. Occupants will not stand close to the building during a fire drill. Space must be provided to allow fire-fighting equipment to enter the building. An all-clear announcement will be made before re-entering the building(s).

2.22 Campus Alert System

NSU implemented a Campus Alert Notification System for all students, faculty and staff. This service will provide critical weather-related and emergency alerts to the communication tool of your choice (such as text message, email, home or cell phone, voice or instant message) in the event of an emergency. Contact the Human Resources Director for more information.

2.23 Intellectual Property

When offered employment, all employees will sign this policy prior to the onset of his/her employment. Employees will be required to sign a new form annually at the time contracts are distributed. For additional information regarding this policy, or to

view the entire policy, visit the SD BOR website
https://www.sdbor.edu/policy/documents/4-34.pdf

2.24 Use of State Property for Private Purposes

It is strictly contrary to both state law and university regulations to use university or state properties, buildings, or grounds for the production of private income or to remove state property from buildings and grounds for personal gain or private benefit.

2.25 Solicitations

It is the policy of Northern State University, in conjunction with the NSU Foundation, to prohibit solicitation and distribution on its premises or through campus mail by non-employees and to permit solicitation and distribution by employees only as outlined below:

- NSU limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations of the university, can be detrimental to efficiency, can be annoying, and can pose a threat to security.
- All managers are responsible for administering this policy and for enforcing its provision.
- Persons who are not employed by NSU are prohibited from soliciting funds or signatures, conducting membership drives, posting, distributing literature or gifts, offering to sell or purchase merchandise or services (except by representative of suppliers properly identified), or engaging in any other solicitation, distribution, or similar activity on the university premises.
- NSU senior cabinet may authorize a limited number of fund drives (currently NSU Foundation Faculty and Staff campaign and the United Way) by employees on behalf of charitable organizations or for employees' gifts.
- NSU will permit employees to engage in solicitation or distribution of literature for any group or organization, including charitable organizations, with the following guidelines:
    - Acquiring a NSU Solicitation Request form from Human Resources/Student Services/NSU Foundation with the appropriate signatures for approval. The solicitation and distribution of literature with appropriate approval should not interfere with working time of either the employee making the solicitation or distribution, or the targeted employee. The term 'working time' does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working.

NSU maintains bulletin boards to communicate campus information to employees and to post notices required by law. An unauthorized posting of notices, photographs, or other printed or written materials on bulletin boards or any other campus property is prohibited.

Please contact the Human Resources Department if you have any questions regarding this policy. For more information regarding approval for soliciting both on and off-campus organizations and departments contact the Human Resources office, the Student Activities Office, or the NSU Foundation.

2.26 Fraud

This policy is to protect the SDBOR & NSU from employee misconduct.

1. Definitions
    A. Fraud shall be defined to include the following for purposes of this policy:

1. Conduct within the scope of employment, or conduct apparently within the scope of employment, and representations to the Board, or any of the institutions governed by it or any affiliated organizations that constitutes:
    a. Intentional or deliberate act to deprive the State of South Dakota, the Board, any of the institutions governed by it or any affiliated organizations or students of something of value (property, money, services, or opportunities).
    b. Deception, false representation of fact by either conduct or other communication, or concealing what should have been disclosed, or made when the actor knew or should have known that the other party relied upon his or her representations, leading to injury of the State of South Dakota, the Board, any of the institutions governed by it or any affiliated organizations or students.
    c. Examples of a fraudulent act include but are not limited to:
        i. Embezzlement
        ii. Misappropriation, misapplication, destruction, removal, or concealment of property
        iii. Alteration or falsification of documents
        iv. Theft of any asset (money, tangible property, etc.)
        v. Authorizing or receiving compensation for goods not received or services not performed.
        vi. Authorizing or receiving compensation for hours not worked
        vii. Misrepresentation of fact

B. Suspected fraud is defined as a reasonable belief or actual knowledge that fraud has occurred or is occurring.

2. Responsibilities

A. Each university and special school shall designate a contact for employees to report suspected or known fraudulent acts.

B. Employees of the South Dakota Regental System shall read and understand this policy. Additionally, suspected or known fraudulent acts shall be reported to their respective supervisor.

C. Supervisors shall 1) communicate the provisions of this policy to all staff, 2) take no action without consulting the designated contact at the respective university or special school, 3) recommend appropriate temporary disciplinary action when there is evidence of wrong-doing, and 4) if suspension or termination is recommended, consult with a campus representative.

D. The designated contact at the respective university or special school shall communicate the suspected or known fraudulent act to the Director of Internal Audit of the Board Office. The designated contact shall initiate internal investigative actions of the suspected or known act.

E. Director of Internal Audit shall investigate suspected or known fraudulent acts in cooperation with the designated contact at the respective university or special school.

F. Recognized fraudulent acts will be reported to the appropriate law enforcement authorities by the Director of Internal Audit or the designated contact at the respective university or special school.

3. Prevention

Each university and special school shall maintain an internal control environment to protect the university or special school from loss or other damages as a result of a fraudulent act.

4. False Allegations

   False allegations of suspected fraud with the intent to disrupt or cause harm to another will be subject to disciplinary action according to procedures in place for their respective employment classification.

5. Corrective Actions and Discipline

   Appropriate and timely action will be taken against those proven to have committed a fraudulent act. These remedial actions may include, but are not limited to:

   A. Disciplinary action (up to and including termination of employment),
   B. Restitution for all losses, including investigation and legal expenses,
   C. Forwarding information to the appropriate authorities for criminal prosecution, and
   D. Institution of civil action to recover losses.
   E. Where an institution elects to take corrective or disciplinary action, it will proceed under the procedures in place under Board policy or under any collective bargaining agreement for the respective employment classification.
   F. An institution may take corrective or disciplinary action without awaiting the resolution of criminal or civil proceedings arising from the fraudulent conduct.

6. Other

   All investigations will be conducted in confidence insofar as reasonably possible. The name or names of those communicating information about a fraudulent act and the name or names of those suspected of a fraudulent act will be revealed when required in conjunction of the investigation or legal action.

(Refer to the SD Board of Regents policy manual number 4:37 at https://www.sdbor.edu/policy/documents/4-37.pdf

2.27 Risk Management

As part of the Bureau of Administration, the Office of Risk Management focuses on protecting the state's assets and resources by identifying exposures to loss and providing alternative methods to finance, transfer, reduce, or eliminate those losses. The office provides the following services: developing safety and loss control programs, conducting loss control audits, educating through seminars and assistance information, and negotiating insurance coverage.

Managed by the state risk manager, the Public Entity Pool for Liability (PEPL) Fund is a funded self-insurance program, which provides coverage for general liability, law enforcement liability, public official's errors and omissions liability, automobile liability, and some medical malpractice liability. The coverage extends to all current and former employees and elected and appointed officers of the state and applies to any accident, act, error, omission, or event during the coverage period, which results in damages and arises within the scope of the employee's duties for the state.
There are, however, limits to the state's coverage. For example, the state does not pay for injuries covered by other insurance; does not pay when agencies or employees are not legally responsible to prevent accidents; does not cover liability arising out of the employee's willful and wanton misconduct including but not limited to reckless disregard for the safety of others and intentional disregard of a duty under laws, rules, policies, or regulations the employee is governed by; and maintains a limit of $1,000,000 per occurrence.

When state employees are driving state vehicles on state business, they are covered by workers' compensation. Non-state employees who are on official business for the state are covered by automobile liability through the PEPL fund. Belongings in the vehicle are not insured by the state. When employees use their personal vehicles,

their automobile insurance policy provides coverage for physical damage, loss, or liability. Both the workers' compensation and personal property coverage are the same as when operating a state vehicle. In situations where the loss exceeds personal policy limits, the state will cover the excess liability under certain terms of the PEPL agreement.

State employees are expected to promptly and properly report accidents, incidents, unsafe conditions, as well as claims made against the State of South Dakota. All accidents involving a fatality, serious bodily injury, or serious property damage should immediately be reported to Claims Associates, Inc., the state's claims adjusting service, at their 24-hour emergency number, 1-888-430-2249. All accident reporting information is located in the glove compartment or other convenient place in every state vehicle.

2.28 Social Networking Policy

Social media usage at Northern State University is governed by the same policies governing all other electronic communications. Violations of the Acceptable Use Policy, the NSU Employee Handbook, or the NSU Faculty Handbook will be handled as any other violation of an NSU policy.

Northern State University recognizes that employees may view and participate in social networking websites or similar media including, but not limited to; blogs, Facebook, Twitter, etc. during non-working hours. The use of the university network to access non-work related sites, including social media sites, during regular office hours is not acceptable and violates the NSU and SDBOR Acceptable Use Policies.

Exceptions may be made for business related purposes. Faculty, instructors, and staff using social media sites for instructional or work-related purposes should refrain from using their personal sites for student responses and/or interaction. A separate site should be created for items relating to university business.

Employees who use social media sites are expected to refrain from presenting themselves as a representative of Northern State University or from portraying NSU in a negative manner. Employees are expected to show professionalism in any postings dealing with NSU or any people in its employ. Discretion and good judgment are expected.

Employees are expected to respect the privacy of other employees and refrain from posting photos, opinions, or other information which may portray other employees, students, NSU, or other business relationships with NSU in a negative manner.

The publication of confidential information is prohibited. If there is a question as to whether something is confidential, seek counsel from your supervisor or one of the vice presidents on campus.

Employees are expected to comply with copyright laws and avoid plagiarism. NSU trademarks and logos may not be used without prior written consent.

Any violations of this policy should be reported to the employee's direct supervisor or human resources.

2.29 Death of an Active Employee

Northern State University owes all necessary help, information and service to the immediate family of an employee who dies while actively employed. Staff and managers should respond compassionately and humanely to the family's needs.

Managers and supervisors should notify the Human Resources Department in the event of an active employee's death. Human Resources will contact the employee's family to make arrangements for life insurance payments, final paycheck, retirement and any other benefits payable to the estate or beneficiaries.

Staff in the employee's department will assist in gathering all personal belongings. Human Resources will make arrangements to return the belongings to the family.

Human Resources will submit an electronic workflow to terminate the employee in the payroll system. This will send an automatic message to NET Services to disable the employee's email account. Once disabled, an automatic reply is generated that the account is not a valid recipient. NET Services will also clear the password. As of the date of death, the account enters the "grace period;" at the end of the grace period, the account is deleted.

2.30 Whistle Blowing Policy

Northern State University requires its trustees, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. The University's internal controls and operating procedures are intended to deter and prohibit activity that is contrary to University policy, or is in violation of federal, state or local laws and regulations. This policy is intended to protect any student or employee who engages in good faith disclosure of an alleged action or omission, reasonably believed to be a violation of laws, regulations, or the University's policies or procedures, by a University official or employee. Violations may include, but are not limited to:

- A violation of a federal, state, or local law;
- Fraud or financial irregularities;
- Violation of any University policy;
- Fraudulent financial reporting;
- Forgery or alteration of any documents;
- Unauthorized alteration or manipulation of computer files;
- The use of University, property, resources or authority for personal gain or for non-University-related purpose except as authorized or provided under University policy;
- Authorizing or receiving compensation for services not received or services not performed;
- Requesting reimbursement for expenses not incurred;
- Authorizing or receiving compensation for hours not worked;
- Activities endangering the health and safety of others;
- A violation of SDBOR policy

This policy prohibits retaliation in any form against an employee or student who in good faith reasonably believes and reports such alleged violations to the University's attention. However, any employee or student who knowingly makes false accusations of misconduct shall be subject to disciplinary action. This policy also prohibits retaliation in any form against an employee or student who participates in or otherwise assists with an administrative proceeding, judicial proceeding, or investigation under this policy by the University, the Audit and Risk Management Committee of the Board of Regents, or government agencies. Any employee or

student who takes any action whatsoever in retaliation against an employee or student of the University who has in good faith and with reasonable belief of a violation raised any question or concern or made a report under this policy shall be subject to discipline, up to and including termination of employment. Any employee or student who encourages others to retaliate also violates this policy and will be subject to such disciplinary action. The University will investigate any reported violation of laws, regulations, policies, or procedures by a University official or employee. Anyone found to have engaged in such violations is subject to disciplinary action, up to and including termination of employment, subject to applicable University procedures. All members of the University community are expected and encouraged to report possible violations through appropriate University procedures published elsewhere or by contacting the Vice President supervising the university official or employee whose conduct is in question; however, anyone concerned about possible retaliation may use the special reporting mechanisms of this policy ("whistleblower reporting"). Regardless of how the report of possible violations is filed, any concern about apparent retaliation for reporting a possible violation should be reported through the procedures outlined in this policy.

REPORTING AND INVESTIGATION

This section applies both to whistleblower reporting and to reporting retaliation against whistleblowers. Reports of suspected violations can be made confidentially and/or anonymously. The University will investigate such reports, but the promise of confidentiality cannot be assured, depending on the nature of the violation and the course of the investigation. Efforts within legal limits will be made to protect the confidentiality of the source. To the extent possible, any report or complaint should be factual and contain as much specific information as possible setting forth all of the information about which the employee or student has knowledge. In conducting the investigation, the University may retain outside legal or accounting expertise. Staff members should direct their reports under this policy to the Director of Human Resources. If the Director of Human Resources is not available, or if the staff member is uncomfortable reporting the suspected violation to the Director of Human Resources, he or she may direct the report to the Vice President for Academic Affairs. Faculty members should direct their reports under this policy to the Vice President for Academic Affairs. If the Vice President for Academic Affairs is not available, or if the faculty member is uncomfortable reporting the suspected violation to the Vice President for Academic Affairs, he or she may direct the report to the Director of Human Resources. Students should direct their reports under this policy to the Vice President of Student Affairs. If the Vice President of Student Affairs is not available, or if the student is uncomfortable reporting the suspected violation to the Vice President for Student Affairs, he or she may direct the report to the Vice President for Academic Affairs. Supervisors and Department Chairs who receive reports of suspected violations under this policy should not investigate those reports but should forward them to the Director of Human Resources or Vice President for Academic Affairs, as indicated above.

The Vice President of Student Affairs, Director of Human Resources and Vice President for Finance and Administration and Vice President for Academic Affairs who receive reports of suspected violations under this policy should immediately forward them to the President who shall designate a coordinator to investigate the suspected violations. The procedures for investigation and for decisions regarding actions to take in light of the findings will follow other relevant university policies and procedures if the suspected violation is covered by another policy; otherwise appropriate procedures will be selected by the Coordinator after consultation with the President. The Coordinator of the investigation of the suspected violations will report

findings to the President who will share findings of violations and actions taken with the Board of Regents and the Chair of the Audit and Risk Management Committee. Exceptions: If the investigation is of the President, the Vice President of Student Affairs, Director of Human Resources or Vice President for Academic Affairs who receives the report should forward the report to the Board of Regents who shall designate a coordinator whose consultation on procedures will be with the Board of Regents, and the decision on action will be made by the Board of Regents.

2.31 Pet Policy

Northern State University is responsible for assuring the health and safety of all employees. In keeping with this objective, NSU does not permit employees to bring their household pets to work. Animals may pose a threat of infection and may cause allergic reactions in other employees. Some employees may feel threatened or be distracted by the presence of animals, particularly dogs. If an employee is in need of a therapy animal, please contact Human Resources.

Section 3
EMPLOYEE CLASSIFICATIONS

3.0 General

Proper classification of employees is important to administering salaries, determining eligibility under SDBOR's employee benefits plan, and complying with employment and tax laws. SDBOR offers regular full-time and regular part-time employment, and may offer temporary employment opportunities to meet a variety of staffing requirements and accommodate employee needs and preferences. All employees, whether regular full-time, regular part-time, or temporary, are classified as exempt or non-exempt for overtime and minimum wage requirements.

3.1 Employee Definitions

A. Regular Full-Time Employee – In accordance with SDCL 2-14-2(12), a regular full-time employee is an employee who is employed by the agency to work a predetermined schedule of at least forty (40) hours per normal workweek and has completed his/her training period. A regular full-time employee may be exempt or non-exempt and may be eligible for the following benefits which may be paid by the employer or by the employee. These benefits will be explained in section 7.

Benefits
Sick Leave
Annual (Vacation) Leave
Personal Leave
Military Training Leave
Health Insurance
Dental Plan
Vision Plan
Life & Disability Plan
Cafeteria Plan
Supplemental Insurance
Holiday Pay
SDRS Retirement
Family Medical Leave Act (FMLA) (if applicable)
Reduced Tuition (if applicable)
Longevity
Life Insurance

B. Regular Part-Time Employee – A regular part-time employee is an employee who regularly works fewer than forty (40) hours per week but twenty (20) or more hours per week and has completed his/her training period. A regular part-time employee may be exempt or non-exempt and may be eligible for the following benefits which may be paid by the employer or by the employee. These benefits will be explained in section 7.

Benefits
Sick Leave
Annual (Vacation) Leave
Personal Leave
Military Training Leave
Health Insurance
Dental Plan
Vision Plan
Life & Disability Plan
Cafeteria Plan

Supplemental Insurance
Holiday Pay
SDRS Retirement
Family Medical Leave Act (FMLA) (if applicable)
Reduced Tuition (if applicable)
Longevity
Life Insurance

C. **Part-Time Employee** – A part-time employee is an employee who works fewer than twenty (20) hours per work week and has completed his/her training period. A part-time employee may be exempt or non-exempt and is not eligible for benefits.
D. **Seasonal or Temporary Employee** – A seasonal or temporary employee is an employee who is employed by the agency for a specified period of time or for the duration of a specified and definable project. A seasonal or temporary employee may be exempt or non-exempt and is not eligible for benefits.

3.2 Employee Classifications

A. **Non-faculty Exempt** – The title "non-faculty exempt" means this group of employees are not faculty but are exempt from the State Career Service System. These are employees who perform administrative and professional support functions.
B. **Career Service Employee** – Employees whose positions are covered by the provisions of the Career Service Act that became law in 1973. They include professional, technical, clerical, labor, and trade positions. The positions are classified and the salaries are set in accordance with the state system.

3.3 Non-exempt and Exempt Status

A. **Exempt Status** - Exempt employees are not subject to federal and state overtime requirements. An employee is exempt if determined to be an executive, an administrative or professional employee, a computer specialist, or an outside sales representative as defined by the Fair Labor Standards Act.
B. **Non-exempt Status** – Non-exempt employee are entitled to overtime pay of at least one-and-one-half times (1½) his/her regular rate for hours worked in excess of 40 in any work week. Any employee who is not classified as exempt is non-exempt.

3.4 Training (Probationary) Period

New employees of the state must complete a probationary period when they begin employment. The probationary period lasts for the first 1,040 regular hours of work, excluding overtime. This amounts to six months for full-time employees who have not taken leave without pay during the probationary period. During the probationary period, you accumulate annual and sick leave. You may use your accumulated sick leave as needed, but you may not use annual leave until you have completed the six months probationary period. You are not eligible for payment of annual leave if you leave employment during the probationary period.

Purpose of Training Period

The training period is an intrinsic part and extension of the employee selection process during which the employee will be considered in training and under careful observation and evaluation by supervisory personnel. Generally, this period will be utilized to train and evaluate the employee's effective adjustment to work tasks; conduct; observance of rules; attendance; and job responsibilities. The training period will be six (6) months for all new employees.

If, at the conclusion of the employee's training period, the employee's performance and employment conditions have been satisfactory in all respects in the opinion of supervising personnel and such satisfactory performance has been documented through a satisfactory performance appraisal, and advancement to an employee classification is deemed mutually advantageous to the agency and the employee, the employee shall then be advanced to the appropriate employment status. However, in the event the employee does not meet the qualifications of the position, such employment may be terminated if either the agency or the employee feels this is the appropriate action.

During the probationary period, you are an at will employee who can be dismissed for any reason, at any time. Your only right to appeal a termination during the probationary period is on the basis of a prohibited form of discrimination.

Career Service employees - will have two formal reviews of their performance during the probationary period. Full-time employees are evaluated at the end of three and five months of employment. Following successful completion of the probationary period, you achieve status as a Career Service Employee.

Non-Faculty Exempt employees – may have a formal review of their performance at the end of the six month probationary period.

Transfer of Employment

If an employee transfers from one agency to another after the completion of his/her first six-months of employment, that employee would not have a training period.

3.5 Classification System

Following a review of the duties, responsibilities and authority, your position has been classified into a group of positions of similar nature called a class. A pay grade is established for each classification. Copies of class specifications are available on the Bureau of Human Resources website (http://bhr.sd.gov/) or the Human Resources Office.

As you read your class specification, you may notice that some of the duties you may be required to perform are not listed and some things in the list are not a part of you job. This is because a class specification is meant to be descriptive, not restrictive. In other words, the duties listed are only general; examples of the work performed by employees in your classification.

If at any time you feel you are consistently performing duties that fit another class specification you are encouraged to notify your supervisor or the Human Resources Department. You will then need to go online to https://yourfuture.sdbor.edu to complete a reclassification form. After completing your portion of the questionnaire, it will be forwarded to your supervisor so that the supervisor's section can be completed. Once the form is completed by you and your supervisor; it is forwarded to the Human Resources Department. The HR Department will conduct a desk audit to review your position for the correct classification. The HR Department will make a recommendation for reclassification. The Board of Regents makes the final determination. For additional information contact the Human Resources Department at 626-2520.

Section 4
RECRUITMENT AND SELECTION

4.0 General

It is the policy of SDBOR to recruit and fill job vacancies with the most qualified applicant for the position. The agency has two methods of recruiting qualified applicants to fill job vacancies: internal and external. If in the best interest of the agency, promotions or transfers of individuals already employed with the agency shall be given first consideration. This consideration however, does not entitle the individual to an automatic promotion or transfer. If in the event an internal promotion or transfer is not in the best interest of the agency, management may hire externally from outside the agency.

All selections shall be based on merit and fitness to fill the job vacancy. All recruitment efforts are based upon equal employment opportunity and conducted without regard to age, race, color, religion, creed, national origin, sex marital status, disability, veterans status, pregnancy, gender, ancestry, medical condition, and/or any other protected group status.

4.1 Guidelines

The Human Resources office provides guidelines to search committees during recruitment. These guidelines have been created to assist in ensuring equal employment opportunity and to ensure adherence to the Affirmative Action Plan outlined by the SDBOR.

4.2 Job Descriptions

When job openings occur, all hiring managers must adhere to the following procedures to ensure fast and efficient filling of an open position. As with all other aspects of its selection and hiring process, SDBOR makes every effort to ensure equal employment opportunity for all individuals and abides by the EEO and nondiscrimination provisions of all applicable federal, state, and local laws.

A. Hiring Manager's Responsibilities – When filling a job vacancy, the manager to whom the position reports must ensure that an accurate up-to-date job description exists for an open position. A Position Description Form must then be completed by the Hiring Manager.

B. Management Review and Approval – After receiving a Position Description Form, management should review the form for completeness and accuracy and make sure that the position is authorized under the department's current budget. The manager should then sign the form and send it, along with the updated job description and advertisement, to the Human Resources Department.

C. Job Description Requirements – In drafting a job description for both existing and newly created positions, the hiring manager must identify all of the position's essential functions and submit such functions to the Human Resources Department. Hiring managers should be alert to the need to revise and update job descriptions for any existing position whose duties, activities, or requirements have been changed or modified since the last description was prepared.

D. Post-Requisition Procedures – The Human Resources Department is responsible for ensuring that the job description and Position Description Form have been completed. Once both documents are in order, Human Resources notifies the hiring manager and initiates recruitment activities, such as internal postings, external advertisements, or other recruitment efforts. All postings and other

recruitment efforts must include notices indicating that SDBOR is an equal opportunity employer. Please refer to the Recruitment Guidelines.

(Information taken from SDBOR Employee Handbook-Feb 2005)

4.3 Job Announcements

All Career Service positions will be announced by the Human Resources Department under one of the following four forms:

- **Open/Competitive** - Vacancies announced as open/competitive to all current employees as well as the public.
- **Department Promotional** - These jobs are open only to permanent, probationary and/or status employees who work in the designated department, sub-unit or a specific classification.
- **Statewide Promotional** - These vacancies are open to all status or state employees.
- **Institutional Promotional** - These vacancies are open to all status employees of NSU.

Job announcements are posted on the SD Board of Regent's web site (https://yourfuture.sdbor.edu) and with the SD Department of Labor Aberdeen Office. Applicants must apply using the online application found on the Board of Regent's Employment Opportunity page. Contact the Human Resources Department for more information.

4.4 Disability Preference

Disability preference is extended to disabled individuals who have the knowledge and skills required for the position. Disabled applicants requesting preference through the South Dakota Department of Vocational Rehabilitation and the Bureau of Human Resources will be certified for an interview.

4.5 Veterans' Preference

Individuals who have served active duty in the armed forces of the United States and meet the definition of a veteran as defined in SDCL 33-17-2 may be eligible for veterans' preference. Applicants must provide form DD214 to receive preference.

PLEASE NOTE: All applicants, including current NSU employees, will be required to submit a complete online application for each job announcement. Applicants should be advised to check all announcements for testing requirements and deadlines.

4.6 Background Checks

Background checks are utilized for all open positions at Northern State University. Current Northern State Employees without a background check in his/her file may be subject to a background check if applying for an open position. The background check verifies degrees, certifications, and past employment to ensure accuracy of the information provided and to ensure the candidate meets or exceeds the job requirements.

4.7 Official Transcript Requirement for Employees

For all positions that require the completion of a College/University degree to gain employment, the employee/prospective employee must provide an official transcript. The transcript will be used to confirm that the degree was conferred. The transcript shall, at a minimum, be from the institution that granted the degree that qualifies the applicant for a position.

1. During the search process, the Human Resources Director or his/her designee will inform search committees that an official transcript is required for those positions requiring a college/University degree. This requirement will also be listed in the search committee guidelines document. The search committee will make every effort to make certain all applicants are aware of this requirement.
2. Other than emergency hires, the individual chosen to be hired must provide an official transcript prior to a contract being issued.
3. In rare cases, extenuating and unusual circumstances will be reviewed by the Director of Human Resources and appropriate modifications to time lines may be made.

4.8 Transfers and Promotions

Career service vacancies are published by e-mail, mailings, and posted on the Human Resources bulletin board. Probationary and status employees are eligible to apply for a transfer or promotion on a competitive basis.

Section 5
PERSONNEL RECORDS

5.0 Personnel Records

The Vice President for Academic Affairs (Provost) or designee is responsible for maintaining the official personnel records of all faculty. The Vice President for Finance and Administration is responsible for the official personnel files of all Non-faculty Exempt and Career Service employees. The Human Resources Director is designated by the Vice President of Finance and Administration to be responsible for maintaining the personnel records of all non-academic employees, applicants, adjuncts, etc. The Vice President for Student Affairs or designee is responsible for the official personnel files of student employees in accordance with this policy and applicable federal and state laws.

Employees may review their own personnel files by making an appointment with the appropriate office as identified above. The employee shall be provided copies if requested and may be required to pay the actual cost for making, certifying and compiling those records. Requests by employees to review or receive copies of the personnel files shall be complied with as soon as possible or within five working days from the date of request.

Unless required for grievance or litigated matters, all Non-Faculty Exempt and Career Service personnel records of Northern State University pertaining to applications for employment, to personnel investigations, performance appraisals, and other personnel-related materials shall be held confidential. An employee's name, title, salary, institution and department number may be confidential. An employee's name, title, salary, institution and department number may be released upon request. Additional information may only be released upon written permission signed by the employee or if traditionally released or required by management needs of the state higher education system. The costs of producing this information may be assessed by the originator to the requestor of the information. Requests for departmental, institutional, or system-wide salary data shall omit name identification unless justified in writing as to specific need.

Additional information may also be released to a party outside the institution requesting a professional reference, so long as the following conditions are met:

A. The person giving the reference has a reasonable basis to believe that the person making the request has authority to obtain a reference on behalf of a prospective employer, granting agency or other entity that may properly seek such information.
B. The person giving the reference has a reasonable basis to believe that the reference shall be used for a legitimate end, related to employment, education, funding or other customary academic purpose.
C. The person giving the reference makes a written memorandum noting the identity of the party making the request, the basis under paragraphs A and B for giving the reference and the date and means used to give the reference; which memorandum should be retained in departmental files for a period of three years.

5.1 Internal and External Dissemination

Additional Information may also be released to a party outside the institution requesting a professional reference, so long as the following conditions are met:

A. The person giving the reference has a reasonable basis to believe that the person making the request has authority to obtain a reference on behalf of a prospective employer, granting agency or other entity that may properly seek such information. This authority shall be in writing by the agency requesting such a reference as defined in statute below.

   Prospective Employer Request – SDCL 60-4-12. Presumption of good faith disclosure of employment information to prospective employers. Any employer or agent of the employer who, in writing, discloses information about the job performance of an employee or former employee to a prospective employer of that person at the written request of the prospective employer or the employee or former employee is presumed to be acting in good faith and, unless lack of good faith is shown by clear and convincing evidence, may not be held liable for the disclosure or its consequences. Any written response to the written request shall be made available to the employee or the former employee upon written request. For purposes of this section, the presumption of good faith is rebutted upon a showing that the employer or agent of the employer:

   a) Recklessly, knowingly, or with a malicious purpose, disclosed false or deliberately misleading information; or
   b) Disclosed information subject to a nondisclosure agreement or information that is confidential under any federal or state law.

B. The person giving the reference has a reasonable basis to believe that the reference shall be used for legitimate end, related to employment, education, funding, or other customary academic purpose.

C. The person giving the reference makes a written memorandum noting the identity of the party making the request, the basis under paragraphs A and B for giving the reference, and the date and means used to give the reference; which memorandum should be retained in departmental files for a period of three years.

5.2 Copy Charges

The costs of producing this information may be assessed by the originator to the requestor of the information.

5.3 Accuracy of Employee Information

To ensure that NSU's personnel files are up-to-date and contain accurate, complete information, employees are required to notify his/her supervisor of any changes that need to be made in the following categories: name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements, or individual to notify in case of an emergency.

Section 6
Hours of Work, Payroll &Compensation

6.0 Employee Forms

Federal law requires that new employees complete an I-9 form on, or before, their first day of work. Employees are also required to complete a W4 form. To verify your ability to legally work in the United States, you must provide documentation of your identity with a photo ID (such as a driver's license) and your U.S. Citizenship (your original social security card, a certified copy of your birth certificate, or a U.S. Passport). The directions for completion of the I-9 form contain a total listing of approved documents. If you are not a U.S. citizen, you will need to bring all your employment eligibility documents.

6.1 Standard Workweek and Workday

A forty-hour work week is standard for most departments. General working hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday, with a one-hour lunch. Summer hours are from 7:30 A.M. to 4:30 P.M., beginning the Monday after spring graduation and will end in August. Notification of specific dates will be e-mailed to employees each year. Certain operations require different hours or rotating schedules for weekend assignments. The calendar work week is from 12:01 A.M., Sunday to midnight the following Saturday. Hours in excess of forty hours per week may constitute overtime, and will be authorized only in emergencies or unusual circumstances.

6.2 Break Periods

Employees receive a one (1) hour non-paid break for lunch, and two (2) paid twenty minute breaks; one in the morning and one in the afternoon. Rest breaks are counted as actual hours worked and **may not** be accumulated for time off. Breaks are not guaranteed to the employee. Employees must be available to return to their work areas, if necessary, during the rest break. Occasionally, workload may preclude a rest break. It is the responsibility of the supervisor to schedule breaks that do not disrupt the regular operating procedures.

Supervisors will establish working hours and schedules for each employee. Tardiness, unexcused absences, abuse of sick leave, or wasting State time can be cause for disciplinary action.

6.3 Pay Period, Pay Deductions, and Direct Deposit

Board of Regents employees are paid on the last working day of each month. The pay cycle is from the 22nd of one month to the 21st of the next month. All payroll payments must be directly deposited into a financial institution of your choice. Employees may choose more than one account for electronic deposit. This direct deposit policy can be found at the SDBOR's web site https://www.sdbor.edu/policy/Documents/4-36.pdf#search=direct%20deposit under section IV of the SDBOR manual.

Emails will be distributed (with the password information) to the electronic pay stub, which summarizes pay and deductions. This email serves as your paystub which can be used to verify income/employment. Pay day is the last working day of the month.

6.4 Pay Options

Northern State University Faculty or Exempt staff on less than a 12-month appointment must elect payment of their contract over 12 pay periods.

Should an employee on an extension of pay periods terminate employment, salary due will be paid in full with the final paycheck. Under no circumstances will employer-paid insurance benefits extend beyond the last pay period of active status.

6.5 Time and Leave Reporting

All NSU employees are required to complete an electronic timesheet each month on the University's SNAP portal. All new employees will receive login and password information from the Human Resources Department shortly after the first day of employment. CSA employees will be required to enter the number of hours worked each day, in compliance with the Fair Labor Standards Act. Faculty and Non-Faculty Exempt employees are only required to submit the electronic timesheets indicating exception time entry for leave purposes each month.

Employees requesting leave must complete a separate Leave Request form on the SNAP portal prior to the month the leave will be taken. Once approved, this leave time will automatically populate the timesheet.

Supervisors are required to review each employee's timesheet for accuracy, make necessary corrections, and approve in a timely manner. Intentional falsification of time sheets may result in disciplinary action.

SNAP Portal

All employees will need to log into the SNAP portal system to retrieve the following information including:

- Direct Deposit
- Pay Stub
- Job Details
- Leave Details
- Employee Directory
- Update Emergency Contacts
- Time Reporting

The SNAP portal can be accessed at **http://snap.sdbor.edu**. You will need to enter your User ID and password

- User ID typically follows the format of first initial, middle initial, last name
- The first time you log on your password should be your date of birth (MM/DD/YY). Once you've logged in you will be prompted to change your password and set up security questions.

All employees are STRONGLY ENCOURAGED to review their information to ensure it is accurate.

All questions regarding online timesheets should be directed to the Human Resources Department.

6.6 Standard Payroll Deductions

- **Federal Income Tax:** The amount deducted is determined by your tax bracket and the number of deductions you claimed on your withholding (W-4) form.
- **Social Security (FICA):** The U.S. Congress sets this percentage. The current deduction is 7.65%. (This percentage includes a deduction for Medicare).
- **Unemployment Insurance:** Employees are covered under the provisions of the Employment Security Law of SD. Under this law, employees who become

unemployed or whose working hours are reduced to less than full time, are eligible for unemployment benefits provided that:

1. They are able to work; and
2. They must meet eligibility requirements.

The South Dakota Unemployment Insurance Law provides that non-professional school employees shall be denied unemployment insurance benefits if the individual was employed at the end of the present school term and there is reasonable assurance the individual will again be employed during the next school term. Employees working less than full time or become unemployed, and are available for work, should register for work and file a claim for benefits at a state employment office.

- **South Dakota Retirement System:** This deduction is only for those employees with appointments to permanent positions lasting at least 6 months, 50% time. The current deduction is 6%.

  The benefits provided by the South Dakota Retirement System are:
  - Early Retirement Benefits
  - Normal Retirement Benefits
  - Family Survivor Benefits
  - Disability Benefits

  For additional information regarding your retirement benefits contact the Human Resources Department, the South Dakota Retirement System (605-773-3731), or you can view more information at http://sdrs.sd.gov/.

6.7 Voluntary Payroll Deductions

Several deductions have been authorized by the Board of Regents for benefits eligible staff and will be made at your request.

- Supplemental Retirement Plan (SRP) - SDRS
- Dependent Health Insurance
- Dependent Life Insurance
- Supplemental Life Insurance
- Additional withholding for Federal Income Tax (FIT)
- Flexible Benefits: *Dental, Vision, Major Injury Protection, Hospital Income Protection, Short Term Disability, Aflac, Long Term Care Insurance*

Other Payroll Deductions

- Tax Sheltered Annuities
- Savings Bonds
- COHE (Council of Higher Education) and SDSEO (SD State Employees Organization) dues
- NSU Foundation
- United Way

6.8 Holiday Pay

Holidays, as defined in Policy 8, are considered leave, and therefore, holiday hours will not count as hours worked for purposes of computing overtime. All overtime-eligible employees who work at least one shift or are on approved paid leave during the calendar week in which the holiday falls are eligible for holiday pay. For payroll purposes, a holiday is no more than eight (8) hours. An employee who is on leave without pay for the entire week when a holiday occurs will not receive holiday benefits.

Employees who are newly hired into the system and who begin work the day after a holiday will not receive the holiday pay hours.

As provided by South Dakota law, an employee must be compensated with time off or cash reimbursement for holiday hours. An employee who is required to work on a holiday may be compensated in one of two ways: Take off an equal number of hours at a later date, or receive straight time paid in cash for an equal number of hours.

For example, overtime eligible employees who work 32 or more hours in a week when an eight hour holiday is observed will be paid straight time for the "extra" hours over 32 and up to 40. If an overtime eligible employee actually works more than 40 hours, exclusive of the eight holiday hours, time and one-half will be paid for those hours over 40.

Part-time employees will receive prorated holiday pay depending upon the average number of hours they have worked in the previous three months of their appointment.

The State of South Dakota recognizes the following federal holidays:

New Year's Day.....January 1
Martin Luther King, Jr. Day..... third Monday in January
Presidents' Day..... third Monday in February
Memorial Day.....last Monday in May
Independence Day .....July 4
Labor Day.....first Monday in September
Native American Day .....second Monday in October
Veterans Day..... November 11
Thanksgiving.....fourth Thursday in November
Christmas..... December 25

If a holiday from the list falls on a Saturday, the preceding Friday is observed as the paid holiday. If a holiday falls on a Sunday, it is observed on the following Monday.

6.9 Absence for Religious Holidays

Northern State University permits absences from work for employees to participate in religious observances. Employees are responsible for giving supervisors a notice of at least two weeks that they will be taking time for this purpose. Employees are also responsible for informing supervisors how this time will be handled. Three options are available:

a. Take time off as paid vacation;
b. Take time off without pay;
c. Make up for lost time during the same week as the holiday occurs.

Contact the Human Resources Department (626-2520) if you have any questions on religious observances.

6.10 Overtime/Compensatory Time Off

Overtime will be computed as actual hours physically worked in excess of 40 hours per week. Overtime will commence with the 41st hour worked in the workweek. In computing overtime hours, holiday, administrative, and leave hours will not be considered as hours worked.

Employees who are required to work more than 40 hours in one week and are in a position that is subject to the Fair Labor Standards Act (FLSA) will be compensated by a combination of overtime and compensatory time at the rate of one and one half times the hourly wage. All hours worked must be recorded on the timesheet so that compensatory time off is calculated properly and recorded. All overtime hours must be approved by the supervisor **prior** to being worked. Cash payment for overtime

worked must receive advance authorization from the Human Resources Department and the Vice President for Finance and Administration. Compensatory time may be accumulated to a maximum amount of 40 hours.

The full policy can be found at the SDBOR's website (https://www.sdbor.edu/policy/Documents/4-25.pdf#search=overtime) under section IV of the SDBOR manual.

6.11 Alternative Work Schedules

It is the goal of the state of South Dakota and the Board of Regents to provide employees with a work environment that allows them to balance work and life activities. As an employer, the SDBOR recognizes the need for flexibility in scheduling to provide employees the opportunity to participate in family and community activities. To achieve this goal, employees and supervisors are encouraged to use alternative work schedules. Alternative work schedules will enable managers to meet their program goals and provide better customer service while, at the same time, allowing employees to be more flexible in scheduling their personal activities.

Within guidelines, it is the policy of the state to provide employees the opportunity to request the hours of work that suit their individual needs.

6.11.1 Alternative Work Schedules Available

A. **Flexible work schedule** - With supervisory approval, employees may request alternative starting and stopping times during the workweek. The starting and stopping times and the lunch period are fixed for the duration of the flexible schedule unless the supervisor discontinues or temporarily suspends the flexible work schedule. Salaried employees on a flexible work schedule may be required to work additional hours or adjust their schedule to meet the requirements of their position.

B. **Flextime** – With supervisory approval, employees may occasionally modify their daily work schedule. Adjustments may be made at any time to allow employees flexibility in their schedule during the week. Hourly employees must make up hours flexed at a different time during the work week. Hourly employees who are unable to make up hours flexed during the work week must take either paid or unpaid leave. Salaried employees may not flex an entire day.

C. **Work Adjust** – Work adjust is adjusting hours for work performed outside the normal work schedule to meet the requirements of the agency. Work adjust is intended for short-term changes to an employee's schedule to meet workload requirements. Work adjust applies to hourly employees and is not appropriate for salaried employees.

6.11.2 Eligibility for Alternative Work Schedules

Supervisors will work with employees and attempt to accommodate their scheduling requests. Alternative work schedules, however, may not be available to every employee at any time because of customer service requirements and workload requirements. If alternate work schedules are not possible, the supervisor should explain why the request for an alternative work schedule cannot be honored.

6.11.3 Guidelines

Offices will be open during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, including the noon hour. Service to both internal and external customers must be maintained during those hours. Rest periods are a normal part of the work schedule and cannot be accumulated or be included

as a basis for a flexible work schedule. A lunch break of at least 30 minutes of uninterrupted time is recommended.

6.11.4 **Responsibilities**

Teamwork among employees and management is an important factor in implementing alternative work schedules and achieving positive benefits associated with alternative work schedules. Meaningful work must be available for the employee during the entire alternate work schedule. Supervisors and employees are mutually responsible for ensuring successful alternative work scheduling programs.

A. Supervisors shall:
   1. Ensure adequate, not minimal, staff is available to serve the needs of the public. Both internal and external "customer" needs will be considered to determine adequate staffing.
   2. Ensure that alternative work schedules are administered consistently and equitably.
   3. Ensure alternative work schedules do not cause or contribute to the need for additional staff or overtime work.
   4. Ensure work that requires regular supervision or essential interaction with other staff is scheduled when supervisors and interacting staff are available.
   5. Ensure the work site has adequate supervisory and management coverage at all times.

B. Employees shall:
   1. Plan and organize their time to meet the job requirements established by the supervisor.
   2. Participate in the resolution of conflicts between the job and the alternative work schedule and inform the supervisor when coverage is not adequate.
   3. Be able to meet workload requirements and be available for scheduled conferences and meetings. The requirements of the job always take precedence over the alternative work schedule.
   4. Not engage in excessive socializing prior to the beginning of their workday when employees are already engaged in their work schedule. This can be disruptive to the work patterns of employees with earlier starting times.
   5. Non-exempt employees shall record actual hours worked for each day on the time sheet.

6.11.5 **Procedures for Requesting an Alternative Work Schedule**

A Request for an Alternative Work Schedule (AWS) form must be completed by the employee and submitted to the supervisor for approval if the employee wants to participate in a flexible work schedule and can be found with the following link: https://www.sdbor.edu/policy/Documents/4-39.pdf#search=alternative%20work. A copy of this form should be sent to your Human Resources Director to be placed in the employee's personnel file. A form is not required to participate in occasional flextime.

6.11.6 **Changes to Work Schedules**

Alternative schedules do not alter the responsibility and authority of supervisors to establish and change work schedules without prior notice. Supervisors may discontinue or temporarily suspend alternative work schedules when necessary. Alternative work schedules may also be altered if work needs change or if service is impaired.

To ensure an opportunity for all employees to request an alternative work schedule and to ensure the schedule remains workable for the employee and NSU, requests for flexible work schedules should be reevaluated at least every three months.

6.12 Inconvenience Pay

A Career Service (CSA) employee who has left his/her normal place of work or his/her residence and is unexpectedly required to return to work prior to the start of the next regular shift, shall be guaranteed a minimum of three (3) hours pay regardless of hours actually worked. Time will be recorded on the employee's electronic time sheet under 'Inconvenience Pay'. The employee must manually enter the three hours.

Up to three (3) hours of inconvenience pay hours (not actually worked) will be compensated as straight time and will not be used to calculate overtime.

Employees who are called in prior to the beginning of their scheduled shift and are allowed to continue working through the shift are not eligible for inconvenience pay. Only the hours actually worked are used in the computation of overtime.

The full policy can be found at the SDBOR's website (https://www.sdbor.edu/policy/Documents/4-25.pdf#search=inconvenience%20pay under section IV of the SDBOR manual.

6.13 Overload/Adjunct/Online Teaching

On occasion Northern State University has opportunities for current faculty and/or staff to accept paid overload, adjunct, or online teaching assignments. Because this type of assignment and reimbursement is in addition to the primary position and salary, overloads and continuing education classes must be scheduled outside the regular day, and in no way interfere with regularly assigned responsibilities.

As such, NSU is instituting a policy regulating the number of overload, adjunct, or online teaching credits an administrative or staff employee can effectively teach each semester. Effective August 22, 2009 administrative and staff employees (this does not include unit faculty members) will not be allowed to accept overload, adjunct, or online teaching credits exceeding 10% of annual salary (or the equivalent of a 4-credit class) per semester. This includes each summer session for 12-month employees.

Faculty overload contracts are covered under the COHE policy as well as the faculty handbook. However, with regards to online teaching, faculty will be unable to accept online teaching assignments exceeding 10% of annual salary during the regular school year. When faculty is off contract, additional online teaching assignments may be accepted.

6.14 Exempt Non-Faculty Salary Administration

Salary increases are governed by legislative authorization and policy of the Board of Regents. No individual is guaranteed an increase on an annual basis. All adjustments to an employee's salary are subject to approval of the Executive Director and the Board of Regents.

6.14.1 Compensation Guidelines

SDBOR employs persons in non-faculty exempt positions at a salary that incorporates market considerations, departmental and institutional equity, performance, and budget constraints. All work performed by the incumbent that is incorporated in the job description's duties and responsibilities is compensated for by the salary of the position.

6.14.2 Annual Salary Adjustments

When awarded, annual salary adjustments are effective on June 22, the first day of the fiscal year pay cycle. Annual adjustments are recommended by the immediate supervisor as part of the regular fiscal year budget process and must be approved by the Executive Director. Upon approval by the Executive Director, recommendations are forwarded to the Board of Regents for final approval.

6.15 CSA Salary Administration

The compensation program for employees in Judicial, Legislative and Executive (including Higher Education) branches of state government will attract and retain quality employees with competitive total compensation based on relevant labor markets. The compensation program will be administered with fairness, equity and sound fiscal discipline. The program will reinforce a productive work climate and a culture of accountability. It will encourage employees to make the State their employer of choice, and encourage employees to progress in their careers with the State.

6.15.1 **Compensation Components**

1. The compensation program will be implemented with fairness and equity throughout the state, yet will be flexible to meet the changing business and human resource needs. Multiple pay plans within each branch of state government may be used to address different occupational groups and market needs.
2. The compensation program will be strongly aligned with workforce planning to retain and reward to the current workforce and also to attract, reward, and retain the workforce of the future.
3. Compensation levels will be founded on internal equity based on a fair, defensible, and understandable method and comparable to similar positions in relevant markets.
4. All aspects of total remuneration (base salary, benefits, lump sum payments, and allowances) will be considered as a total compensation package for state employees.
5. Total compensation, as defined above, will be targeted at a competitive level in both total remuneration and cash compensation when compared to the relevant labor markets. The standard labor market will be defined as the six surrounding state governments and South Dakota public and private employers except when a reasonable and appropriate expanded labor market is justified. Higher Education will define a labor market to include regional and national markets for selected positions, such as faculty or senior administrators.
6. Pay delivery mechanisms will be based on a combination of establishing and maintaining relativity to market, achievement of performance objectives, recognition of differences in job content, and the acquisition and application of further skill and education. This does not preclude the State from utilizing monetary methods of employee recognition.
7. The State is committed to ensuring salary structures and rates of pay are up to date through the conduct of market surveys at regular intervals.
8. Compensation must be affordable and reasonable, and take into consideration both the fiscal resources of the State as an employer and those receiving services from the State.

6.15.2 **Salary Increases That May Be Approved Outside of Salary Policy**

A. Reclassification Raises – Raises are allowed for employees who are reclassified to a higher pay range. The amount that may be given is up to five percent or the minimum of the new pay range, whichever is greater. Back pay will be allowed retroactively to the log date. The log date is the beginning of the pay period following the employee's signature on the position description questionnaire. The log date appears on the classification action notice. Please see the System policy at https://www.sdbor.edu/policy/Documents/4-9.pdf#search=reclassification for detailed information on Reclassification and Grievances of Reclassifications.

B. Promotional Increases – Increases on a promotion are limited to five percent or the minimum of the new salary range, whichever is greater. Employees who promote into supervisory positions may receive an increase of more than five percent if their new salary will be below their subordinates' salaries. Any increases over five percent or the new minimum of the salary range, whichever is greater, must have prior approval of the Director of Human Resources.

C. Probationary Raises – After the completion of the probationary period, up to a five percent raise may be allowed. A five percent increase upon completion of the probationary period for employees at the minimum of the range is mandatory. Employees within five percent of minimum must receive an increase to bring the salary to at least five percent above minimum. This raise is only for employees who have completed their first 1040 hours of service to the state. Permanent part-time employees may be allowed the five percent raise at six months rather than the completion of 1040 hours. This does not mean they have completed probation; rather this is to keep pace with salary policy. Increases given under this circumstance must be approved by the Director of Human Resources. Probationary increases are not appropriate for employees who have promoted or transferred into other positions within state government. The employer may extend the probationary period in accordance with ARSD **55:01:18:25**.

D. Mandatory Increases due to Six Months in a New Range – Employees who have been in their pay range for six months must be at a salary that is five percent above the minimum of the range. Please note that probationary increases are treated differently than mandatory increases. Probationary employees may receive up to a five percent increase even if their salary is over five percent of the minimum of the pay range.

E. Lateral Transfer Increases – Transfers occur when neither a promotion nor demotion is involved. If an employee competes for a position in the same pay grade and is selected, the appointing authority may request an increase. Prior approval must be obtained for salary increases on lateral transfers by the Director or Human Resources. Automatic increases on a lateral transfer are not guaranteed.

F. Out-of-Class Pay – Out-of-class pay is allowed when an employee must serve in a higher-level position for more than five consecutive working days. The pay is set at either five percent or the minimum of the out-of-class range, whichever is greater. The employee must assume the essential functions of the higher level position before out-of-class pay can be approved.

G. Additional Duties Pay – Temporary and permanent additional duties pay will be allowed. Additional duties pay is limited to five percent. Each situation will be reviewed to determine if the additional pay is justified. In some situations, an employee is assigned more work; however, the employee is still working their normal schedule. In other words, 40 hours of work is 40 hours regardless of the tasks performed. If overtime is approved for an hourly employee, the employee is being compensated through payment for all hours worked. Because employees are compensated for all hours worked, there should be more justification for additional duties pay than the volume of work.

6.15.5 **Salary Increases That Are Not Allowed**

A. Pay Grade Change – Increases to move an employee's salary to the minimum of the range is mandatory. After six months in a new pay grade, employees must be paid at least five percent above minimum of the salary range. Further increases on a pay grade change require prior approval by the Director of Human Resources. The reclassification process will be closely monitored so that pay grade changes are not treated as reclassifications.

B. Increases Six Months after Promotion or Reclassification – Increases after six months of service in a different position are not allowed. Employees, who are promoted, demoted, laterally transferred, reclassified, or who enter the career service with no break in service will not be given another increase in six months.

6.15.6 **Other Salary Increases That May Occur**

There will be circumstances in which a salary increase is necessary but does not fall within one of the categories of allowed increases. Should an instance occur, please contact the Director of Human Resources.

Employees who are on a work improvement plan will receive the annual salary adjustment after successful completion of the work improvement plan. Employees whose performance is not acceptable due to the reasons for disciplinary action outlined in 55:01:12:05 Causes for Disciplinary Action will receive the annual salary adjustment after successful resolution of the problem. Employees in this circumstance will receive their annual salary adjustments the next time a performance appraisal is conducted or when the problem is successfully resolved.

6.16 Compensation for CSA Temporary Hire Policy

Department managers and supervisors must follow the same policies for setting salaries of newly hired temporary employees as for employees in permanent positions. Temporary employees must be paid at least the minimum of the salary range for which they have been hired. When applying salary policy, the payroll system will bring all employees in with the employee status of "T" to the minimum of the salary range. Increases beyond the amount needed to bring temporary employees to the range minimum will not be allowed.

6.17 Compensation for CSA Seasonal Hire Policy

Seasonal employee will be paid in accordance with the seasonal pay policy.

6.18 On-Call Time

Employees may be required to report to work in their off hours on short notice. If calls to perform work are so frequent or the readiness for work conditions are so restrictive that the employee is not really free to use the intervening periods effectively for his own benefit, the time must be considered hours worked.

Time spent on-call is considered hours worked if the employee is required to remain on the employer's premises or at a location specified by the employer. Employees who use beepers, cell phones and other communicating devices are considered to be not working, and the hours are not compensable. When employees are called out on a job assignment, only the time actually spent working is considered as hours worked. Inconvenience pay for up to three (3) hours may be required. Employees who live at the work site are not eligible for inconvenience pay. (Information taken from section IV of the SDBOR policy manual at https://www.sdbor.edu/policy/Documents/4-25.pdf#search=inconvenience%20pay

6.19 Job Related Training

Attendance at conferences, workshops, meetings, or classes is considered hours worked if the State pays travel expenses, registration fees, or tuition or if the employee is not required to take annual leave or leave without pay or to adjust the work schedule. This policy applies to any training for which the State pays, including night classes and continuing education at universities or adult education classes sponsored by high schools, unless all of the following conditions are met:

1. Attendance is outside of the employee's regular working hours;
2. Attendance is in fact voluntary and not directed or suggested by management;
3. The course, lecture or meeting is not directly related to the employee's job; and
4. The employee does not perform any productive work during such attendance.

If all of the criteria are met, the training need not be counted as hours worked.

Reduced tuition allowed by SDCL 3-20 does not constitute proof of job relatedness for purposes of determining whether such training should be counted as hours worked. (Information taken from section IV of the SDBOR policy manual at https://www.sdbor.edu/policy/Documents/5-5-2.pdf#search=reduced%20tuition

6.20 Travel Time/Meeting Time

- **Career Service Employees**

  Time spent in travel will be counted as hours worked and recorded on the employees' time sheet. Layovers at airports where the employee is not free to pursue personal interests is also included as time spent in travel and counted as hours worked.

  Actual meeting time outside of the normal work schedule is also considered hours worked. Hours in which employees are free to do as they please and time spent relaxing and sleeping are not compensable.

  Social activities at conferences outside of normal working hours are not considered working time unless the employee has been directed by management to attend the activity for the purpose of hosting guests or fulfilling a work-related function. For example, if management has directed an employee to coordinate and host a banquet as part of the institution's obligation at a conference, those hours are considered working time. If a volunteering employee attends a banquet at a conference and does not have an assigned role, the hours are not compensable.

- **Non-faculty Exempt Employees**

  Away from Home community (More than one day)
  Employees whose positions require them to travel and be gone overnight should be compensated for any travel time that occurs during their regular work hours any day of the week. For example, if an employee regularly works 8:00 A.M. to 5:00 P.M., Monday thru Friday, travel time during these hours is considered work time whether it occurs on a weekday or on Saturday and/or Sunday. Time spent in travel outside of regular work hours is not considered work time.

  One-Day Assignments in another City
  Employees who regularly work at a fixed location, but may be required to travel to another city for a one-day assignment (but NOT be gone overnight), should be compensated for the hours spent in travel. However, regular meal time would be deducted as well as any "home-to-work" time which may be involved.

NOTE: If it is for voluntary professional development, the department pays for regular work hours, not travel time; fees are paid at discretion of departmental management. If it is a required trip, the department pays for work time, as well as any fees or additional expenses in accordance with the University fiscal policy.

If the combination of work time and travel time is more than 40 hours in one work week, the time is paid at 1 – ½ times the hourly rate of pay.

6.21 Expense Reimbursement

SDBOR shall reimburse employee for all necessary expenses incurred by employee while traveling pursuant to employer's discretion.

6.21.1 **General Travel**

A. Personal vehicle use:
   1. If there are not state vehicles available, an employee may take his/her own vehicle and be reimbursed at the high mileage rate.
   2. If an employee chooses to take his/her own vehicle and there are state vehicles available, employees will be reimbursed at the low mileage rate.

B. If the employee is the only staff member who must attend a meeting outside of Aberdeen, he/she may be reimbursed both for using his/her own vehicle (at the appropriate rate); and for his/her motel room if the employee stays overnight. The employee's mileage reimbursement will be based upon direct routes to and from the destination.

C. Please make every effort to schedule the airline flight in hopes that no changes need to be made. Extra fees are charged if the flight information changes after it has been booked. **Retain plane ticket stubs for reimbursement.

6.21.2 **Mileage/Per Diem/Lodging**

Check with the Vice President of Finance and Administration's office (Krikac Administration Building, Room 205, ext. 2537) for the current reimbursement rates for mileage, meals and lodging.

6.22 Longevity Pay

Longevity pay is a reward for years of service to the State of South Dakota. It is a way to recognize experienced and dedicated state employees. Longevity pay is based on the total number of years worked for the state. The years of service need not be continuous. Employees with seven through ten years of service receive a $100

longevity check once per fiscal year. The rate increases by $5 per year in five-year increments.

For example, for years 11 through 14, the amount is $10 times the years of service. For 15 through 19 years of service, the amount is $15 times the years of service. [e.g. an employee with 14 years of service will receive $140 ($10 x 14 years) longevity payment (minus deductions), and an employee who serves for 22 years will receive a $440 ($20 x 22 years) longevity payment (minus deductions).]

The following guidelines will be used to administer payment:

A. All benefits eligible part-time and full-time employees, with the exception of faculty, are eligible to receive longevity payment. Non benefits-eligible part-time employees are not eligible for longevity pay.
B. Employees must have seven years of total service to be eligible.
C. Each eligible employee will receive longevity pay on the employee's anniversary date. It is included in the regular end of month paycheck for the pay cycle the anniversary date falls in.
D. Employees who are on a termination vacation leave at the time of their longevity payment due date are eligible for payment even though they are no longer actually working for the state. Employees may not be placed on leave without pay for all or a portion of the time needed to reach their longevity payment date.
E. Employees who retire, are laid off, or die prior to their fiscal year longevity payment date are eligible for a prorated payment. The proration is based on the number of full calendar months since the last longevity check was received. For example, if an employee's 21st year longevity payment for FY2003 is due January 10, 2003, and the employee retires on August 1, 2002 the employee will receive a prorated FY2003 longevity check. The amount of the check will be $210 and is calculated by dividing the 2003 fiscal year payment for 21 years of service by the number of complete calendar months served since the previous longevity check was issued. In this example, the calculation is $420 divided by 6/12ths complete months of service (February through July) and is equal to $210. If a retired or laid off employee is rehired prior to the actual longevity payment date, please contact the Director of Human Resources to prevent the automatic generation of another longevity check.
F. Personalized letters from the Board of Regents will be generated and submitted.

Longevity Schedule

Years of Service	Amount	Years of Service	Amount	Years of Service	Amount
7	100.00	21	420.00	36	1260.00
8	100.00	22	440.00	37	1295.00
9	100.00	23	460.00	38	1330.00
10	100.00	24	480.00	39	1365.00
11	110.00	25	625.00	40	1600.00
12	120.00	26	650.00	41	1640.00
13	130.00	27	675.00	42	1680.00
14	140.00	28	700.00	43	1720.00
15	225.00	29	725.00	44	1760.00
16	240.00	30	900.00	45	2025.00
17	255.00	31	930.00	46	2070.00
18	270.00	32	960.00	47	2115.00
19	285.00	33	990.00	48	2160.00
20	400.00	34	1020.00	49	2205.00
		35	1225.00		

6.23 Longevity Pins

For ten or more total years of service, employees receive a lapel pin of the great seal of South Dakota. Pins are awarded at five-year increments: 10, 15, 20, 25, 30, and 35 years. In addition, employees with 40 years of service will receive a wall plaque. Longevity pins are presented at the annual Achievement & Recognition event.

Section 7
Benefits

7.0 General

Employees in a permanent position who customarily work 20 hours or more per week and at least six months a year are covered by the State Group Health and Life insurance plan. Covered employees' dependents are also eligible for the coverage at the employees' expense and may be included under one of the plan options. Employees may choose to opt-out of the State Health Plan if proof of coverage under another group health plan is provided.

7.1 Health Insurance

The State of South Dakota offers Health Plan options that provide comprehensive medical coverage for the eligible employees and his/her dependents. Regular full-time and regular part-time employees are eligible for health benefits under the state health insurance plan on the 31st day of employment with NSU. Covered employees' dependents are also eligible for coverage at the employee's expense. Employees may choose from one of four health plan options:

1. Low Deductible plan with co-pay
2. High Deductible plan with Health Savings Account (HSA) option
3. Opt-out

Employees may choose to opt out of health coverage provided by SDBOR. Employees who opt out of SDBOR health coverage will not be reimbursed monetarily for his/her portion of the health coverage premium. SDBOR assumes no liability or responsibility for the adequacy or inadequacy of the insurance coverage or other medical bills or expenses not otherwise covered by this plan.

Please refer to the Summary Plan Description at http://benefits.sd.gov/ under forms and documents for more details.

7.2 Life Insurance

There are three types of life and accidental death & dismemberment insurance coverage available under the Group Term Life Plan for eligible employees. They are:

A. Basic Coverage – This $25,000 insurance policy is provided by the State at no cost to employees.
B. Supplemental Coverage – This insurance is available for additional coverage for employees only at the employee's expense.
C. Dependent Coverage – This $10,000 insurance policy is for coverage for the employee's spouse and eligible dependents at the employee's expense.

This coverage provided above provides a death benefit and an Accidental Death and Dismemberment (AD&D) benefit. The plan pays death benefits upon receipt of acceptable proof of the death of a covered person. The AD&D benefit pays additional benefits in the case of an accidental death. It also provides dismemberment benefits for certain injuries. For more information on the State's Life Insurance plans, please view http://benefits.sd.gov/.

Employees who have supplemental life insurance coverage may be eligible for the base Long Term Care (LTC) insurance. Employees may have the option to purchase additional LTC at their own expense.

7.3 Long Term Care Insurance

An insurance policy that will pay for a portion or perhaps all of the care costs associated with someone who has lost the ability to perform at least two of six Activities of Daily Living (ADL). These include: bathing, dressing, toileting, transfer, eating, and continence.

7.4 Dental & Vision Care Plans

A. Dental Care Plan – This plan provides benefits to employees when a covered individual incurs eligible dental expenses. This plan is at the employee's expense. A Base Plan or an Enhanced Plan may be selected

B. Vision Care Plan – This plan provides benefits to the employees when a covered individual incurs eligible vision expenses. This plan is at the employee's expense.

These plans are optional plans of the employee's choice. The employee is therefore 100% responsible for the cost of these plans. For more information on the State's dental and vision plan, please view http://benefits.sd.gov/.

7.5 Short-Term Disability Insurance

The state offers a supplemental Short-Term Disability plan at the employee's expense. The Short-Term Disability Income Protection Plan provides benefits to eligible employees for up to a total of 12 months (365 days) if the employee becomes totally disabled while covered under this plan. Employees are totally disabled if, due to sickness or injury or both, you cannot physically perform the material and substantial duties of your State job or any other job or occupation. For more information on the State's Short-Term Disability plan, please view http://benefits.sd.gov/.

7.6 Hospital Indemnity Plan

The Hospital Indemnity Plan provides a daily benefit of $125 per person when an employee or a covered member of the employee's family is hospitalized as an inpatient because of sickness or injury when certain conditions are met. Benefits may also be available if hospitalization occurs as an outpatient in an observation room for at least six (6) hours. This benefit is at the employee's expense. For more information on the State's Hospital Indemnity Plan, please view http://benefits.sd.gov/.

7.7 Major Injury Protection Plan

The Major Injury Protection Plan provides benefits to employees and covered family members who suffer a covered accidental injury within the employee's period of coverage. Benefits are payable whether the injury occurs on or off the job regardless of any other coverage employee carries. A fixed-dollar benefit is payable for a variety of injuries, services, and treatments. When one accident results in multiple injuries, the benefit will be calculated according to Plan provisions. This benefit is at the employee's expense. For more information on the State's Major Injury Plan, please view http://benefits.sd.gov/.

7.8 Supplemental Insurance

The SDBOR offers various AFLAC options for the employee should the employee want additional supplemental coverage. Please contact the Director of Human Resources for the AFLAC representative in the employee's prospective area.

7.9 Medical Expense and Dependent Care Expense Spending Accounts

A. **Medical Expense Spending Account** – Allows employees to set aside tax-free dollars and/or flex credits for use during the plan year. Employees then are able to receive reimbursements, from his/her account, to pay for eligible medical expenses incurred by the employee or eligible family members during the period of coverage. Eligible health care expenses that are not covered by any insurance or form of compensation are eligible for reimbursement through the Medical Expense Spending Account.

B. **Dependent Day Care Spending Account** – Allows employees to set aside tax-free dollars from each paycheck to pay for eligible expenses for the employee's children or other dependents who need care while the employee, or employee and spouse, are at work. When employees enroll in this account, employees designate an amount to have deducted from each paycheck during the plan year. The per paycheck amount elected is deducted from the employee's pay before taxes are calculated and is held in the employee's Dependent Day Care Spending Account. The employee can request reimbursement from the account for the eligible expenses incurred during the period of coverage within that plan year.

For more information on the State's Spending Accounts, please view http://benefits.sd.gov/.

7.10 COBRA – Continuing Health Care Coverage

The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and state laws provide employees and their dependents the opportunity to temporarily continue medical, dental, and life insurance coverage when certain specific events, called qualifying events, would normally result in the loss of coverage. Under COBRA, the former employee or dependent pays the full cost of coverage at the University's group rates plus an administrative fee.

In the event of an employee's termination of employment or reduction of hours, the employee, spouse, and dependent children are entitled by law to purchase continuing health care coverage and other health coverage under the state group plan for up to 18 months. If the employee or any family member is disabled, the disabled individual and non-disabled family members are entitled to an additional 11 months of continuation coverage. In the event of an employee's death, divorce, or legal separation, or a retiree losing coverage under state's group plan, the spouse and dependent children of the employee or retiree have the option of purchasing continuing coverage under agency's group health plan for up to 36 months. Employees or qualified beneficiaries electing extended coverage (COBRA) are responsible for paying the cost of the extended health care coverage. The purchase price of continuing coverage is the full cost of the premium SDBOR pays for similarly situated active employees, plus administrative costs. During the 11 months of extended coverage for disabled employees or their family members, the cost of the premium rate may increase. By enrolling in the Health Care Continuation Plan (COBRA), employees and family members receive the benefit of purchasing the same extensive coverage provided to active employees at favorable group rates.

Qualifying Events for COBRA Coverage

You can continue benefits coverage under COBRA if you lose coverage due to one of the following qualifying events:

- Termination of employment (for reasons other than gross misconduct)
- Layoff
- Change in employment status causing employee's loss of eligibility to participate in the group benefits plan (e.g., reduction in hours to below 50% time or change to ineligible job class)

- Loss of eligibility as a dependent child (due to age, student or marital status, or change in financial support)
- Death of covered employee
- Divorce or legal separation from employee
- Termination of registered same-sex domestic partnership

Due to one of the qualifying events above, your **medical coverage will end on the last day of the month** in which the pay period that includes the qualifying event ends. Your **dental, life, and disability coverage will end on the last day of the pay period** in which you actively worked or were still employed in a position eligible for benefits.

To Continue Coverage

If you lose coverage, the Bureau of Human Resources will notify you of the option to continue coverage within 10 days after employment ends and provide you with a Request for Continuation of Coverage form. If coverage for your dependent ends because of divorce, legal separation, termination of domestic partnership, or any other change in dependent status, you or your covered dependents must notify the Plan within 30 days. To qualify, you must have been covered as an eligible employee or dependent on the day before the qualifying event.

In most cases, you have 60 days from the date of the qualifying event to elect continuation coverage. Continuation coverage is effective following the date of loss of your group coverage. However, you may experience a gap in coverage due to cancellation of benefits if you wait up to 60 days before applying for COBRA continuation. Electing early will avoid disruption in your coverage.

Continuation coverage must be with the same plan you had on the date of coverage termination. You do not need to prove you are insurable to obtain continuation coverage. You may change coverage options during any open enrollment period that the plan may have while you are covered by continuing coverage.

Duration of Coverage

You and your dependents may continue the group medical and/or dental benefits until the earliest of the following:

- 18 months following loss of coverage (qualifying event; termination, layoff, or reduction in hours of employee).
- You become covered under another group health plan that does not contain any exclusions or limitations for pre-existing conditions that apply to you or your dependents.
- You or your dependent becomes entitled to Medicare benefits after electing continuation coverage (only for the individual(s) who become entitled to Medicare (under Part A, Part B, or both).
- You fail to pay the rate of your coverage within the grace period after the due date.
- The University discontinues coverage for all of its employees.
- 36 months following loss of coverage (qualifying event: loss of dependent child status, or the employee's entitlement to Medicare [under Part A, Part B, or both]).
- Coverage would have terminated had the employee lived (qualifying event: death of employee).
- Coverage would have terminated if no divorce (qualifying event: divorce or legal separation from employee).

In order for SDBOR to meet its legal obligations in providing continuing health care coverage, all employees must inform his/her supervisor within 60 days of a change in status such as divorce, or legal separation or when a dependent child reaches 18 years of age, if no longer in school or 29 years of age, if in school. It also is essential that the Supervisor have a current address for all employees and family members. This policy statement is a brief description of the Health Care Continuation Plan and does not fully explain employees' rights. Employees should read the notice he/she receives when he/she first enrolls in the group health plan or the Summary Plan Description for a full explanation. A copy of the Summary Plan Description can be found at the BHR's website (http://benefits.sd.gov/) under "forms & documents".

7.11 South Dakota Retirement System

All staff members who are employed at least 20 hours per week and six months during the fiscal year are members of the South Dakota Retirement System (SDRS). Members of the system contribute six percent of their total compensation to the system and Northern State University makes an equal contribution.

The benefits provided by the South Dakota Retirement System are:

- Early Retirement Benefits
- Normal Retirement Benefits
- Family Survivor Benefits
- Disability Benefits

The SDRS offers a supplemental retirement benefit in which the employee has the option to participate. For additional information regarding your retirement benefits view http://sdrs.sd.gov/. You can contact the South Dakota Retirement System at (605) 773-3731 or Human Resources Department should any information be requested.

Rule of 85 (Special Early Retirement)

You can retire as early as age 55 and receive full monthly lifetime retirement benefits immediately if you meet certain credited service requirements. The table below shows the combinations of age and credited service that will produce a full benefit if you retire early and begin receiving monthly lifetime payments immediately.

Age	55	56	57	58	59	60	61	62	63	64
Years of Credited Service	30	29	28	27	26	25	24	23	22	21

For more information about Special Early Retirement contact the Human Resources Director.

7.12 Tax Sheltered Annuities

Employees are authorized to participate in tax-sheltered annuities. Such employees may authorize the University to reduce their taxable income and purchase an annuity for their benefit from the proceeds. Tax sheltered annuity contributions can be set up through the Retirement Manager website. The university will withhold the amount designated from the salary of the employee. Contact the Human Resources Department for more information.

7.13 Family Status Changes

The Internal Revenue Service defines a Family Status Change as a change in marital status, death of a dependent, birth or adoption of a child, termination of employee's or spouse's employment, or any other event as defined by the applicable IRS regulations.

The effective date for a family status change is the first of the month. The month the family status change is effective is determined by the date during the payroll cycle that your family status change is approved by the Bureau of Human Resources.

The family status change form can be found on the SNAP portal on the "HR Forms/Policies" tab under 'Employee Business & Personnel Forms'.

7.14 Workers' Compensation

The South Dakota Worker's Compensation Program is administered by the Bureau of Human Resources. Worker's Compensation is an insurance program that pays medical and disability benefits for work-related injuries and diseases.

Law requires than an employee report all work-related injuries or occupational diseases to their supervisor immediately. Any employee involved in an on-duty accident or occupational disease shall immediately report the accident; the circumstances of the injury, exposure, or disease; and any physical injury(ies) sustained; and complete the online First Report of Injury within three (3) business days at https://apps.sd.gov/EB05FROI/eb05froi/default.aspx The Human Resources department can assist employees completing the form if needed. The employee must also inform his/her physician about which managed care plan the employer uses.

The employee shall not be entitled to physician's fee or any compensation which may have accrued prior to the time of giving notice, unless it can be shown that:

1. The employer, the employer's agent, or representative had knowledge of the injury or death, or
2. The employer was given written notice after the date of the injury and the employee had good cause for failing to give written notice within the three business-day period which determination shall be liberally construed in favor of the employee.

If you are entitled to benefits and do not receive them within 20 days, contact the SD Bureau of Human Resources at (605) 773-3148.

If you fail to report your claim on time, it may be denied. All claims will be thoroughly investigated by the Bureau of Human Resources. Failure by a supervisor to report a claim may result in a Class II misdemeanor to the supervisor.

Time Reporting – Supervisors with an employee absent from work because of an on-the-job accident will be required to record all hours worked for non-exempt employees and days worked for exempt employees, as well as regularly scheduled hours not worked or days not worked, on the time sheet while the employee is absent from work and shall submit the time sheet to the Director of Human Resources for SDBOR records.

Compensation and Benefits – In cases where workers' compensation reimbursement is paid and in accordance with SDCL 3-6-8.2, if an injured state employee's workers' compensation benefits are not equal to his salary, he/she may, notwithstanding any provision in 3-6-8.1, use sick pay or vacation pay in an amount necessary to make up the difference between his salary and the workers' compensation benefits. SDCL 3-6-7.1 prohibits accrual of sick leave while receiving workers' compensation. Employee will be required to provide sufficient certification or signed medical release to return to work.

For additional information, contact the Human Resources Department or the SD Bureau of Human Resources at (605) 773-3148.

7.15 Annual Vacation Leave

A. **Accruing Vacation** – Accrual of vacation begins on the first day of employment; however, employees are not allowed to use vacation until completion of six full months of service (training period). Vacation leave shall be earned and credited to regular full-time employees at the rate of 10.00 hours per month and may accumulate a maximum of 240 hours if employed fifteen (15) years or less, or at the rate of 13.34 hours per month and may accumulate a maximum of 320 hours if employed more than fifteen (15) years, provided all other necessary provisions of this article have been met. Regular part-time employees will accrue his/her vacation on a prorated basis based on the number of hours the employee works. The accrual date for vacation is based on the employee's anniversary.

B. **Scheduling of Vacation** – Vacation leave must be scheduled with the employee's supervisor at the earliest possible time prior to the use of such leave. Leave must be approved by the supervisor before the individual goes on leave.

C. **Vacation Accumulation** – Annual leave may be carried over from one calendar year to the next. In accordance to SDCL 3-6-6, vacation may be earned in a period of time not exceeding two years of regular and continuous state employment. Therefore, employees with 15 years or less of service can accrue up to 240 hours and employees with more than 15 years can accrue up to 320 hours.

D. **Termination of Employment** – In accordance with SDCL 3-6-6.2, any employee who retires or voluntarily resigns may terminate his employment at the end of his accrued vacation period or receive a lump-sum payment for the unused vacation time which has accrued as of his/her final day on the payroll. However, if the employee dies, payment for the accumulated leave of absence for vacation time shall be paid according to SDCL 3-8-8 to 3-8-11, inclusive. CSA employees should provide a minimum of two weeks' notice prior to termination. NFE employees should provide a minimum of three weeks' notice. Proper notice of termination allows time to plan for absences and will ensure eligibility for rehire.

E. **Salary in Lieu of Vacation** – Employees who terminate, retire, or who are placed on a leave of absence may receive pay for earned but unused vacation. In the event of death, earned but unused vacation will be paid to that employee's estate. Active employees are not eligible for salary in lieu of vacation.

F. **Leave of Absence without Pay** – Employees granted unpaid leave of absence will not accrue any leave for that pay period(s).

G. **Donated Leave** – See 7.16 item F.

H. **Family Medical Leave** – Employees must use all accrued vacation leave while on FMLA and prior to going on an unpaid FMLA.

If an employee transfers, all accumulated leave must be transferred to the new department. Temporary and student employees are not entitled to annual leave, however, if working full-time and classified as a status employee at a later date, leave credit will be computed from the original date of employment.

Leave balances are available on the SNAP portal at any time. The balances are updated monthly **after** the monthly payroll has been run.

7.16 Sick Leave

Benefits eligible, full-time employees earn 9.34 hours of sick leave each month. There is no limit to the number of sick leave hours you can accumulate. Sick leave may be granted for personal illness or disability, pregnancy, exposure to a contagious disease that would endanger the health of co-workers, eye or dental care, required medical examinations, counseling or treatment at approved centers for alcohol or drug abuse,

or psychiatric care. Employees who are on approved leave, except terminal annual leave, and become injured or seriously ill may use sick leave.

Benefits eligible employees who work less than full-time (i.e.: part-time employees or employees on leave without pay) shall accrue prorated sick leave. An employee may take sick leave as it is accrued.

The Human Resources Director has the authority to investigate misuse of sick leave. Fraudulent use of sick leave will be charged to leave without pay. Misuse of sick leave may be cause for disciplinary action.

Leave balances are available on the SNAP portal at any time. The balances are updated monthly **after** the monthly payroll has been run.

A. Sick Leave Pay – Sick leave benefits shall be paid at the employee's regular rate of pay at any time the leave is taken.

B. Using Sick Leave – Sick leave may be granted for personal illness, pregnancy and related disabilities, exposure to contagious diseases that would endanger the health of fellow employees, required eye and dental care, required medical examination, or inpatient or outpatient treatment in approved centers for alcohol, drug abuse, psychiatric, or counseling care. Employees who are on approved leave, except terminal vacation leave, and become injured or ill may use sick leave. Adoption of a child by any state employee is treated as natural childbirth for leave purposes.

An employee absent from work due to illness or disability shall notify his/her immediate supervisor before he/she is scheduled to work, or as soon as possible. If an emergency situation exists, indicate the nature of the situation and the expected length of absence. If an employee is absent two (2) consecutive days without proper notification, he/she will be considered to have voluntarily resigned his/her position. In accordance with SDCL 3-6-7, all absences for sickness shall be supported by a medical certificate upon the request of the Director of Human Resources and the BHR. Any employee found to have abused his/her sick leave privileges may be subject to disciplinary action.

C. Carry-Over of Sick Leave – Sick leave benefits not used during the calendar year in which they were earned may be carried over and used during the succeeding calendar years.

D. Advanced Sick Leave – If you have exhausted all your annual and sick leave and if you have completed one year of service in a leave-accruing position, you may request an advance of up to 224 hours of sick leave. Employees requesting advanced sick leave will be required to submit their request in writing to their supervisor, along with the signed advanced sick leave request form and a statement from their doctor stating medical necessity. This request must be approved by University Administration before such advanced leave will be granted.

E. Leave of Absence – Employees on a leave of absence without pay do not accrue sick leave benefits.

F. Donated Leave – Employees may donate annual and sick leave to co-workers who qualify. For every four hours of vested sick leave (7 years of leave accrual) or one hour of annual leave donated, one hour of leave will be credited to the recipient. The donating employee may donate his annual leave in excess of 80 hours or his sick leave in excess of 120 hours.

An employee may receive donated vested leave if the following requirements are met:

1. He/She is employed in a permanent position for at least one year and is eligible for the accumulation of leave under South Dakota Codified Law.
2. He/She has been certified by a physician as:
   - terminally ill and unable to return to work; or
   - suffering from a life threatening illness which prevents him from working for at least 90 consecutive days;
3. He/She has made a written request for and obtained the approval of the commissioner to receive donated leave;
4. He/She has applied for any other public disability programs for which he may be eligible and
5. He has exhausted all of his leave benefits.

Donated leave benefits cease after 2,080 hours of donated leave have been used by an employee who is terminally ill, after 1,040 hours of donated leave have been used by an employee who is suffering from life-threatening illness or injury, when other public disability benefits have been approved, or upon the death of the recipient employee. The rate of payment of donated leave is the recipient's current base pay. Sick and annual leave may not be accrued by a recipient employee on donated leave.

G. Restrictions of Donated Leave – In accordance with SDCL 3-6-8.5, any donation of leave may be restricted as follows: (1) The donating employee may only donate leave to an employee who is at the same or lower pay grade as the donating employee; (2) The donation may be denied based upon funding considerations within the agency, at the discretion of the commissioner.

H. Termination – In accordance with SDCL 3-6-8.3, every state employee, who has been continuously employed in a permanent position by the State of South Dakota or any department or agency thereof for at least seven (7) years prior to the date of his/her retirement, voluntary resignation, layoff, termination for inability to perform job functions due to physical disability or death, shall receive payment for one-fourth of the unused leave of absence for sickness which has accrued as of his/her final day on payroll. Such payment may not exceed the sum of four hundred eighty (480) hours. However, in the case of death of the employee, payment for such accumulated leave of absence for sickness shall be paid as provided under the provisions of SDCL 3-8-8 to 3-8-11.

7.17 Personal/Family Emergency Leave

In accordance with SDCL 3-6-7, an employee may use up to five (5) days (40 hours) of sick leave in each calendar year for the following personal emergency reasons:

1. A death in the immediate family*;
2. The temporary care of members of the immediate family*;
3. The birth or adoption of a child
4. Volunteer police or rescue work; and
5. A call to state active duty of military reserve or National Guard members.

- ***Note:*** *Hours used for personal leave will be deducted from your accumulated sick leave.*

Leave for personal emergencies may <u>not</u> be accrued from year to year.

***Immediate family** is defined under ARSD as the employee's spouse, children, mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, brothers, sisters, grandparents, grandchildren, stepchildren, and stepparents, and foster children.

7.18 Maternity Leave

An employee can use up to 12 weeks of sick leave for Maternity leave, as long as the employee has accrued enough sick leave hours to cover the 12 weeks leave. Circumstances may require additional use of sick leave for medical reasons. Requests for additional use of sick leave require a doctor's statement. If the problem is with the baby, the employee can use up to 40 hours Personal leave as long as they have a balance available and sick leave hours available.

After the 12 weeks the employee can use annual leave, personal leave (as long as have accrued sick leave hours available to use), compensatory time (if applicable) or leave without pay up to the 12 week of Family Medical Leave Act depending on the individuals leave balances and the leave the employee is entitled to use.

7.19 Administrative Leave

Employees who are on administrative leave will be paid the leave hours at straight time regardless of other hours worked during the week. Administrative leave will not be counted as hours worked for overtime purposes.

In accordance with 55:01:22:14, administrative leave shall be granted in the following situations, allowing an employee to receive compensation for the hours that the employee would normally have worked with no loss of leave.

A. An office is administratively closed;
B. An employee is a member of a volunteer fire department or ambulance service and is called to duty during working hours;
C. Pending an investigation of charges made against an employee upon which disciplinary action could be taken; and
D. For any other purpose that has been requested in writing and approved by the commissioner.

The appointing authority shall grant administrative leave hours as straight time off at a later date, cash payment, or compensatory time at the regular hourly rate to employees who are required to work when an office is administratively closed. If an office remains open and an employee is not able to reach the worksite, the employee must use annual leave, compensatory time, or leave without pay. Appointing authorities shall inform the commissioner of all office closings.

If an office is administratively closed, employees eligible for overtime who are <u>required</u> by their supervisor to remain at the work site must be granted either:

A. Time off at a later date equal to the number of hours the employee worked when the office was closed in addition to payment for hours actually worked, or;
B. Straight time pay or compensatory time equal to the number of hours the employee worked in addition to payment for actual hours worked when the office was administratively closed.

7.20 Jury and Witness Duty

In some instances, employees may receive court and jury leave for time spent testifying in court or serving on a jury. Employees in permanent positions are eligible for court and jury leave. The employee shall immediately notify the employee's supervisor if the employee expects to be absent from work due to court and jury obligations. Absences will be administered as follows:

(1) **Testifying in official capacity**. If the employee is subpoenaed by either party to testify in any civil or criminal proceeding because of the employee's official capacity or is instructed by the supervisor to testify in an official capacity without being subpoenaed, the employee shall receive the employee's regular salary without loss of leave credits and may receive actual expenses according to state

rates, but may not receive witness fees. The appointing authority and the Bureau of Human Resources shall determine if the employee is testifying in an official capacity.

(2) **Subpoenaed to testify in non-official capacity**. If a state employee is subpoenaed to testify in court in a non-official capacity and is not a party to the case, the employee shall receive the employee's regular salary from the state without loss of leave credits for the time spent testifying during regular working hours and may receive, in accordance with SDCL 19-5-1 or any comparable federal law, witness fees and mileage from the party who issued the subpoena. However, the employee may not take court and jury leave for travel time or time when the employee is not reasonably expected to testify regardless of whether the employee has been subpoenaed for that period of time. If the employee is absent from the workplace while not testifying, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.

(3) **Party or witness not subpoenaed to testify**. If an employee is a party to or witness who has not been subpoenaed, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.

(4) **Service on jury**. If a state employee is summoned to serve on a jury, the employee shall receive the employee's regular salary without loss of leave credits for the time spent on jury duty during regular working hours and the per diem and mileage provided for by SDCL 16-13-46 or any comparable federal law. The commissioner may decide any question as to whether an employee is eligible for court and jury duty leave.

7.21 Military Leave

When employees are called to active duty, they are entitled to be reinstated to their former position or a similar position without loss of pay, seniority, or status.

Permanent employees are entitled to Military Training Leave of up to 15 days (120 hours) per calendar year. Employees requesting military leave for training must obtain a written order from the commander of their reserve or National Guard unit indicating dates of the training period. This notice is to be submitted to your supervisor at least 15 calendar days prior to the date of your departure for training.

7.22 Voting Time

SDBOR employees whose work schedule does not enable time to vote during the times the polls are open shall be allowed up to two (2) consecutive hours to vote. Such time shall be treated as regular work time for the purposes of pay and accrual of leaves.

7.23 Family and Medical Leave Act (FMLA)

The Federal Family and Medical Leave Act of 1993 (FLMA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to ‘eligible’ employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer (if there are at least 50 employees within 75 miles) for at least one year and for 1,250 hours over the previous 12 months.

<u>Reasons for Taking Leave</u>:

FMLA leave must be granted for any of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care (this leave must conclude within 12 months of the birth or placement);

- to care for the employee's spouse, son or daughter (who is under eighteen years old, unless the son or daughter is not capable of self-care due to mental or physical disability), or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Paid Versus Unpaid Leave

At the employee or employer's option, certain kinds of paid leave may be substituted for unpaid leave. To use paid leave during the FMLA period, the employee must meet all the leave requirements of that particular paid leave. For example, sick leave can only be used for the employee's ***own*** illness. The state requires employees to use eligible paid leave before utilizing unpaid leave during the FMLA period. If the employee exhausts his or her eligible paid leave, then the remainder of the FMLA period is unpaid.

Advance Notice and Medical Certification

The employee may be required to provide advance leave notice and medical certification. FMLA leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is 'foreseeable'.
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Job Benefits and Protection

For the duration of FMLA leave, the employer must maintain the employee's health coverage under any 'group health plan'. The employee must pay his or her share of premiums, and, if the employee fails to pay the premium, coverage will cease. If the employee is on leave without pay, the employee must contact the Bureau of Human Resources Benefits Program to make arrangements for the timely payment of premiums. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Failure to Return to Work

If an employee fails to return to work after FMLA leave is exhausted, the employee may be subject to disciplinary action or termination due to inability to perform the essential functions of the job. The full policy can be found at the SDBOR's website https://www.sdbor.edu/policy/Documents/4-15.pdf#search=FMLA under section IV of the SDBOR manual.

7.24 Leave of Absence without Pay

Employees are eligible for leave without pay even if you have annual leave or sick leave accumulated. Prior permission must be obtained from your supervisor. While on leave without pay, you will not accumulate leave credits.

Employees who are absent from duty shall report the reason to their supervisor as soon as possible. Deduction of pay shall be made for unauthorized and unreported absences.

7.25 Employer-Paid Group Insurance for Employees on Leave Without Pay or Temporary Reduction to Less than Full-Time Employment

The full policy can be found at the SDBOR's website (http://www.sdbor.edu) under section IV 4:15:3 of the SDBOR manual.

7.26 Exempt Employee Professional Development Leave

The full policy can be found at the SDBOR's website (https://www.sdbor.edu/policy/Documents/4-10.pdf#search=professional%20development%20leave) under section IV 4:15:5 of the SDBOR manual.

Section 8
Health, Education and Promotion

8.0 General

State employees have several opportunities to become more actively aware of their personal health and health-related issues. Since the state is self-insured, health care claims directly affect the amount of dollars which are available for state employees' salaries. Employees play an active role in monitoring and controlling health care costs.

8.1 Health Screenings

Health screenings are offered free of charge to state employees and spouses covered by the State Health Plan. Qualified healthcare professionals conduct the screenings. Each screening includes: blood pressure, total cholesterol, High Density Lipoprotein (HDL), total cholesterol/HDL ratio, body mass, HbA1c test, body mass index, carbon monoxide and waist-to-hip ratio.

8.2 Health Assessment

State employees and spouses covered by the State Health Plan are required to complete a health assessment each plan year. The health assessment helps in identifying chronic conditions and/or risk factors which may lead to serious health conditions. Failure to complete the health assessment could lead to a reduction in benefits.

8.3 Health and Lifestyle Management Programs

State employees and spouses have access to a number of programs designed to help identify health risks, manage diseases, improve the quality of self care provided at home, and save on out-of-pocket, co-payment and deductible expenses. To be eligible for the lowest deductible plan, employees must complete the annual requirements under the Latitude Wellness Program.

8.4 Health Rewards and Wellness Program

HealthySDEmployees.gov is a wellness program providing the tools to become more physically fit and healthier. To earn credits, participants set and meet a goal an average of 5 days a week for 3 consecutive months.

8.5 Other Health Benefits

Other health benefits include: an annual flu vaccine for benefited employees and their dependents who are participants in the State Health Plan and semi-monthly Benefits Newsletter. Members are eligible to receive the Healthwise Handbook, a self-care guide with over 200 common health care problems including: prevention, home treatment, and when to call a health care professional. For additional information, contact the Bureau of Human Resources, Division of Benefits at (605) 773-3148.

8.6 Employee Assistance Program (EAP)

This is a program designed for all employees and their immediate family members. The EAP is designed to provide a free, confidential, professional service to help employees resolve problems that affect their personal lives or job performance. Each employee and/or benefits eligible family member is allowed five consultations per calendar year per issue.

This service is confidential and no information will be given to Northern State University personnel unless you sign a written consent.

For more assistance, please call EAP at the hotline number (800) 713-6288. You may also refer to the public folders in your NSU email account under NSU Human Resources. **www.EAPHelplink.com The code is southdakota.**

8.7 Training

Employees are encouraged to bring their training requests and needs to the Human Resources Department.

Training is also provided by the Bureau of Human Resources at various locations throughout the state. Employees are notified via email from the Human Resources Department, of topic and date.

Section 9
Employee Services

9.0 Parking Permits

In order to park on campus, employees must purchase a parking permit available in the Parking Office in the Physical Plant building, located west of the Barnett Center. For more information, call 626-2561.

9.1 NSU ID Cards

There are two optional identification cards that can be issued to each employee:

1. NSU Identification Card - Contact the Finance Office to arrange for an NSU ID card. This will be a photo ID that will allow you to use the Library, Barnett Center, Intramural Student Recreation Center (ISRC), Campus Food Service and other facilities on campus.
2. State of South Dakota Travel Identification Card - Employees who are traveling are required to have a State of South Dakota Travel ID card. The Human Resources Department issues these ID cards

9.2 Travel Reimbursement

If your job requires you to travel away from your home station, you will be reimbursed for food and lodging in accordance with state rates. For employees who travel, a State Travel Identification Card may be obtained from the Human Resources Department. Travel reimbursement sheets may be obtained from the Finance Office.

9.3 Campus Post Office

The NSU Campus Post Office is located on the first floor of the Student Center. Personal packages can be mailed using standard mail service, UPS or Fed-Ex. Stamps, boxes, and other mailing needs may be purchased from the Post Office. Campus post office hours are 8:00 a.m. – 4:55 p.m. Monday-Friday during the fall and spring semesters. Hours are 7:30 a.m. – 4:25 p.m. Monday-Friday in the summer. For more information on the services they have to offer, call 626-2656.

9.4 Food Service

Food Service is available in the Student Center, Einstein's in Thunder's Lair (in the Student Center), and the P.O.D Market And Papa Johns Pizza on the first floor in Great Plains East. For more information, visit: https://northern.campusdish.com/ or call 626-2928.

9.5 Library

The Williams Library is located south of the Student Union. Career Service and non-faculty Exempt employees may use all resources of the library. An NSU ID is required to check out books. The resources include circulation of books and bound journals, reference service, and inter-library loan service. Library hours are:

When Classes are in Session (except for Holidays and Finals):
Monday-Thursday 7:30am – 11:00pm
Friday from 7:30am – 5:00pm
Saturday from 10:00am – 5:00pm
Sunday from 1:00pm – 11:00pm

During Summer Sessions:
Monday, Tuesday, Thursday and Friday from 7:30am – 4:30pm
Wednesday from 7:30am – 9:00pm

Visit the Williams Library website at http://www.northern.edu/library/pages/default.aspx for more information, or call 626-3018.

9.6 Barnett Center

The Barnett Center has hours set aside for NSU employees. Certain hours of the day you will find NSU employees playing racquetball, basketball, swimming, lifting weights, using the exercise bikes, or walking/running on the indoor track. The locker rooms are open and available. Call 626-7738 for more information.

9.7 Intramural Student Recreation Center (ISRC)

The Intramural & Student Recreation Center (ISRC) in Dacotah Hall is a student fitness center featuring a variety of cardiovascular & strength training equipment. This center also features 2 exercise rooms on the upper level, a gymnasium, and locker rooms. Faculty and Staff can access the facility from 6am-1pm Monday through Friday during the school year and unlimited times during weekends and summer break free of charge.

9.8 Copy & Fax Machines

A Xerox machines is available in the Library for personal use. A fax machine is available in the Student Development office (located on the 2nd floor of the Student Union) for personal use. There is a fee for using these machines.

9.10 Educational Benefits

All full-time staff under the control of the Board of Regents, with at least one full year of employment, may take up to three hours per week of job related class work, with no makeup time required. Requests for this opportunity may be approved by a supervisor or the Division/Department head,

If more than three hours are taken for class time, your supervisor must approve of this and assume that all job requirements are being met. The maximum credit hours during a semester are six (6) and space is limited to availability after all full tuition paying students have been registered.

9.11 NSU Committees

NSU has a number of committees on which employees may serve. Employees will receive an email looking for volunteers to fill openings on any committees. You may also be contacted directly about filling a committee opening.

Career Service (CSA) Committee – This committee is made up of seven representatives from each area within the University electing a person they feel will do a good job expressing concerns and problems to others. Representatives serve for two years and can hold office for two (2) terms.

Within the seven members who are part of the committee, they select a President who then attends the Career Service Advisory Council in Pierre. The Career Service Advisory Council is to promote communications between the Board of Regents, Office of the Executive Director, Council of Presidents and Superintendents, and Career Service employees through discussion and concern of all parties. This is to help improve the quality and conditions of employment and to present other concerns. The President of NSU's Career Service Committee (or another committee member) will serve a two year position which begins in July. The Advisory Council meets twice (2) annually, in April and October. Other additional meetings may be called by the Executive Director of the Board of Regents.

The main objective of the CSA committee is to listen to the concerns of all CSA employees who feel they have a concern that has not been addressed properly. It is then a decision of the committee whether the issue should be presented to the University President.

The committee also raises donations and sponsorships for the purpose of CSA scholarships. These scholarships are for CSA employees and CSA employee family members.

Employee Achievement & Recognition Committee

The Employee Achievement & Recognition Committee is composed of faculty, Career Service and non-faculty exempt members of the university. The responsibilities of the committee are to:

1. send a balloon bouquet to an NSU employee if hospitalized or ill at home for more than 3 days;
2. send a card to NSU employee if a spouse or child dies and to an unmarried employee if a parent dies or if they have a child who dies;
3. send card for births, adoptions;
4. recognize retiring employees by presenting them with a Gold Pass and a plaque inscribed with their name and years of service; and
5. plan the annual NSU Employee Achievement & Recognition night in conjunction with the Human Resources Office.

Other committees that have CSA members include:

- Affirmative Action Grievance Committee
- Parking Appeals Committee.

Search Committees

NSU uses search committees during the hiring procedure for most positions. Search committee members as well as search committee chairs and/or co-chairs are typically selected by the dean or department head. Agreeing to serve on a search committee is a commitment on the part of those chosen to assist in the search process. If elected to a search committee you will be required to read the search committee guidelines and sign a document that you have read and understood the process. Search committee procedures can be found in the public folders in the campus email system under Human Resources.

9.12 NSU Gold Passes

Employees who retire after 15 or more years of service at Northern State University are issued a NSU Gold Pass. This pass will give the retiree and one guest free general admission to all NSU home athletic and fine arts events.

9.13 Food Services

This policy applies to food purchases other than the reimbursement for travel per diem.

A. State Accounts - No food can be purchased from state fund accounts (Index codes starting with a “51”).

B. Registration Fees - Food purchases for an event such as a camp, conference, or banquet where fees have been collected from participants to cover the food costs are allowable. University or state funds cannot be used to pay for meals included in a registration fee for an employee attending at their home station.

C. Grant Funds - Grant funds can be used to purchase food if specifically outlined and approved in the grant award.

D. Institutional Representation Funds – Funds are available to the president and vice presidents for hospitality purposes, including food.

E. **Agency or Foundation Funds** - These sources can be used to purchase food, subject only to the limitations placed on them by the funding agency. NSU agency funds are assigned index codes that begin with “57.”

F. **Local Funds** - Purchases of food and beverages may be allowed out of local accounts if the foods are provided for activities involving current students, prospective students, or the public. Activities such as recruiting, student orientation, or student recognition events are examples of activities for which food could be purchased. Food purchases for student organizations funded by the General Activity Fee would be allowable provided that the budget approved by the Student Budget and Appropriations Committee (SBAC) includes a food line item. Justification and documentation must be submitted with the requisition before a purchase order will be issued.

Section 10
Performance Evaluations

10.0 Performance Evaluations

Performance evaluations are designed to provide the employee with a record of his/her performance, to encourage professional growth and to promote communication between the supervisor and the employee.

Performance evaluations will be conducted a minimum of once during the CSA employee's training period (at the conclusion) and annually thereafter in December.

Non-Faculty Exempt (NFE) employees will also complete an annual performance review process with their supervisor in February. The employee will complete a portion and return to the supervisor. Ratings on the performance appraisal will be one factor in determining pay increases for the year for NFE exempt employees.

The performance evaluations are to be structured toward each employee's position. The purpose of the evaluation is to command strengths, address weaknesses, suggest ways to improve, and to discuss employee goals and objectives. Evaluations will be conducted in a private meeting between the employee and his/her supervisor. Employees are required to sign his/her evaluation and will receive a copy. Signing does not imply agreement but that the contents have been made known or discussed with the employee. A positive employee evaluation does not guarantee continued employment.

Employees may provide comments or attach notations of exceptions to the performance planning and review document along with reasons for those exceptions. The original document is forwarded to the Human Resources Department and is maintained as part of the employee's personnel file.

Section 11
Employee Rights & Responsibilities

11.0 Request for Reasonable Accommodation

Employees with a disability, prolonged illness, or injury may receive the following assistance:

1. Assess essential functions of the employee's position. This includes job responsibilities, which the employee may not be able to perform due to a disabling condition.
2. Obtain appropriate medical information to identify functional restrictions. Medical records of this type require a signature from the employee on a Release of Information form. If an employee refuses to sign a release form, this is documented in their records. Employees will be advised that accommodations may not be made without appropriate documentation.
3. Assist in communication between the physician, the department supervisor or manager, and the union steward as appropriate. Documentation is received from the supervisor identifying essential functions. This documentation with a copy of the job description is submitted to the medical provider to obtain functional restrictions.
4. Functional restrictions are crossed with essential functions of the job to determine the feasibility of accommodations. Decisions are made regarding each essential function and the ability of the employee to perform the tasks with or without an accommodation.
5. Accommodations that are reasonable and appropriate will be facilitated.
6. If accommodations cannot be made, the current position openings within the department are reviewed. If qualifications of the position match those of the employee, and the restrictions do not conflict, an interview is arranged. A department supervisor is not obligated to hire the individual if they are not the most qualified.
7. If another position is not available in the same department, the University will assist the employee in obtaining a different position within the University. This process is facilitated through the NSU Department of Human Resources. Openings are identified and interviews organized by appropriate individuals. When an employee with a disability and one other candidate are both qualified for the position, preference shall be given to the employee with the disability to provide the accommodation.
8. If no accommodation can be made, the employee is released.

11.1 Common Accommodations

The following is a list of common accommodations. It is not meant to be exhaustive; individual needs cause requirements to vary from situation to situation. The purpose of an accommodation is to remove barriers caused by inaccessible environments, allowing people with disabilities an equal opportunity to demonstrate their competency. Ideally, accommodations are mutually negotiated, flexible, and agreed upon in advance.

- Adaptive computers/equipment
- Alternate print formats
- Course/job modifications or restructuring
- Library/laboratory assistants'
- Note takers/scribes
- Sign language interpreters
- Modified work stations
- Office/classroom relocation
- Leaves of absence
- Natural supports
- Parking
- Testing modifications (time extension, quiet space, alternate format)

11.2 Change of Address

You are required to notify your supervisor and the Human Resources Department of any change in your home address or telephone number**.**

11.3 Outside Employment

Employees of the state are entitled to take outside employment provided that there is no conflict with working hours, employee's efficiency, or the interests of the state government. Employees are required to notify their supervisor prior to accepting other employment. Employees of the state may not engage in outside business activities while on duty, nor may government property be used for any outside function. (Refer to the SD Board of Regents policy manual numbers 4:19 and 4:35 at https://www.sdbor.edu/policy/documents/4-19.pdf

11.4 Political Activity

Employees are prohibited from using their authority to influence or coerce the political action of a person or group of people. They may take active part in political management or in political campaigns except during working hours, and may hold a political office, which does not interfere with the normal performance of their job responsibilities, except as prohibited by law. This does not prevent activity of a nonpartisan type not specifically identified with a national or state political party. Questions relating to constitutional amendments, referendums, approval of state laws, and other issues of similar character are not deemed specifically identified with a national or state political party. For example, school board elections and many city elections are nonpartisan. (Refer to the SD Board of Regents policy manual number 4:21 at https://www.sdbor.edu/policy/Documents/4-21.pdf#search=political%20activity.

11.5 Resignation/Retirement

A CSA employee who intends to terminate his/her service with the state shall submit a written resignation to the immediate supervisor at least 10 working days before the final workday. An NFE employee who intends to terminate his/her service shall submit a written resignation to the immediate supervisor at least 15 working days before the final workday. A copy of the written resignation must be provided to the Human Resources Office.

The final paycheck, and any additional contractual payments, will be paid with the next scheduled pay date (prorated as necessary) whether or not you have elected 12-pay. Benefits will end the last day of the month following the final paycheck.

An employee who intends to retire should contact the Human Resources Office at least three months before the elected retirement date.

Email access is shut off immediately upon termination.

11.6 Layoffs

A Career Service employee may be laid off or have their regular full-time hours reduced whenever necessary. The reasons justifying a layoff include, but are not limited to the following:

- shortage of funds or work;
- abolishment of a position;
- inefficient or non-productive position; or
- material change in duties of organization.

The employee will be given a written notice of the reason(s) for the layoff or a reduction in hours at least fourteen (14) calendar days before the effective date.

11.7 Key Return Policy

All office and building keys must be turned in by every employee prior to their last day on payroll. This includes terminations, departmental transfers, retirement, long-term disability, or death of an employee. Keys must be given to the supervisor who will then forward to facilities management.

11.8 Disciplinary Action

A regular staff employee may be dismissed from employment, suspended without pay, or changed to a lower pay rate for just cause. Just cause includes conduct related to the employee's job duties, job performance, or working relationships which is detrimental to the discipline or efficiency of the institution in which the employee is or was engaged. The employing department shall notify the Human Resources Office of the proposed action in writing. The written notice must include:

1. A statement that the supervision intends to dismiss, suspend, or demote the employee;
2. A statement identifying any policies violated by the employee;
3. A statement of the specific charges against the employee; citing the employee's behavior, dates and/or occurrences, witnesses, and other evidence against the employee;
4. Notice that the employee may provide the supervisor with evidence, explanation, or other information in writing which contradicts the allegations and evidence; and
5. Notice of the employee's status until the final decision is made (i.e. whether the employee is to continue working or be placed on leave of absence with pay).

The employee must be notified, in writing, of the final decision. A notice of dismissal, suspension without pay, or change to lower pay rate must include a written, detailed statement of the basis for the action and inform the employee of the right to appeal.

Discipline for Cause

Just cause for disciplinary action includes, but is not limited to:

- violating statutes, rules, policy, directives, and work rules;
- committing any sex offense, any crime involving illegal drugs, or a felony;
- insubordination;
- disrupting the efficiency or morale of the department;
- being under the influence of a controlled drug or alcohol while at work;
- misuse or abuse of leave;
- engaging in outside business or personal activities on government time, or using state property for non-government purposes;
- engaging in conduct that reflects unfavorably on the state, destroys confidence in the operations of state services, or adversely affects public trust in the state;
- poor attendance;
- negligence with state money or property; and
- discrimination and harassment.

These examples indicate the types of conduct that may be cause for disciplinary action, but is not an exhaustive list. If you have specific questions regarding causes for discipline or want to review the entire list of causes, contact your personnel representative or review Administrative Rule 55:01:12:05.

Discipline for Performance

If a status employee's work performance is unsatisfactory, the employee will be notified in writing that disciplinary action may be taken unless the employee's performance improves. The employee may be placed on a work improvement plan that will last a minimum of 30 calendar days. The work improvement plan will tell the employee where the employee's performance is unsatisfactory and the level of

performance that is expected. If the employee's performance does not improve to an acceptable level, or at a later date performance falls below standard, disciplinary action may be taken. Employees may be disciplined for just cause during the work improvement period.

11.8 Reemployment and Reinstatement

A status Career Service employee, who is laid off through no fault of his or her own, may request that his or her name be placed on the employment register. An employee must write the Human Resources Department within 45 days of the layoff to request placement on the register. Individuals are eligible to remain on the reemployment register for one year, unless they become reemployed or reinstated within one year of the layoff.

Reinstatement will be granted to a status Career Service employee if his or her position is reestablished within one year after layoff.

Appendix A

GENERAL COMPLAINT RESOLUTION PROCEDURE

The following complaint procedures shall apply to all complaints relating to discrimination and/or harassment. Northern State University is committed to resolving all complaints covered by this procedure at the earliest and most informal level.

A. **Informal Complaint Procedure**

The complainant shall initiate the informal complaint proceedings as soon as possible. It is recommended that a complaint be initiated within thirty (30) WORKING DAYS of the alleged discriminatory or harassment action or the date on which the complainant should reasonably have known.

The Complainant, Respondent and/or Supervisor should submit relevant documents and/or materials to the University's Affirmative Action Officer.

(1) **Direct Resolution**. If comfortable doing so, the complainant discusses directly with respondent the allegations of the complaint and allows respondent to take appropriate corrective action. If complainant is uncomfortable with presenting the issue to the respondent, the complainant may go directly to step two.

(2) **Supervisor Resolution**. The complainant discusses with his/her or the respondent's supervisor the allegations of the complaint. If satisfactory resolution is obtained, the matter is concluded by mutual consent at this point. If complainant is uncomfortable with presenting the issue to the supervisor, the complainant may go directly to step three.

(3) **Vice President, Dean, or Department Chair Resolution**. The complainant seeks resolution from Head Supervisor. If satisfactory resolution is obtained, the matter is concluded by mutual consent. If the complaint is not satisfactorily resolved, the complainant should initiate formal complaint proceedings as soon as possible. It is recommended that the matter be submitted within ten (10) WORKING DAYS after the Informal Complaint proceedings have been exhausted.

B**.** **Formal Complaint Procedure**

Discrimination and/or harassment complaints will be processed in accordance with the South Dakota Board of Regents Policy Manual 1:18 Human Rights Complaint Procedures which are at all times controlling. The following guidelines shall be observed by the AAO during the initial investigation to determine whether there is a reasonable basis to believe that the complainant was subjected to discrimination, (BOR Policy 1:18:11.F).

(1) **Filing the Written Complaint**. If the informal complaint is not satisfactorily resolved, the complainant files a written complaint with the University's Affirmative Action Officer (AAO). The AAO will provide the complainant with a complaint form. However, the complainant is encouraged to bring a chronological account of events and a list of names of witnesses concerning this matter. The complainant is invited to hold a personal meeting with the AAO before any action is taken.

(2) **Determining whether there is/is not a Reasonable Basis to Proceed.** Within a short period, preferably ten (10) WORKING DAYS, after the written complaint and all other pertinent documentation have been submitted and the meeting between the complainant and AAO has occurred, the AAO will determine whether the complaint falls under the purview of these procedures. If the AAO determines that the matter should proceed no further, the complainant will be notified in writing. However, the complainant will be given the opportunity to submit additional information. Upon receiving the

additional information, the AAO will consider the information submitted. If the AAO determines that the matter should proceed no further, the complainant will be notified in writing of this determination. In any event, the investigation shall be completed within twenty (20) working days. If the complainant believes that the AAO erred in concluding that the complaint did not have reasonable basis, the complainant may petition within fifteen (15) working days to the institutional chief executive officer for a review of that determination.

(3) **Notification to Respondent**. If it is determined that the complaint should proceed further, the AAO will notify the respondent as soon as possible, preferably within ten (10) WORKING DAYS of such determination. The respondent will receive a copy of the complaint, together with a copy of these procedures. The respondent will be given the opportunity to meet with the AAO to receive and request information. At that point the AAO will turn responsibility for the matter over to the chief administrative officer having supervisory responsibility over the respondent and the matter shall be processed in accordance with BOR Policy Manual 1:18.

Appendix B

General Non-faculty Exempt Grievance Procedure

GENERAL PROVISIONS:

1. The Grievance procedure provides a just and equitable method for the resolution of grievances that affect terms and conditions of employment without discrimination, coercion, restraint or reprisal against any employee who may submit or be involved in a grievance.
2. The purpose of these procedures is to promote a prompt and a fair process for resolving an applicable grievance. Should an employee or management seek advice and assistance, which may include conflict resolution, they may contact Human Resources.
3. No offer of settlement of a grievance by either party shall be admissible as evidence in later grievance proceedings or elsewhere. No settlement of a grievance shall constitute a binding precedent in the settlement of similar grievances.
4. Failure to grieve to the next step within the specified time shall end the right to grieve. However, the parties to any grievance may, by mutual agreement, waive the time limits provided herein. Such extensions shall be in writing and approved by all parties. Copies of the extension shall be provided to all parties.
5. The Board, administration or supervisors shall not retaliate or effect reprisals against any non-faculty exempt employee for processing or participating in a grievance.
6. Employees who voluntarily terminate their employment shall have their grievances under this policy immediately withdrawn and shall not benefit by any later settlement of an individual or group grievance.
7. Grievance records shall not be maintained in the individual's personnel files. Separate files shall be maintained for this purpose.
8. The words response and notice shall mean the same throughout the Grievance Procedures.
9. Required written notices shall be mailed preferably or may be delivered personally. If mailed, the effective date shall be the date of the postmark and if delivered, the effective date shall be the date of delivery.

PROCEDURES:

Step One – A non-faculty exempt employee, who feels aggrieved by a decision, action or non-action of the supervisor, or the administration, may file a written statement of the grievance with the immediate supervisor within fourteen (14) calendar days of the alleged decision, action or non-action. The statement shall include a detailed description of the alleged grievance and the specific remedy desired. The supervisor shall analyze the facts and provide a written response to the employee within seven (7) calendar days following receipt (postmark or delivery) of the grievance. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step two. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step two. In the event, the employee feels that this step has been satisfied due to written notification from the immediate supervisor, then the employee may skip step one and proceed on to step two of this procedure.

Step Two – The employee may grieve the decision of the supervisor to the appropriate vice presidential level of the university. If the employee's supervisor is at the university vice presidential level, or an employee of the Board Office, the South

Dakota School for the Deaf, or the South Dakota School for the Blind and Visually Impaired, the grievance shall move to Step Three. The grievance should include copies of the original grievance and the supervisor's response. A written response shall be delivered to the employee within fourteen (14) calendar days following receipt (postmark or delivery) of the grievance. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step three. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step three.

Step Three – The employee may grieve the decision arrived at in Step Two to the President of the University, the Superintendent of the School or the Executive Director of the Board, as appropriate. Employees who report directly to the Executive Director may file their Step Three grievances with the Board as per step Four. The grievance should include copies of the original grievance and the supervisor's response and, if applicable, the decision arrived at in Step Two. The President, Superintendent or Executive Director shall investigate the matter either personally or through an appointed designee or panel. A written decision shall be delivered within fourteen (14) calendar days of the date the grievance was received (postmark or delivery). A copy of the decision shall be provided to the employee, supervisor, and the Board's Executive Director and shall include a statement of findings and conclusions supporting the decision. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step four. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step four.

Step Four – The employee may grieve the decision rendered in Step Three to the Board. The grievance shall include copies of the original grievance and the responses received in Steps One, Two and Three. The Board's Executive Director may attempt to achieve an informal resolution of the grievance. If the Executive Director elects not to pursue an informal resolution, or if the informal resolution cannot be secured, the Executive Director shall select a hearing examiner. The hearing examiner shall hold investigative hearings with all parties involved in the grievance and prepare proposed findings of fact and conclusions of law for the Board's consideration. The Board's decision shall be issued to the employee within seven (7) calendar days from the date the grievance is considered by the Board. If the Board fails to respond within the specified time period, or if the employee is not satisfied with the decision, the employee may grieve in accordance with South Dakota Codified Law.

GENERAL GUIDELINES FOR CONTESTED CASES

This section is in accordance with Administrative Procedures Act and includes those Employees who are excluded from SDCL 3:18.

A. Rules of Evidence

1. The examiner shall exclude irrelevant, incompetent, immaterial, or unduly repetitious evidence. The examiner shall follow the rules of evidence as used by the State of South Dakota's circuit courts. Evidence not normally allowed under those guidelines is permissible if reasonably prudent persons would commonly rely on such information in the conduct of their affairs. No evidence is allowable if its admission is deemed inadmissible by state law. Objections to the submission of evidence may be forwarded by the parties involved and shall be noted in the record of the hearing. Written evidence may be submitted.
2. All parties involved may conduct cross-examinations as necessary for a full and true disclosure of the facts.

B. Finding and Conclusions

The Board office shall provide draft findings of fact and conclusions of law to the parties involved in the grievance three weeks prior to the Board meeting where the grievance shall be considered. If a party contests those draft findings, the contesting party shall submit written objections to the Board office within two (2) weeks of the Board meeting. The Board office may, at its discretion, schedule an additional hearing to hear oral arguments after issuance of the draft findings.

C. Required Record

The Hearing Examiner shall maintain a record that shall contain the following:

1. All pleadings, motions, intermediate rulings;
2. Evidence received and considered;
3. A statement of matters officially noticed which have been refuted;
4. Questions and offers of proof, objections, and rulings thereon;
5. Proposed findings of fact and conclusions of law submitted to the Board;
6. Any decision, opinion, or report authored by the hearing examiner and submitted to the Board;
7. All staff memoranda or data submitted to the hearing officer by all parties in connection with the hearing.

At any of the participating parties' written request, a recording of the hearing shall be created by the Board office. If a written record is requested by one of the parties, it shall be prepared at the expense of that party. If another party subsequently requests a written record of the hearing, a copy shall be prepared at the expense of that party. If no written record of the hearing is prepared, the Board office shall prepare minutes of the hearing.

D. Hearing Notification

Prior to holding the hearing, the hearing examiner shall provide notification of the hearing and include the following:

1. Statement of the time, place, and nature of the hearing;
2. Statement of the legal authority and jurisdiction under which the hearing is to be held;
3. Statement of the issue to be addressed in the hearing, and if applicable, any relevant BOR policies or state laws which shall be addressed in the hearing;
4. A statement which delineates the possible consequences of the Board’s ultimate decision of the issue at hand on all parties involved;
5. A clear statement that the hearing is adversarial, that all parties have the right to be represented by legal counsel, and that all due process rights shall be forfeited if they are not exercised at the hearing;
6. A statement that the hearing shall be used as the basis of drafting proposed findings of fact and conclusions of law for the Board’s consideration, and that the Board’s decision is subject to grieve to the circuit court and ultimately the state Supreme Court as provided by law.

Appendix C

General CSA Grievance Procedure

GENERAL PROVISIONS:

1. The purpose of this grievance appeals procedure is to provide a just and equitable method for the resolution of grievances without discrimination, coercion, restraint or reprisal against any employee who may submit or be involved in a grievance.
2. No offer of settlement of a grievance by either party shall be admissible as evidence in later grievance proceedings, or elsewhere. No settlement of a grievance shall constitute a binding precedent in the settlement of similar grievances.
3. Failure to grieve or appeal to the next step within the specified time shall end the right to appeal. However, the parties to any grievance may, by mutual agreement, waive the time limits provided herein. Such approved extensions shall be in writing and shall be provided to all parties.
4. Employees who voluntarily terminate their employment shall have their grievances under this policy immediately withdrawn and shall not benefit by any later settlement of an individual or group grievance.
5. Neither the Board of Regents, administration, nor supervisor shall retaliate or effect reprisals against any career service employee for processing or participating in a grievance.
6. Grievance records shall not be maintained in the individual's personnel files. Separate files shall be maintained for this purpose.
7. Required written notices shall be delivered personally or mailed, and if mailed, shall be effective on the date of the postmark.

PROCEDURES:

- ***Step 1***: A Career Service Board of Regents employee, who feels aggrieved by a decision, which affects the employee's terms, and conditions of employment may file a written statement of the grievance with the immediate supervisor within fourteen (14) calendar days of the alleged decision. The statement shall include a detailed description of the alleged grievance and the specific remedy desired. The supervisor shall analyze the facts and provide a written response to the employee within seven (7) calendar days following receipt of the grievance. If the employee is dissatisfied with the supervisor's response or fails to receive a response within the time limits, the employee has seven (7) calendar days to proceed to Step Two.

- ***Step 2:*** The employee may appeal the decision of the supervisor to the appropriate vice president level of the university. If the employee's supervisor is at the university vice presidential level, or an employee of the Board of Regents Office, the South Dakota School for the Deaf, or the South Dakota School for the Visually Handicapped, the appeal shall move to Step Three. The appeal should include copies of the original grievance and the supervisor's response. A written response shall be delivered to the employee within fourteen (14) calendar days of the date the grievance was received. If the employee is dissatisfied with the vice president's response or fails to receive a response within the time limits, the employee has seven (7) calendar days to proceed to Step Three.

- ***Step 3*****:** The employee may appeal the decision arrived at in Step Two to the president of the university, the superintendent of the school or the Executive Director of the Board of Regents, as appropriate. The appeal should include copies of the original grievance and the supervisor's response and if applicable, the decision arrived at in Step Two. The president, superintendent or Executive Director shall

investigate the matter either personally or through an appointed designee or panel. A written decision shall be delivered within fourteen (14) calendar days of the date the grievance was received. A copy of the decision shall be provided to the employee, supervisor, and the Board of Regents or Regents' Executive Director, and shall include a statement of findings and conclusions supporting the decision. If the employee is dissatisfied with the decision rendered in this step or does not receive a decision within the time limits, the employee has fourteen (14) calendar days to proceed to Step Four.

- ***Step 4*:** The Executive Director shall investigate the grievance and make a recommendation to the Board of Regents. The Executive Director may direct a staff member(s) to conduct the investigation and provide findings and recommendations. The Board of Regents shall review the recommendations of the Executive Director and may, in its discretion, limit the review to the record previously established or may provide the employee an opportunity to be heard by a hearing officer or committee appointed by the Board of Regents or its designee. The Board of Regents' decision shall be issued to the employee within seven (7) calendar days from the date the grievance is considered by the Board of Regents. If the Board of Regents fails to respond within the specified time period, or if the employee is not satisfied with the decision, the employee may appeal in writing to Career Service Commission within fourteen (14) calendar days of notice of the decision.
- ***Step 5:*** The decision of the Career Service Commission may be appealed to the circuit court in accordance with SDCL 1-26.

Appendix D

CSA Classification Appeals

Purpose:
The Regental Classification Appeals Procedure provides an orderly process for Regental Career Service Act employees to request review of their classification and to appeal classification action decisions.

Procedure:
The following steps are to be used in the orderly progression of classification review/appeal.

- **Step 1:** An employee may request a classification review (usually due to a significant change in duties and responsibilities), by completing the employee section of a Position Description Questionnaire (BP10) and submitting it to the employee's immediate supervisor.

  If a position is vacant or if the employee is absent and unable to prepare the B P10, the BP10 may be completed and signed by the immediate supervisor.

- **Step 2:** The immediate supervisor shall review and complete the Supervisor's section of the employee's BP10 within thirty (30) calendar days after its receipt. The BP10 shall be forwarded and reviewed by the supervisory levels each institution deems appropriate and then forwarded to the campus Human Resources Director.

- **Step 3:** Once the BP10 has been received in the Human Resource Department, the position shall be reviewed and an audit completed, with a recommendation for action forwarded to the Board of Regents' Personnel Officer.

- **Step 4:** The institution's recommendation shall be reviewed and approved or disapproved by the Regents' Personnel Officer. The completed action shall be returned to the institution and the employee shall be notified as to the status of the reclassification request. If the employee is not satisfied with the classification action, the employee has fourteen (14) calendar days from receipt of the notice to move to Step 5.

- **Step 5:** If the employee feels the decision of the Regents' Personnel Officer is unsatisfactory, the employee shall submit a written letter of appeal to the Executive Director of the Board of Regents for referral to a Classification Review Committee. The Committee shall consist of one member from the Board of Regents' staff, one Career Service employee and one disinterested personnel representative from a Regental institution. The composition of the Committee shall be recommended by the Board office for approval by the president or superintendent of the institution involved. In a case where the South Dakota Bureau of Human Resources has completed the original audit leading to the disputed recommendation, the Bureau of Human Resources shall provide a member of the Committee who shall serve in place of the Career Service employee as a voting member of the Committee. In such case, a Career Service employee shall be appointed to the Committee and shall serve in an advisory capacity. The Committee shall be formed and a meeting date set to review the contested classification action within twenty-one (21) calendar days of receipt of the appeal notice from the employee. The Executive Director or his designee, after receiving concurrence from the institutional representative and the employee who is appealing, may authorize the hearing be conducted via teleconference. At least one member of the Committee shall be physically co-located with the employee (who is appealing) during the teleconferenced hearing.

- **Step 6:** The Committee shall elect a chair. The chair shall submit a written report to the Board's Executive Director, with a copy to the institution's president or superintendent, within seven (7) calendar days of the classification review. The report shall include the rationale used to support the decision. The president or superintendent shall issue a written decision on the classification review. The president or superintendent shall then have seven (7) calendar days to submit a response to the Executive Director. After reviewing the Committee report and the institution's response, the Executive Director shall issue a written decision on the classification review.
- **Step 7:** The Executive Director shall notify the institution's Human Resource director, the employee, immediate supervisor, and president or superintendent of the decision within twenty (20) calendar days of the Classification Review Committee meeting. The decision of the Executive Director may be appealed by the employee to the Career Service Commission by filing written notice of appeal with the Commissioner of the Bureau of Human Resources within fourteen (14) calendar days of notice of the decision.
- **Step 8**: Required written notices shall be delivered personally or mailed, and if mailed, shall be effective on the date of the postmark.

Appendix E
Probable Cause Testing Procedure

Step 1:

Suspicious behavior is observed potentially attributed to drug/alcohol use.

Step 2:

Investigate and document behavior using Probable Cause Checklist (**see attached).**

Step 3:

Contact your supervisor and the Human Resources Department.

Step 4:

Together with your supervisor and the HR Department, call Campus Police officer at 380-8925 to alert officer to conduct Field Sobriety Tests. Escort employee to neutral location (TBD) and officer will meet you there. If the tests show under the influence, the employee must immediately leave the work premises. DO NOT allow them to drive home. If they attempt to drive, the Campus Police officer has authority to resolve the issue or escort them home. Tell the employee not to report back to work until their supervisor calls them back to work.

If the employee refuses to take the test, send them home for the balance of the day and tell them not to report until their supervisor calls them back to work.

STEP 5:

Regardless of the test outcome, the supervisor and Human Resources will immediately meet to discuss next steps: Referral to a counseling or drug/alcohol program; a work improvement plan; and/or strict absence reporting guidelines as conditions of continued employment. Termination may also be considered.

STEP 6:

After appropriate documentation is complete, supervisor should call the employee back to work to review the conditions of continued employment. The employee must sign, date, and receive a copy of the documentation.

STEP 7:

Every two weeks at a minimum, the supervisor shall report to Human Resources on the status of the specific situation.

CONTACT INFORMATION

Benefits Contacts can be found at:
https://bhr.sd.gov/benefits/active/contacts/index.html

GLOSSARY OF TERMS

AAO (Affirmative Action Officer) – a person appointed to make an active effort to improve the employment or educational opportunities of members of minority groups and women.

ARSD (Administrative Rules of South Dakota) -

BHR (Bureau of Human Resources) - administers the human resources management system
for the State of South Dakota and its employees. This includes recruitment and selection, job analysis, training for all employees, payroll, compensation, and employee benefits.

BOR (Board of Regents) - a nine member board, appointed by the governor and confirmed by the Senate that has constitutional authority to govern the system of public higher education in SD. The board provides leadership and sets policies for the programs and services delivered through its six universities and two special schools.

CEO (Chief Executive Officer) – leader of the organization

CSA (Career Service Act) –

CSA Classification Appeal –is a process whereby a Career Service employee can request review of his/her current classification (job title) due to a significant change in duties and responsibilities.

EAP (Employee Assistance Program) – is a benefit designed to provide a free, confidential, professional service to help employees resolve problems that affect their personal lives or job performance (such as: family problems, marital conflict, alcoholism, drug dependency, financial problems, legal problems, emotional illness, domestic violence and eating disorders).

Grievance – is defined as an alleged misinterpretation, misapplication, or violation of a specific term or provision of Board policy affecting terms or conditions of employment, or other agreements, contracts, policies, rules, regulations or statutes that directly affect terms and conditions of employment.

Grievance Procedure – This is a process whereby an employee can grieve an applicable employment action that adversely affects his/her terms and conditions of employment.

LTC (Long Term Care)

Office of Risk Management - focuses on protecting the state's assets and resources by identifying exposures to loss and providing alternative methods to finance, transfer, reduce, or eliminate those losses.

PACE (Performance and Compensation Equity) – a compensation program based on a grade and step system for all Career Service employees.

PEPL (Public Entity Pool for Liability Fund) - is a funded self-insurance program which provides coverage for general liability, law enforcement liability, public officials errors and omissions liability, automobile liability, and some medical malpractice liability.

PDQ (Position Description Questionnaire) – is the state approved form that the employee completes when requesting a review of their current position.

SDBOR (South Dakota Board of Regents) – a nine member board, appointed by the governor and confirmed by the Senate that has constitutional authority to govern the system of public higher education in SD. The board provides leadership and sets policies for the programs and services delivered through its six universities and two special schools.

SDCL (South Dakota Codified Law) -

SDRS (South Dakota Retirement System) – retirement program for eligible state employees. Its mission is to plan, implement and administer income replacement programs that give SDRS members and their families the opportunity to achieve financial security at retirement, death or disability.

SDSEO (South Dakota State Employees Organization) - A voluntary association of state employees which provides a lobbying voice and watchdog force in Pierre, working year round to protect and improve salaries, benefits, and working conditions for state employees.

STD (Short Term Disability) – unable to work due to a total disability as a result of an illness, injury or both and cannot physically perform the material and substantial duties of the job/occupation.

***** Please sign and return to the Human Resources Department**.

I have received a copy of the Northern State University Employee Handbook and understand that it is my responsibility as an employee to read it, and with the understanding that this is not a legal contract, but the means of providing general information for my benefit. This handbook is a summary of the Human Resources policies and procedures in effect at the time of printing.

_____

Employee's Name Date

August 2010