



**HOWARD UNIVERSITY  
EMPLOYEE HANDBOOK**



# HOWARD UNIVERSITY EMPLOYEE HANDBOOK

August 2016

*“Excellence in Truth and Service”*

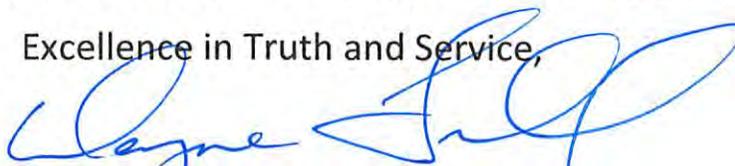
## LETTER FROM THE PRESIDENT

Welcome to Howard University! You are joining one of the nation's most historically significant academic institutions, with a rich tradition of commitment to the education and advancement of underrepresented populations. As a staff member of the University, you can be proud of Howard's history of service to a diverse community, and particularly to talented and promising Black students. You join us at an exciting time. We have announced our goal to become the first HBCU (Historically Black College or University) to rank among the top 50 research universities in the United States. Howard University will continue to emphasize the twin objectives of leadership and service as it drives toward that goal.

You may wonder how a University staff member can contribute to goals like academic excellence and devotion to important research. The answer lies in the fact that a university is a community like any other, in which every citizen and resident has an important function. Whether your job is administrative or technical or professional, primarily internal-facing or external-facing, in an office or on a loading dock or in a vehicle – regardless of the nature of your job, you are performing a service that is vital to the health of the University community.

The policies in this handbook have been developed with our mission and our values as their guiding lights. Our staff policies are designed to help you, as you do your job, reflect our values of excellence, leadership, service and truth. Whatever your job, you can be excellent in your performance, exemplary in your conduct, helpful in your customer service, and ethical in your interactions with others in our community.

Excellence in Truth and Service,



Wayne A. I. Frederick, M.D., MBA  
17<sup>th</sup> President of Howard University

## ABOUT THIS HANDBOOK

Howard University has developed this handbook to inform employees of the policies and guidelines that govern their employment relationship with the University, including Howard University Hospital, the Faculty Practice Plan, the 13 colleges and schools, and specialty education, research and clinical centers and institutes. The Handbook is a summary of information that all employees should know and understand. It does not contain all of the detailed information pertinent to employment at Howard, but we have tried to include information that is both important and useful. Additional resources are available on the Human Resources Office Website, and on PeopleSoft, where applicable. Where appropriate, we have identified information that may differ for employees of Howard University Hospital, the College of Medicine, the Faculty Practice Plan or the College of Dentistry clinics.

The Handbook is a dynamic document. It will be amended or modified or expanded over time as the University deems appropriate or necessary. All employees covered by the Handbook must sign the Acknowledgment form that appears at the end of the document to agree that they have reviewed the Handbook and understand its contents. The Acknowledgment also states that the employee agrees to remain up-to-date on any changes by checking the online Handbook, where all amendments and other changes will be communicated. All new employees are introduced to the Handbook during their orientation session, after which they will sign the Acknowledgment.

**This Handbook supersedes all prior handbooks, manuals, policies, and procedures issued by the University as to the subject matters addressed herein. Any prior handbooks are hereby revoked and withdrawn.**

**FACULTY AND UNION REPRESENTED EMPLOYEES:** All sections of this Handbook apply to all Howard University employees, unless those employees are covered by the Faculty Handbook, or any collective bargaining agreement. Those employees are covered by this handbook as well, unless provisions of the Faculty Handbook or collective bargaining agreement address a particular issue or practice, in which case the provisions of the Faculty Handbook or collective bargaining agreement prevail.

**IMPORTANT NOTE:** The policies and other information stated in this Handbook do NOT constitute a “contract” of employment between the University and any employee. The Handbook is *information* for employees and their managers, but it does not guarantee employment, any particular procedure or practice, or any particular terms and conditions of employment to anyone. Remember that the Handbook contents are subject to change at any time at the University’s sole discretion.

## ABOUT HOWARD UNIVERSITY

Established in 1867, Howard University is one of the nation's Historically Black Colleges and Universities with a proud heritage of commitment to the education and advancement of underrepresented populations in the United States and across the globe. Today the University's student body exceeds 11,000, drawn from virtually every state, the District of Columbia, and more than 70 countries. Howard students are enrolled in undergraduate, graduate, professional and joint degree programs spanning more than 120 areas of study within 13 schools and colleges, taught by more than 1,000 faculty members. As the only truly comprehensive predominantly Black university in the United States, Howard has long been one of the major catalysts of change in our society. Over the almost 150 years since its founding, Howard has awarded more than 125,000 degrees and certificates in the arts, sciences and the humanities. The University traditionally has been home to the largest gathering of Black scholars in the world. It is a national treasure.

**Capsule History.** Shortly after the end of the Civil War, members of the First Congregational Society of Washington, which itself was founded by abolitionists, proposed establishing a theological seminary for the education of African-American clergymen. The idea quickly expanded to include the establishment of a university, named for a Civil War hero, General Oliver O. Howard, who was one of the founders. Within two years Howard University was federally chartered and designated by Congress as a "university for the education of youth in the liberal arts and sciences."

From a single-frame building in 1867 on a three-acre plot of land in northwest Washington, DC, the University evolved to occupy more than 250 acres, now including the six-story, 400-bed Howard University Hospital, the School of Law West Campus, the School of Divinity East Campus, and the 1.8 million-volume library system. The University's Moorland-Spingarn Research Center (MSRC) is recognized as one of the world's largest and most comprehensive repositories for the documentation of the history and culture of people of African descent in Africa, the Americas and other parts of the world.

**Today's Leadership.** Howard University is led by its 17<sup>th</sup> President, Dr. Wayne A. I. Frederick, a nationally-renowned surgeon and medical scholar who is a triple alumnus of the University. After arriving as a 16-year-old student from Trinidad with the dream of becoming a physician, Dr. Frederick earned his undergraduate and medical school degrees and completed his surgical residency at Howard University Hospital. He completed research and surgical oncology fellowships at the University of Texas's famous M.D. Anderson Cancer Center before joining the faculty of the University of Connecticut, where he rose to become the Associate Director of its Cancer Center. Since returning to Howard in 2006, Dr. Frederick has served in many leadership roles, eventually becoming Provost and Chief Academic Officer of the University. Appointed President in 2014, Dr. Frederick embodies the mission of Howard University and has dedicated himself to renewing the University's commitment to academic excellence, thereby continuing the University's legacy as a world-class academic and research institution.



## TABLE OF CONTENTS

Section 1.....	9
1.0 GENERAL EMPLOYMENT INFORMATION .....	9
1.01 At-Will Employment.....	9
1.02 Business Hours .....	9
1.03 Identification Badges .....	9
1.04 Mobile Devices/ Phones .....	9
1.05 Department of Public Safety.....	10
1.06 Support Services .....	10
Section 2.....	11
2.0 EMPLOYMENT CATEGORIES.....	11
2.01 General Categories.....	11
2.02 Specific Employment Categories & Benefits.....	12
2.03 Employment of Minors .....	13
Section 3.....	14
3.0 WORK SCHEDULES AND TIME REPORTING .....	14
3.01 Work Schedules .....	14
3.02 Time Reporting for Staff Employees.....	14
3.03 Nonexempt Employees.....	15
3.04 Exempt Employees.....	15
3.05 Improper Deductions from Pay .....	15
3.06 Approval of Time Records.....	15
3.07 Time Correction .....	16
3.08 Inclement Weather and Other Emergencies .....	16
3.09 Alternative Work Schedule (AWS) Policy.....	17
Section 4.....	20
4.0 HOLIDAYS .....	20
4.01 Federal Holidays.....	20
4.02 University Holidays .....	20
Section 5.....	22
5.0 LEAVE.....	22
5.01 Annual Leave.....	22

5.02	Accrual of Annual Leave.....	22
5.03	Carry Over of Unused Leave .....	23
5.04	Payment of Annual Leave Upon Separation from Employment .....	23
5.05	Responsibilities .....	23
5.06	Sick Leave .....	23
5.08	Maryland Parental Leave .....	30
5.09	School Activities Leave.....	30
5.10	Jury Duty .....	30
5.11	Military /Civil Air Patrol Leave .....	31
5.12	Military Family Leave .....	31
5.13	Election Day Leave .....	31
Section 6.....		33
6.0	COMPENSATION AND PAY POLICY.....	33
6.02	Definitions of Key Compensation Terms .....	33
6.03	Legal Compliance .....	35
6.04	Payroll Logistics.....	35
6.05	Pay Categories.....	36
6.06	Pay Administration.....	36
Section 7.....		38
7.0	EMPLOYEE BENEFITS .....	38
7.01	Retirement Plans.....	38
7.02	Health Insurance Benefits.....	38
7.03	COBRA & Benefit Continuation.....	39
7.04	Flexible Spending Accounts .....	39
7.05	Life and Accidental Death & Dismemberment Insurance .....	39
7.06	Disability Benefits .....	39
7.07	Employee Assistance Program (EAP) .....	40
7.08	SmartTrip Commuter Benefits .....	40
7.09	Long Term Care .....	40
7.10	Tuition Remission.....	40
7.11	Group Legal Services Plan .....	40
7.12	Beneplace.com Purchasing Power.....	41
Section 8.....		42

8.0	PERFORMANCE MANAGEMENT.....	42
8.01	Introductory Period.....	42
Section 9.....		43
9.0	HUMAN RESOURCES POLICIES AND SERVICES.....	43
9.01	Recruitment and Hiring.....	43
9.02	Job Posting .....	43
9.03	Exclusive Authority of the Office of Human Resources .....	44
9.04	Consequences of Unauthorized Offers of Employment.....	44
9.05	Employment of Relatives .....	44
9.06	Personnel Files and Benefits Records .....	45
9.07	Job References .....	45
9.08	Background Checks .....	46
9.09	Visa and Immigration Matters .....	46
9.10	Disability Accommodations .....	48
9.11	Pregnancy Accommodation .....	49
9.12	Lactation Breaks.....	49
Section 10.....		51
10.00	EMPLOYEE CONDUCT .....	51
10.01	General Guidelines: Courtesy and Respect.....	51
10.02	Attendance and Punctuality .....	51
10.03	Dress Code and Appearance.....	51
10.04	Confidentiality.....	51
10.05	Unlawful Discrimination, Retaliation and Harassment.....	52
10.06	Bullying.....	52
10.07	Examples of Bullying .....	53
10.08	Open Door Policy and Anti-Retaliation Policy for Protection of Employees .....	53
10.09	Alcohol and Substance Abuse Policy .....	53
10.10	Respect for University Property.....	54
10.11	Conflicts of Interest.....	55
10.12	Outside Employment .....	55
10.13	Social Media .....	55
10.14	Workplace Privacy.....	56
10.15	Workplace Safety .....	57

10.16	Workplace Violence .....	57
10.17	Additional Guidelines Concerning Employee Conduct .....	58
Section 11.....		60
11.00	EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST UNLAWFUL .....	60
11.01	Equal Employment Opportunity and Affirmative Action .....	60
11.02	Unlawful discrimination .....	60
11.03	Sexual and Other Unlawful Harassment.....	61
11.04	Prohibited Conduct .....	61
11.05	Special Note about Computer Messaging and Information Systems.....	62
11.06	Scope and Administration.....	63
11.07	Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities.....	63
11.08	Managers' Obligations .....	64
11.09	Procedures for Addressing Complaints of Discrimination, Retaliation or Harassment .....	64
11.10	Prohibition on Retaliation Arising from a Complaint of Discrimination or Harassment .....	65
Section 12.....		66
12.00	DISCIPLINE AND TERMINATION.....	66
12.01	Counseling and Coaching .....	66
12.02	Formal Disciplinary Action .....	66
12.03	Notice of Termination .....	67
12.04	Demotion .....	67
12.05	Job Abandonment.....	67
12.06	Voluntary Termination of Employment .....	68
12.07	Separation and Exit Process.....	68
12.08	Final Pay .....	68
12.09	Severance.....	68
ACKNOWLEDGMENT.....		69



## Section 1

### 1.0 GENERAL EMPLOYMENT INFORMATION

#### 1.01 At-Will Employment

Employment with the University is at-will, which means that either you or the University may terminate your employment at any time, with or without cause or notice. Therefore, neither this Handbook nor the University's policies and procedures constitutes a guarantee that your employment will continue for any definite period of time or end only under certain conditions. Nothing in this Handbook or in the University's policies and procedures constitutes an expressed or implied contract of employment or warranty of any compensation or benefits. No one other than the Vice President of Human Resources or the President of the University have the authority to make any exception to this policy, and any such exception must be in writing.

#### 1.02 Business Hours

Howard University's administrative offices are open for business from 8:30 AM to 5:00 PM Monday through Friday, except on University holidays. Other departments of the University may operate on a different schedule, and some, including the University's Public Safety department and most units of the Howard University Hospital, operate on a 24x7 basis. Individual work schedules will be communicated to you upon hire and from time to time during their employment.

#### 1.03 Identification Badges

Most employees will be issued a University photo identification badge, also known as "Bison One" card. You must wear your ID badge so that it is always visible. Your badge may also function as a key-entry card allowing you to gain access to areas of the University that are not normally open to the public. Bison One Employee IDs are administered by the Bison One Card office. If you lose your badge, contact the Bison One Card Office immediately in order to obtain a new one, and so that it can be deactivated to prevent improper use.

See <http://auxiliary.howard.edu/bison-one-card> for more detailed information.

Employees who work in Howard University Hospital, or the Department of Public Safety may be issued additional identification, and/or credentials and should contact their department head or safety office to determine how to secure their identification and what to do in the event it is lost.

#### 1.04 Mobile Devices/ Phones

Department or Division heads are responsible for recommending whether an employee needs a mobile phone or "smart phone" to fulfill his or her job responsibilities and all such requests must be approved by the department's Vice President or Dean. University policy is that employees may be provided additional compensation, in the form of a monthly supplement, to cover the cost of business-related calls or activity on the employees' personal mobile phones. The University does not pay for equipment or activation fees. The monthly supplement payment is non-taxable income to the employee and will be included in the employee's paycheck.

An employee receiving a mobile phone supplement must make the personally-owned device available for business use as required by the department. An employee receiving a supplement must maintain active mobile phone service. The employee agrees to carry the cell phone with them and keep it charged and in operating condition based on departmental requirements.

In the event of a claim against the University, the University may require that an employee who has used a personal phone or device for work-related activities take steps to preserve relevant information. This requirement will apply to any device used for work-related activities, whether or not the employee receives a reimbursement for use of the phone.

Non-exempt employees may not take calls, or read and respond to work-related e-mail or text messages on their cell phones or other devices outside of their scheduled work hours, unless expressly authorized in advance by their supervisor to work and be paid for the additional work hours.

Supervisors, managers and employees should be aware that if non-exempt employees are required to take or respond to calls or email messages, the time must be carefully recorded and entered into the time-keeping system, and will be considered and paid as work time consistent with the procedures outlined in this Handbook.

Further information on this policy may be found online at

<https://www.howard.edu/secretary/documents/700-004MobileDeviceStipendPolicy.pdf>.

### **1.05 Department of Public Safety**

Howard University's Department of Public Safety is primarily responsible for protecting the safety and security of all employees, students, and visitors, as well as all property and facilities of the University. The Campus Police Department is an important part of Public Safety. The Campus Police Department's mission includes both crime prevention and safety education for the entire Howard community. Notify Campus Police immediately in the event of any emergency or incident that may affect safety and security of people or property. **(202) 806-1100.**

<http://www.howard.edu/publicsafety/about.htm>

### **1.06 Support Services**

At some point, most Howard employees will need to seek help or information from one of the business units of the University. A quick tour of the departments that provide the essential business support services can be found at <http://www.howard.edu/directory/>

## Section 2

### 2.0 EMPLOYMENT CATEGORIES

Howard University employs a wide range of employees, from students to faculty to staff members, in a broad spectrum of jobs. The following terms are provided to help you understand which employment categories may apply to you and your job.

#### 2.01 General Categories

**At-will.** All employees of Howard University are employed at will unless they have an employment contract, collective bargaining agreement or other written agreement with the University that specifies the terms of employment and/or specifies how the employment relationship may be terminated. In the absence of any contract or collective bargaining agreement, both the employee and the University may terminate the employment relationship “at will,” meaning at any time, with or without notice, for any reason that is not unlawful.

**Exempt or Non-Exempt.** All employees fall into one of these two categories, which are based on the federal wage-hour law called the Fair Labor Standards Act (“FLSA”). The FLSA is the law that establishes the minimum wage and overtime rights as well as other related requirements that employers must obey. Those holding **non-exempt** jobs are covered by the FLSA, primarily meaning these positions are entitled to earn overtime pay for work hours over 40 in any workweek. Those holding **exempt** jobs are exempt from the overtime provisions of the FLSA, meaning they do not earn overtime compensation.

**Union-represented or Non-union.** Some Howard employees are members of bargaining units represented by a labor union. The union negotiates with the University to agree upon a contract (a collective bargaining agreement) that states the terms and conditions of employment for all the employees in the bargaining unit. Some of those terms and conditions may be different from those that apply to non-union employees. This Handbook applies to both **union-represented** and **non-union** employees, but where the provisions of the handbook and the collective bargaining agreement differ, the collective bargaining agreement provisions govern.

**Faculty.** Non-union Employees who hold full-time positions as dean, associate or assistant dean (with faculty status), professors, associate and assistant professors, instructors and lecturers, are considered to be members of the faculty.

**Staff.** All other non-student employees of Howard are considered to be members of the University’s staff.

**Graduate Assistants.** Graduate students who are engaged as Graduate Assistants or Teaching Assistants who receive a stipend; Graduate Assistants are not employees but are expected to comply with all applicable policies in this handbook.

**Students.** Howard offers a variety of paid work opportunities to undergraduate and graduate students. Students are expected to comply with the policies in this Handbook.

Undergraduates are paid an hourly wage and may work no more than 20 hours per week during the academic school year (40 hours per week during the summer), and maybe employed in only one of the following categories:

- Work-Study Student Employee
- HUSEP (Howard University Student Employee Program)
- Student Employee

In addition to one of the above undergraduate or graduate positions, students also may hold one of a variety of leadership positions for which they may be paid a minimal stipend:

- Student Leader
- Resident Assistant
- Orientation Leader
- Tutor
- Student Performer
- Hilltop
- Yearbook

## 2.02 Specific Employment Categories & Benefits

The following table describes more specific employment categories at Howard University, and states whether employees in each category are eligible to participate in the University's employee benefits plans and programs. If you have a question about which categories best describe your own employment, please talk with your supervisor and/or your department's HR Business Partner.

<b>Specific Category</b>	<b>Definition</b>	<b>Benefits Eligibility</b>
Full-time Regular Staff	Employees with regular work schedules of 40 hours a week, but no specified duration of employment, who are not members of the faculty, not a full-time student, and not represented by a union.	Yes
Part-time Regular Staff	Employees employed on average less than 30 hours of service per week, or 130 hours of service per month, but no specified duration of employment, who are not members of the faculty and not represented by a union.	Yes (limited & pro-rated)
Temporary Staff	Staff employees hired for a period of no more than 1,000 hours, full-time or part-time, paid an hourly wage and eligible for overtime compensation regardless of whether job is normally exempt or non-exempt.	No

Faculty	Full-time employees with teaching assignments and/or related administrative roles.	Yes for full time
Phased Retirement Program (PRP) Faculty	Full-time faculty members who are participating in the Phased Retirement Program.	Yes
Temporary, Adjunct or Part-time Faculty	Part-time employees with teaching assignments who are hired on a per-course or per term or year basis, and whose compensation depends on the final enrollment and number of credits of the course(s) they teach.	Limited to pretax withholding benefits – or as determined by collective bargaining agreement, i.e. SmartTrip, HCA, DCSA etc.
Principal Investigator	Full-time regular position responsible for most aspects of grant application and management, which may be held by a staff or faculty member	Yes
Grant-Funded Employee	Full-time staff position with a duration set by contract based on the grant, and compensation from grant funds rather than the University.	Yes (may be exceptions due to grant terms)
Summer Researcher	Full-time position for faculty member conducting scholarly research and writing between Spring and Fall semesters	Yes

### 2.03 Employment of Minors

Employees are required to consult with and obtain written approval from the Office of Human Resources prior to hiring anyone who is under the age of 18.

## Section 3

### 3.0 WORK SCHEDULES AND TIME REPORTING

#### 3.01 Work Schedules

Employee work schedules depend on employment category and job position. All full time employees are generally scheduled to work at least forty (40) hours in a workweek, typically eight (8) work hours per day. Part-time and temporary employees will have individualized schedules, but each is expected to adhere to the assigned work schedule. All full-time work schedules include an unpaid 30-minute lunch period.

Employees must report to work on time and work their full schedule unless excused for absence or approved leave. Prompt, regular attendance is an essential function of the job for all University employees. This section of the Handbook explains the University's policy on how employees must report their work and leave time. It also describes the University's policy on alternative work schedules.

#### 3.02 Time Reporting for Staff Employees

Time reporting requirements depend in part on whether you are an exempt or non-exempt employee. To assure payroll accuracy, every staff employee must comply with this policy. Following the rules will assure that the University is in full compliance with the wage-hour laws, including those of the District of Columbia, Maryland, and the Federal Fair Labor Standards Act (FLSA).

All employees are registered in the PeopleSoft timekeeping database; for some staff, work time is also recorded in the KRONOS Timekeeping system. When the rules below refer to "reporting" time, it means entering time into the PeopleSoft or KRONOS system. You are responsible for learning how to access and use your assigned timekeeping system, and for reporting your time accurately and in accordance with this policy. <http://www.peoplesoft.howard.edu>

All staff employees must accurately report all of their paid and unpaid leave hours and other time away from work during their normal work schedule.

No employee may enter work/leave time in a timekeeping system for another employee without the clear written permission of his/her supervisor.

Failure to report your time accurately, knowingly falsifying your time record, repeated errors due to negligence or carelessness, or other violations of this policy will result in discipline up to and including termination.

You may enter your leave hours for vacation or other foreseen purpose, such as scheduled medical appointments or jury duty, prior to taking the time off. Unanticipated sick or FMLA leave, should be entered promptly upon your return to work. All leave hours must be entered as promptly as possible, and in no event later than the payroll period following the time off.

It is the responsibility of each employee to enter all paid and unpaid time off into the timekeeping system. However, if the employee fails to record such leave time, the employee's supervisor

should do so in order to assure the payroll records are accurate. The supervisor should then counsel the employee to remind him/her of the obligation. *An employee's repeated failure to record his/her leave time is grounds for discipline.*

Additionally, each department is responsible for assigning a "timekeeper" who has overall authority over ensuring that all time and attendance records for that department are accurately entered and approved in a timely manner.

### **3.03 Nonexempt Employees**

Nonexempt employees must report their precise time worked, including all leave usage, (if possible) by the end of each workday in PeopleSoft or KRONOS.

Nonexempt employees who work more than 40 hours per workweek will be paid 1.5 times their regular hourly rate of pay for each overtime hour of work. Employees must make sure that any overtime work is actually authorized in advance by their supervisor. Supervisors are reminded that they are responsible for monitoring and approving any overtime work performed by staff under their supervision, and preventing staff from working overtime unless absolutely required to complete essential work.

Non-exempt employees are not permitted and may not be offered the opportunity to take so-called "compensatory time" or "comp time" in lieu of accurately reporting their overtime work hours. The law requires that all such overtime hours be reported and paid.

Nonexempt employees may not work through their lunch period without prior permission from their supervisors, because such time may result in overtime hours.

### **3.04 Exempt Employees**

If you are classified as exempt under the FLSA, you are not required to report your hours worked each day. However, you are required to report in your assigned timekeeping system any leave time. You must enter such leave time in your PeopleSoft or Kronos time record by the end of the payroll period in which the leave time was taken. If that is impossible, the leave time should be entered no later than the following payroll period.

### **3.05 Improper Deductions from Pay**

It is the University's policy to pay its employees consistent with state and federal law. In the event an exempt employee believes his or her salary has been improperly reduced, the employee should notify the Payroll Office in writing and provide the date of the reduction, the amount of the reduction, and the reason given on the pay stub (if any) for the reduction. No employee will be retaliated against for making a complaint or assisting with the investigation of a complaint regarding deductions from wages. Making a knowingly false complaint, however, may result in disciplinary action, including possibly termination of employment.

The University is strongly committed to avoiding improper pay deductions. All complaints will be taken seriously. If you have questions, please call Payroll.

### **3.06 Approval of Time Records**

Every supervisor is required to review and approve the time records of direct report employees no later than Tuesday of the week following the close of the payroll period. This is a serious obligation and cannot be delegated except by approval from the supervisor's manager or next level manager. By reviewing and approving the time records, including work time and leave time, the supervisor is attesting to the correct pay amount in accordance with law. When the supervisor is absent, he or she must make sure that a responsible delegate will review and approve employee time records.

### **3.07 Time Correction**

An employee may request a retroactive correction to a time record if a mistake or omission occurs, but such request must be submitted in writing on the Time Correction Form available online and in Payroll within two pay periods of the period to be corrected. Both the employee and his/her supervisor must sign the Time Correction Form, either personally or electronically. Any request for correction beyond the two-payroll-period deadline must be approved in writing by the departmental Vice President.

### **3.08 Inclement Weather and Other Emergencies**

Unless it is a scheduled Holiday, Howard University is always open for business, and employees are always expected to report to work. In the event of extreme weather conditions or other emergencies affecting public safety, the President or his Designee will make a decision regarding the status of the University. The decision will be based on information about weather conditions likely to affect the University community and similar operating decisions being made by the federal government, the District of Columbia government, and the District of Columbia Public Schools.

On rare occasions, extreme weather conditions may require a decision either to curtail University operations or to close the University. Curtailment means that classes are suspended, but all administrative operations continue. Closure means that all classes and administrative operations, except essential operations, are suspended. In either event, the decision will be communicated promptly through local media as well as the University's internal communications system. Employees should listen to local radio and television stations, including the Howard University Radio Station, WHUR-FM (96.3), and may also find information by accessing the University web site at <http://www.howard.edu> or viewing the Howard University Facebook Page. You may also sign up for text messaging about emergency closures by visiting [www.howard.edu/bisonconnect](http://www.howard.edu/bisonconnect).

During a curtailment, University employees are expected to report to work, but should use their own best judgment about whether it is safe to do so. Employees who do not report to work during a curtailment are under "liberal leave" and must use annual leave or the absence may be unpaid.

Please review the following table of information to understand the policy, and direct any questions to your immediate manager or to your department's HR Business Partner.

Term	Definition
Administrative Leave	Employee receives his or her regular straight-time pay for the hours during which the University is closed in a delayed opening or early closing situation. The employee is required to work or take liberal leave during the hours the University is open. Administrative leave also may be used for other purposes, such as a disciplinary measure.
Delayed Opening	The University will open at a designated time later than its regularly scheduled time of 8:30 AM. Classes begin and non-essential staff must report to work at the designated delayed opening time.
Early Closing	The University closes earlier than its regularly scheduled time of 5:00 PM; classes and administrative operations are suspended after the designated early closing time.
Essential Employees	Employees deemed necessary to the continuous 24-hour operation and service delivery of the University, Faculty Practice Plan, or Hospital and the safety of its students, employees or patients. All essential staff must report to work at their regularly scheduled start time and work their scheduled hours regardless of curtailment or closing. Each Executive Level Administrator is responsible for advising employees in his or her area whether the employee is designated "essential" under this policy, and a list of positions deemed "essential" is posted on the Human Resources website at <a href="http://www.hr.howard.edu">www.hr.howard.edu</a> . FPP and HUH employees are generally considered "essential."
Liberal Leave	Employee may use unscheduled annual leave or take unpaid leave if they do not work during a curtailment or closure.

### 3.09 Alternative Work Schedule (AWS) Policy

Howard University may permit alternative work schedules (AWS) in certain limited situations. An AWS permits designated employees to work on a schedule that differs from the standard workweek schedule. There is no guaranteed right to a non-standard work schedule, and approval of an AWS is discretionary and dependent on the operational needs of the organization as determined by its manager and Human Resources. It is important to remember that expectations regarding productivity and work quality remain unchanged; in fact, AWS often require additional

discipline and initiative on the part of both employee and manager. Alternative work schedules are not for everyone and will be considered on a case-by-case basis, based on a number of factors.

Eligibility. Alternative work schedules may only be approved for full-time non-union, non-student, non-faculty employees (exempt or non-exempt) below the level of Director who have been employed for at least 90 days and successfully completed their introductory period. Employees with pending discipline or on a Performance Improvement Plan will generally not be eligible for an AWS. In addition, because working on an AWS is a privilege, not a right, the employee must also meet the following criteria:

- Meets deadlines
- Demonstrates good quality work performance
- Maintains satisfactory performance

AWS Formats. An alternative work schedule may be either compressed, e.g., four 10-hour workdays in a workweek, or flexible, e.g., different start and end times from the standard business hours, or another flexible arrangement developed by an employee and his/her manager and approved under the process described here. The specific details of the AWS must be stated on the AWS Request Form.

Conditions for Approval. Regardless of format, all AWS must generally meet the following conditions:

- For full-time employees, each workweek (Sunday through Saturday) must include 40 regularly scheduled work hours
- An AWS workday may begin no earlier than 6 AM and end no later than 6 PM
- The employee must be working during the core hours of 9 AM to 2 PM each workday
- No more than 25% of the employees in an organizational unit may have the same scheduled off days in a workweek
- Each approved AWS must be re-evaluated after 90 days to assess its success, and may be cancelled at any time if the manager determines it is not meeting the needs of the organization

Timekeeping Issues. AWS, and particularly compressed workweeks, often create issues around timekeeping, overtime, and holidays, which should be handled as follows.

- Overtime continues to be calculated on a workweek (not daily) basis, and all overtime work must be approved in advance by the manager just as for employees on standard work schedules
- If a holiday falls on an off day for an AWS employee working a 4-day workweek, he or she may elect to take off the workday immediately before or after the holiday, with advance notice to the manager.

- An AWS employee's schedule may be modified temporarily to meet the needs of training, business travel, or other work-related obligation; any such temporary change should be recorded accurately on the employee's timesheet to ensure proper treatment by Payroll.

## Section 4

### 4.0 HOLIDAYS

#### 4.01 Federal Holidays

Howard University provides the following paid federal holidays annually to full-time regular employees provided they are on paid status immediately before and after the holiday:

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

Veterans Day – November 11

Thanksgiving Day – Fourth Thursday in November

Day after Thanksgiving

Christmas Day – December 25

When a holiday falls on a Saturday, the prior Friday is observed as the paid holiday; when it falls on a Sunday, the following Monday is the paid holiday.

Part-time and shift employees receive holiday pay for holidays that occur on a normally scheduled workday in their regular work schedule.

If a holiday falls during a planned leave period, the employee receives holiday pay for that day rather than having to use leave.

Nonexempt employees who work on a recognized holiday receive holiday pay plus their applicable hourly rate for hours worked on the holiday. The holiday pay hours do not count toward overtime hours.

#### 4.02 University Holidays

Most Howard University employees enjoy a benefit unique to academic institutions: time off when the University closes for academic calendar holidays. Except for a designated essential staff or others designated by the office of the president who are required to report to work, employees are not required to report to work during University Holidays. Specifically, at the end of the Fall Semester the University implements a full closure at the end of December for a **two-week Winter Break**, and closes for a limited closure for a **one-week Spring Recess** midway through the Spring Semester. The University will determine, at its sole discretion, whether

exempt employees will be required to use annual leave or leave without pay during these weeks, or whether the University will provide some kind of alternate paid leave.

## Section 5

### 5.0 LEAVE

#### 5.01 Annual Leave

The University recognizes the need to encourage each employee to plan for and use annual leave on a regular basis, not save or lose it. Therefore, each employee earns leave according to years of service and will be encouraged to use leave during the year in which it was earned. This policy allows easy tracking of the amount of annual leave available and straightforward planning of the use of leave so that no leave is lost.

This policy applies to all full-time and part-time, non-faculty, regular employees. The policy also applies to employees who are subject to a collective bargaining agreement, unless the terms of the applicable agreement conflict; in which case the collective bargaining agreement controls.

On July 1 of each year, and every year thereafter, each employee's annual leave account (vacation bank) will be increased by a particular number of hours based on the employee's years of service. See the following chart:

<b>Years of Service</b>	<b>Annual Leave Hours each July 1</b>	<b>Maximum Carryover Hours Each June 30</b>	<b>Maximum Payout Hours at Separation</b>
Less than 15	160	80	80
15 or greater	208	80	80

#### 5.02 Accrual of Annual Leave

Employees with less than 15 years of service receive 160 hours of annual leave per year. Each July 1, employees in this leave category will have 160 hours of projected annual leave advanced to their leave account balance. Although the employees in this leave category will have their 160 hours of projected annual leave advanced to them each July 1st, they should keep in mind that they will earn the leave at a rate of six (6) hours per pay period.

Employees with 15 or more years of service receive 208 hours of annual leave per year. Each July 1, employees in this leave category will have 208 hours of projected annual leave advanced to their leave account balance. Although the employees in this leave category will have their 208 hours of projected annual leave advanced to them each July 1st, they should keep in mind that they will earn the leave at a rate of eight (8) hours per pay period.

The amount of annual leave used each bi-weekly pay period must be reported in the appropriate time keeping system (PeopleSoft and/or Kronos) and deducted from the employee's annual leave account as it is used. The employee's annual leave account records are maintained in PeopleSoft and Kronos.

Employees hired after July 1 of each year will be advanced annual leave on a pro-rated basis based on their pay period of hire.

Employees are not permitted to use leave that they have not yet accrued.

### **5.03 Carry Over of Unused Leave**

Each July 1 begins a new year for purposes of annual leave. Employees may carry over a maximum of 80 hours of unused annual leave into the next leave year

Leave amounts for part-time employees will be prorated by two-thirds (2/3) of the rates of the hours listed for full time employees.

On June 30 of each year, any hours in an employee's leave account balance in excess of 80 hours will be lost or forfeit.

### **5.04 Payment of Annual Leave Upon Separation from Employment**

Upon separation from employment for any reason (for example, termination, resignation, job elimination or retirement) employees will be paid for any unused annual leave at their regular rate of pay, capped at a maximum of 80 hours.

### **5.05 Responsibilities**

All managers, supervisors and employees are expected to request, approve, report and use leave in accordance with the terms of this policy. Violations may result in appropriate disciplinary action.

Employees must request annual leave in writing at least 5 days in advance; an employee may not take leave until the leave request has been approved by their manager. Based on the needs of the department, at the manager's discretion, he or she may deny requested leave.

Scheduling and use of annual leave is the joint responsibility of the employee and his/her supervisor. Supervisors must organize the work of their departments such that during the course of the fiscal year employees are able to use the full amount of annual leave which they have earned.

The Vice President and Chief Human Resources Officer is responsible for communicating and implementing this policy, including development of procedures and forms, providing information and training, monitoring the use of leave and compliance with this policy, and making recommendations for changes to this policy. The Vice President and Chief Human Resources Officer is also responsible for assuring accurate and auditable records related to annual leave use, and evaluating and ruling on requests for exceptions.

### **5.06 Sick Leave**

#### Eligibility

Full-time, part-time and temporary staff employees are eligible for paid sick leave; students and contractors are not eligible. Employees governed by a collective bargaining agreement are eligible only consistent with and in the manner set forth in their collective bargaining agreement.

Full-Time Staff employees accrue sick leave immediately at the rate of four (4) hours per biweekly pay period, beginning on date of hire, up to a maximum of thirteen (13) days per fiscal year.

Part-Time, Temporary, and Seasonal Employees accrue sick leave immediately at the rate of one (1) hour per 37 hours worked, and not more than seven (7) days per fiscal year; employees exempt from overtime under the FLSA do not accrue leave for hours worked beyond a 40-hour work week.

Employees do not accrue sick leave for any biweekly pay period in which they do not receive a paycheck.

#### Carry Over of Sick Leave

Employees may carry over unused sick leave from year to year without limit. However, Employees receive no payment for accrued unused sick leave on termination or resignation of employment. However, if an employee separates employment with the University and is subsequently rehired within 1 year, the employee's previously accrued paid sick leave balance will be reinstated.

#### Use of Sick Leave

All full time employees are eligible to use paid sick leave as it accrues.

Part-Time, Temporary, and Seasonal employees are eligible to use paid sick leave after 90 days of employment.

Paid sick leave may be used for any of the following:

- (1) An absence resulting from a physical or mental illness, injury, or medical condition of the employee;
- (2) An absence resulting from the need to seek professional medical diagnosis, care or preventive medical care (i.e., doctor's appointments), for the employee;
- (3) An absence for the purpose of caring for a family member who has any of the conditions or needs for diagnosis or care described in (1) and (2); or
- (4) Illness or for an absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse and the absence is directly related to seeking medical, social, psychological, assistance, relocation or legal services.

A "family member" includes: a spouse or domestic partner, parents, parents-in-law, children (foster or grandchildren included), children's spouses, siblings, siblings' spouses, children living with the employee and for whom the employee permanently assumes and discharges parental responsibility, or a person who has shared a mutual residence and committed relationship with the employee for at least the preceding 12 months.

#### Documentation

Your manager may require that a doctor's note or other documentation be submitted to verify the reason for the absence if the absence is in excess of **three (3) consecutive work days**. Documentation should be provided upon the employee's return to work. Appropriate documentation should be submitted to the manager; proper documentation may include: a

signed document from a health care provider, a police report, a court order, and/or a signed statement from a victim /witness advocate.

Requests for Sick Leave. If the need for sick leave is foreseeable (for example, a scheduled surgical procedure or attendance at a court hearing related to domestic violence) you must submit a request for sick leave in PeopleSoft at least 10 days in advance of the leave, or as soon as practicable.

If the need for leave is unforeseeable, such as an accident causing injury or a sudden onset of an illness, we ask that you (or a family member) notify your manager as soon as possible on the first day of absence, before the start of the work day if feasible, and on each morning thereafter that you are unable to report for work.

Extended Illness or Injury. If you have an extended illness or injury, you may be able to take unpaid FMLA leave and/or apply for short-term disability benefits, provided you meet the eligibility requirements. Employees on paid short-term disability leave will continue to accrue annual leave.

For information on FMLA leave or short-term disability benefits, please refer to the Benefits section of the handbook and the HR website or contact the Department of Benefits and Pension Administration at [benefits@howard.edu](mailto:benefits@howard.edu) or 202-806-1280.

## 5.07 Family or Medical Leave

### Under the DCFMLA

Eligible employees may take up to **16 weeks per 24-month period** of medical leave for the employee's own serious health condition, and **16 weeks per 24-month period** of family leave for a qualifying event. Leave may be taken in a continuous block or on an intermittent or reduced schedule basis when medically necessary. Family leave related to the birth or placement of a child, may be taken, by agreement, on a reduced leave schedule over a period not to exceed 24 consecutive months.

Eligible employees are entitled to take **26 weeks in a 12-month period** to care for a covered family member with a serious illness or injury.

Employees who are eligible and need to take leave to care for a covered family member and also need to take leave for any other FMLA qualifying reason are only entitled to a *combined total* of 26 weeks of leave in a single 12-month period.

### Under the FMLA

Eligible employees may take up to a total of 12 workweeks of unpaid leave in a 12-month period for a qualifying event.

If the employee is eligible for FMLA, DC Family and Medical Leave Act Leave ("DCFMLA") and/or Maryland Parental Leave ("MPL"), all applicable leave will run concurrently.

FMLA leave is unpaid however, employees will be required to use accrued paid leave or short term disability benefits (if available/applicable and approved in accordance with the benefit requirements) in conjunction with their FMLA leave.

Qualifying Events Include:

- (1) Birth of a child, and in order to care for that child (within 12 months of the birth);
- (2) Placement of an adopted or foster child (within 12 months of the placement);
- (3) The care of a spouse, child or parent with a serious health condition;
- (4) Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty;
- (5) The care of a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin, of the service member.

Applicable Definitions:

An "eligible employee" under the DCFMLA is one who has: (1) been employed by the employer for at least one year without a break in service and (2) worked for at least 1,000 hours (an average of 19 hours per week or approximately 6 months of full time) during the 12-month period immediately preceding the requested medical leave. The one year or 12-month requirement need not be immediately preceding the request for leave

An "eligible employee" under the FMLA is one who has (1) worked for the University for at least 12 months; (2) and has worked at least 1,250 hours during the 12 consecutive months preceding the start of the employee's requested leave.

A "serious health condition" is defined as an illness, injury, or impairment of physical or mental condition that renders the employee incapable of performing the essential functions of the job and involves: (1) Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, residential medical care facility, or hospice; (2) An absence for more than three calendar days requiring continuing treatment by a health care provider; (3) Any period of incapacity due to pregnancy or for prenatal care; (4) A period of incapacity or treatment due to a chronic serious health condition which continues over an extended period of time and requires periodic visits to a health care provider; (5) Any periods of incapacity due to a permanent or long-term condition for which treatment is not effective or any absence to receive multiple treatments by a health care provider for restorative surgery or a condition that would likely result in more than three days absence if not treated.

Procedures/Guidelines:

Concurrent use of other leave or benefits. The University requires employees to use all accrued paid leave, such as annual or sick leave (if available/applicable) to run concurrently with FMLA leave. All FMLA qualifying sick leave, short term disability, and workers' compensation related

absences will be designated as FMLA leave, and will reduce the FMLA leave otherwise available to you during that 12-month period.

#### Employee and Spouse Employed by the University.

Under the FMLA, in situations where both the employee and the employee's spouse are employed by the University, a total of 12 weeks of leave *between* both parties will be granted for birth, adoption, foster care placement or care for a parent with a serious health condition.

In situations where both the employee and the employee's spouse are employed by the University, a total of 26 weeks of leave *between* both parties will be granted to care for a covered family member with a serious injury or illness. If the leave is requested because of the serious health condition of a child or of the other spouse or because of a qualifying exigency, each spouse is entitled to 12 weeks of leave.

Under the FMLA, in situations where both the employee and the employee's spouse are employed by the University, eligible spouses are each entitled to up to 12 workweeks of FMLA leave in a 12-month period, without regard to the amount of leave their spouses use, for the care of a spouse or son or daughter with a serious health condition; a serious health condition that makes the employee unable to perform the essential functions of his or her job; or any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on "covered active duty."

Under the DCFMLA, if 2 family members are employees of the same employer, (A) the employees may be limited to an aggregate total of 16 workweeks during a 24-month period the; and (B) the employees may be limited to 4 workweeks during a 24-month period the aggregate number of family leave workweeks which the family members are entitled to take simultaneously.

#### Use of Family and Medical Leave

To utilize FMLA leave, employees must follow specific guidelines as provided by the Office of Human Resources, some of which are described below.

How to Apply. Employees should provide the maximum notice possible of intent to utilize FMLA leave. An employee must notify the University thirty (30) days in advance if the need for leave is foreseeable; or as soon as practicable if the need is unforeseeable, generally within two days if the need is an emergency. When the employee does not give timely notice of foreseeable leave the leave may be denied or delayed.

Notification requires that the employee:

1. Notify his/her supervisor of the request for FMLA leave; **and**
2. Call the MetLife Claims Center at **1-855-855-1563**

FMLA may be taken in blocks of time or on an intermittent basis.

Documentation. Employees requesting FMLA leave will be required to provide supporting documentary evidence of need, and may be asked to sign a waiver permitting the disclosure of medical information from their health care provider.

Periodic re-certifications will be required. If the employee does not comply with these requirements in a timely and adequate manner, FMLA-leave may be delayed or denied.

You also may be asked to obtain a second medical certification from a health care provider, at the expense of the University. The University may choose the health care provider for the second opinion, except that it cannot be someone with whom the University regularly contracts or uses his or her services. If the opinions of the two designated health care providers differ, the University may require you to obtain certification from a third health care provider, again at the expense of the University. This third opinion shall be final and binding. The third health care provider must be approved jointly by you and the University.

Employment During FMLA Prohibited. Employees on FMLA leave may not be employed by or perform significant services for any other entity. Failure to adhere to this requirement will result in appropriate disciplinary action, up to and including termination of employment.

Continuation of Benefits. Employees are not eligible to accrue paid leave benefits while out on FMLA leave, except during any portion of the leave for which accrued paid leave is used.

During FMLA leave, an employee is entitled to the continuation of the group health insurance coverage on the same terms as if he or she had continued to work. If family member coverage is provided to an employee, family member coverage must be maintained during the FMLA leave. The employee must continue to make any normal contributions to the cost of the health insurance premiums.

If paid leave is substituted for FMLA leave, the employee's share of group health plan premiums will be paid through normal payroll deductions.

An employee on unpaid FMLA leave must make arrangements to pay the normal employee portion of the insurance premiums in order to maintain insurance coverage. If the employee's premium payment is more than 30 days late, the employee's coverage may be dropped. The University will provide written notice to the employee that the payment has not been received and allow at least 15 days after the date of the letter before coverage stops.

Certification of Fitness for Duty. Prior to returning from a leave due to the employee's own serious health condition, the employee may be required to obtain a fitness to return to work certification from his/her health care provider.

#### Job Restoration Upon Return

Subject to the "Limitations" set forth below, when an employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job." The employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to

the original job in terms of pay, benefits, and other employment terms and conditions (including shift and location).

Equivalent pay includes the same or equivalent pay premiums, such as a shift differential, and the same opportunity for overtime as the job held prior to FMLA leave. An employee is entitled to any unconditional pay increases that occurred while he or she was on FMLA leave, such as cost of living increases. Pay increases conditioned upon seniority, length of service, or work performed must be granted only if employees taking leave for non-FMLA reasons receive the increases.

All benefits an employee had accrued prior to a period of FMLA leave must be restored to the employee when he or she returns from leave. An employee returning from FMLA leave cannot be required to requalify for any benefits the employee enjoyed before the leave began.

Key Employees. If The University determines that the employee is a “key employee” whose absence will cause substantial hardship and grievous economic injury to the employer, the employee may not be entitled to job restoration. If such an employee requests FMLA leave, the University will provide the employee with written notice of the fact that the employee will not be entitled to job restoration. The written notice of denial will be provided (1) prior to when the employee plans to take leave; or (2) as soon as possible if the employee leaves work unexpectedly.

#### Limitations to FMLA Protections

An employee on FMLA leave is not protected from actions that would have affected him or her if the employee was not on FMLA leave. For example, if a shift has been eliminated, overtime has been decreased, an employee’s job has been eliminated, there has been a layoff or there has been a reduction in force, an employee would not be entitled to return to work if that employee would not have been employed at the time of reinstatement.

An employer may also deny job restoration to a “key” employee under certain circumstances. To deny job restoration to a key employee, an employer must have determined that substantial and grievous economic injury to its operations would result from the restoration, must have provided notice to the employee that he or she is a key employee and that restoration will be denied, and must provide the employee a reasonable opportunity to return to work in another capacity.

An employee who is unable to return to work and has exhausted their DCFMLA and FMLA leave during the relevant 24 or 12-month period is not entitled to additional DCFMLA or FMLA leave and is not entitled to job restoration.

#### Interference Prohibited

Employees, supervisors and managers should be aware that it is unlawful to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding related to the FMLA.

Contact the Department of Benefits and Pension Administration at [benefits@howard.edu](mailto:benefits@howard.edu) to obtain additional details about Family and Medical Leave.

### **5.08 Maryland Parental Leave**

Employees in Maryland are entitled to up to six (6) weeks of unpaid leave during a single 12-month period to eligible employees for birth of the employee's child or the placement of a child with the employee for adoption or foster care.

If the employee is eligible for FMLA, DCFMLA and/or Parental Leave, all applicable leave will run concurrently.

How to Apply. To request Parental Leave, an employee must generally notify the University thirty (30) days in advance if the need for leave is foreseeable; or as soon as practicable if the need is unforeseeable, typically within two days if the need is an emergency. The employee must notify his/her supervisor of the request for Parental Leave; **and** contact Employee Relations in the Office of Human Resources at 202-806-1280.

The provisions above relating to return to work after leave, job reinstatement, notice, other employment during leave, continuation of benefits, use of paid leave before use of unpaid leave and accrual of leave described in the FMLA section above, apply equally to Parental Leave. An employee who is on Parental Leave may only be terminated "for cause."

If the employee is eligible for FMLA, DCFMLA, any kind of Parental Leave or short term disability, all applicable leave will run concurrently.

### **5.09 School Activities Leave**

A DC employee, who is the parent, aunt, uncle, or grandparent who has legal custody of a child, who acts as the guardian of a child, or an employee who is married to or in a domestic partnership with any such person, is entitled to a total of 24 hours of unpaid school activity leave during any 12-month period to attend or participate in a school-related event for the employee's child, unless such school visitation/parental leave would disrupt the University's business.

Employees may use accrued, unused vacation or personal leave in lieu of taking unpaid school activities leave. Employees seeking to take school activities leave must request this leave in 10 days in advance, unless the need for such leave was not foreseeable.

### **5.10 Jury Duty**

Employees employed full time in D.C. are entitled to paid leave for jury service of 5 days or less. No employee serving jury duty should be deprived of employment or removed from his or her position for that reason, or be threaten, or otherwise coerce an employee with respect to employment because the employee receives a summons, respond to a summons, serves as a juror, or attends Court for prospective jury service. Jury duty should be recorded as such on time

records, and a copy of the summons and proof of service should be provided to the employee's manager.

### **5.11 Military /Civil Air Patrol Leave**

Howard University is proud that a number of its employees are members of the U.S. National Guard, Active Reserves or Civil Air Patrol. This public service is both honorable and honored at Howard. The University supports and facilitates its employees' military service by providing the following leave of absence arrangements.

Periodic Military Leave. Full-time and part-time regular employees of the University who are members of the U.S. National Guard, Active Reserves or Civil Air Patrol typically may be required to attend military training or perform reserve duty each year. These employees are eligible for up to ten (10) workdays of paid military leave each year to comply with such service requirements. If the military duty requirement extends beyond ten days, the leave will be unpaid, although the employee may elect to use accrued PTO to cover additional time away from work.

To request temporary military leave, the employee should notify his or her supervisor and the Office of Human Resources as soon as possible upon learning of the obligation period, and submit a copy of the military orders to the supervisor promptly upon receipt.

#### Civil Air Patrol Leave

The University will provide 15 days of unpaid leave to any employee who is a volunteer member of the Maryland Wing of the Civil Air Patrol responding to authorized emergency missions. Eligible employees will not be required to exhaust their available annual leave before taking leave under this policy, but they may elect to.

Active Duty Leave. Under the Uniformed Services Employment and Reemployment Rights Act (USERRA), any full-time or part-time regular employee who is called to active duty in the U.S. military is entitled to an unpaid leave of absence, the right to elect to continue existing employer-based health plan coverage for up to 24 months while in the military, and may also be entitled to reinstatement as set forth in applicable law.

### **5.12 Military Family Leave**

Employees in Maryland will be granted 1 day of unpaid leave to be used on the day an immediate family member is leaving for or returning from active military duty outside the U.S. as a member of the armed forces. At the employee's option and if applicable, the employee may substitute annual leave. The University may require documentation of an employee's need to take military family leave.

### **5.13 Election Day Leave**

Employees in Maryland may take off 2 hours to vote on Election Day if they do not have 2 continuous hours off from work to vote while polls are open.

## Section 6

### 6.0 COMPENSATION AND PAY POLICY

Howard University is committed to providing a compensation and salary administration program that reflects its mission and values. The compensation program is administered in accordance with local and federal wage and hour laws. Our goal is to attract, retain and reward employees in accordance with their knowledge, education, experience and contributions to the University.

The University seeks to compensate employees on an equitable basis without regard to race, color, sex, national origin, disability, marital status, political affiliations, veteran status, sexual orientation, age, religion, personal appearance, gender identity or expression, family responsibilities, genetic information, matriculation, unemployed status or any other characteristic protected by applicable law, except as permitted by law.

#### 6.01 Role of Human Resources

At Howard University, the administration of all compensation programs, including pay, is the responsibility of the Office of Human Resources (OHR). Any final determination on pay or other compensation must be made and implemented in OHR.

Only those pay determinations that have been approved by OHR will be implemented by the Department of Payroll. The Vice President of Human Resources and his/her staff are responsible for identifying and classifying staff positions and assigning them to the appropriate salary level and pay grade; managing and making changes to compensation; overseeing compliance with applicable laws; and working with Payroll to assure that appropriate procedures are in place and are followed to implement pay decisions promptly and accurately.

#### 6.02 Definitions of Key Compensation Terms

Promotion	The upward movement of a current employee who transfers from one position to a higher level position which has greater responsibility.
Demotion	The downward movement of a current employee who transfers from one position to a lower level position which has less responsibility and/or a more limited scope of duties.
Transfer	The lateral movement of an employee from one position to another position at the same salary level.
Job	A general category of tasks, such as “engineer” or “administrative assistant”, within which there may exist numerous positions with varying specific duties and responsibilities. Positions that have a common specialty and/or set of competencies are grouped in a “job family.”
Position	A specific role within the general category of a job, performed by one specific employee, which is differentiated from other jobs in that position by virtue of its specific duties and responsibilities.
Pay Grade	The levels within a “salary structure” that establish the hierarchy of jobs and salary ranges.

Salary Schedule	A hierarchy of job types and grades, and the associated compensation, containing graduated levels of pay, each of which has a minimum, midpoint, and maximum amount. These levels are matched to positions and jobs to reflect the type of job, the requisite level of experience, education, training, and skills for each position, and other market factors. The salary schedule is available on the HR website at <a href="http://hr.howard.edu/Documents/Salary_Schedule.pdf">http://hr.howard.edu/Documents/Salary_Schedule.pdf</a>
Salary Range	The range of salaries, from minimum to maximum, that is assigned to a group of jobs within a salary structure that have similar pay rates in the market. An employee's salary for an assigned position may not fall below the range minimum.
Exempt Position/Employee	A position whose assigned duties and salary level qualify it as exempt from the overtime provisions of the Fair Labor Standards Act.
Nonexempt Position/Employee	A position is designated as non-exempt when it is subject to the overtime provisions of the Fair Labor Standards Act based on its duties and salary level.
Additional Pay	Compensation that an employee receives in addition to his/her base rate of pay. Additional Pay may be paid in a lump sum or bi-weekly with the regular payroll, and ends when the interim assignment or appointment ends.
Temporary Employee	An employee hired on a temporary basis, for a period of no more than 1000 hours per fiscal year, who is paid by the University on an hourly basis and is not entitled to full benefits except as required by law.
Position Description	The official document which describes the essential duties, extent of supervision, physical requirements, educational and experience requirements, and other pertinent factors for a given position.
Overtime Pay	Payment to a non-exempt employee at the rate of one-and-one-half times the employee's regular rate of pay for all hours actually worked in excess of forty (40) hours in a work week as defined by FLSA.
Job Reclassification	A reallocation of a position in one classification to a different classification based on a change in the job duties, which may or may not result in a change in salary.
Volunteer Work	Volunteers perform work for which they expect and receive no compensation. A University employee must be compensated for any work that he or she does for the University as part of his or her regular job duties. Employees of non-profit entities such as the University may volunteer certain services without compensation (such as escorting students on service trips abroad) only if all of the following conditions are met: the services are not the same as, similar to, or related to their normal job duties; the services are donated for a civic, charitable,

	religious or humanitarian reason; and there is no coercion or pressure from the employer for the employee to volunteer the services.
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### 6.03 Legal Compliance

Many federal laws affect compensation, including the Fair Labor Standards Act (FLSA), and companion laws in D.C. and Maryland which establish the minimum wage and overtime rate.

In addition to complying with all applicable wage-hour laws and regulations, Howard University administers its pay policy in accord with other laws affecting pay, such as the anti-discrimination and equal pay laws and regulations.

### 6.04 Payroll Logistics

Payroll Period. Howard University uses a Sunday through Saturday workweek and a two-week payroll period. To assure payroll accuracy, work hours and leave hours must be entered into the timekeeping system no later than the Monday of the week following the end of each payroll period.

Payroll Schedule. Howard University employees are paid every two weeks. Paychecks are issued every other Friday for time worked and leave taken during the previous pay period. If the Friday is a holiday, paychecks are issued the previous day.

Direct Deposit. Howard University offers employees a direct deposit program for which you may sign up upon hire or at any time thereafter. If you do sign up, your paycheck will be deposited directly into your bank account.

If an employee chooses not to use direct deposit, your paycheck will be deposited into a VISA Cash Pay debit card that will be provided to the employee. No one else may accept your paycheck or VISA Cash Pay debit card on your behalf without your written and signed authorization.

Withholdings and Deductions. With each paycheck, employees receive a record (the “pay stub”) of all required deductions withheld from your pay, such as for federal and state taxes, Social Security and Medicare taxes, and authorized voluntary deductions for insurance or retirement plans or other purposes. This pay stub information is available and accessible in your employee account in PeopleSoft. The University will notify an employee if it should receive a government or court notice ordering wage garnishment, child support payment, or other legally mandated withholding from his or her pay.

claimed, employees must contact the Payroll Department.

Changes in Pay. Increases and decreases in pay are documented through *the Electronic Personnel Action Request (ePAR system)* or through a Personnel Action Form and require the approval of OHR before they will take effect. They are not effective until properly documented and recorded.

Managers are not authorized to inform employees of any changes in position, title or pay without first obtaining formal approval from the Office of Human Resources. Failure of managers to abide by this policy may result in discipline, up to and including termination.

## 6.05 Pay Categories

Overtime Pay. Only nonexempt employees are eligible to earn overtime pay at the rate of 1.5 times their regular hourly rate of pay for all hours actually worked over 40 in a workweek (Sunday -- Saturday). Only actual work hours – and not paid leave hours – count toward the calculation of overtime compensation. All overtime work must be correctly compensated, with no exceptions. **All overtime work is compensated only by payment through payroll, not “compensatory time” or “comp time,” which is not permitted.** If you are instructed not to include actual overtime hours worked on your timesheet, contact Human Resources immediately.

Shift Premiums. Where shift premium pay is applicable, at the hours worked on those applicable premium shifts must be reported to Payroll via the Kronos system so that the extra pay will be calculated and included automatically in the employees’ paychecks.

## 6.06 Pay Administration

New Positions/ Hires. When a department head or vice president determines the need for a new position that does not exist within the approved fiscal year budget, he/she may initiate the process to create the position by submitting a Position Budget Change request to their HR Business Partner (or in the case with the hospital, the Chief Financial Officer of the Hospital), which must be approved in advance by the Divisional Vice President and the Chief Finance Officer & Treasurer (or designee). Once such approvals have been obtained, the position must be submitted to the Department of Compensation in the Office of Human Resources for review and appropriate grade classification. The Compensation Department then recommends to the department head or vice president an appropriate starting salary for the position. Final determination on all starting salaries is made by the Vice President and Chief Human Resources Office (or designee). Once such final determination has been made, the department head or vice president may submit an ePAR or Personnel Action Form to request the necessary system budget change. All four stages in this process (the position budget approval. Classification review process, starting salary approval, and ePAR or Personnel Action Form submission) must be completed before an employment offer can be made to fill the position.

Starting Salaries. In consultation with the hiring manager, the Office of Human Resources will determine the appropriate starting salary to be offered to candidates for hire. Starting salaries above the midpoint of the pay band require the approval of the Vice President & Chief Human Resources Officer or his/her designee.

Merit Pay. The University has adopted a merit pay structure that is designed to reward employees through compensation for excellence of job performance. An employee’s performance appraisal is a significant factor in any consideration for a merit pay increase.

All staff pay increases are entirely discretionary; it is possible that due to budget, economic conditions, financial concerns, academic and programmatic changes or weak or unsatisfactory performance, employees may not receive any merit pay increase. All merit pay decisions are based on the financial results of the University and require approval of the HU President and his/her Cabinet.

Off-Cycle Pay Increases. Pay increases normally occur only as the end result of the performance appraisal process or fiscal year. However, in exceptional circumstances, an off-cycle pay increase may be approved if it can be justified and budgeted by a manager. A manager may submit a written request for an off-cycle pay increase, with the authorization of his department head or vice president, which will be reviewed by the Compensation Department. A decision to award an off-cycle pay increase must be approved by the Vice President & Chief Human Resources Officer or his/her designee.

Promotions and Job Reclassifications. A promotion or job reclassification may include a pay increase up to but not to exceed 10% of the current salary, and such increases require the written authorization of the departmental vice president and the Vice President and Chief Human Resources Officer or his/her designee.

Lateral Transfers. Because a lateral transfer normally occurs without a change in pay grade levels, employees subject to a transfer are not typically eligible for a salary increase. Exceptions require the approval of the Vice President & Chief Human Resources Officer or his/her designee, and generally will not exceed 5% of base salary.

Demotions. Demotions often result in a reduction in pay. Pay shall be set in accordance with the level of responsibility and complexity of the new position and duties assigned and is determined by the Director of Compensation in consultation with the department manager. In no event may salary be kept at a level that exceeds the range maximum for the new position. With the authorization of the Vice President & Chief Human Resources Officer or his/her designee, a pay reduction due to demotion may be implemented in stages over time, not to exceed a total period of eighteen months.

Interim Assignments. With the written authorization of the Vice President & Chief Human Resources Officer, an exempt staff member working in an interim assignment performing work at a higher pay grade level than his/her regular position may receive a salary adjustment of 5-15% over his/her normal salary for the interim period, not to exceed one year. The employee will return to the original salary if s/he returns to the original position.

Effective Dates of Salary Changes. Salary actions will be effective at the start of a pay period. Pay changes resulting from personnel actions will generally be processed with an effective date of the first of the month following the date the change was approved by OHR.

Salary Adjustments and the Budget. Regardless of the circumstances, all adjustments that result in an increase in pay for any employee must have been included in the current budget as part of the position control process. Requests for increases that exceed the approved budget will not be granted without the written authorization of the Vice President & Chief Human Resources Officer, the divisional Vice President, and the University's Chief Financial Officer.

## Section 7

### 7.0 EMPLOYEE BENEFITS

Howard University provides eligible employees with a comprehensive benefits package that includes options for medical, dental and vision coverage, life insurance, disability benefits and a retirement savings plan. These and other benefits are summarized briefly below, but for complete information, employees should consult the Open Enrollment guide and summary plan descriptions available on the Benefits page of the OHR website at [www.hr.howard.edu/bpa](http://www.hr.howard.edu/bpa) or contact the Benefits Department in OHR for individualized information. The actual plan documents are the final authority in all matters relating to the benefits described in the on the OHR website or this Handbook and will govern in the event of any conflict. Howard University reserves the right to alter, change or modify any of the benefits offered to employees.

#### 7.01 Retirement Plans

Howard University offers several options to help employees plan for retirement. If you were hired before December 31, 2008, and have at least five years of service, you may be entitled to benefits under the Howard University Employees' Retirement Plan, which is a traditional pension plan. That plan was "frozen" as of June 20, 2010, and benefits amounts were locked in as of that date. More information on the plan, and how to determine whether you are a participant, is available on the OHR Benefits website: [www.hr.howard.edu/bpa](http://www.hr.howard.edu/bpa)

Full time, part time and temporary employees are eligible to participate in at least one of our 403(b) retirement savings plans. Under the traditional 403(b) plan, you contribute pre-tax dollars through payroll deduction. You are taxed only when you begin to withdraw funds from the account. Under the Roth 403(b) feature, you contribute after-tax dollars, and your withdrawals may be tax-free. Howard also offers a 457(b) deferred compensation plan for eligible employees earning more than \$150,000 per year. For full time regular employees, Howard currently contributes an amount equal to at least 6% and as much as 8% of your pay toward your retirement savings plan, depending on how much you contribute.

#### 7.02 Health Insurance Benefits

Howard University full-time employees must enroll in one of the University-sponsored plans or provide proof of coverage from another source.

Employees who enroll in one of the University-sponsored plans and seek and receive care through a Howard University Hospital or Faculty Practice Plan provider may receive not be required to pay the usual deductible or co-payment.

Employees who elect coverage for dependents or partners may be required to produce documentation.

Enrollment is usually available only during a designated "open season" period. However, under some circumstances, if an employee has a "qualifying life event" enrollment or changes to enrollment outside of open season may be permitted, provided that the employee requests the change within thirty (30) days of the event that causes the employee to seek new coverage.

Employees will automatically get prescription drug benefits when they enroll in one of the University-sponsored medical plans, as well as a wide range of preventive care services.

Howard also offers dental insurance coverage to eligible employees. Employees may elect to enroll in a dental insurance plan, even if they have not enrolled in any of the medical plans.

University employees who travel abroad on University business may be eligible to access the Medical Benefits Abroad program, which provides medical coverage to the employee (and spouse and children) in the event of an injury or illness incurred while travelling on University business.

### **7.03 COBRA & Benefit Continuation**

Upon separation from employment, the University and/or its benefit providers will supply you with a written notice describing options for continuation of applicable benefits, including but not limited to continuation of health insurance pursuant to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and related state law, life insurance conversion opportunities, 401k loans and plan information, and other related information. For more information, please refer to the COBRA Addendum at the end of this Handbook.

### **7.04 Flexible Spending Accounts**

Employees who enroll in a flexible spending account are able to set aside pre-tax dollars to use for child care, elder care, or other dependent care expenses and certain health care costs. Using pre-tax earnings to cover these kinds of expenses can represent a significant cost savings because the employee pays less in taxes.

### **7.05 Life and Accidental Death & Dismemberment Insurance**

Howard provides full time regular employees with free basic life insurance and AD&D insurance. Each benefit is fully funded by the University.

### **7.06 Disability Benefits**

Howard provides certain short-term and long-term disability benefits free of charge to eligible full-time employees. This coverage supplies a degree of income protection to employees who suffer an illness or injury that prevents them from working for an extended period. FMLA or Pregnancy Leave may run concurrently with approved short term disability benefits.

Eligible employees also may choose to purchase additional income protection coverage through AFLAC to secure additional benefits to cover situations in which they are out of work due to non-work-related injury or illness. The cost of such insurance varies depending on the type and level of coverage purchased.

### **7.07 Employee Assistance Program (EAP)**

Howard offers an employee assistance program at no cost to employees and their eligible dependents. The program allows employees and family members to consult with medical providers and counselors who can assist with personal problems, ranging from personal and family health to legal, financial and emotional dilemmas. The service is totally confidential.

The Howard EAP may be reached at 1-866-519-8354 or [www.guidanceresources.com](http://www.guidanceresources.com).

### **7.08 SmartTrip Commuter Benefits**

Howard offers SmartTrip commuter benefits. Employees may use pretax dollars to obtain SmartTrip cards for up to \$130 in monthly credits for Metrorail and Metrobus fares, and up to \$250 per month in Metro Parking costs. Employees who use a different regional commuter transit system may participate in the pre-tax benefits program by allocating benefits to a personal account to use on another transit system.

### **7.09 Long Term Care**

Eligible full-time Howard University employees may purchase long-term care insurance for themselves and eligible family members through a group plan. Cost is based on age at enrollment and the level of coverage purchased.

### **7.10 Tuition Remission**

Full-time regular staff and faculty members who have completed one year of service, and University retirees receiving benefits from the University pension plan, are eligible to attend classes and receive credit hours in undergraduate or graduate programs at Howard University at no cost. Tuition remission is also available to the dependent children of such staff or faculty who have completed two years of service, and to dependent children of University retirees. Documentation of dependents will be required. Certain programs, including the Medical School, Law School, Pharmacy, Allied Health, MBA and Executive MBA, are not included in the tuition reimbursement program. More information can be found at:

<http://www.hr.howard.edu/policies/tuitionbenefits/>

### **7.11 Group Legal Services Plan**

Eligible Howard employees may purchase coverage for legal services at a discount under a group legal services plan administered by a third party vendor in the Washington DC region. The monthly premium provides the employee and eligible dependents with many core services at no additional cost, a substantial discount on normal attorney rates for more complex services, and periodic free seminars on relevant legal topics.

### **7.12 Beneplace.com Purchasing Power**

Howard University has partnered with Beneplace.com to secure a wide variety of discount opportunities for eligible Howard employees through payroll deduction. From items like computers, furniture, cars and fitness equipment to services like hotel, rental cars, and concert tickets, Beneplace.com offers access to significant purchasing power at great discounts. Employees who are separated from employment with Howard must assume the responsibility for payment of items purchased through the Beneplace.com program.

**For more information on these and other benefits available to Howard University employees, go to the Benefits Department webpage at <http://www.hr.howard.edu/bpa/>.**

## Section 8

### 8.0 PERFORMANCE MANAGEMENT

#### 8.01 Introductory Period

All employees are at-will, and can be terminated at any time.

In addition, all newly hired staff employees of Howard University are typically placed on an introductory period of ninety (90) calendar days. With the approval of the Office of Human Resources, managers may also impose an introductory period on staff who transfer to a new job assignment.

At the outset of this period, the manager should identify for the new employee the specific goals and performance expectations that the employee must meet during the period. In addition to learning their new job duties and meeting their new colleagues, employees should use the probationary period to familiarize themselves with the University's policies and procedures.

Employees who exhibit problems with attendance, performance or workplace conduct during this introductory period may be subject to immediate discharge.

An employee's introductory period may be extended by the manager with the approval of the department's OHR Business Partner for a period of no more than thirty (30) calendar days.

#### 8.02 Performance Evaluations

The University believes it is important to provide guidance and feedback to you regarding your performance. To fulfill this goal, the University seeks to conduct performance evaluations to assess strengths, successes and weaknesses. Performance evaluations are intended to provide you with positive feedback concerning those areas in which you are performing well and inform you of the University's expectations and goals in those areas in which your performance and skills may be in need of improvement, or may fall below expected standards.

These evaluations are significant to the University and often play a major role in personnel decisions relating to promotions, salary increases, transfers, demotions, discipline, and discharge.

#### 8.03 Performance Standards

Your supervisor will inform you of the specific requirements of your job duties and responsibilities and will endeavor to work with you to develop standards of competence and performance you are expected to achieve. All Employees are expected to perform their job functions at acceptable and satisfactory levels and with appropriate supervision. The expectation is that you will perform your job with the goal and attitude of serving Howard University to the best of your ability. Regular self-evaluation of your work and continuous effort to find ways to perform in a more efficient, accurate, and productive manner are the marks of an employee who performs well. Your performance evaluations will relate largely to your ability to meet and excel at requirements based upon your job responsibilities.

## Section 9

### 9.0 HUMAN RESOURCES POLICIES AND SERVICES

Howard University's **Office of Human Resources (OHR)** is responsible for developing and administering the University's employment policies and procedures. It coordinates with the Office of the Provost with regard to policies affecting faculty members. The OHR is composed of several departments, including Talent Acquisition, HR Client Services, HR Operations, HRIS, Compensation and Benefits, Employee Relations and Equal Employment Opportunity, and Visa and Immigration Services. The OHR administers this Handbook and provides employee relations support through its professional staff to all managers and employees of the University, including the Hospital. For more detailed information on the services provided by OHR, see: <http://www.hr.howard.edu/>

#### 9.01 Recruitment and Hiring

Howard University is committed to fair and consistent selection and hiring procedures that comply with all applicable laws and regulations. As an employer in the United States and as a recipient of federal grants and contracts, the University has developed hiring policies that will ensure the rights of all job applicants. All University departments, units and entities, including the Howard University Hospital and sponsored research projects, are required to comply with these Hiring Policies and follow the procedures set forth in this section.

#### 9.02 Job Posting

The Office of Human Resources posts vacancies on the University and Hospital job websites at: <http://www2.howard.edu/about/careers/apply>  
[http://healthsciences.howard.edu/huhealthcare/about-huhs/careers.](http://healthsciences.howard.edu/huhealthcare/about-huhs/careers)

Available positions are posted for a minimum of three (3) days and until they are filled or withdrawn. The Recruiter and the Hiring Manager may jointly identify other possible recruiting resources, such as professional publications, career internet sites, job fairs, educational associations, employment agencies, and search firms. No hiring manager or department may expend University funds on recruitment without the prior approval of the Talent Acquisition Department in the Office of Human Resources.

The University lists US-based job vacancies (except positions filled internally, executive positions, and faculty positions) with posting sites that partner with the U.S. Department of Labor and relevant state-operated employment services.

In certain circumstances, and where permitted by law, the University may, at its sole discretion, elect not to post a job vacancy. Examples of such circumstances include but are not limited to, selection of Vice Presidents and above, reassignment of an employee for a reorganization or

other business reason, and selection of nonexempt administrative staff to report directly to the President or Cabinet member.

Employees or external candidates who have questions about the talent acquisition process may contact the Department of Talent Acquisition at (202) 806-1277 or via email at [HU-Recruitment@howard.edu](mailto:HU-Recruitment@howard.edu).

### **9.03 Exclusive Authority of the Office of Human Resources**

To ensure that the University is compliant with its responsibilities, the Office of Human Resources (OHR) is **the only office** authorized to take the following hiring-related actions:

- Final review of all applications and approval of hiring decisions;
- Final determination of initial salary and compensation for all hires;
- Making verbal or written offers of employment to all non-faculty hires (regardless of the status of the candidate or the source of funding for the position); and
- In consultation with the Office of the Provost, making offers of employment to all faculty hires.

No oral or written offer of employment may be given to any candidate for any position until OHR has verified that the selection and hire of the candidate complies with all University employment policies and procedures as well as the requirements of all applicable federal, state, and local laws and regulations.

This rule applies to all hiring managers, including but not limited to Cabinet officers, deans, directors, department chairs, principal investigators, and budget officers.

### **9.04 Consequences of Unauthorized Offers of Employment**

Making an unauthorized offer of employment may have serious consequences for any involved individual. If an unauthorized offer is made, OHR, in consultation with the Office of the General Counsel, may rescind or postpone the offer. Any employee who makes an unauthorized offer of employment will be disciplined. The supervisor of the employee who made the unauthorized offer of employment will also be counseled to ensure that each of his/her direct reports understands and complies with the Hiring Policy.

### **9.05 Employment of Relatives**

Relatives of a current employee may work at Howard University as long as their employment does not, in the University's sole opinion, create an actual or perceived conflict of interest. Employees who are relatives may not report to, manage or supervise one another, nor should employees who are related be permitted to work within the same work unit or department. No

employee should be permitted to work in a position in which he or she has access to sensitive information concerning a relative.

If two employees in the same department marry, become domestic partners, or otherwise become related to one another; or if an employee becomes a supervisor or manager of a relative through promotion or reorganization, and in the University's judgment, the situation is likely to create a conflict of interest or other significant problem in the workplace, the University will attempt to eliminate the conflict or problem through transfer, reassignment or other accommodation of one of the employees. If no reasonable resolution of the conflict or problem can be devised, in the University's judgment, the University reserves the right to terminate the employment of one of the employees.

To the extent that situations exist as of December 31, 2015 that would violate this policy, such situations may be grandfathered with the approval of the Vice President and Chief Human Resources Officer or his/her designee, or may be resolved through transfer or reassignment of one of the affected employees.

For purposes of this section, a "relative" means anyone who is related by blood or marriage or domestic partnership to the employee, including parents, grandparents, spouses, children, grandchildren, siblings, aunts, uncles, cousins, nieces, nephews and individuals whose relationship is substantially the same as these relationships.

Exceptions to this policy must be approved by the Vice President and Chief Human Resources Officer.

#### **9.06 Personnel Files and Benefits Records**

Howard University's Office of Human Resources (OHR) creates and maintains all personnel files and benefits records for all employees of the University. OHR safeguards the confidentiality of all information and documents stored in its files and records. Access to such information is strictly limited to those with a need to know based on the nature of their positions.

Employees may request access to their own personnel files and benefits records by contacting the Human Resources Information Systems department in OHR at (202) 806-1280 or [OPF@howard.edu](mailto:OPF@howard.edu) and scheduling an appointment to review their file or record in the OHR offices. All such reviews will be conducted in the presence of an OHR representative, and the employee may not remove any documents from his/her file. An employee may request a photocopy of his or her personnel file, but will be charged \$0.20 per page, up to a limit of \$10.00.

#### **9.07 Job References**

Howard University does not provide job references regarding any current or former University employees or contractors to third parties, except as may be related to security clearance or other government investigations, regarding any current or former University employees or contractors.

No employee is authorized to provide a reference regarding current or former employees or contractors on behalf of the University. All such requests must be redirected or forwarded to the University's Office of Human Resources (OHR) for response, and any such response (excluding responses to government or security investigations) will be limited to dates of employment and positions held.

If you provide a professional or personal reference for any current or former employee or contractor of Howard University, be advised that you are doing so as a private individual and NOT as an employee or representative of Howard University. Under no circumstances should you identify yourself as a Howard employee, or use a Howard email account or stationary to provide a reference. The University specifically disclaims responsibility for defending you or assisting you in the event of subsequent legal claims concerning any reference you may have provided.

Howard University generally will respond to certain requests for information about a current or former employee for purposes of obtaining a security clearance from the U.S. government or other government agency investigation, which may involve completing a questionnaire or agreeing to be interviewed by a government investigator. Managers should notify OHR as soon as they receive any such request from any government agency or representative. OHR will assist the manager in responding appropriately and accurately to the request.

#### **9.08 Background Checks**

Howard University conducts background checks on employees considered for employment in order to ensure the safety and well-being of Howard University students and to ensure that individuals who serve Howard University are well qualified, have a strong potential to be productive and successful, and have accurately presented their background and qualifications. It is the intent of Howard University to conduct background investigations on all staff, faculty, student employees, temporary (wage) employees, employment agency staff, volunteers and independent contractors who work onsite.

#### **9.09 Visa and Immigration Matters**

Howard University welcomes employees who are foreign nationals, and complies with all immigration-related laws and regulations of the U.S. and ensures that all foreign national employees have appropriate authorization to work in this country.

*All employees who hold any kind of visa are personally responsible for knowing and keeping their visa and lawful presence status current and tracking and complying with any applicable expiration dates and deadlines.*

H-1B Visas. In the rare circumstance in which it is unable to identify and recruit a qualified candidate who is a U.S. person (e.g., citizen, permanent resident or asylee/refugee) to fill a vacant position, the University will entertain applications for employment from qualified candidates who have the education, training and experience necessary to obtain an H-1B (non-immigrant) visa. The University will seek to petition for H-1B visa status for a prospective employee in such circumstances. H-1B visas typically are available only to persons who possess at least a bachelor's degree or its equivalent and are employed in a specialty occupation requiring expertise in a

technical or theoretical discipline and professional skills in fields such as medicine, engineering, computer programming, and mathematics. Although H-1B status may extend for up to six years, holding such a visa does not guarantee continued employment.

H-1B visas authorize the holder to work in the U.S. for the petitioning employer only. In addition to being employer specific, H-1B work authorization is job and location specific. In order to ensure compliance with U.S. immigration laws, any proposed change to the terms or conditions of employment of H-1B workers must be brought to the immediate attention of the Department of Talent Acquisition and Immigration. Failure to notify the Department of Talent Acquisition and Immigration before making a change in employment may result in the employee having to stop work and depart the country.

Employees who are H-1B visa holders are subject to the same performance and conduct standards as other employees. If the H-1B visa holder resigns or the University terminates his/her employment, the University is required to notify the U.S. Citizenship and Immigration Services (USCIS). For employees requesting sponsorship by the University, such requests must be approved for sponsorship funding by the employees' department and approved for eligibility by the Office of Human Resources. For University-sponsored employees, the University will also provide "reasonable costs of transportation" for the employee to return back to his/her place of residence as required by law.

Although the H-1B visa is a "non-immigrant" visa, the holder is permitted to apply for permanent resident status.

O-1 Visas. O-1 status is only available to individuals who have sustained national or international acclaim in science, education, athletics, business or the arts. Howard University will only sponsor qualified individuals for O-1 visa classification if the individual meets acceptable performance levels, has exhausted six years of employment in H-1B status or the individual is subject to a two-year foreign residence requirement associated with J-1 visas.

Employees who are O-1 visa holders are subject to the same performance and conduct standards as other employees. Consistent with the requirements of any applicable regulations and laws, the University will provide the "reasonable costs of transportation" for certain employees in O-1 status to return back to his/her place of residence.

Permanent Resident Sponsorship. The University may elect to sponsor a visa holder employee for permanent residence in the United States, but is under no obligation to do so. To be eligible for such sponsorship, the employee must have already completed at least three years of satisfactory service as a University employee, achieved certain performance levels, and agree to certain conditions regarding the application process and associated costs. Only the Office of Human Resources is authorized to communicate intent to sponsor or conditions of sponsorship with employees. For more detailed information on a request for sponsorship, please contact the Department of Talent Acquisition and Immigration in the Office of Human Resources (OHR) via email at [ImmigrationVisa@howard.edu](mailto:ImmigrationVisa@howard.edu).

Hiring Students on F-1 or J-1 Visas. The terms of visas provided to academic students (either F-1 or J-1 visas) limit the type of employment that they may accept. These visas do allow students

to accept employment that is directly related to their major field of study. For more detailed information on whether it is possible to hire a student on an F-1 or J-1 visa, please contact the International Student and Immigration Services Office.

Employees' Responsibilities. It is the employee's responsibility to ensure that they are in compliance with U.S. immigration laws. This means that employees must confirm their visas and I-94 Records of Admission are properly issued and that they continue to be authorized for employment without interruption. Failure to confirm and maintain your immigration status and authorization to work in the United States could result in disciplinary, including termination.

This Handbook is subject to revision as changes are made to Howard's Immigration Policies and Procedures. It is each employee's responsibility to ensure that they are in compliance with any changes to immigration laws and changes to the University's immigration policies.

### **9.10 Disability Accommodations**

The University is committed to providing equal access and opportunities to job applicants, faculty and staff members with qualified disabilities, and prohibits discrimination on the basis of disability in the application process and the employment relationship. It is the policy and practice of the University to comply with the Rehabilitation Act, the Americans with Disabilities Act, as well as with applicable state and local laws prohibiting discrimination on the basis of a disability.

Consistent with local and federal law, the University will provide a reasonable accommodation to a qualified individual with a disability who meets the skills, experience, education, and other job-related requirements of a position held or desired and who, with or without reasonable accommodations, can perform the essential functions of a job.

It is the responsibility of individual employee or applicant to identify themselves as an individual with a disability when seeking an accommodation or adjustment. To request a reasonable accommodation, an employee or applicant with a disability should contact the Department of Employee Relations and EEO in the Office of Human Resources.

The process of identifying and providing a reasonable accommodation is an interactive one. As part of the interactive process, OHR may ask the employee to provide medical and other documentation to support his/her request for reasonable accommodation. All medical documents will be handled confidentially.

The information provided must be sufficient to substantiate that the individual has a disability and requires a reasonable accommodation. The information provided must describe, among other things, the nature, severity and duration of the impairment; the activity or activities the impairment limits; the extent to which the impairment limits the individual's ability to perform the activity or activities; and, substantiate why the requested reasonable accommodation is needed. The cost of obtaining and providing this information to the University is the responsibility of the employee.

The University is not obligated to provide an accommodation if it would impose an undue hardship. Undue hardship is defined as an action requiring significant difficulty or expense when

considered in light of factors such as the University's financial resources, and the nature and structure of its operations.

The University is also not required to accommodate someone who poses a direct threat to the safety of self or to others; remove an essential job function or hire or assign someone else to perform it; lower production or performance standards; or excuse misconduct.

Employees or supervisors with questions regarding the University's ADA Accommodation Request Procedures or about an accommodation request should be directed to Department of Employee Relations and EEO at 202-806-1280.

### **9.11 Pregnancy Accommodation**

Any employee who is unable to perform the functions of her job because of her pregnancy-related condition will be treated in the same manner as other employees with a disability. In addition, the University will accommodate employees who request reasonable accommodation due to pregnancy, childbirth, and related medical conditions, unless the accommodation would cause significant hardship or expense. These accommodations may or may not include the following:

- More frequent or longer breaks;
- Time off to recover from childbirth;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Having the employee refrain from heavy lifting;
- Relocating the employee's work area; or
- Providing private (non-bathroom) space for expressing breast milk.

The University will not retaliate against an employee who seeks an accommodation under this policy and will not deny employment opportunities to the employee because of such a request. The University may require an employee to provide the following information from a healthcare provider indicating: (1) the date the accommodation became or will become medically advisable; (2) an explanation of the medical condition and the need for a reasonable accommodation; and (3) the probable length of time the accommodation should be provided.

To request such an accommodation, please contact the Office of Human Resources.

### **9.12 Lactation Breaks**

The University will provide reasonable breaks for an employee to express breast milk for her nursing child for one year (or longer if required by applicable state law) after the child's birth in accordance with applicable local and federal laws.

The University will provide a location (other than a bathroom) shielded from view and free from intrusion from coworkers which may be used by employees to express breast milk private. Any

employee who intends to make use of such break time and who believes no room is currently available should contact Human Resources as soon as possible so that the University can arrange for such a room. Lactation breaks may be taken every time an employee has reasonable need to express breast milk and may be taken concurrently with normally scheduled break periods. Nonexempt employees should clock out for any time taken that does not run concurrently with normally scheduled break periods, and such time will be unpaid.

## **Section 10**

### **10.00 EMPLOYEE CONDUCT**

As an employee of Howard University, you are expected to demonstrate a high degree of personal and professional integrity at all times. The following policies and guidelines exemplify the standard of conduct and ethical behavior that should characterize a Howard University employee. It is not an all-inclusive list, but rather illustrates the kind of conduct expected of all staff.

#### **10.01 General Guidelines: Courtesy and Respect**

All staff should strive to treat co-workers, students, patients, visitors and guests of the University in the workplace with courtesy and respect. As employees of a University guided by the principles of “truth and service,” your outward demeanor should reflect those value at all times. Treat your co-workers, students, visitors, and guests as you would want to be treated.

#### **10.02 Attendance and Punctuality**

All employees are expected to be at work on time and to work their full schedule. If you will be late to work, departing early from work, or absent, you must contact your supervisor by telephone or email prior to your starting time, and explain the reason for your tardiness or absence. If you are unable to call, another person should contact your supervisor on your behalf. All uses of leave must be approved in advance, consistent with the leave policies contained in this handbook above.

#### **10.03 Dress Code and Appearance**

Howard University does not have a specific dress code but in general expects staff to use good judgment in selecting attire that is appropriate for their particular workplace. Neatness and cleanliness are expected of all. Appropriate work attire does not include revealing clothing, excessive jewelry, torn or dirty clothing, baseball caps, beach attire, and logos or graphics that reflect violence, discriminatory, abusive, demeaning, or otherwise unprofessional messages. An employee who is inappropriately attired may be sent home. Any employee who requires an accommodation with regard to attire should contact the Office of Human Resources.

#### **10.04 Confidentiality**

All Howard University employees must agree to protect and maintain the confidentiality of confidential and/or proprietary information relating to the University, its employees, students or other members of the University community. Misuse or unauthorized disclosure of confidential financial data, non-public proprietary information, or other confidential information regarding students, patients, faculty, vendors, guests and certain information about employees is prohibited. Confidential information does not include information concerning employees’ terms and conditions of employment, but it does include medical information about fellow employees.

All employees must read and sign a Confidentiality Agreement, confirming their understanding and agreement to the terms of the confidentiality employment. Access to confidential

information may be audited from time to time by the University to assure its protection from disclosure. Failure to comply with the obligations stated in the Confidentiality Agreement may result in discipline up to and including termination of employment or other relationship with Howard.

Nothing in this policy is intended to: (a) limit an employee's ability to inquire about, disclose, compare, or otherwise discuss the employee's wages or the wages of another employee; or (b) prohibit or attempt to prohibit an employee from lodging a complaint, testifying, assisting, or participating in an investigation or proceeding, related to a violation of the foregoing. The University will not retaliate against any employee who inquires about, discloses, compares, or otherwise discusses the employee's wages or the wages of another employee or who is believed to have done so.

However, employees with regular access to information regarding the wages of other employees in the course of their work, such as employees in the Office of Human Resources, are prohibited from sharing such information, unless the disclosure is in furtherance of or response to an investigation, action, or hearing, or there is a legal obligation for the employer to furnish the information.

#### **10.05 Unlawful Discrimination, Retaliation and Harassment**

To maintain a workplace in which all employees are treated with respect and decency, Howard University absolutely prohibits any discrimination, or harassment based on race, color, religion, sex, national origin, age, disability, veteran status, marital status, personal appearance, sexual orientation, gender identity or expression, genetic information, matriculation, unemployed status, family status or responsibilities, political affiliation, or any other classifications, activities or conditions protected by applicable law.

The University's specific guidelines regarding compliance with all laws regarding discrimination and equal employment opportunity are set forth in more detail in Section 10 of this Handbook, titled *Equal Employment Opportunity and Policy Against Unlawful Discrimination and Harassment*, but you should be aware engaging in prohibited harassment discrimination or retaliation will result in discipline up to and including immediate termination – even for a first offense, depending on the circumstances. For further information, employees also may consult Employee Relations Department or Equal Employment Opportunity Department in Office of Human Resources at <http://www.hr.howard.edu/ER/> or <http://www.hr.howard.edu/EEO/>.

#### **10.06 Bullying**

Howard University will not tolerate bullying behavior by any employees, including supervisors, managers and executives, Employees found in violation of this policy will be disciplined, up to and including termination.

The University defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the

University's Code of Conduct, which clearly states that the University and all members of the community should conduct themselves with integrity, honesty, dignity and respect.

### **10.07 Examples of Bullying**

Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. The University considers the following types of behavior examples of bullying:

- Verbal bullying: Slandering, ridiculing or maligning a person or his or her family; making deliberately false statements about a person or his or her family; persistent name calling or comments that are hurtful, insulting, humiliating or embarrassing; using a person as butt of jokes; abusive and offensive remarks; threats of physical violence; harassment which is prohibited by criminal law, use of hate words, racial, ethnic or sexual slurs; shouting or raising one's voice at a person in public or private.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property; nonverbal threatening gestures.

### **10.08 Open Door Policy and Anti-Retaliation Policy for Protection of Employees**

Howard University encourages all employees to feel free to report issues of concern to their manager or other appropriate authority. If an employee feels uncomfortable addressing the issue with his or her manager, there are several avenues of communication open and available. These include the Office of Human Resources, where the employee may speak with any senior member of the HR leadership team, any HR Business Partner, the Director of Employee Relations and EEO, or even the Vice President and Chief Human Resources Officer; the Office of General Counsel, where the employee may speak with any attorney; or any other member of University management. We are committed to maintaining an open door policy so that employees know that their concerns will be heard and taken seriously.

Please note, however, if an employee has a concern about harassment, discrimination, or retaliation, or information regarding a violation of the University's Title IX policy, the employee is directed to follow the reporting procedures set forth in those policies.

Whether the complaint involves misconduct, possible fraud, violence or threats, discrimination or harassment, or any other situation that may violate a University policy, the University does not tolerate any retaliation against the complainant. No employee should be treated differently, demoted, harassed or retaliated against in any way for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing any practice they believe to be illegal or improper.

### **10.09 Alcohol and Substance Abuse Policy**

To maintain a safe working environment for all, Howard University prohibits the abuse of alcohol, controlled substances, marijuana or illegal use of drugs that may affect the workplace. Specifically, the University prohibits the possession, use, sale, manufacture or distribution of

marijuana and illegal drugs and controlled substances on the University's premises or when conducting work on behalf of the University. An employee who abuses alcohol or unlawfully uses controlled substances or drugs, including the unlawful use of prescription drugs, on the job, or comes to work under the influence of alcohol, marijuana or illegal drugs, or possesses, sells, or distributes such substances in the workplace, jeopardizes the well-being of everyone.

All employees must comply with all federal and District of Columbia laws that pertain to drugs and alcohol. Of course, nothing in this policy prohibits the appropriate use of legally prescribed medications. However, if the use of legally prescribed medications will impact your ability to perform your job, or your ability to do so safely, you are required to inform your manager or HR.

Howard University will offer a helping hand to those who may need it because of alcohol or drug-related issues, but its commitment to a safe, productive and drug-free workplace is paramount. The University offers assistance to employees who voluntarily report their drug or alcohol abuse or addiction problem through the Employee Assistance Program.

The following conduct is strictly prohibited:

- Reporting to work under the influence of marijuana, alcohol or illegal drugs
- Reporting to work under the influence of a prescription drug in excess of the prescribed dosage
- Drinking alcohol on the job or on University property (except as may be authorized by the President or his designee at approved University social functions and in accordance with applicable laws)
- Use, manufacture, possession, sale, distribution or offer of marijuana, illegal drugs, including prescription drugs for which the employee has no prescription, on the job or on University property

Violations. Violation of this policy will result in disciplinary action, up to and including discharge, depending on the circumstances. Any potentially criminal conduct may be reported to the proper police authorities. An employee who violates the policy may also be required to participate in and successfully complete a rehabilitation program as a condition of continued employment. This rehabilitation option will not be made available to employees whose violations include serious misconduct, a judgment to be determined in the sole discretion of the University.

Searches. The University may conduct searches for controlled substances, marijuana, illegal drugs or alcohol anywhere on its premises at any time, with or without prior notice.

#### **10.10 Respect for University Property**

The University furnishes a wide variety of equipment and supplies to staff for their use in performing their jobs. All such items – whether office furniture, computers, copiers, telephones, vehicles, tools, laboratory equipment, books and even office supplies – are the property of the University and were purchased and provided to be used in service of the University. Except as otherwise permitted in these policies, you may not use University property for any unauthorized

purpose. Employees also may not modify any computer or other electronic equipment belonging to the University.

See *also* the University Policy on Acceptable Use for Computer/Network Systems:

[http://www.howard.edu/technology/policies/acceptable\\_use\\_policy.html](http://www.howard.edu/technology/policies/acceptable_use_policy.html)

and University Official Mobile Device Policy:

<http://www.howard.edu/secretary/documents/700-004huofficialmobiledevicepolicy.pdf>

### **10.11 Conflicts of Interest**

Employees must avoid situations that present a conflict of interest between their own personal or financial interests and the mission, values and policies of the University. Such a situation might arise if an employee uses his or her position or association with the University for personal benefit or financial advantage for the employee or a family member, or undertakes an activity unrelated to the University that interferes with the employee's conduct of his or her duties on behalf of the University. This policy applies regardless of whether the conduct is actual self-dealing, because even the appearance of or potential for impropriety is damaging to the University. For example, employees must not:

- accept employment or any financial benefit, including gifts, from vendors, contractors or other third party that does business with the University
- expend University funds or accounts or use University property for personal benefit or gain or that of a family member

Employees must disclose potential conflicts of interest in writing and obtain advance approval to proceed before initiating any transaction or engaging in any decision on behalf of the University that may present such a conflict or potential conflict. Failure to make such disclosure will result in discipline, up to and including termination. Nothing in this provision shall prohibit an employee from discussing wages, hours or terms and conditions of employment.

### **10.12 Outside Employment**

A full-time position with the University must be the employee's primary job. Full time employees must inform the University in a written report provided to the employee's supervisor or manager of any other employment, self-employment, consulting, or other similar undertaking.

The report must identify the nature and scope of the other employment or undertaking, the employer if any, and the number of hours per week in which the employee expects to be engaged in the alternate work. It is the employee's responsibility to provide adequate information in order to enable the University to make a determination about whether or not the alternate work will impair or interfere with performance of the duties of an employee's University position. Failure to provide notice of outside employment and information regarding the nature of that employment will result in discipline, up to and including discharge.

### **10.13 Social Media**

Howard University provides employees access to the University's computer systems, equipment and the internet. The University requires responsible online activity by all members of the

Howard community. Employees are expected to demonstrate the University's core values of truth, service, excellence and leadership in the online choices they make when using and communicating over the University's computer systems.

The following guidelines outline the University's expectations of its employees in their use of social media in the workplace or in connection with Howard's internal and external electronic communications systems and equipment:

- In general, Howard University's internet access, computer systems and related equipment are provided to employees for business purposes only. While it is acceptable to use such Howard facilities occasionally for personal reasons, personal usage is a privilege that will be disciplined if excessive or if its content violates any University policy or standard of conduct or ethics or amounts to bullying or unlawful harassment as defined in this policy. Employees are also reminded that such usage is not private and may be monitored by the University at any time.
- Always think twice before posting or emailing. Remember that everything is public and privacy does not exist in the world of social media. Strive for accuracy. Avoid presenting or passing on information that you are unable to substantiate or that is untrue or revealing confidential information as described in these policies.
- Postings on any Howard University social media sites must be consistent with professional behavior expectations and cannot threaten, coerce or unlawfully harass co-workers; racial, ethnic slurs or sexually obscene comments or comments which reveal confidential information about students, patients, visitors and vendors are inappropriate. The following guidelines outline the University's expectations of its employees in their use of personal social media in connection with Howard University.
- The University respects everyone's free speech rights, but only authorized University officials may make official statements on behalf of the University.
- Posting confidential or proprietary information about Howard University or its employees on social media websites may cause harm to the University and members of its community, and that you may be held responsible for such harm.
- Employees are not authorized to use Howard University's name to promote a product, political program or candidate, personal view, belief or endeavor. Other than protected employee activity regarding the terms and conditions of employment, employees may not use the Howard University trademark, logo, seal or other intellectual property in any personal social media activity.

#### **10.14 Workplace Privacy**

Howard University seeks to maintain the confidentiality of information and documents stored in your personnel records and benefits records. Any medical information that you may provide to the University is maintained in a confidential file separate from your personnel file and used only for appropriate business purposes.

All employees should be mindful of the fact that employers have the right to conduct searches on their property, and Howard University will exercise that right where it deems appropriate. The University may conduct a search of any person, vehicle or object on University property, which means any site under University ownership or control. Specifically, this includes the right to search desks, office furniture, computers, electronically stored and hard copy files, lockers, storage areas, baggage, briefcases, handbags, backpacks, parcels, clothing, vehicles and any other articles brought onto or taken from University property, regardless of ownership.

All employees are advised that if they maintain any private and confidential information or material in the workplace or on University computer systems or networks, its privacy and confidentiality are not assured. Please bear this in mind when you decide whether to keep items or information of a personal nature at work.

### **10.15 Workplace Safety**

Howard University strives to maintain a safe workplace for all employees and visitors. Everyone must participate in the effort to identify and address any unsafe or unhealthful conditions in the workplace. All employees should exhibit safe and safety-conscious behavior, which includes adhering to common-sense safety rules and safe work practices, and reporting any unsafe conditions immediately to a supervisor or other appropriate authority.

Fire safety is critically important. Employees who see any signs of a fire should immediately take the following actions:

- Activate the fire alarm at the nearest Fire Pull Station
- Evacuate the building (do not use elevators)
- **Call 911 and/or HU Department of Public Safety at (202) 806-1100**

All employees must use the designated evacuation routes when a fire alarm sounds. **No employee is authorized to ignore a fire alarm**, regardless of whether he/she believes it to be merely a drill or even a prank.

More detailed information on how to prevent and respond to a fire emergency as well as other safety-related emergencies may be found at <http://www.howard.edu/publicsafety/>.

### **10.16 Workplace Violence**

Howard University strictly forbids employees from engaging in any act or threat of violence, including physically intimidating conduct, toward other employees, students, visitors or any individuals in our workplace.

Employees may not enter University property with a gun, firearm, or lethal weapon of any kind in their possession, nor bring onto University property any explosive materials or device, or any other objects that could be used to harass, intimidate, or injure another person. All such weapons and paraphernalia are prohibited on University property.

**Call Security immediately at (202) 806-1100 or 911** in the event of any violent or threatening conduct.

### **10.17 Additional Guidelines Concerning Employee Conduct**

All Howard employees are expected to adhere to reasonable standards of ethics and conduct in the workplace. The following guidelines identify certain conduct that may not have been described elsewhere in these policies but which warrants disciplinary action, up to and including termination depending on severity. It is not an all-inclusive list.

- Theft, misappropriation of University property, equipment or material or use of such property for illegal purposes.
- Disregard or violation of safety rules or practices
- Insubordination (refusing to obey reasonable work directions or work instructions of supervisors or managers).
- Falsifying or omitting pertinent information from the employment application or other University records, including time and attendance records
- Inability to obtain or maintain valid work authorization or a medical or other certification required for the position
- Soliciting, accepting, offering or conveying bribes or kickbacks of any kind
- Conviction for violation of local, state or federal law, whether on or off duty, when such conviction could have an impact on the University, department, or position of the employee
- Violent acts that do or may harm people or University property

### **10.18 Whistleblower Policy**

The University prides itself on its adherence to federal, state, local laws and regulations, and maintains the highest business ethics. As such, any employee who has a reasonable belief that the University or any of its employees has committed any violation of federal, state, or local law or regulation, including any financial wrongdoing, is strongly encouraged to immediately report the violation in writing to the Vice President and Chief Human Resources Officer. In cases where the employee has a reasonable belief that a complaint would include an individual within HR, the complaint may be taken directly to the General Counsel. If the General Counsel is believed to be involved in the matter being reported or the employee believes that a report to the General Counsel would be ineffective, the employee may make a report to the President of the University.

Supervisors and managers are to immediately report perceived violations of federal, state, or local law to the Vice President and Chief Human Resources Officer, the General Counsel, and/or the President.

Upon notification, an investigation will be conducted by the University or its agent, and appropriate remedial and corrective action will be taken if warranted, which may include referring the matter to the relevant law enforcement entity and disciplining appropriate parties. Any good faith report of wrongdoing will be held in confidence to the extent that the needs of the investigation permit.

If any employee makes a report in good faith regarding an incident that the employee reasonably believes to be a violation of the law and/or financial wrongdoing, it is the University's policy that

there will be no retaliation taken against the employee. Retaliation for a good faith report is itself a violation of University policy and may result in disciplinary action up to and including termination. However, filing a report that is not made in good faith will not insulate an employee from appropriate disciplinary action up to and including termination.

Financial wrongdoing may include, but is not limited to:

- questionable accounting practices;
- fraud or deliberate error in financial statements or recordkeeping;
- failure to adhere to internal accounting controls;
- misrepresentations to University officers or the finance department (including deviation from full reporting of financial conditions).

Employees with questions concerning the confidentiality or appropriateness of disclosure of particular information should contact the Vice President and Chief Human Resources Officer.

## **Section 11**

### **11.00 EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST UNLAWFUL DISCRIMINATION, RETALIATION AND HARASSMENT**

Howard University is committed to providing equal opportunity in employment as well as in its education programs and activities. To maintain a workplace in which all employees are treated with respect and decency, Howard University prohibits any discrimination or harassment based on race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, family status and responsibilities, personal appearance, political affiliation, marital status, gender identity or expression, genetic information, matriculation, unemployed status, or any other classifications, activities or conditions protected by applicable law.

This policy sets forth the University's specific guidelines regarding compliance with laws regarding employment discrimination and equal employment opportunity. All employees are on notice that engaging in prohibited harassment or discrimination will result in discipline, even for a first offense. If any employee violates this policy, the University will take whatever action we believe is necessary to correct the violation and to discipline the employee/s; discipline may take any form including immediate discharge.

#### **11.01 Equal Employment Opportunity and Affirmative Action**

Howard University makes employment decisions without regard to race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, family responsibilities, personal appearance, political affiliation, marital status, gender identity or expression, genetic information, matriculation, unemployed status, or any of the other classifications, statuses, or conditions protected by applicable law. Our EEO commitment applies to all phases and aspects of employment with the University, including recruitment, interviewing, hiring, compensation, benefits, working conditions, training, promotion, demotion, transfer, performance management, discipline and termination.

#### **11.02 Unlawful discrimination**

Unlawful discrimination may present itself in a variety of ways on a wide spectrum of conduct, from deliberate treatment such as blatant statements expressing bias against a minority group, such as racial, ethnic or gender-based slurs, to unjust adverse employment actions taken by managers against individuals based on their protected status, to more indirect types of conduct or speech that have the purpose or effect of creating an offensive work environment for someone because of his or her race, gender or other protected status. It is also possible to experience unlawful discrimination not as a result of any particular individual treatment, but because of a policy or practice that has the effect or impact of discriminating unlawfully, even if unintentionally.

Whatever the form, however obvious or subtle or even unintended, such discrimination is abhorrent in the Howard University workplace, and will not be tolerated. Anyone who experiences or witnesses conduct or situations that violate or may violate this prohibition should report it immediately, as explained later in this policy.

As an employer with contracts with the federal government, Howard University also maintains policies that support the goal of **affirmative action** in employment. That means not only prohibiting discrimination, but also taking positive steps to eliminate existing or continuing discrimination. Among those steps is the creation of our Affirmative Action Plan (AAP), which analyzes workforce statistics each year to determine whether any populations, e.g., by gender or race, are underrepresented in the context of their availability for employment in our region or labor market. If underutilization is detected, we set goals and articulate how we plan to address the issue. The AAP also describes the policies, practices and procedures we follow to strive to meet the goal of equal employment opportunity. For more information on our AAP, please contact the Chief Human Resources Officer or our Director, Employee Relations and Equal Employment Opportunity in OHR.

### **11.03 Sexual and Other Unlawful Harassment**

Howard University's anti-harassment policy supports its commitment to treat all employees with dignity and respect. Accordingly, any harassment based on race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, family responsibilities, personal appearance, political affiliation, marital status, gender identity or expression, genetic information, matriculation, unemployed status, or any other status or condition protected by law is absolutely prohibited. Because unlawful harassment can also take many forms, the following section explains the types of conduct that are covered by this policy.

#### **11.04 Prohibited Conduct**

Sexual harassment covers a wide spectrum of misconduct, including unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. Such harassment may sometimes be obvious, but just as often it can be more subtle. If an employee is the target of such advances, requests, speech or conduct, the key is whether:

- Submission is explicitly or implicitly made a term or condition of employment;
- Submission or rejection is used as a basis for employment-related decisions;
- It has the purpose or effect of substantially interfering with the targeted individual's performance; or
- It creates an intimidating, hostile or offensive work environment

Harassment – whether based on sex or some other characteristic -- can be verbal or written, including such things as crude remarks or “jokes”, slurs and insults, and vulgar, lewd or suggestive comments or questions.

Be aware that harassment does not have to be verbal – it may involve unwelcome physical conduct, including movements, gestures or touching (of another person or one's own body), hugging, staring, leering, winking, or following. It also can involve unwelcome visual imagery of an offensive nature, such as photographs, drawings, cartoons, videos, screen savers or mouse pads, or graffiti.

If you are uncertain whether your speech (or conduct) might be considered harassing by another person, don't say it (or do it).

Think twice before you make a “joke” of a sexual, racial, ethnic or other inappropriate nature. “Kidding around” by using offensive language, sexual innuendo, or any vulgar speech, gestures or conduct is prohibited by this policy.

Sexual harassment does not include occasional compliments or friendly remarks or the consensual personal/social relationships that have no discriminatory employment impact. It means behavior that is unwelcome and personally offensive, intimidating, hostile, or coercive.

Finally – always bear in mind that “offensiveness” may be subjective. Just because you may not find a particular statement or image or behavior offensive does not mean that everyone else shares your opinion.

### **11.05 Special Note about Computer Messaging and Information Systems**

All employees use the University’s email and telephone networks, University-issued cellphones, computer network, or other communications mechanisms. Please be aware that any of these systems may form the basis of a discrimination or harassment complaint. All too often employees make the mistake of sending send an inappropriate message or accessing an inappropriate Internet site using their employer’s network, whether during the workday or otherwise. Never forget that the Howard University system is not your personal, private communications vehicle.

Employees are specifically prohibited from using any University computer, system, network, software or other equipment to generate, send, forward, receive or otherwise obtain any message or graphic image that might be taken as offensive based on race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, family responsibilities, personal appearance, political affiliation, marital status, gender identity or expression, genetic information, matriculation, unemployed status, or other protected status covered under this policy and applicable law.

Remember that the University’s computers network and equipment, and all of the data on its system, are the property of Howard University. To assure network security and the integrity of its networks and computers, and to detect improper or unlawful usage, Howard University periodically monitors all data and information on the system.

If you receive an offensive message from another employee or anyone associated with Howard over the University’s network or equipment, regardless of when it was sent, you must report the message to your supervisor. If you receive such a message from someone who is not associated with Howard, delete it and inform the sender to stop sending you offensive messages at work because your employer prohibits the receipt of such material. You may use the following stock response:

*“Howard University strictly prohibits the use of its email system for offensive messages or communications. University policy requires me to reply to any such messages with this statement. Please do not send any further such message into the Howard University system.”*

### **11.06 Scope and Administration**

This policy applies not only to all University employees, but also to all individuals associated with the University in any way or with whom an employee must interact as part of his or her job duties. This would include students, guests, visitors and patients. No employee may subject any such third party to discrimination or harassment, and no employee may be required to suffer discrimination or harassment by any such third party. Report any such offensive conduct immediately to your supervisor or to the Office of Human Resources so that appropriate remedial action can be taken. Similarly, legitimate complaints against a University employee by a third party will be investigated and addressed appropriately.

The University's Office of Human Resources is primarily responsible for administering this policy with respect to employment matters and for ensuring that all employees of the University are adequately trained or otherwise made aware of their responsibilities under this Policy. OHR has established a department with particular expertise in handling employment discrimination claims, headed by the Director, Employee Relations and EEO. OHR works in coordination with the Office of the Provost regarding the administration and enforcement of the policy as it affects faculty members.

### **11.07 Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities**

This policy is a companion to the Howard University policy against sexual harassment and gender-based discrimination in education programs and activities, consistent with Title IX of the Civil Rights Act of 1972, as amended. The University's Title IX policy applies to all students of the University Community. More specifically, in any instance where a student is named as either the Complainant or the accused in a matter alleging harassment and/or discrimination, the Title IX policy will be applied.

The University considers sexual assault, harassment and discrimination that impacts students to be extremely serious. In accordance with Federal law, the University may have a legal obligation to investigate such allegations. This obligation arises when the University knows or has reason to believe that sexual harassment or discrimination may have taken place. Therefore, upon learning of potential prohibited activity, all employees should immediately refer the student to the Title IX office, *and* contact the Title IX office directly.

In addition, submission of a complaint alleging harassment or discrimination is considered to be a protected activity. Retaliation against any Complainant, Dean, Title IX Designee, administrator, faculty member, witness or individual involved in any aspect of a Title IX investigation is strictly prohibited and will be sanctioned accordingly.

Employees are required to be familiar with and comply with the University's Title IX policy. <https://www.howard.edu/secretary/documents/400-005TitleIXStudents.pdf>  
Failure to comply with this policy may result in discipline, up to and including termination.

### **11.08 Managers' Obligations**

Every Howard University supervisor, manager and officer is responsible for compliance with the anti-discrimination, harassment, retaliation and Title IX policies. Every supervisor or manager who learns of or witnesses any event, conduct or speech that violates or potentially violates these policies, is required to take action to prevent or halt the violation, if possible, and to report it to Human Resources, Employee Relations or the Title IX office. All supervisors and managers must report information concerning possible violations of these policies.

The University cannot address violations and take appropriate remedial measures to ensure understanding and compliance with this policy unless it is aware of such misconduct. Failing to report a potential problem because an employee or student asked you to keep the information to yourself or did not want to report it is not acceptable.

The University may discipline any member of the University community who participates in conduct in violation of the anti-discrimination, anti-harassment, anti-retaliation or Title IX policies, or any supervisor or manager who fails to promptly act to prevent or halt such conduct and to report it promptly as instructed above.

### **11.09 Procedures for Addressing Complaints of Discrimination, Retaliation or Harassment**

Any employee who believes he or she has been subject to discrimination, harassment, or retaliation in violation of this policy should report the complaint promptly to his/her supervisor or manager, and/or to OHR Employee Relations or any other member of the Office of Human Resources.

When OHR becomes aware of a possible violation, whether through receipt of a direct complaint from a possible victim or through a reliable report from a manager or other third party, it will initiate an investigation.

To the extent possible, investigations will be conducted on a confidential basis. That means that we will attempt to keep our investigation confidential, but it is often not possible to maintain complete confidentiality once an investigation is underway. Most frequently this occurs because one or more of the employees involved may elect to discuss the matter with others outside the scope of the investigation.

OHR staff members involved in conducting investigations, or who have been made aware of the facts and circumstances of an investigation as a part of their duties are prohibited from revealing information about or learned during investigations of alleged violations, unless specifically directed to discuss that information as part of the investigation.

The investigation will typically include interviews with the complainant and the accused individual, and a review of any relevant documentation or other available evidence to gather all the facts. The investigator may also interview other potential witnesses. The investigation will conclude with a confidential report and recommendation for further action. The complainant and the respondent will be informed of the conclusion of the investigation.

If misconduct is found, the respondent will be disciplined and appropriate remedial action will be taken. If the investigation reveals that the complainant or others also engaged in misconduct, such individual(s) may also be subject to discipline.

If the investigation concludes that the complaint was deliberately false, spurious, or frivolous, the complainant may face appropriate disciplinary action.

Students who have concerns about harassment or feel they have been treated differently on the basis of their gender should contact the University's Title IX officer, who will respond consistent with the University's Title IX policy. See <https://www2.howard.edu/about-title-ix>

#### **11.10 Prohibition on Retaliation Arising from a Complaint of Discrimination or Harassment**

Often an employee who experiences discrimination or harassment is fearful of complaining or reporting the situation because of possible retaliation by a supervisor or fellow employees. Frankly, it usually takes a certain amount of courage to step forward and complain. The University is grateful to those who do, because it is almost impossible to root out and prevent discrimination in an atmosphere of secrecy and fearfulness.

***Howard University does not tolerate any form of retaliation against an employee who, in good faith, reports a possible violation of this policy against discrimination and harassment.***

Retaliation takes many forms, none of which is acceptable. Whether it is an actual adverse employment action (such as unjust discipline or denial of a specific employment opportunity) or a subtler social retaliation led or condoned by management, it is strictly prohibited. Any employee who feels he has suffered retaliation should report the matter immediately to the Office of Human Resources.

Regardless of the outcome of the investigation of the original complaint, the complainant must be treated with respect during and after the investigation. If it should be determined that the complaint was deliberately false or otherwise not made in good faith, the University will address the problem through the disciplinary system. Discouraging complaints or seeking to "punish" the complainant is considered retaliation and will subject the employee to discipline. Violations of the anti-retaliation provision of this policy will result in disciplinary action.

## Section 12

### 12.00 DISCIPLINE AND TERMINATION

**This policy does not alter the employee's at-will status. The University has the right to terminate the employment relationship at any time for any lawful reason or no reason, as does the employee. The University reserves the right to omit any or all of the levels of discipline depending on the severity of the offense.**

However, in order to avoid the need for discipline or termination, the University will endeavor to provide a process by which employees may be made aware of performance and/or conduct issues, and if possible, be provided an opportunity for improvement.

#### 12.01 Counseling and Coaching

At early signs of problems in an employee's performance, conduct, or attendance, the supervisor should discuss the concern with the employee and counsel him or her to address and correct the problem.

If counseling has been ineffective, the supervisor should schedule a coaching meeting with the employee to outline the specific areas of poor performance, conduct or attendance and notify the employee that immediate corrective action is necessary to avoid formal discipline. The supervisor should follow up on such meeting with an email to the employee that reminds him of the initial counseling and summarizes the coaching session.

#### 12.02 Formal Disciplinary Action

If counseling and coaching the employee has failed to result in satisfactory improvement by the employee, the supervisor must contact Human Resources and initiate the formal disciplinary process. Depending on the nature or seriousness or frequency of the problem, the supervisor and HR Business Partner may use one or more of the following steps to influence the employee to correct deficiencies and attain a fully satisfactory level of performance.

Letter of Admonition. The letter is a more detailed recitation of the employee's performance or conduct problem(s) and the corrective action the employee must take to resolve the problem(s) within the next thirty (30) days. The letter admonishes the employee that failure to take the corrective action and demonstrate satisfactory conduct and performance may result in more serious discipline, up to and including discharge. It also informs him or her that at the 30-day target date, the supervisor and HR Business Partner will review the situation to determine whether further action is warranted.

Letter of Warning and Performance Improvement Plan (PIP). This letter and plan (PIP) are a more formal way to address continued and repeated deficiencies in performance before discharge. In a warning meeting where a PIP is to be presented, the supervisor typically will meet with the employee and the department's HR Business Partner, and review the unacceptable conduct and/or performance, remind the employee of the specific corrective actions that have previously been recommended in the letter of admonition, and inform the employee of the terms of the PIP. The letter of warning typically memorializes the specific conduct and/or performance issues

that were discussed in the warning meeting, and contains the PIP, which identifies the specific actions that the employee must take to correct the deficiencies. The letter and PIP set forth deadlines by which the employee must demonstrate satisfactory improvement for each of the corrective actions. Failure to complete the PIP in a satisfactory manner and continue to maintain an acceptable level of performance and conduct thereafter may result in termination.

Final Warning. A supervisor and HR Business Partner may decide, based on a variety of factors, that a final warning is warranted. A final warning may be used in a variety of circumstances, including to address serious and immediate performance concerns, or where an employee engages in a serious conduct offense. In addition, with the approval of the Vice President of Human Resources, a final warning may be used to extend a PIP deadline by a period not to exceed 30 days to provide the employee one final chance to improve. The time period covered by the final warning, and terms will be described in a written letter or memoranda.

Termination. Termination may occur at any time in the disciplinary process, depending on the specific facts and circumstances of each situation. Normally, termination occurs if and when the employee has not produced a satisfactory change in his or her conduct and/or performance, after having been provided notice of the concern, and opportunity to improve. In cases where progressive discipline is not deemed appropriate, an employee's employment may be terminated immediately. Because employment at Howard University is terminable at will, there is no requirement that the employee receive any progressive discipline or documentation prior to termination.

### **12.03 Notice of Termination**

Except in cases warranting immediate termination without notice, the University will endeavor to provide employees with two weeks' advance notice of involuntary separation. At its discretion, Howard may elect to provide an employee with two weeks of pay in lieu of such notice.

### **12.04 Demotion**

In certain circumstances, the University may decide that an employee's performance or conduct deficiencies warrant demotion instead of, or in addition to, one of the other disciplinary steps described above. As explained elsewhere in the Handbook, demotion means a transfer from one position to a lower level position which has less responsibility. This downward movement may occur for a disciplinary reason if the employee is not fulfilling the requirements of the higher level position. Some situations that might lead to a demotion include deficiencies in management skills and performance, financial malfeasance or negligence, disregard for policy compliance, or restructuring of the department. A demotion will be accompanied by a reduction in compensation to reflect the new position duties and responsibilities.

### **12.05 Job Abandonment**

If an employee fails to report for work without any notification and explanation to the University and the absence continues for a period of more than three consecutive days, the University may

conclude that the employee has abandoned his or her employment, and the employee may be terminated.

### **12.06 Voluntary Termination of Employment**

Any employee may voluntarily resign from employment at the University for any reason with or without notice. The University requests that an employee provide two weeks' notice to his or her supervisor or manager. Failure to provide two weeks' notice may render the employee ineligible for future employment at Howard. Providing advance notice will assist the University in planning for the transition of the employee's work and would therefore be appreciated.

### **12.07 Separation and Exit Process**

Human Resources provides each departing employee with a Property Checklist to insure that all University property is recovered or otherwise accounted for. Employees who voluntarily resign are invited to meet with the Business Partner for their department to discuss any questions or provide any information the employee wishes to address. Human Resources sends an email notification of all employee separations to all University departments. Departments must submit an ePAR transaction to ensure timely processing of all voluntary separations in order to avoid overpayment.

The departing employee's health insurance coverage ends on the last day of the month in which the termination occurs, after which the former employee may elect to continue such coverage under COBRA. (See the Benefits section of the Handbook for further detailed information on continuation of coverage after termination).

### **12.08 Final Pay**

Upon termination of employment, Howard University provides the employee with his or her final paycheck in accordance with applicable law. Compensation for all hours worked and any earned but unused PTO up to the allowable annual cap will be included in the final paycheck, along with reimbursement of approved expenses in accordance with the business expense policy. In addition to the normal tax withholdings, the University may deduct the following from the final paycheck, where permitted by applicable law: value of unreturned equipment; advances on PTO; and other financial obligations to the University. In addition, the University reserves the right to pursue legal remedies to recover unreturned equipment/funds.

### **12.09 Severance**

Regular non-union, non-faculty employees who are not under any other contract are employed at-will, and may be terminated at any time, for any reason that is not unlawful. As at-will employee, once terminated, employees are not entitled to any additional salary or wages. However, under certain circumstances and in its sole discretion, Howard University may offer severance to employees who are involuntarily terminated for a reason such as a reduction in force (RIF), organizational restructuring, or job elimination.

There is no guarantee of any severance pay. If an employee is offered severance, it will be conditioned upon the execution of the University's Separation Agreement and General Release.

## ACKNOWLEDGMENT

I acknowledge that I have been given access to the Howard University Employee Handbook and that it is available for review by all employees online on the HU intranet. I have read and understand the Handbook and the policies, guidelines and standards it contains. I will direct any questions that I may have about the Handbook's contents to my supervisor or manager, or to the Office of Human Resources of the University.

Specifically, I understand that as an employee of Howard University, unless these policies are in conflict with the terms of a collective bargaining agreement governing my employment, I am expected to comply with the requirements in the Handbook, including, but not limited to, obligations concerning the following subject areas:

- Attendance, punctuality and appropriate conduct in the workplace
- Honesty and accuracy in job duties and all workplace practices, including timekeeping
- Prohibition of discrimination and harassment
- Drug and Alcohol policy
- Workplace safety and security

I understand and acknowledge that unless I have a written employment contract signed by an authorized officer of the University or the terms and conditions of my employment are covered under a collective bargaining agreement, my employment is not promised for any specific time period and may be terminated at any time, with or without cause or notice, by me or by the University, as an at-will employment.

I agree that neither the contents of this Employee Handbook nor any statements (written or oral) that may have been communicated to me by any employee or representative of Howard University alters the at-will nature of my employment.

I further acknowledge that the University will update and modify the Handbook from time to time as it deems advisable, and that I am responsible for checking the online Handbook periodically to maintain my awareness and understanding of its contents. I agree to update this Acknowledgment periodically upon the University's request.

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Employee Signature

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Date

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Employee Name (please print)

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Employee ID Number

**PLEASE RETAIN A COPY FOR YOURSELF AND RETURN THE ORIGINAL TO THE OFFICE OF HUMAN RESOURCES**

