

# **WLU Board of Governors**

Regular Meeting

**Wednesday, August 23, 2017 – 4:00 p.m.**

Location: Shaw Hall Board Room

- I. **Call to Order/Roll Call/Quorum and Mission Statement**
- II. **Introductions**
- III. **Public Comment** Description: Up to 10 individuals may sign in to speak in open session for three minutes each. The sign-in sheet will be available from Executive Secretary Mary Ann Edwards fifteen minutes prior to the meeting until the noticed start time.
- IV. **Agenda Order (Board may move to change order of consideration)**
- V. **Approval of Minutes**
  - A. Minutes of the Full Board June 14, 2017\*
  - B. Minutes of the Executive Committee August 16, 2017\*
- VI. **Board Items**
  - A. President's Goals and Objectives\*
  - B. BOG Policies for Approval\*

FOR APPROVAL		
Action	Title	Description
<b>BOG Policies</b>		
Revise	No. 22-Employment Innovations	Approval for dissemination to campus constituent groups for 30-day comment period
Revise	No. 24-Terms and Other Definitions	Approval for dissemination to campus constituent groups for 30-day comment period
Revise	No. 34-Nepotism-Employment of Relatives	Approval for dissemination to campus constituent groups for 30-day comment period
New	No. 58-Compensation Management	Approval for dissemination to campus constituent groups for 30-day comment period
Revise	No. 25-Definition of Faculty, Administration, and Staff	Final Approval

- C. Pay Increase\*

\*Action Items

- VII. **Reports**
  - A. Chair of the Board of Governors (DeFelice)
  - B. Provost Update (Crawford)
  - C. Enrollment Update (Cook)
  - D. WLU Foundation Report (Hill)
  - E. SGA Update (Boden)
- VIII. **President's Report**
- IX. **Finance Report**
- X. **Information Gathering (Members may ask questions or gather information to prepare for future agenda items without general discussion or action at this meeting.)**
- XI. **Possible Executive Session**
- XII. **Actions Emanating from Executive Session**
- XIII. **Next Meeting Date – Wednesday, October 12, 2017**
- XIV. **Adjournment**

**West Liberty University  
Board of Governors**

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**Minutes  
June 14, 2017**

**Attendance:**

Jack Adams, Reid Boden, Les DeFelice, Patrick Ford, Jim Haizlett, Rich Lucas, Jim Stultz, Teresa Toriseva, Rhonda Tysk, Kris Williams

**Unable to Attend:**

Joe Carey, Cindy Fluharty

**Administration/Faculty/Staff:**

George Boyle, Scott Cook, Brian Crawford, Mike Dixon, Mary Ann Edwards, Steve Greiner, Matt Harder, Diana Harto, Karen Kettler, Jason Koegler, Robert Kreisberg, Roberta Linger, John McCullough, Joe Montemurro, Ron Witt

**I. Call to Order/Roll Call/Quorum and Mission Statement**

Chair DeFelice called the meeting to order at 4:00 p.m. and a quorum was established.

**II. Introductions**

Mr. DeFelice introduced Karen Kettler and Sweet Pea the sloth. Dr. Kettler noted that the sloth is one of the animals West Liberty now has as part of the Zoo Science Program. Having recently received our USDA permit, she is now allowed on campus, along with some other animals as well. A brief background was given on the animals; the sloth will be here all day, every day in the fall.

Mike Dixon with the Dudley Land Company was introduced. Joining Mr. Dixon was George Boyle, also with Dudley Land Company. He represents Southwest Energy on all land issues, from their active leasing in the area to pipeline and the completion of their wells. SWN is proposing a possible 1,990-foot waterline through the wooded property owned by WLU. This would be a waterline only, with the possibility of a second line in the future. The pipe diameter would be 24 to 30 inches, to be buried a minimum of 36 inches. A discussion followed with regard to a price per foot contract, damages, and timber. It would most likely be spring of 2018 before anything would take place.

**III. Public Comment**

None

**IV. Approval of Minutes**

**A. Minutes of the Full Board of April 5, 2017\***

**On motion by Kris Williams and seconded by Jim Stultz, it was unanimously adopted by the West Liberty University Board of Governors to approve the minutes of the full Board of April 5, 2017.**

**B. Minutes of the Executive Committee of May 24, 2017\***

**On motion by Kris Williams and seconded by Jim Stultz, it was unanimously adopted by the West Liberty University Board of Governors to approve the minutes of the Executive Committee of May 24, 2017.**

**V. Agenda Order**

No changes to the agenda order.

**VI. Board Items**

**A. Election of Officers\***

The Board of Governors Nominating Committee, as appointed by Les DeFelice, comprised of Jim Stultz as Chair, Patrick Ford, and Jim Haizlett, convened by telephone and recommended that the following be reappointed for a one-year term beginning July 1, 2017, extending to June 30, 2018:

- Leslie DeFelice, Chair
- Patrick Ford, Vice Chair
- Jim Stultz, Secretary

The decision was unanimous in the recommendation for the reappointments.

**On motion by Jim Stultz and seconded by Jim Haizlett, it was unanimously adopted by the West Liberty University Board of Governors to approve the slate of officers of Leslie DeFelice, Chair, Patrick Ford, Vice Chair, and Jim Stultz, Secretary.**

**B. Schedule of Meetings July 2017 – June 2018\***

**On motion by Kris Williams and seconded by Reid Boden, it was unanimously adopted by the West Liberty University Board of Governors to approve the Schedule of Meetings for July 2017 – June 2018.**

**C. MBA Tuition\***

At the April 5, 2017 meeting of the Board, tuition increases were approved for undergraduate and graduate programs. The Board is asked to approve a rate of \$450.00/per credit hour for courses related to the Master of Business Administration (MBA) Program in the Gary E. West College of Business, in order to remain competitive.

**On motion by Jack Adams and seconded by Rhonda Tysk, it was unanimously adopted by the West Liberty University Board of Governors to approve the stated per credit hour rate.**

**D. Policies for Approval\***

1. **Policy 11 – Employment Hiring**
2. **Policy 27 – Order of Responsibility**
3. **Policy 57 – Discipline and Separation from Employment**

At the April 5, 2017 meeting, the Board of Governors approved the dissemination of Policy 11 – Employment Hiring, Policy 27 – Order of Responsibility, and Policy 57 – Discipline and Separation from Employment to constituent groups for comment. No comments were received on these policies.

**On motion by Jim Stultz and seconded by Kris Williams, it was unanimously adopted by the West Liberty University Board of Governors to approve Policy 11, Employment Hiring, Policy 27, Order of Responsibility, and Policy 57, Discipline and Separation from Employment.**

**E. Annual Graduate Degree Report\***

Dr. Crawford noted that the Annual Graduate Degree Report is sent to the HEPC each year, which lists our programs, where and how they are offered, and students enrolled.

**On motion by Teresa Toriseva and seconded by Kris Williams, it was unanimously adopted by the West Liberty University Board of Governors to approve the Annual Graduate Degree Report for Academic Year 2016-17.**

**F. Performance Contract\***

President Greiner stated that although we do not need permission to enter into a performance contract, we do need permission to go out for an RFP on a contract. We are requesting permission to solicit bids for a performance contract where we will replace lighting, water fixtures, and boilers for which we can no longer find parts.

**On motion by Teresa Toriseva and seconded by Jack Adams, it was unanimously adopted by the West Liberty University Board of Governors to approve moving forward with the request for proposal (RFP) for Performance Contracting.**

**G. FY 2018 Budget\***

Although there is no action to be taken on the budget at this time, a discussion followed with regard to the latest news on budget discussions in Charleston.

## **VII. Reports**

### **A. Chair of the Board of Governors (DeFelice)**

None.

### **B. Provost Update (Crawford)**

Dr. Crawford stated that the curriculum is set for the fall semester with no major changes. With regard to accreditation, it is his thought that the Masters in Biology Program is on the HLC agenda for approval, and we may hear something in the next few weeks.

### **C. Enrollment Update (Cook)**

Mr. Cook distributed enrollment figures to the Board, along with the Undergraduate Admissions report for 2017/18. A discussion followed with regard to enrollment and contributing factors.

### **D. SGA Update (Boden)**

Mr. Boden stated that members of the SGA attended the student leadership conference held in Jackson's Mill where they were able to collaborate and exchange ideas. Topperfest plans are in the works and will be taking place the first two weeks of the next school year. Homecoming planning will begin at the end of the month. Two amendments were passed in the spring election to add to the SGA's constitution, and Mr. Boden thanked President Greiner for the technological infrastructure updates currently happening on campus.

## **VIII. President's Report**

Dr. Greiner noted that the new Dean of the College of Arts & Communication was in attendance and congratulated Dr. Harder on his position.

Lynn Ullom, newly appointed Athletic Director, thanked everyone for their assistance during his year as interim and updated the group on athletics. Wheeling Park will be playing four football games on campus, and Linsly has also asked to use our facility. These arrangements will benefit WLU with many potential students visiting the campus.

Chief Joe Montemurro will be involved in the activities surrounding the town of West Liberty's fall festival.

Mr. Koegler stated that this year's fundraising goal was \$1.5 million; with two weeks remaining in the FY they are at \$1.8 million, a 27% increase over last year. This does not include a \$1 million pledge from Gary West for the new soccer field. There were 290 guests at the Great Gala with \$30,000 raised for the Gary E. West College of Business scholarships. The endowment is currently nearing the \$16 million mark for the first time, and the annual fund giving this year was \$135,000 from the Impact Campaign, with \$100,000 going to scholarships. Multiple needs requests were processed for the first time with the CFO and EDF working together on items that don't fit into the regular budget. When Ms. Zambito-Hill returns from leave, she will be located full-time in the downtown office. The Day of Giving, which was held on Founder's Day, raised \$30,000. A brief discussion followed with regard to the percentage of alumni giving.

Mr. Witt gave an update on **WLUConnect**. The site has been launched and has a similar platform to Facebook, but is all about West Liberty and is our own social media site. We are able to look at statistics, job posting, a breakdown of users, majors, and a host of information. People can help others through the site and give professional advice. In the last few weeks, 30 new emails have been obtained that were never in the data base previously.

A list of faculty accomplishments from the 2016-27 academic year was provided to the group by Dr. Greiner for their review.

Rehabbing Boyd Hall with a complete interior makeover continues, along with upgrading the top two floors of Rogers Hall. Both areas are full for the fall 2017 semester. Dr. Greiner encouraged those in attendance to walk through Boyd to see the transformation.

The technology upgrade has started, with Dagostino Electronic Services being the company who received the bid. They are on campus and hope to have the project complete by August, with much faster internet speed and Wi-Fi on campus.

Sodexo will be making changes in the College Union next week, with an Italian restaurant taking the place of Pizza Hut and Taco Bell. The faculty lounge will become a convenience store for students, which will be open from 11:00 a.m. to 11:00 p.m.

We are still looking at the track, turf, and lights project (TTL) and have identified the architectural firm, McKinley & Associates. We will enter into discussions, wait for them to present a financial proposal, and enter into negotiations with them. We are hoping to move dirt this fall. If we are not pleased with the negotiations, we can go to the second company.

The former Alumni Park has been leveled to make room for an outdoor fire pit. Students were asked what they would like to see in this area, and one of the suggestions was a fire pit. We are moving forward with this idea, a designer has been contacted, and we hope to begin construction in a few weeks.

The Annex building will house the baseball and soccer coaches, putting them closer to their fields and freeing up space in the ASRC for coaches who need offices since we have added a few coaches. WFF will be moved to the basement of Krise Hall, making it possible to use the downstairs restroom of the Annex as the baseball restroom instead of the portable units at the field.

**Dr. Catherine Monteroso has been named Interim Dean of the College of Education, and Ryan Keeling as Director of Choral Activities.**

The Theater Program recently received top honors when it was nationally recognized by the Kennedy Center American College Theater Festival in Washington, DC. A total of five awards were received by the cast and crew of "Poe: Master of the Macabre."

Two media design students earned top awards in a national competition with their prevention of hazing posters. Megan Sayre received first place and Isabella Pozell, who is actually a high school student, earned second place. WLU does have a no hazing policy.

A brief discussion followed regarding G-Top, Top of the Hill Restaurant, updates to the basement of Krise Hall, and other campus projects.

**IX. Finance Report**

Ms. Linger gave a brief update on FY17. At this time, it looks like a positive number at the end of the fiscal year.

**X. Information Gathering**

None

**XI. Possible Executive Session**

None

**XII. Actions Emanating from Executive Session**

None

**XIII. Next Meeting Date – August 23, 2017**

**XIV. Adjournment**

**On motion made by Jim Stultz and seconded by Jim Haizlett, it was unanimously agreed by the West Liberty University Board of Governors to adjourn the meeting at 5:18 p.m.**

Leslie DeFelice \_\_\_\_\_  
Chair

James R. Stultz \_\_\_\_\_  
Secretary

**WEST LIBERTY UNIVERSITY  
BOARD OF GOVERNORS**

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**Executive Committee  
Minutes  
August 16, 2017**

**Executive Committee Members Present:** Les DeFelice, Jim Stultz

**WLU Administrators:** Stephen Greiner, Brian Crawford, John McCullough, Scott Cook, Roberta Linger, Diana Harto

**Others:** John Gompers, Jim Haizlett

1. Chair DeFelice called the meeting to order at 8:00 a.m.
2. Scott Cook provided an enrollment update identifying double-digit percentage increases.
3. President Greiner shared updates on the Financial Aid State Audit report. WLU submitted information well ahead of the deadline. It was the State Department of Administration that missed the submission deadline, causing financial hardships on institutions. Financial Aid must now be presented up front and then reimbursed.
4. President Greiner provided project updates:
  - a. Technology infrastructure to be completed by Labor Day
  - b. Boyd/Rogers Hall on target for students (Dr. Greiner offered a tour when meeting adjourned)
  - c. Convenient store located in College Union to open next week
  - d. 23 Employee parking spots were added around Main Hall
  - e. Shared McKinley and Associate Architect drawing for Phase 1 of the track/soccer field
5. Chair DeFelice introduced a discussion on space utilization.
6. President Greiner shared Pipeline Easement Agreement reviewed by the Attorney General's office. Recommendation is for the BOG to negotiate appropriate rates with SWN.
7. President Greiner requested the previously proposed additional 1% employee pay increase be increased to 2%, and awarded in October. All agreed to call for action at the August BOG.
8. Roberta Linger presented FY18 Operating Budget Status as of 08/07/17. Revenue is trending well with historical heavy expenses at the beginning of the year. WLU is on course for the first month of FY18. She also noted with the heightened cash awareness on financial aid, she is watching cash balance daily. Jim Stultz proposed a chart indicating the State Appropriation Cuts and percentage of total revenue over the last 5-10 years may be helpful.
9. Diana Harto commented on HR administrative policies, procedures and BOG policies that require provisions, rescinding due to the legislation changes from June plus a few new policies. Only the BOG policies will require action at the upcoming meeting.
10. President Greiner discussed a cost analysis is being conducted on travel vs. a Fleet Management Program.
11. President Greiner requested that Rhonda Tysk remain in her BOG representative role until WV Code could be changed to Staff rather than Classified Staff. All agreed. John Gompers indicated no further action is required.

12. The president's goals and objectives were discussed, in general. John Gompers asked that a committee be established to create the next set of goals/objectives. Chair DeFelice will take the lead. These actions must be complete for the October BOG meeting so as to meet the December HEPC deadline.
13. Jim Stultz questioned comments within a letter from the Governor's office. President Greiner explained the reference to a WV Funding Formula Study by NEMS. Presidents of the regional schools are working together.
14. Jim Haizlett made a recommendation to consider a "consent agenda." Chair DeFelice led the group in a discussion.
15. The meeting adjourned at 9:23 a.m.

Leslie DeFelice

\_\_\_\_\_  
Chair

James R. Stultz

\_\_\_\_\_  
Secretary



**WEST LIBERTY UNIVERSITY  
30-Day Comment Period**

**Action Item**

The Board of Governors is asked to authorize a 30-day period during which campus constituencies (faculty, staff, and students) may review and comment on revisions to:

- Board Policy 22 – Employment Innovations
- Board Policy 24 – Terms and Other Definitions
- Board Policy 34 – Nepotism – Employment of Relatives

The Board is also asking to authorize a 30-day period for review and comment on a new Board policy entitled “Compensation Management Rule.” This policy outlines the guiding principles for establishing a compensation management program for University Staff employees. Faculty positions are not covered by this Rule.

- Board Policy 58 – Compensation Management Rule

**Proposed Resolution: *Resolved*, that the West Liberty University Board of Governors approve the dissemination of above listed policies to constituent groups for 30-day review and comment.**

**WEST LIBERTY UNIVERSITY**

**Board of Governors**

**Policy No. 22**

**TITLE: EMPLOYMENT INNOVATIONS**

**SECTION I. GENERAL**

- 1.1 Scope – This rule establishes West Liberty University policy in regard to employment innovations.
- 1.2 Authority – West Virginia Code § 18B-7-9.

**SECTION II.**

- 2.1 West Liberty University will maintain reasonable continuity in working schedules and conditions for employees.
- 2.2 WLU will work on feasible and innovative ways to most efficiently utilize the institution's ~~staff~~ ~~classified employees~~. Such ways could include:
- Motivate employees to help minimize risk.
  - Create diversity and mutual respect.
  - Reinforce standards of conduct and effectively communicate why proper, legal conduct is vital within our organization.
  - Work with Staff ~~Development Committee~~ Council and Committees on seminars, workshops, etc.
  - Create learning that makes a difference.

**Approved by the WLSC Board of Governors on 06/22/05.**

**Approved by the WLU Board of Governors on MM/DD/YY.**

## WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS

### POLICY 24: TERMS AND OTHER DEFINITIONS

#### STATEMENT:

A uniform interpretation and application of individual policy bulletin statements contained within this manual depends to a large degree upon a clear and unambiguous understanding of certain terms and phrases used therein and in our day-to-day operations.

#### DEFINITION OF TERMS ~~AS APPLICABLE TO ALL EMPLOYEES:~~

**AFFIRMATIVE ACTION.** A public policy which recognizes a commitment to assure equal employment opportunities for all persons. The commitment is evidenced through a program of fair employment practices, policies, and procedures formalized in an annually monitored written plan.

**ANNUITY.** A contract of investment with an insurance company that provides a regular income over a specified period in return for periodic contributions made by or on behalf of an employee. Employees are not typically taxed on annuity income until it is distributed.

**BASE SALARY.** The amount of salary paid to an employee, usually on an annual basis, excluding any annual increment earned pursuant to West Virginia Code §5-5-2. Base salary may be for periods of employment of less than 12 months. Total salary is base salary plus any increment earned.

**BASE SALARY ADJUSTMENT.** The amount that a base salary increases. Such adjustments may be to reward performance, to rectify inequities, or to accommodate competitive market conditions.

**BENEFICIARY.** An individual designated to receive pension or life insurance benefits in the event of the death of a benefit plan participant.

**CHANCELLOR.** The chancellor of the Higher Education Policy Commission (HEPC) or the Vice Chancellor of the Community College System.

**CHANGE-IN-STATUS.** The President or his/her designee will review and make a final determination as to the status or change in status of any employee of the University. ~~When the President or his/her designee determines that a part-time regular employee becomes a full-time regular employee, he/she shall credit that employee's previous service toward any calculation of length of service and benefit eligibility based upon a prorated comparison against a 1.00 FTE. Previous length of service as temporary, casual, and student employees shall not be credited toward seniority calculations.~~

**CO-PAYMENTS.** Where the cost of an eligible health service, device, or procedure is shared by the employee (plan participant) and the insurance company.

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC).** The federal agency charged with regulatory and enforcement responsibilities relating to equal employment opportunity and affirmative action.

**EXEMPT.** Employees not covered by the Fair Labor Standards Act (FLSA) for overtime / compensatory time purposes.

**FAIR LABORS STANDARD ACT (FLSA).** The federal wage and hour law which established minimum wages, overtime pay, child labor standards, and record keeping requirements for non-exempt employees.

**FTE.** Full time equivalency is the percentage of time for which a position is established, with a position working **at least** 1950 hours per year being equal to 1.00 FTE.

~~**GENERIC JOB DESCRIPTION.** A summary of the essential functions of a job, including the general nature of the work performed, a characteristic listing of duties and responsibilities, and the specifications necessary to perform the work. Generic job descriptions shall be prepared for systems-wide and institution-specific titles occupied by more than ten employees. For a job occupied by fewer than ten employees, the position description becomes the job description.~~

**GRIEVANCE.** A formal complaint initiated by an employee who alleges some particular lack of justness, equity or fairness which has directly and adversely affected the employee's right or rights associated with his or her employment, and recognized under WV Code Section 29-6A-1 et. seq.

~~**INSTITUTION.** Any public higher education entity excluding The following are each considered separate institutions West Virginia University, Potomac State College of West Virginia University, West Virginia University at Parkersburg, Marshall University, West Virginia Graduate College, West Virginia School of Osteopathic Medicine, Bluefield State College, Concord University, Fairmont State University, Glenville State College, Shepherd University, West Liberty University, West Virginia University Institute of Technology, West Virginia State University, Southern West Virginia Community College, West Virginia Northern Community College, Eastern West Virginia Community College, the offices of the chancellor, the Higher Education Policy Commission, and the West Virginia Network for Educational Telecomputing.~~

~~**JOB TITLE.** The label that uniquely identifies and generally describes a job. The same descriptive title shall be given to a group of jobs, regardless of institutional location, which are substantially the same in duties and responsibilities, and which require substantially the same knowledge, skills and abilities performed under similar working conditions.~~

~~**LONGEVITY.** The total number of years employed at state institutions of higher education and other agencies of state government in West Virginia.~~

~~**PERFORMANCE EVALUATION.** A system of review under which a supervisor and/or other peer employees evaluate an employee's work performance, usually on an annual basis.~~

~~**POLICY BULLETINS.** Written statements of policies relating to specific subjects, issued by the Higher Education Policy Commission or adopted by the Board of Governors.~~

~~**POSITION.** A set of duties and responsibilities performed by a specific employee at a particular institution.~~

**PRESIDENT.** In addition to the ~~sixteen (16)~~ college and university presidents, this term shall be used to refer to the **Chancellor for the office of the Higher Education Policy Commission senior administrator of the central office** and the director of the West Virginia network for educational telecomputing, ~~and the chancellor for those individuals employed in the offices of the chancellor.~~

**PROGRESSIVE DISCIPLINE.** An approach to discipline for non-serious infractions which escalates the severity of the discipline each time a performance or conduct deficiency occurs, subsequent to the initial violation.

~~**PROMOTION.** Movement from a position requiring a certain level of skill, effort and authority to a vacant or newly created position assigned to a different job title and higher pay grade requiring a greater degree of skill, effort, and authority.~~

**REASONABLE ACCOMMODATION.** A modification in environment, schedule, or expectations necessitated by some disabling or limiting condition of a particular employee or applicant. In order

for the accommodation to be reasonable, it cannot create an undue hardship, financial or otherwise, on the employer.

~~**RECALL.** Employment terminated under the provisions of §18B-7-1 and thereafter the employee is recalled to work at his/her previous institution under the same provisions.~~

**REDUCTION IN FORCE (RIF).** A plan of temporary or permanent lay-off when economic or service conditions warrant the elimination, of certain jobs in a particular department or departments.

**REHIRE.** An employee who leaves the service of an institution by resignation and later applies for and accepts a position at the same institution. ~~Salary for a rehired employee will be consistent with the entry rates described in applicable section(s) of WV State Code and/or policy bulletins.~~

~~**SALARY SCHEDULE.** A schedule consisting of a series of pay grades, ranges, or rates which has been, or may be, subsequently enacted by the Legislature or adopted by the governing boards.~~

**UNDUE HARDSHIP.** An accommodation which, if approved, would be unreasonably burdensome on an employer. An employer is not required to accept an undue hardship in making any requested job accommodation

**VESTING.** Entitlement to a benefit.

**WORK-RELATED INJURY OR OCCUPATIONAL DISEASE.** An injury or illness which has a substantial, causal connection to work, or the workplace.

~~**DEFINITION OF TERMS APPLICABLE TO STAFF:**~~

~~**CLASSIFIED STAFF.** An employee who is covered by the provisions of the classification program.~~

~~**COMPENSATORY TIME.** Overtime compensation paid a non-exempt employee in time-off at the appropriate rate, as opposed to direct earnings.~~

~~**DEMOTION.** Movement from a position requiring a certain level of skill, effort and responsibility to a vacant or newly created position assigned to a different job title and lower pay grade requiring a significantly lesser degree of skill, effort and responsibility.~~

~~**DOWNGRADE.** A reassignment of the employee's current position to a job title assigned to a lower pay grade as a result of a significant reduction in the existing position's duties and responsibilities. When a position is downgraded, the employee does not move to a different position in a lower pay grade. Rather, it is the employee's position that is moved to a lower pay grade because of a significant decrease in the position's existing responsibilities as determined by job evaluation. When a downgrade occurs to an employee occupying a title held by more than one individual, the position's current title will be changed to a different title in the lower pay grade. When a downgrade occurs to an employee occupying a title exclusively assigned to that position the current title may or may not be revised depending upon how relevantly the current title describes the position.~~

~~**FACTOR.** One of the thirteen (13) items used to evaluate jobs. The items are knowledge, experience, complexity and problem solving, freedom of action, breadth of responsibility, scope and effect, intra-systems contacts, external contacts, direct supervision exercised, indirect supervision exercised, working conditions physical coordination, and physical demands.~~

**INTERIM RESPONSIBILITIES.** ~~A significant change in duties and responsibilities of an employee on a temporary basis justifying an interim promotion or upgrade for salary purposes. Such a temporary reassignment shall normally be for no less than (4) consecutive weeks and no more than twelve (12) consecutive months and shall only occur when the responsibilities being undertaken by the employee are those of another position that is vacant because of the incumbent's illness or resignation or because of temporary sufficient change in the duties and responsibilities of a filled position. If the temporary reassignment of responsibilities meets the test for a temporary upgrade or promotion under applicable sections of policy and/or WV Code, the affected employee shall have his/her base salary adjusted upwards consistent with a promotion or upgrade. At the end of the temporary reassignment, the affected employee shall have his/her salary reduced to its original level including any salary increase which the employee would have received in his/her regular position.~~

**JOB.** ~~A collection of duties and responsibilities performed by one or more employees at one or more institutions whose work is substantially of the same nature and which require the same skill and responsibility level. For jobs occupied by only one employee, the terms "position" and "job" shall be considered the same.~~

**JOB FAMILY.** ~~A series of job titles in an occupational area or group.~~

**NON-CLASSIFIED EMPLOYEE.** An employee, designated by the president, who is responsible for ~~department or institutional~~ policy formation at the department or institutional level or reports directly to the president of the institution, or is in a position considered critical to the institution ~~designated~~ by the President. Non-classified employees ~~are not subject to the classification program but are~~ eligible for benefits. ~~Non-classified shall not exceed twenty percent of the total number of employees at the institution who are eligible for membership in any state retirement system.~~

**NON-EXEMPT.** An employee who is entitled to overtime/compensatory time-off benefits as outlined in federal and state law relating to the Fair Labor Standards Act (FLSA).

**PAY GRADE.** ~~A range of compensation values for a job defined by a series of values. Positions which occupy the same job title shall be assigned to the same pay grade. Job titles having similar factor levels, shall be classified within the same pay grade.~~

**POINT FACTOR METHODOLOGY.** ~~The method used to assign weights to job factors. The total of the weights determines the pay grade to which a job title is assigned.~~

**POSITION INFORMATION QUESTIONNAIRE.** ~~A document which contains descriptions of a positions actual duties and responsibilities and which is used to classify the position within the Mercer Classification System. Also called a "PIQ."~~

**POSITION DESCRIPTION.** ~~A document which describes the set of essential and non-essential functions of a position at a particular institution or within the State College and University System.~~

**TERMINAL LEAVE.** Accrued, paid-leave taken in conjunction with ~~involuntary~~ termination of employment ~~or retirement~~. An individual does not accrue leave credits during a terminal leave period.

**TRANSFER.** ~~Movement from one position or job title to another position or job title requiring the same degree of skill, effort, and authority. Both positions are in the same pay grade.~~

**UPGRADE.** ~~An advancement of the employee's current position to a higher pay grade as a result of a significant change in the position's existing duties and responsibilities. When a~~

~~position is upgraded, the employee does not move to a different position in a higher pay grade. Rather, it is the employee's position that is moved to a higher pay grade because of a significant increase in the position's existing responsibilities, as determined by job evaluation. When an upgrade occurs to an employee occupying a title held by more than one individual, the position's current title shall be changed to a different title in the higher pay grade. When an upgrade occurs to an employee occupying a title exclusively assigned to that position, the current title may or may not be revised depending upon how accurately the current title describes the position.~~

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**~~DEFINITION OF TERMS APPLICABLE TO FACULTY:~~**

**FACULTY.** Those individuals who hold full-time appointments at the rank of Lecturer, Instructor, Assistant Professor, Associate Professor, and Professor (see full-time faculty).

**FULL-TIME FACULTY.** Employment as a faculty member for a full academic year (at least a nine-month contract basis) for at least twelve (12) semester credit hours teaching per semester or the equivalent in teaching, research, public service, and/or administrative responsibilities. Faculty are not considered classified employees nor are they subject to the classification program.

Approved by the WLSC Board of Governors on 12/11/06.

Approved by the WLU Board of Governors on MM/DD/YY.



## WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS

### POLICY 34: ~~NEPOTISM~~ EMPLOYMENT OF RELATIVES AND CONSENSUAL RELATIONSHIP

#### **STATEMENT:**

~~The University recognizes that employment of relatives within an organization, particularly in the same line of authority or unit, may create problems or an appearance of impropriety. At the same time, the University believes excluding relatives of current employees from employment could deprive the University of qualified, capable employees.~~

#### **PROVISIONS:**

##### ~~I. This policy shall apply to the following relationships:~~

###### ~~A. By Blood:~~

~~Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin.~~

###### ~~B. By Marriage:~~

~~Husband, wife, step parent, step child, brother in law, sister in law, father in law, mother in law, son in law, daughter in law, half brother, half sister, uncle, aunt, nephew, niece.~~

~~II. Employees of the University must neither initiate nor participate in institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave of absence, etc.) to members of their families listed in the relationships detailed above. Supervisors shall not give employment to members of their families nor serve on any selection committees considering the employment of relatives by blood or marriage.~~

~~III. Student employment on a part time basis or payment to students in the form of grants or scholarships shall not be interpreted as employment for purposes of this policy.~~

#### SECTION 1. General

##### 1.1 Scope

The purpose of this policy is to establish guidelines related to the hiring and supervision of family members of employees and to define instructor-student, staff-student consensual relationships.

(a) an "Instructor" is any faculty member (regardless of rank or permanent or visiting status), or associate who supervises or evaluates students. Undergraduate and graduate student teaching assistants also are considered "Instructors" with respect to students over whom they have academic responsibility (see paragraph 5).

(b) a "Staff member" is any person who is not an Instructor but who has authority over students, including deans of any rank, athletic coaches, advisers and directors of student organizations, athletic trainers and others who advise, mentor or evaluate students.



1.2 Effective Date  
mm/dd/yy

## SECTION 2. Employment of Relatives

- 2.1 While the hiring of relatives of current employees is not strictly prohibited, West Liberty University is committed to maintaining an environment in which learning and discovery take place in a professional atmosphere of mutual respect and trust. While the University respects the privacy of its members, West Liberty recognizes that there exists the opportunity for the inappropriate use of power, trust or authority. Certain relationships in the work and educational setting have the potential to compromise, or appear to compromise, the fairness and objectivity of employment and educational decisions and the discharge of other professional duties. Additionally, apparent conflicts of interest could adversely affect the morale of the University's employees. This policy is intended to promote employment decisions in the work and educational setting that avoid a conflict of interest, the appearance of favoritism, the abuse of power, or potential for a hostile work or academic environment, and to avoid conflicts of interest between work-related and family-related obligations.
- 2.2 This procedure applies to all faculty, faculty equivalent/academic professionals (FE/AP), staff, and student workers at West Liberty University. Employment of individuals related as closely as the fourth degree to any current member of the Board of Governors or to an administrative superior is not permitted. A person who is related by blood or marriage more remotely than the fourth degree to any employee of the University may be employed by the University without regard to the relationship.
- 2.3 The term "employee" includes anyone working for the University in any full or part time staff position; student worker position; or any faculty position be it adjunct, tenured, term, clinical-track, non-tenure track or otherwise.
- 2.4 An "administrative superior" is any person who has responsibility for making the decision to hire or promote or who has responsibility for setting, approving or authorizing an increase in salary, or who is responsible for recommending the amount of the salary or any increases to that salary. The term "administrative superior" includes a University employee at any level of the University who has these responsibilities whether the decision or recommendation is made individually or collectively.
- 2.5 Immediate family members include individuals to whom the employee is related to by blood (consanguinity) or marriage (affinity) or who are members of the employee's household regardless of whether the employee and the individual are related or not. For the purposes of this policy statement: immediate family includes spouse, or equivalent, son and daughter, foster son or daughter, parents, grandparents, grandchildren, father-in-law and mother-in-law, brother and sister, brother-in-law and sister-in-law, son-in-law and daughter-in-law. Members of an employee's household includes individuals regularly sharing the employee's residence. For the purposes of this policy, a member of the employee's household includes individuals regularly sharing the employee's residence and/or with whom a landlord/tenant relationship exists. Under this policy, the

half-blood shall be considered the same as whole blood and stepchildren, stepparents, etc., shall be considered the same as immediate family members of the employee or employee's spouse.

- 2.6 An *in loco* relationship shall be considered the same as a blood relationship to the employee or his or her spouse.
- 2.7 No employee of the University shall be the administrative superior of an immediate family member.
- 2.8 No immediate family members shall be employed by, transferred to, or promoted within a single unit, department, or college where a direct or indirect administrative superior relationship or conflict of interest exists or any situation which places immediate family members in a foreseeable conflict between the interests of the university and the interests of the immediate family members.
- 2.9 The University shall not employ an immediate family member of a person who is already employed by the University in an administrative superior position, where the duties of the proposed applicant would substantially fall under the direct supervision of the current employee. When an individual applies for employment in an administrative superior position, where the responsibilities of the position include direct supervision of an immediate family member, the University shall not consider the applicant and will notify the applicant in writing that the applicant's application will not be considered.
- 2.10 The University shall not employ immediate family members in the same office or department (and/or college) regardless of whether direct or indirect administrative superior relationship exists. When an individual applies for a position in a department or office where an immediate family member is currently employed, the University shall not consider the applicant and will notify the applicant in writing that the applicant's application will not be considered.
- 2.11 Employees are prohibited from initiating or participating in, directly or indirectly, decisions involving a direct benefit and/or internal investigations, including but not limited to initial employment, search committees, sexual harassment investigations, appointment, retention, promotion, salary, course or work assignments, issuing grades, research funds, leaves of absence, etc., of an immediate family member as defined by this policy.
- 2.12 Current employees who become spouses may remain in their current jobs as long as the employees are not in the same department and do not share an administrative superior-subordinate relationship. If current employees become spouses, the University may transfer either or both of the employees to different positions and/or may terminate the employment of either current employee if a transfer is not possible.



### SECTION 3. Change in Relationship Between Employees

- 3.1 Employees involved in a relationship covered by this procedure shall notify the chief human resources officer when a change occurs affecting application of this policy. This includes, but is not limited to, employees in an administrative superior and subordinate relationship who become immediate family or household members, or the development of an administrative superior and subordinate relationship between immediate family members or household members after employment. If a change in relationship occurs, the University may transfer either or both of the employees to different positions and/or may terminate the employment of either current employee if a transfer is not possible.

### SECTION 4. Exceptions

- 4.1 In exceptional circumstances, a direct administrative superior relationship may exist between employees who are immediate family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved or the lack of other available appropriate administrative superior personnel. Any exception must be approved by the President, and all employment decisions affecting the subordinate employee, such as selection, hiring, discipline, investigation, performance review, compensation, or furlough, must be assigned to other administrative superior personnel. Exceptions involving the President and President's family or household member must be approved by the Board of Governors.
- 4.2 The Chief Human Resources Officer is responsible for developing procedures implementing this policy.

### SECTION 5. Administrative Superior-Employee Consensual Relationships

- 5.1 West Liberty University is committed to maintaining a fair and professional work environment in which faculty and staff members carry out their responsibilities in an atmosphere free of conflicts of interest. Where a University administrative superior uses a position of authority to induce an Employee to enter into a *non-consensual* romantic or sexual relationship, the Administrative Superior's conduct violates law and University policy and can subject both the Administrative Superior and the University to legal liability.
- 5.2 Even where the relationship is *consensual*, however, the conduct of a romantic or sexual relationship between an Administrative Superior and a subordinate employee may raise issues of conflict of interest, abuse of authority, or favoritism, with potential to adversely impact not only the subordinate employee involved in the relationship but other employees who may see themselves as disadvantaged by the romantic relationship. Moreover, because of the real or perceived power imbalance that may exist, such a relationship may also raise questions about the mutuality of consent. Such situations may cast doubt on the objectivity and fairness of the workplace, damage workplace morale, and place the University in a legally vulnerable position.
- 5.3 For these reasons, except as provided below, no University administrative superior should participate in the hiring, promotion, supervision, or evaluation, or in the setting of wages or salaries, for any University employee with whom the administrative superior has or has had a romantic or sexual relationship.



5.4 With specific regard to hiring, situations may arise in which one party to a romantic or sexual relationship seeks a position supervised by the other party. (Because of the University's small size and rural location, this situation is more likely to arise at West Liberty University than at larger institutions in urban areas.) In some instances, academic or administrative considerations may make it desirable that one party be allowed to work in a setting supervised by the other, subject to appropriate conflict management procedures.

5.5 Accordingly, no administrative superior should hire a person with whom he or she has or has had a romantic or sexual relationship unless:

(a) the hiring has been approved in advance by the responsible Dean or Vice President,

(b) the Dean or Vice-President has determined that procedures to avoid or reasonably manage conflicts of interest are feasible, and

(c) such procedures have been put into place. Such procedures should ordinarily include arrangements to exclude the administrative superior from decisions concerning promotion, setting of wages or salaries, evaluation, or promotion of the other party to the relationship.

5.6 For example, when an administrative superior has responsibility for supervising an employee with whom s/he has a romantic relationship, the Dean or Vice President may, if feasible, arrange for an administrator senior to the administrative superior to perform these functions.

5.7 In unusual circumstances, responsible superiors, in their discretion, may permit departures from this policy provided that procedures designed to minimize the risk of conflicts of interest are feasible and are put into place. For example, a University employee may be a candidate for a position that would involve supervision of someone with whom that employee has or has had a romantic or sexual relationship. In all such cases, the candidate is required disclose the relationship to the hiring officer in advance so that the conflict issues can be addressed.

5.8 If, notwithstanding this policy, a relationship prohibited by this policy develops, the administrative superior should immediately disclose it to his or her superior, who should take steps to address any conflict of interest posed by the relationship. Violation or failure to promptly disclose and correct violation of this policy is grounds for disciplinary action up to and including termination of employment.

5.9 This policy should be interpreted in accordance with its objective of avoiding even the appearance of unfairness in the workplace. Even where particular situations are not prohibited by this policy, administrative superiors should avoid relationships that would cause observers to question the administrative superior's ethics or professional judgment. administrative superiors are urged, in doubtful cases, to consult with their respective superiors, Deans, or Vice Presidents. Questions about this policy may also be directed to the Office of Human Resources.

## SECTION 6. Instructor-Student and Staff-Student Consensual Relationships

6.1 The integrity of the educational process depends upon the maintenance of a professional relationship between Instructors and Staff members, on the one hand, and the students whom they supervise or advise, on the other. Where an Instructor or Staff member uses a position of authority to induce a student to enter into a non-consensual romantic or sexual relationship, the Instructor's or Staff member's conduct violates law and College policy and can subject both the individual and the College to legal liability. Even where the relationship is consensual, however, the conduct of a romantic or sexual relationship between an Instructor or Staff member and a student he or she supervises or advises may raise issues of conflict of interest or abuse of authority, with potential to adversely impact not only the student involved in the relationship but other students as well. Such situations may diminish confidence in the College and place it in a legally vulnerable position. For these reasons, the



College has adopted this policy concerning Instructor-student and Staff-student consensual relationships.

6.2 This policy should be interpreted in accordance with its objective of preserving the integrity of the educational process. Even where particular situations are not prohibited by this policy, Instructors and Staff members should avoid relationships that would cause observers to question the Instructor's or Staff member's professional judgment. Instructors and Staff members are urged, in doubtful cases, to consult with their respective department chairs, deans (or their designees), or supervisors. Students are urged to consult with their respective deans. Questions about this policy may also be directed to the Office of Human Resources and the Title IX Coordinator.

6.3 If, notwithstanding this policy, a relationship prohibited by this policy develops, the Instructor or Staff member should immediately disclose it to his or her chair or supervisor, who should take steps to address any conflict of interest posed by the relationship. Violation or failure to promptly disclose and correct violation of this policy is grounds for disciplinary action including termination of employment.

### **Instructor-Student Relationships**

6.4 The pedagogical relationship between Instructor and student must be protected from influences or activities that can interfere with learning and objective evaluation. Accordingly, no Instructor shall enter into a romantic or sexual relationship with a student over whom that Instructor has academic responsibility or is likely to have academic responsibility in the future (for example, because of that student's intended major), regardless of whether the relationship would be consensual. Conversely, no Instructor shall exercise academic responsibility over a student with whom the Instructor has or has had a romantic or sexual relationship, regardless of whether the relationship is or was consensual. For purposes of this paragraph "Instructor" includes an undergraduate or graduate student who is serving as a teaching assistant.

6.5 In addition, because of the heightened risk of a real or perceived power imbalance where undergraduate students are involved, no Instructor shall have a romantic or sexual relationship with an undergraduate, regardless of whether the Instructor has or is likely to have academic responsibility over the student.

### **Staff-Student Relationships**

6.6 Staff members working in the student life area and other areas are often called upon to work closely with and advise students with respect to students' personal lives. Objectivity and trust are essential. Staff members in such positions cannot perform their duties effectively if they become romantically or sexually involved with students who they are responsible for advising or mentoring. Accordingly, no Staff member shall have a romantic or sexual relationship, regardless of whether the relationship is consensual, with a student for whom that Staff member has advising, mentoring, evaluation, or student organization management responsibility.

6.7 Similarly, no Staff member shall exercise such responsibility with respect to a student with whom that Staff member has had a romantic or sexual relationship in the past, regardless of whether the relationship was consensual.

6.8 Even where a Staff member does not have direct responsibility for a student as described above, romantic or sexual relationships between Staff members and students in the same school or division should generally be avoided, and schools or divisions may wish to supplement this policy as appropriate for their circumstances. For example, a College employee working in the Dean's Office of any college may not engage in romantic or sexual relationships with students regardless of the Staff members' specific job responsibilities.

6.9 In unusual circumstances, responsible deans, in their discretion, may permit departures from this policy provided that appropriate conflict management procedures, such as transfer of evaluation responsibility, are feasible and are put into place. For example, where a student's academic program requires a course that is taught only by the student's spouse or partner, the dean may, in his or her discretion, allow the student to take the course so long as the conflict has been disclosed and arrangements have been made for a person other than the spouse/partner Instructor to evaluate and grade the student's work, provided such arrangements are feasible for the particular course involved.

Approved by the WLSC Board of Governors on 12/11/06.

Approved by the WLU Board of Governors on MM/DD/YY.

## WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS

### Policy No. 58 - Compensation Management Rule

#### General

Scope. This policy outlines the guiding principles for establishing a compensation management program for University Staff employees. Faculty positions are not covered by this Rule.

Authority. The Fair Labor Standards Act of 1938, as amended 29 U.S.C. 201, et seq.; WV Code 18B 9a-7(b)(2)

Effective Date. September 1, 2017

#### Overview of Philosophy

The West Liberty University compensation program for staff employees will be designed to attract, retain, and motivate a talented and committed workforce to support the University's mission, vision, goals and culture. Competitive pay is an element in attracting, retaining, motivating and rewarding the type of employees needed to fulfill the mission of the University. The goal of the University is to pay competitive salaries by using systems clearly communicated to employees and readily administered by managers.

#### Compensation Planning

The University shall administer a compensation plan, which incorporates information on performance, equity and impact where appropriate.

*Performance* information will be derived from the University's performance management program (annual performance appraisal) on which employees and management have been trained. The University shall use the performance management program for purposes of establishing merit (pay for performance) for staff when applicable and as budget permits.

*The Chief Human Resources Officer will evaluate internal equity patterns* at least every three years for most positions. However, for market or internally sensitive positions, more frequent review may be conducted. The WVHEPC Division of Human Resources will review external equity of the salary structure every other year.

The concept of *impact* allows the President or designee to prioritize scarce resources to colleges, departments, teams, or individuals with the greatest effect or potential effect on achievement of institutional goals and excellence.

The compensation planning process will be guided by the compensation philosophy and principles of budget planning, and will be focused on furthering excellence and creating an environment of opportunity and fairness.

## **Roles and Responsibilities**

### **West Virginia Higher Education Policy Commission Division of Human Resources**

- Endorses and applies the compensation philosophy to program design and management
- Conducts reviews and validation of all program components to ensure alignment with system objectives
- Reviews and approves any substantive program modifications
- Communicates openly, regularly, and clearly with all constituents on compensation philosophy and policies
- Monitors pay practices and provides expert support to promote fairness and equity across both systems
- Maintains and updates the program on an ongoing basis
- Provides expert guidance for institutional professionals to establish consistent implementation and administration of compensation guidelines

### **University Human Resources Office**

- Serves as subject matter experts to establish consistent implementation and administration of compensation guidelines at the institution
- Provides appropriate salary and range recommendations to institutional administrators and managers
- Communicates and promotes understanding of the compensation program to help maintain compliance by staff and administrators
- Maintains accurate and current position descriptions based on input from incumbents and supervisors
- Monitors pay practices for fairness and institutional equity
- Participates in review of system components and provides relevant feedback to the WVHEPC Division of Human Resources
- Manages institutional processes for hiring and compensation, performance management, and promotional opportunities

### **University Supervisors/Managers**

- Collaborate with institutional HR departments to administer consistent and appropriate pay practices and salary recommendations for employees
- Understand job responsibilities, requirements of jobs, and the knowledge, experience and performance levels of staff in their area of responsibility
- Work with staff to keep position descriptions accurate and current
- Implement human resource programs at the department level
- Set performance expectations and ensures measurements are SMART as outlined in the performance management program
- Ensure employees understand and participate in goal setting and evaluation process
- Provide feedback, and evaluates performance fairly and rigorously in compliance with the University's performance management program



## **Staff**

- Understand job assignments and expectations for performance
- Update credentials and provide documentation of such to the University's Human Resources Office
- Participate in regular review and update of position descriptions as needed or on a scheduled basis

## **Compensation Management Guidelines**

The University's Chief Human Resources Officer, using the framework developed by the West Virginia Higher Education Policy Commission Division of Human Resources, will prepare Compensation Management Guidelines that include:

- Establishing a Position
- Job Descriptions
- Determining Starting Salaries within a Salary Range
- Outlining Documentation Required for Starting Salaries in the Third and Fourth Quartile of a Salary Range
- Managing Pay within a Grade
- Changes to Job Content
- Promotions/Demotions/Lateral Transfers
- Salary Increases and Adjustments
- Maintaining the Compensation Program

## **Delegation**

The Board of Governors delegates to the Chief Human Resources Officer the ability to adopt internal human resource policies and procedures in order to implement the provisions of this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines set by this Rule.

## **Superseding Provisions**

This Rule supersedes and replaces Higher Education Policy Commission Series 8 (WV Code R 133-8-1 to -19); HEPC Series 39 (WV Code R 133-39-1 to -8); HEPC Series 53 and any other Rule of the HEPC or other Human Resources policy or procedure which relates to the subject matter contained within this Rule.

Approved by the WLU Board of Governors on MM/DD/YY.

**POLICY 25 DEFINITION OF FACULTY AND STAFF  
WEST LIBERTY UNIVERSITY**

**Action Item**

On July 18, 2017, the Board of Governors Executive Committee approved the dissemination of Policy 25 – Definition of Faculty and Staff, to constituent groups for comment. The comments received were reviewed (attached), suggested edits made, and the Board is asked to approve this finalized policy.

**Proposed Resolution: *Resolved*, that the West Liberty University Board of Governors approves the Policy 25, Definition of Faculty and Staff.**

**WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS**  
**POLICY 25: DEFINITION OF FACULTY AND STAFF**

**GENERAL**

1. This rule establishes policy in defining West Liberty University employees: Faculty and Staff.
2. This rule establishes policy upon the decision of West Liberty University's Board of Governor's to identify all Non-Faculty employees as non-classified staff.
3. Authority is based on WV Code 18B Section 9A-2.

**I. FACULTY POSITIONS (FACULTY STATUS)**

This category includes all full-time and part-time positions with formal academic appointments and such other positions as may be determined by the President. In general, employees in this category are primarily engaged in teaching, research, professional activity and service work having a direct relationship to academic programs in the teaching or allied departments. (May refer to HEPC Rules if applicable.)

**II. STAFF**

"Non-classified employee" means, non-faculty regular employee of University who meets one or more of the following criteria as stated in WV Code 18B-9A-2:

- Holds a direct policy-making position at the department or organization level including but not limited to executive, administrative, college, administrative and academic support departments
- Reports directly to the president or chief executive officer of the University;
- Is in an information technology-related position as outlined by title, working title or job description
- Is hired after July 1, 2017, and meets the duties test for exempt status under the provision of the Fair Labor Standards Act at the time of hire or anytime thereafter; or
- Was in a non-classified position as of January 1, 2017.
- Is designated by the President or designee to be critical to the accomplishment of the mission of the University.

West Liberty University considers all positions critical to the accomplishment of the mission of the institution. Therefore, all staff positions are non-classified. While critical to daily operations, a non-classified person may or may not be deemed essential for operation or completion of his/her duties and therefore not required to report for duty in emergencies or other special situations as identified by the President or his/her designee. Supervisors are required to notify employees in advance of specific University situations if identified as essential.

**A. AT-WILL EMPLOYEES**

This category includes full-time and part-time administrative officers, deans (faculty members may serve in administrative roles, with the administrative position of their duties being at-will), heads of major service units or departments, information technology-related staff, and non-academic staff officers. The inclusion OR exclusion of a specific position within this category will be determined by the President or his/her designee on the basis of level of duties and responsibilities assigned to the position and consistent with the provisions of applicable policies and WV Code 18-B-9A-2. Such appointments are considered to be "at-will employment" and, as such, serve at the discretion of the President.

**B. ALL OTHER EMPLOYEES**

All regular full-time and part-time positions not covered in the definitions I and IIA. above shall be included in this category. Employees in this category are primarily engaged in non-teaching support activities of the University. Such employees are subject to progressive discipline as outlined in BOG policy 57.

Approved by the WLSC Board of Governors on 12/11/06.

Approved by the WLU Board of Governors on MM/DD/YY.

## Policy 25 definitions

1 message

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**Dr. Robert Kreisberg** <rkreisberg@westliberty.edu>

Fri, Jul 21, 2017 at 12:13 PM

To: Mary Edwards <edwardsm@westliberty.edu>

After reading the proposed updates to policy 25 I have several questions/comments

The policy is not easy to understand. In fact, I would say it is confusing.

If I interpret the policy correctly, there are now three levels of staff positions (non-classified, at-will and all other employees)? Although in the non-classified section there is a statement "Therefore, all positions are non-classified" that adds to my confusion. The way the policy is written only the all other employees are subject to progressive discipline? This cannot be correct, can it?

Thank you

--

Robert Kreisberg, Dean  
West Liberty University  
College of Sciences

## Policy 25: Definition of Faculty and Staff

1 message

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**Rhonda Tysk** <tyskrj@westliberty.edu>

Fri, Jul 21, 2017 at 3:09 PM

To: edwardsm@westliberty.edu

Cc: Katie Cooper <katie.cooper@westliberty.edu>

Hi Mary Ann,

Katie Cooper and I have met and discussed Policy 25 that is currently posted for 30-day comment. We have the following suggestions for the section marked - **II. STAFF**

Our suggested changes to that section are as follows and are in marked in red.

*"Non-classified employee" means, non-faculty regular employee of the University who meets one of more of the following criteria as stated in WV Code 18B-9A-2:*

We are also suggesting that the 3rd bullet point in that section (*is designated by the President or designee to be critical to the accomplishment of the mission of the University*) be listed as the last bullet point. This will allow the last paragraph after the whole bullet point section to flow a little better.

Thank you!

--Rhonda

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Rhonda Tysk  
Admissions Counselor  
Assistant Transfer Coordinator  
West Liberty University

**WEST LIBERTY UNIVERSITY**  
**INFORMATION ITEMS ONLY**

The status of the following administrative policies and procedures is provided for informational purposes only and require no action.

<b>INFORMATIONAL ONLY</b>		
<b>Action</b>	<b>Title</b>	<b>Description</b>
<b>Administrative Policies</b>		
Revise	No. 106-Compensatory Time	Work in excess of 40/Hrs. per week
Revise	No. 109-Annual Leave	Eligible employees annual leave accrual
Rescind	No. 117-Classified Staff Salary Admin.	Replace with Salary Administration Guidelines
<b>Procedures</b>		
Revise	No. 15-Change in Status	Change in employment status
Rescind	No. 16-Student Employment	Covered by BOG Policy 11-Employment/Hiring
Rescind	No. 103-Transfer, Promotion, & Demotion	Replace with Salary Administration Guidelines
Revise	No. 105-Working Schedules	Work schedules for operating hours
Revise	No. 108-Additional Work	Provisions for additional hours of work
Revise	No. 115-Emergency & Inclement Weather Closures	Inclement weather conditions and necessary employees during closures

# Policy No. 106: Compensatory Time

Policy Number: 106	Effective Date: 10/25/86
Policy Title: Compensatory Time	Revised: 07/01/97; 03/15/05
Approval Date: 12/11/06	President's Signature: on file

## STATEMENT:

In cases where staff members work in excess of 40 hours per week, compensatory time-off work may be granted in lieu of actual monetary overtime compensation.

## PROVISIONS:

- I. Compensation will be made in the form of time-off at the rate of time-and-a-half (e.g. six hours off for four hours worked) for each hour worked over 40 in any workweek. For hours beyond the regular work schedule but less than 40, the rate of time-off shall be one hour off for one hour worked.
- II. In order to be eligible for compensatory time off, the work performed in excess of the regular work schedule must be at direct request of, and authorized by, the Supervisor and/or the Department Head. A written agreement between the University and employee to pay compensatory time in lieu of pay must be completed by the employee and is contained on the overtime slip.
- III. When a ~~classified~~ non-exempt employee is required to work on any designated Board or institution holiday, that employee at his/her option shall receive regular pay for the number of hours actually worked on that holiday plus substitute time off or additional pay at the rate of one and one-half (1 1/2) times the number of hours actually worked on the holiday.
- IV. Compensatory time must be used within a reasonable period of time, generally within one year of accrual. The employee may accrue not more than 240 (480 hours for employees in public safety) compensatory hours based on time actually worked and shall be paid overtime compensation in cash for any additional overtime hours worked beyond 240 / 480. Use of such compensatory time must be requested and scheduled two weeks in advance with the employee's supervisor or work unit. Approval for the use of accrued time off shall be dependent upon the efficient and continued operation of the department or unit.
- V. Only non-exempt positions qualify for compensatory time off. The decision as to whether overtime must be worked is the supervisor's.
- VI. The appropriate supervisor/department head will be responsible for maintaining a permanent written record showing overtime worked and compensating time off granted for each eligible staff member under his jurisdiction.
- VII. Should an employee's employment be terminated; any unused compensatory time shall be reimbursed as follows:
  - A. The average regular rate received by such employee during the first three years of employment; or,
  - B. The final regular rate received by such employee, whichever is greater.

# Policy No. 109: Annual Leave

Policy Number: 109	Effective Date: 12/01/85
Polity Title: Annual Leave	Revised: 07/01/97; 03/15/05
Approval Date: 12/11/06	President's Signature: on file

## STATEMENT:

Eligible employees are granted annual leave with the amount of leave based on the level of position, responsibility, service and other factors. All annual leave accruals are pro-rated according to the full-time equivalency (FTE) of the individual position.

## PROVISIONS:

### I. ELIGIBILITY AND ANNUAL ALLOWANCE

Except as otherwise provided herein, eligible employees shall accumulate and receive annual leave with pay as follows:

A. ~~Non-classified Staff~~ positions and administrative faculty ~~that are 12 month (1 FTE) with 12-month contracts~~ shall be eligible for ~~annual leave 24 days' total leave per year~~, calculated at the rate of 2 days per month from the date of employment. ~~If employed on or before the 15th of the month, credit is given for the month. If employed on the 16th of the month or after, annual leave is calculated from the 1st of the following month.~~

~~B. All other benefit-eligible employees in the classified positions shall be eligible for annual leave with pay on the following basis:~~

- ~~1. Less than 5 years service (60 months) = 10 hours per month 15 days per year;~~
- ~~2. 5 — 10 years service (120 months) = 12 hours per month 18 days per year;~~
- ~~3. 10 — 15 years service (180 months) = 14 hours per month 21 days per year;~~
- ~~4. 15 or more years service = 16 hours per month 24 days per year.~~

B. ~~Term of service described in B above shall be total service and does not require continuous service to fulfill the required term. However,~~ Employees on a leave of absence without pay do not accrue annual leave for the time they are off the payroll.

C. Employees working .53 FTE or more on a regular and continuing basis shall accumulate annual leave on a pro-rata basis ~~to the limits described above in "B".~~



# Policy No. 117: Classified Staff Salary Administration

Policy Number: 117	Effective Date: 10/14/09
Policy Title: Classified Staff Salary Administration	Revised:
Approval Date: 10/14/09	President's Signature: on file

## STATEMENT:

The University recognizes that a uniform and consistent method of salary administration for classified staff contributes greatly to an equitable workplace and employee satisfaction. It is therefore the institution's practice and policy to administer all salary actions for classified staff in a non-discriminatory and legal fashion in full compliance with all applicable state and federal rules, regulations, and statutes.

## PROVISIONS:

### GENERAL PROVISIONS and AUTHORITY

This policy is administered under the guidance and interpretation of WV Procedural Rule, Title 133, Higher Education Policy Commission Series 8, WV Code § 18B-1-6, §18B-9-4, and the Classification System. All newly hired employees are paid in "arrears," which is to say, for any given pay date the individual is receiving pay for the two-week period immediately preceding (i.e. prior to) the current pay period ending date. All individuals are paid by direct deposit of their paycheck and receive a Notice of Deposit in lieu of an actual paycheck. The employee may choose to enroll in the voluntary state-sponsored Electronic Notice of Deposit System or "ENODS" to eliminate the paper Notice of Deposit and thusly, access their payroll information electronically.

### CLASSIFICATION SYSTEM

The Classification System in use by the State system of higher education mandates that all full-time, part-time, and temporary classified staff positions be identified with a job title and pay grade. Items common to all classified staff positions under the Classification System include:

**Job Title:** The label that uniquely identifies and generally describes a job. The same descriptive job title shall be given to a group of jobs, regardless of institutional location, which are substantially the same in duties and responsibilities and which require substantially the same knowledge, skills, and abilities performed under similar working conditions.

**Pay Grade:** A range of compensation values for a job defined by a series of step values. Positions which occupy the same job title shall be assigned to the same pay grade. Job titles having similar factor levels shall be classified within the same pay grade. The pay grade is further defined in salary schedules published from time to time by the Higher Education Policy Commission as approved by the WV Legislature. In general pay grade steps correspond with an individual employee's credited and completed years of service and range from step "0" through step "15."

**FTE:** Full time equivalency is the percentage of time for which a position is established, with a full-time position working 1950 hours per year being equal to 1.00 FTE. All other work schedules /FTE are derivatives of the preceding values.

**PIQ or Position Information Questionnaire:** This document describes the set of typical duties and responsibilities of a position including such items as essential and non-essential functions at a particular institution. It is the source document which is used to establish a job title and pay grade under the Classification System utilizing a point-factor methodology. A PIQ may describe a position with a single incumbent or may apply to a position with a number of employees at the institution each doing substantially similar work under the same job title and pay grade.

### **FULL-FUNDING**

Effective July 1, 2008, the University achieved full-funding of the 2001 Classified Staff Salary Schedule. It is the University's intention to maintain all staff at full-funding consistent with the 2001 Schedule and any and all subsequent salary schedules as may be distributed by the state. In consideration of fiscal responsibility and budget, and in the event that any subsequent salary schedule approved by the Legislature and adopted by the Board cannot immediately be fully funded by the University, full-funding of the salary schedule may be implemented over a period of time as determined by the Board of Governors in consultation with the University's President and CFO.

Full-funding exists when all classified staff employees are at 100 percent of their appropriate salary step within their respective position's pay grade. Such determinations are to be made in consideration of each employee's qualifying years of prior eligible service within the State of West Virginia.

### **ENTRY RATES**

At full-funding, an individual with no prior eligible service will be employed at step "0" of the position's respective pay grade. Subsequently, such employees advance to the next pay grade step by completing at least 9 months' service in any fiscal year (July 1st through June 30th). Individuals with prior eligible state service are hired at 100 percent of the respective step level which corresponds to the year of eligible service. Verification of prior eligible service must be obtained prior to placement at a starting step higher than step "0." In cases where verification has not been obtained, the individual will be employed at step "0" and, only after verification, will the pay step be adjusted to reflect prior eligible service. In cases where full funding does not exist, the University shall employ all individuals at step "0" and adjustments for prior service, where applicable, shall occur at the next scheduled general salary increase or adjustment, irrespective of the individual employee having completed 9 months of service since their (re)hire.

### **PROMOTIONS and DEMOTIONS**

A "promotion" is movement from a position requiring a certain level of skill, effort, and authority to a vacant or newly created position assigned to a different job title and higher pay grade requiring a greater degree of skill, effort, and authority. Under full-funding, individuals are moved to 100 percent of the appropriate step of the new pay grade in consideration of the individual's credited years of service. Where full funding does not exist, individual employees are moved an amount equal to 5 percent per pay grade or the minimum of the new pay grade, whichever is higher.

A "demotion" is movement from a position requiring a certain level of skill, effort, and responsibility to a vacant or newly created position assigned to a different job title and lower pay grade requiring a significantly lesser degree of skill, effort and responsibility. A demotion may be voluntary or involuntary.

### **UPGRADES and DOWNGRADES**

An "upgrade" is an advancement of the employee's current position to a higher pay grade as a result of a significant change in the position's existing duties and responsibilities. When a position is upgraded, the

employee does not move to a different position in a higher pay grade. Rather, it is the employee's position that is moved to a higher pay grade because of a significant increase in the position's existing responsibilities as determined by job evaluation. Consistent with full-funding, the employee will move to their appropriate step placement in the new pay grade effective with the date of the upgrade. In cases where the University may not be in full-funding, the employee's base salary will be increased by five (5) percent per pay grade movement (This does not include the employees then current pay grade).

A "downgrade" is a reassignment of the employee's current position to a job title assigned to a lower pay grade as a result of a significant reduction in the existing position's duties and responsibilities. When a position is downgraded, the employee does not move to a different position in a lower pay grade. Rather, it is the employee's position that is moved to a lower pay grade because of a significant decrease in the position's existing responsibilities as determined by job evaluation. Consistent with full-funding, the employee will move to their appropriate step placement in the new pay grade effective with the date of the downgrade. In cases where the University may not be in full-funding, the employee's base salary will be lowered by five (5) percent per pay grade movement (This does not include the employees then current pay grade).

### **SALARY ADJUSTMENTS IN GENERAL**

In WV Code Section 18B-9, to be eligible for a general "annual salary increase or adjustment", typically called the "annual adjustment," an individual must have completed at least 9 full months of service in the preceding fiscal year. In cases where the annual adjustment does not fall on an effective date of July 1st, the individual must have completed 9 full months of service by the date immediately preceding the effective date of the adjustment. For eligible individuals at a step level contained within the Salary Scale within their position's respective pay grade, the annual salary adjustment would advance the individual to the next step within grade. The maximum step within grade being step 15 under the current salary schedule.

A "base salary adjustment" is the amount that a base salary increases within the pay grade to reward performance, to rectify inequities, or to accommodate competitive market conditions. It is not considered the same as an "annual salary increase or adjustment (annual adjustment)." Base salary adjustments are not typically made on any regular basis and may be made by system or Salary Schedule changes.

As long as the University remains fully-funded, it may grant general salary increases or adjustments to those employees who have reached the maximum of their respective pay grade, i.e. step "15." Under conditions where full-funding *does not exist*, no employee may receive a general salary adjustment or increase which would place them above 100 percent of step "15" (or the highest step of any subsequently adopted salary schedule, as appropriate). Where full-funding *does not exist* any employee whose base salary is already above the maximum step for their pay grade, shall receive no further increase in salary, though no salary reduction shall otherwise occur.

### **PAY CALCULATIONS**

Employees may not be paid for services not rendered. Base salary is calculated on a thirty-seven and one-half (37- 1/2) hour work week. The workweek consists of 168 hours in the form of seven (7) consecutive twenty-four (24) hour periods. The work week begins at 12:01 a.m. on any given Sunday and ends at 12 midnight the following Saturday.

Overtime pay for nonexempt employees is calculated at the rate of one and one-half (1 1/2) times the regular hourly rate, which is the total base salary plus any incremental pay divided by 1,950 hours.

Overtime does not commence until forty (40) hours actually have been worked within one (1) work week. Regular hourly pay, also known as “straight time,” is paid for work time between thirty-seven and one-half (37 1/2) hours and forty (40) hours in a work week.

Only actual hours worked are included in calculating overtime. Pay which is received for holidays, annual leave, sick leave, or work release time is not counted as working hours for purposes of the overtime calculation.

Annual leave, sick leave, and longevity do not accumulate in any part of a month for which an employee is off the payroll on a leave without pay or during a terminal leave period. A terminal leave period is that time between the employee’s last day of work and his/her last day on the payroll.

### **INTERIM RESPONSIBILITIES**

A significant change in duties and responsibilities of an employee on a temporary basis may justify an interim promotion or upgrade for salary purposes. Such a temporary reassignment shall be for no less than four (4) consecutive weeks and no more than twelve (12) consecutive months and shall only occur when the responsibilities being undertaken by the employee are those of another position that is vacant because of the incumbent’s illness or resignation or because of temporary sufficient change in the duties and responsibilities of a filled position. The affected employee shall have his/her base salary adjusted upwards consistent with a promotion or upgrade for the duration of the interim period. At the end of the interim period or assignment, the affected employee shall have his/her salary reduced to its original level (but, including any salary increase which the employee would have received in his/her regular position had the interim assignment not occurred).

### **TRANSFERS**

A “transfer” is movement from one position or job title to another position or job title requiring the same degree of skill, effort, and authority. Both positions are in the same pay grade. No pay adjustments are made as a result of a transfer. Transfers may be voluntary or involuntary, though transfers should be made in consideration of the best results for all parties. Transfers are not to be made due to work performance-related matters.

### **EXCLUSIONS and LIMITATIONS**

Student employment, Casual employment, faculty employment (including adjunct), and Non-Classified Staff employment types are specifically excluded from coverage under this policy.

### **RESERVATIONS**

The University reserves the right to interpret applicable policies, rules, and regulations to resolve any salary dispute that may arise with the intent of reaching an equitable and non-discriminatory resolution, as long as such resolution does not conflict with said policies, rules, and/or regulations.

Adjustment and resolution of salary issues is considered by the administration to be, in all cases an individual situation and each is considered based on the unique factors associated with it.

*Approved by the West Liberty University Board of Governors:*

# Procedure No. 15: Change in Status

Procedure Number: 15	Effective Date: 08/01/73
Title: Change in Status	Revised: 07/01/97; 10/01/04
Approval Date: 04/19/06	President's Signature: on file

## STATEMENT:

Changes in employment occur regularly in the University work environment. The following information is not intended to cover all changes in employment status. Rather it provides general information.

Questions regarding a specific change of status should be directed to the immediate supervisor and/or the Human Resources Department when such changes are anticipated or desired.

## PROVISIONS:

- I. Change in the terms of employment of any person is to be promptly reported to the Human Resources Department by the Department Head/Supervisor. ~~A form WV-11 must be prepared and processed through administrative procedures to effectuate any change to employment status or standing.~~

II. CHANGES IN STATUS (limited examples):

- A. Salary change.
- B. Change in position title, faculty rank, or paygrade, if applicable.
- C. Change in hours or other period of work.
- D. Intra-departmental position transfer, promotion, or demotion.
- E. Inter-departmental position transfer, promotion, or demotion.  
Such status changes may not be made without approval of both Supervisors and/or Department Head. No employee may be approached about an inter-departmental transfer without the interested Supervisor/Department Head first consulting with the employee's present Supervisor/Department Head.
- F. Various types of leaves of absence.
- G. Reductions of force/layoff.
- H. Termination/Resignation/Retirement.

III. PROCEDURES FOR RECOMMENDING A CHANGE IN STATUS:

- A. Salary Change – Title or other Employment Status – Work Period Change.  
Recommendation shall be initiated by the Supervisor/Department Head showing present and proposed status and indicating reasons for recommended change.
- B. Intra-Departmental Position Transfer  
Recommendation shall be initiated by the current Supervisor/Department Head showing present and proposed status of the employee and shall be forwarded to Executive Director Human Resources for approval.
- C. Inter-Departmental Position Transfer  
Recommendation shall be initiated by the new Supervisor/Department Head to show present and proposed status and shall be forwarded to the former Supervisor/Department Head for review and to Human Resources for approval.
- ~~D. Leaves of Absence  
1. Requests for leaves of absence shall be made in writing and be initiated by the employee and forwarded to the Supervisor/Department Head to show present status and proposed leave of absence status.~~

- ~~2. The written leave request should state the reason for leave of absence status and whether it is requested as paid or unpaid.~~
- ~~3. The leave request also must indicate the anticipated date of return.~~
- ~~4. Requests for leaves of absence must be forwarded to Human Resources for approval.~~

D. Reduction in Force

1. Recommendation for an employee to be put on "Lay-Off" status shall be initiated by the Supervisor/Department Head.
2. The recommendation should state the reason for lay-off and the anticipated date of reinstatement of the employee to the position, if known.
3. All reduction in force for ~~Classified~~ Staff shall be in accordance with appropriate controlling Board Procedure and/or State laws.
4. All reduction in force for Faculty shall be in accordance with appropriate controlling Board Procedure and/or State laws.

E. Termination/Resignation

1. Any recommendation for the termination of employment shall be initiated by the employee's Supervisor and/or Department Chairperson and must be supported in writing to the ~~Executive Director~~ Chief Human Resources Officer prior to any consideration of the circumstances leading to the recommendation. In all cases involving potential termination of employment, due process procedures must be followed. ~~The employee shall be notified of the University's intent to terminate their employment and shall receive an opportunity to address same at a "Pre-termination meeting to be set by the University and held at the employee's request."~~
2. All resignations shall be reported to the Human Resources Department immediately upon receipt/notice of same.

# Procedure No. 16: Student Employment

Procedure Number: 16	Effective Date: 08/01/73
Title: Student Employment	Revised: 07/01/97; 12/04/02
Approval Date: 04/19/06	President's Signature: on file

## STATEMENT:

The University provides financial aid to eligible students in several ways through employment; part-time employment may be offered via the University work-study program or through “personal services” employment. Student employment is intended to assist the student in pursuing their education versus a form of regular and on-going employment or support. For this reason, the University places primary emphasis upon a student’s course of study versus the University’s employment needs.

## PROVISIONS:

- I. The regulation regarding nepotism shall not apply with respect to part-time employment of students except that supervisors shall not supervise members of their immediate families.
- II. Student employment shall be restricted to students who are in every way in good standing at the University. In all cases payment shall be according to the rates currently approved.
- III. It is the intention of the University to establish that the rates paid for student workers are applied in a fair and consistent manner with consideration being given to the type of work being performed. All rates recommended for student employment are subject to review by Human Resources / Payroll prior to the student commencing work.
- IV. **A student shall not be employed for more than twenty hours during a week in which school is in session.** Extraordinary circumstances may contribute to a student being employed more than twenty hours during a week in which school is in session, but prior approval must be obtained from the Registrar of the University.
- V. Students are not to be allowed to work without prior official approval and cannot be paid until proper payroll and employment forms and authorizations are completed and approved at all levels.
- VI. Requests for student employees, whether work-study or personal services, must be resubmitted via a completed “Requisition for Student Employment” form. Forms are available from the Human Resources Department. Student Personal Service employment is utilized in various departments throughout the University and may be available depending upon individual unit need.
- VII. Student work study employment is coordinated via the University’s student Financial Aid Office. Applications for the student work study program, approval, and work assignments are all handled by the Financial Aid Office.

# Procedure No. 103: Transfer, Promotion, and Demotion

Procedure Number: 103	Effective Date: 08/01/73
Title: Transfer, Promotion, and Demotion	Revised: 07/01/97; 03/15/05
Approval Date: 04/19/06	President's Signature: on file

## STATEMENT:

The University encourages the transfer and promotion of employees when they are to the mutual advantage of the employee and the University. To the fullest extent possible and practical, the Procedure shall be to fill the job vacancies by internal transfer and promotion of qualified, capable staff members. This Procedure is intended to develop and provide effective incentives for initiative and ambition to employees and aid departments in obtaining the best skills and experience available.

Transfer or promotion of employees may be made within a department or may be made across organizational lines. Consideration of transfer or promotion should be handled with care and intelligent thought for the benefit and welfare of the employee, as well as for the best interest of the University, and will be handled in accordance with Higher Education Policy Commission Rule Series 8, "Personnel Administration".

It should be recognized that in working relationships there may be difficulties of supervision, working conditions, or personality problems for which transfer might be the best solution for the University and the employee. Adhering to this course of action will enable morale and general efficiency of the entire University to be most effectively served.

## PROVISIONS:

- I. **TRANSFERS:** A transfer is movement from one position or job title to another position or job title requiring the same degree of skill, effort, and authority. Both positions are in the same pay grade.
  - A. **WITHIN A DEPARTMENT (Intra-Departmental)**
    1. These actions must not be taken without consulting the Human Resources Department.
    2. Requests made by employees should be to the Supervisor or Department Head.
    3. The department must consult with the Human Resources Department to aid in establishing qualifications, skills, or abilities.
  - B. **BETWEEN DEPARTMENTS (Inter-Departmental)**
    1. These personnel actions must be made by the Human Resources Department.
    2. These requests may be initiated by department heads, by the employee, or by the Human Resources Department.
    3. When a supervisor or department head wishes to request the transfer of an employee:
      - a. Submit a letter of recommendation to the Human Resources Department stating reasons, noting skills and abilities, and evaluation of work performance.
      - b. The employee must be informed of this recommendation before any action is taken.
    4. When requested by an employee:



- a. The employee must have the initial discussion with the Human Resources Department.
- b. The employee will be informed that the present Supervisor/Department Head will be notified before any final transfer arrangement may be approved.
- 5. When requested by the Human Resources Department:
  - a. May be requested due to knowledge of abilities, talents, or experience of staff member that would result in better utilization of skills.
  - b. The present Supervisor/Department Head and the Human Resources Department will discuss the transfer with the employee.

#### C. GENERAL PROVISIONS APPLYING IN ALL CASES

- 1. The employee must meet the qualifications standards of the position under consideration.
- 2. The employee must be acceptable to the Supervisor/Department Head into which the transfer is anticipated.
- 3. There must be mutual agreement between the two Supervisors/Department Heads and the Human Resources Department relative to the terms of the proposed transfer.
- 4. No Supervisor/Department Head should discuss the potential transfer of an employee without clearance through the Human Resources Department. If a supervisor wishes to investigate the possibility of securing the services of an employee in another department, he/she shall submit a letter to the Human Resources Department indicating the interest and providing such additional information as might be pertinent in determining whether such a transfer might be suitable action for all parties concerned. If the preliminary review indicates the transfer would warrant further consideration, the Human Resources Department will coordinate the subsequent actions necessary to initiate the transfer process.
- 5. An employee may not enter into direct contact with another department regarding transfer and must receive clearance from the Human Resources Department before any negotiations take place.
- 6. Transfer of an employee from one department to another will carry into the new department the accumulated vacation and sick leave allowances earned in the previous department.
- 7. All transfers will be in accordance with HEPC Rule Series 8 provisions.

### II. PROMOTIONS: Promotion is movement from a position requiring a certain level of skill, effort, and authority to a vacant or newly created position assigned to a different job title and higher pay grade requiring a greater degree of skill, effort, and authority.

#### A. Promotions may occur:

##### 1. WITHIN A DEPARTMENT

The same procedure will be followed as outlined above in Section I (A).

##### 2. BETWEEN DEPARTMENTS

- a. These personnel actions must be negotiated through the Human Resources Department and follow job-posting procedures.
- b. To be eligible for promotion involving greater responsibilities, an employee must:
  - 1. Meet the qualification standards of the position.
  - 2. Have a satisfactory record of performance on his present job.
- c. Any classified employee may express an interest in promotion opportunities through the job posting procedure.

## B. GENERAL PROVISIONS APPLYING IN ALL CASES

1. A number of factors must be considered in promotional possibilities to positions involving greater responsibilities including past job performances, initiative, and dependability to aid in selecting qualified candidates for any given position.
2. Members of the staff are encouraged to discuss future promotional opportunities at any time with their Supervisor/Department Head or the Executive Director Human Resources.
3. A promotion provides an opportunity to take on additional responsibility and development which in turn should involve sufficient continuation of service on the part of the employee.
4. Qualified employees will be considered for promotional opportunities regardless of race, sex, age, religion or national origin, disability, and/or veteran status.

III. DEMOTIONS: A demotion is movement from a position requiring a certain level of skill, effort and responsibility to a vacant or newly created position assigned to a different job title and lower pay grade requiring a significantly lesser degree of skill, effort, and responsibility. Such demotions may be considered as voluntary or involuntary depending upon the circumstances leading to the demotion.

- A. An involuntary demotion may be considered in a case where an employee is not able to perform work satisfactorily in his/her present position.
  1. In all such cases, the situation will be discussed with the employee by the Supervisor/Department Head before any action is taken.
  2. Demotions may naturally occur when an employee selects a job in a lower pay grade through the job posting process or as a result of a position reclassification.
- B. A Supervisor/Department Head may recommend involuntary demotion for a staff member for inefficient work performance, disciplinary reasons, or other just cause.
- C. In the event involuntary demotion is being recommended, a written statement of reasons for such action must be forwarded to the employee and the Human Resources Department. No action will be taken without an investigation into the reasons brought forth.
- D. Occasions may arise where a joint discussion by the employee and Supervisor / Department Head to effect a transfer would be in the best interest of all concerned rather than an involuntary demotion.

# Procedure No. 105: Working Schedules

Procedure Number: 105	Effective Date: 01/05/81
Title: Working Schedules	Revised: 07/01/97; 03/15/05
Approval Date: 04/19/06	President's Signature: on file

## STATEMENT:

The University is a complex organization staffed by persons performing many different kinds of jobs while serving the various needs of students, faculty, and public in carrying out the University's teaching and service programs. These various jobs require different working schedules and may involve day or night working hours. Therefore, it is impractical to establish the same working schedule for everyone on the staff. The University however, does recognize the following general classes of working schedules as representing normal operations with the exceptions being noted:

## PROVISIONS:

### I. SCHEDULES GENERALLY

- A. Five-day work week, Monday through Friday (37 1/2 Hour Week). ~~Administrative operating hours of the University are primarily 8:00 a.m. to 4:00 p.m.~~ Different schedules of daily hours of working days may be required to meet the needs of the various operating departments. ~~therefore:~~
  - ~~1. 8:30 a.m. to 4:30 p.m. with one half hour for lunch and two 15 minute breaks~~
  - ~~2. 8:00 a.m. to 4:00 p.m. with one half hour for lunch with two 15 minute breaks~~
  - ~~3. 7:30 a.m. to 3:30 p.m. with one half hour for lunch and two 15 minute breaks~~
  - ~~4. 8:00 a.m. to 4:00 p.m. with one hour for lunch, no 15 minute breaks taken A.M. and P.M.~~
- B. Five-day work week, seven-day coverage (37- 1/2 Hour Week). Some departments and units of the University must vary these basic schedules in order to provide the necessary service demanded by special functions. This applies particularly to such units as ~~the Library and~~ Campus Police, which require seven-day service. This requires that beginning times of work must be staggered and/or rotated to provide the seven-day service. Some employees in these departments may be scheduled for Saturday, Sunday, and holiday work, as necessary or where required.
- C. No staff members normal work week shall require seven consecutive work days.
- D. Full-time, less than 1.0 FTE (varying hours and days per week) At times the University, due to operating needs, may determine a change to an existing position's working schedule (FTE) is necessary. When such FTE adjustments are made, the employee shall be notified in as far advance as possible and the duration of such change to the working hours of the position communicated where known and if such change will be temporary or permanent in nature.
- E. Part-time, less than .53 FTE (varying hours and days per week). To meet operating needs positions may be established or existing positions changed to less than full-time. The actual hours of work and days of work scheduled are to be determined by the individual unit / department supervision with consideration given to employee needs and requests.

### II. ALTERNATIVE WORK SCHEDULES – (Flex-time, job sharing, four-day weeks, etc.)

- A. Consistent with sound administration and management of the work-place, the University will consider requests from employees for alternative work schedule arrangements. Any employee considering such a request must present the following:
  - 1. A written request to the immediate supervisor giving the specific reason(s) for the requested schedule.
  - 2. In all cases the employee will be required to maintain the hours of work normally assigned to the position, i.e. 37.5 hours per week or similar.

- B. The intent is to allow the employee flexibility in meeting their institutional job obligations while at the same time affording the employee the ability to attend to necessary and urgent personal need.
- C. Written requests for alternate work schedules are subject to review and approval by the immediate supervisor, department or unit head, and the Human Resources Department. A written answer to the employee's request will be provided by the Human Resources Department within five (5) working days after the previously mentioned review has been conducted.

# Procedure No. 108: Additional Work

Procedure Number: 108	Effective Date: 10/03/91
Title: Additional Work	Revised: 07/01/97; 03/15/05
Approval Date: 04/19/06	President's Signature: on file

## STATEMENT:

Off-duty ~~Classified~~ Staff may be called back in to work or assigned additional hours of work. Additional work should be anticipated from time to time, and employees are expected to work additional hours when such additional hours become available. ~~(If refused by senior employee(s), the junior employee(s) in the classification must accept the additional hours.)~~ Under certain circumstances, such as emergencies and other important occasions such as commencement activities where larger, short-term mobilizations of manpower are unavoidable, additional work may be required without right of refusal. This Procedure shall be construed as University-wide.

Any department head or supervisor authorized by the President or the President's designee has the authority to assign additional work and initiate the call-in procedure. The department head or supervisor shall, however, make every reasonable effort to schedule work during normally assigned duty hours. Under no circumstances shall the authority to initiate the call-in procedure be delegated to non-supervisory staff.

## PROVISIONS:

- ~~I. A seniority roster shall be maintained for each classification. Each roster shall be operated rotationally. The most senior classified employee in the affected classification will be granted the additional hours of work. On the next occasion, the next most senior employee will be granted the additional hours, and so on. If the employee whose turn in the rotation to receive the additional work cannot be reached after reasonable attempts, is on approved leave, or is excused by the supervisor for good cause, the additional hours of work will be granted to the next employee on the rotation for that classification. The employee or employees thus passed over will not lose their turn in the rotation for subsequent additional work. Employees who refuse additional work other than as described immediately above shall be treated for purposes of the roster as if they had accepted the work and placed at the bottom of the list.~~
- ~~II. In the event that no classified employee working in the classification affected is available, a classified employee working outside the affected classification who can competently and safely perform the work required may be called in. If more than one such classified staff employee exists, the most senior qualified shall be granted the additional work. The department head or supervisor authorized to assign the particular overtime shall determine who is qualified to perform the particular work in question.~~
- III. Understanding that it is counter-productive to call employees in for very brief periods, the department head or supervisor assigning the work shall ensure that staff called in have work available for them to earn a minimum of two hours.

Overtime shall be paid in accordance with the Fair Labor Standards Act (FLSA) and other applicable policy and/or procedures of the University. Only hours actually worked shall be included in calculating overtime and compensatory time. Pay which is received for various leaves or holidays shall not be counted as hours worked for purposes of overtime.

#### IV. ~~CALL IN ROSTER PROCEDURE~~

- ~~—A. Department heads and supervisors shall maintain a roster of all classifications under their supervision, by rank and seniority, all staff within each classification.~~
- ~~—B. Along each name the department head or supervisor shall mark when each employee was last granted (or the employee refused) additional work.~~
- ~~—C. The classification roster where a particular classified employee's name appears shall be available to that employee upon request at any reasonable time for review.~~
- ~~—D. Since rosters are records; the department head or supervisor shall be the only person permitted to make entries or annotations on the rosters. Annotating on the roster shall be presumed to be made by the department head or supervisor under whose control the roster is maintained.~~
- ~~—E. Each roster shall be regularly updated by the individual department to account for new personnel actions having the effect of changing the order or identity of classified employees on a particular roster.~~
- ~~—F. Department heads and supervisors shall document the date, time, and means by which efforts were made to contact classified staff on the roster when employees cannot be reached.~~

# Procedure No. 115: Emergency and Inclement Weather Closures

Procedure Number: 115	Effective Date: 07/01/97
Title: Emergency and Inclement Weather Closures	Revised: 02/06/17
Approval Date: 07/01/97	President's Signature: on file

## SCOPE

~~Classified and non-classified employees~~ Staff, faculty, and students at West Liberty University.

*The provisions of this Procedure relating to compensation, the use of annual leave, sick leave and managing work time in areas affected by interruption or closure **do not apply** to faculty members on annual appointments of less than twelve months. The 2017 revision of this Procedure supersedes and replaces institutional Procedure 235.*

## I. EMERGENCY SITUATIONS

In the event that an emergency exists, the President in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close the institution. Such a declaration will be transmitted to the Chancellor of the Higher Education Policy Commission. The President, working with public safety officials, will determine when the emergency condition no longer exists.

## II. INCLEMENT WEATHER

During periods when classes are in session, the decision to close the institution for any period of time due to weather is reached by the President's designees; the Provost in conference with the Vice President of Student Services/Registrar. At other times, the decision is made by the President. During the period of the closure, only employees necessary for the continuance of vital services must report to work. Supervisors and department heads are to inform in advance those employees who will be required to come to, or to remain on, campus during such closures.

## III. NOTIFICATIONS

If the institution closes, the President, Provost or Vice President of Student Services/Registrar, or their designees will contact local radio and television stations and initiate the announcement through the Campus Weather Hotline, WLU electronic mail, and text messaging. The announcement will specify the length of the closure. The class/work day will commence with the next scheduled class/work day following expiration of the closure. Instructors may utilize the learning management system to provide alternate instruction when classes are cancelled.

All university administrative heads, faculty, staff, and students are responsible for checking for inclement weather/emergency closures.

#### IV. COMPENSATION

Work time lost during an inclement weather/emergency closure will be considered regular work time for pay purposes and will not require time be charged to leave, nor will there be a requirement that the time be made up. Absence from work due to weather or other personal emergency, outside of the period designated by the President/designee as an inclement weather/emergency closure, must be charged to an employee's accrued time, other than sick leave; or, with supervisory approval, made up within the same work week.

Employees may be required to work during an inclement weather/emergency closure by the President/designee. Exempt employees required to work during an inclement weather/emergency closure will be compensated with compensatory time on an hour-for-hour worked basis, in addition to regular pay. Non-exempt employees required to work during an inclement weather/emergency closure will be compensated with compensatory time on an hour-for-hour worked basis, in addition to regular pay. Compensation of a non-exempt employee with compensatory time off requires prior written agreement between the employee and supervisor; such time must be used within six months. Absent the written agreement, no time will be awarded.

The payroll department will add the hours worked to the employee's Kronos substitute balance.

#### V. UTILITY SERVICE INTERRUPTIONS

When extended power and utility service interruptions occur, administrators should make arrangements for employees' usual work to be accomplished at alternate work locations, or make affected employees available for work in other appropriate areas of the University. If an administrator deems it advisable and the employee agrees, time-off during the utility service interruption may be granted and charged against accumulated annual leave. Combination of the above alternatives may be necessary, but in all cases interruptions of work schedules must be dealt with in accordance with applicable laws, including West Virginia Code, Section 12-3-13. This law is interpreted to mean that if pay is associated with the absence from work, the absence must be charged to accumulated leave.

#### VI. DISASTER SERVICE VOLUNTEERS

Any state employee who is a certified disaster service volunteer of the American Red Cross may be granted leave with pay for up to fifteen (15) work days per year to participate in specialized relief services for the Red Cross. Any supervisor granting leave to an employee for purposes of participating in specialized disaster relief shall make a report to the governor which includes the name of the employee and the cost of salary and benefits of that employee during the period of leave.



## **SALARY INCREASE**

### **Action Item**

At the October 5, 2016 meeting of the Board, a pay increase of 2% was approved, with 1% effective January 1, 2017 and the other 1% when more information becomes available with regard to possible mid-year budget cuts. At the Executive Committee meeting held August 16, 2017, Dr. Greiner proposed the additional 1% be made a 2% pay increase, effective October 2017.

**Proposed Resolution: *Resolved*, that the West Liberty University Board of Governors approve the 2% pay increase, effective October 2017.**