

South Georgia State College



**SOUTH
GEORGIA**
STATE COLLEGE

Classified Employee
Handbook

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YOUR EMPLOYER

As a new member of South Georgia State College's staff, you are an important part of this institution and its goal of insuring a brighter future through higher education. Regardless of position or title, we must all do our job well to insure that this goal is accomplished.

Each new employee should make a special effort to be reliable in attendance. Arrive at work on time, return from lunch promptly, and notify your supervisor whenever a workday will be missed. Remember, other people's jobs depend on your doing yours to the best of your ability.

Human Resources prepared this booklet so you will better understand South Georgia State College's personnel policies and procedures and our employee benefits. We also want to give you a basic overview of what to expect as an employee. In addition to being a guide for new employees, this handbook also will be a quick and convenient review for all employees.

Work Environment

One of the most important aspects of employment to both the employee and the employer is working conditions. We make every effort to provide a work atmosphere that is good for your individual development and job enrichment.

In general, our policy in this area is one of common courtesy and understanding. The College will always strive to understand the needs of the employees and likewise, each employee should realize the role he or she plays in the overall goals of the College.

The following policies have been established in order to create a good working environment for both the University and the employee.

Affirmative Action

South Georgia State College is committed to the operation of all its educational, employment, and related programs without discrimination on grounds of race, color, creed or religion, sex, national origin, age, genetic information, disability, or other factors, which cannot lawfully be the basis of denying equal opportunity.

Americans With Disabilities Act (ADA)

South Georgia State College is governed by the Board of Regents of the University System of Georgia, which specifically prohibits discrimination on the basis of disability. South Georgia State College is committed to complying with the goals and objectives of the Americans with Disabilities Act. Persons needing accommodations should contact Human Resources.

Sexual Harassment

It is the policy of the College that all employees shall have the opportunity to work in an atmosphere and environment free from any form of discrimination, harassment or retaliation based on race, color, religion, gender, sex, national origin, age, veteran status, whistle blower status, genetic information, disability, or any other characteristic protected by state or federal law.

Harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sex, national origin, age, veteran status, whistle blower status, or disability, or that of his/her relatives, friends, or associates, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Similarly, sexual harassment involves:

1. Making, as a condition of employment, unwelcome sexual advances or requests, requests for sexual favors, or other verbal or physical conduct of a sexual nature;
2. Making submission to or rejection of such conduct the basis for employment decisions; or
3. Creating an intimidating, offensive, or hostile work environment by such conduct.

Any employee who feels that he or she has suffered or witnessed any form of discrimination, harassment or retaliation should immediately report the alleged conduct to the HR Director so that a confidential investigation of the complaint can be undertaken. In the event the HR Director is unavailable, the alleged conduct should be reported to his/her manager.

Alternatively, the employee may report the alleged conduct to the President. Retaliation or discrimination against an employee for reporting or complaining about harassment is prohibited and will result in disciplinary action up to and including termination.

Title IX Compliance Responsibility and Questions

South Georgia State College has established its Non-Discrimination and Anti-Harassment Policy in accordance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Acts of 1964, and other applicable law. Title IX expressly prohibits sex discrimination (including sexual harassment and sexual violence) with respect to education programs and activities (including admissions), and with respect to employment at this educational institution. The College has appointed the Vice President of Government, Athletic Relations and Advancement as its Title IX coordinator, and he or she may

designate others to assist as needed in implementing or enforcing this policy. Anyone with questions regarding this policy should contact the Vice President of Government, Athletic Relations and Advancement at (912) 260-4259.

Progressive Discipline

In order for all of us to function efficiently as a team, all employees must conduct themselves according to basic rules and good conduct. It would be impossible to cover every possible situation in work guidelines. If questions arise regarding rules or procedures that apply to a particular position, employees are encouraged to review the employee handbook, ask their supervisor, or speak to anyone in management. It will generally be the supervisor's responsibility to take disciplinary action against an employee. Our rules are designed to help us work together; they are really a matter of common sense and courtesy toward others. Of course, the supervisor will always consider the overall work record of the employee and the circumstances of each particular situation.

From a practical perspective, generally, disciplinary matters deal with four (4) major areas: absenteeism and tardiness, work performance, misconduct, and safety. As you well know, there are certain types of misconduct that are simply intolerable in the work area and may result in immediate termination. The following are examples of conduct that may result in immediate termination:

- Working under the influence of alcohol or illegal drugs, or possession thereof
- Theft
- Immoral conduct
- Possession of a firearm or other dangerous weapon
- Physical or verbal abuse of a client or fellow employee
- Falsifying company records
- Gambling during working hours or on complex premises
- Fighting during working hours or on complex premises.
- Abuse or inconsiderate treatment of Company residents
- Insubordination
- Sleeping on duty
- Accepting money, tips or gifts
- Disclosing or discussing your salary with other personnel
- Willful destruction of complex supplies or equipment.
- Violation of complex confidentiality regulations
- Unexcused consecutive absences of two or more days, repeated unexcused absences and/or tardiness

Generally, misconduct of a lesser degree, unless the overall work record of the employee warrants otherwise, will normally result in progressive discipline with some type of warning, either written or verbal, provided prior to discharge. Horseplay, minor violations of safety rules, distracting other employees, and similar misconduct would be examples of such situations.

Steps in Progressive Discipline

1. Counseling and Verbal Warning
2. Written Warning
3. Suspension and/or Final Written Warning
4. Recommendation for Termination of Employment

Dismissal, Demotion, or Suspension

Dismissal, demotion or suspension of classified employees may be effected by the employee's immediate supervisor, when the supervisor determines that the employees' performance of duty or personal conduct is unsatisfactory.

The employee shall be informed in writing of the reasons for the action taken and granted a reasonable opportunity (not less than five working days) to respond to the next highest authority prior to the effective date of the action; provided however, that under emergency circumstances when immediate action is necessary, the employee may be forthwith dismissed, demoted or suspended with or without pay, by the immediate supervisor, pending a review by the next highest authority.

Any such employee shall be entitled to the procedural protections of a hearing before a Board of Review convened pursuant to Section II-K (Appeals) of the Business Procedures Manual, Vol. 3 upon request made within 15 working days following the adverse personnel decision of his immediate supervisor, provided that the Board of Review hearing may take place either before or after the effective date of the personnel decision in question.

An employee who has been dismissed or suspended without pay and is later reinstated shall be entitled to recover back pay unless the President or his/her designee determines otherwise.

Any employee who is convicted of the unlawful manufacture, distribution, sale, use or possession of marijuana, a controlled substance or other illegal or dangerous drug, or who admits guilt of any such offense in a court proceeding, shall be suspended for not less than two months or dismissed after compliance with procedural requirements set forth below. Such employee shall be required as a condition of re-employment following suspension to complete a drug abuse treatment and education program approved by the President of the Institution.

If, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her immediate supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug is receiving or agrees to receive treatment under a drug abuse and education program approved by the institution President, such employee shall be retained by the institution for up to one year as long as the employee follows the treatment plan. Detention of such employee shall be conditioned upon satisfactory completion of the program. The employee's work activities may be restricted if in the opinion of the immediate supervisor or other person, in order to comply with this policy shall be admissible in any civil, administrative or criminal proceeding as evidenced against the employee. The rights herein granted shall be available to a System employee only once during a five-year period and shall not apply to any such employee who has refused to be tested or who has tested positive for a controlled substance, marijuana or a dangerous drug. (Section 803.0902 of the Board of Regents Policy Manual.)

Grievance Procedures

Grievances and disciplinary reviews will be processed under the procedures set forth below. As a first step, complainants should try to resolve problems and complaints by contacting their immediate supervisor or, in the case of a student, the academic department head or unit director. This initial contact should be made within five (5) working days from the occurrence of the problem. The supervisor or department head should then arrange a meeting with the complainant, and all concerned should make a good faith effort to resolve the problem. The Grievance Coordinator will be available to assist in these initial efforts to resolve disputes.

If the dispute cannot be resolved through the efforts outlined above, the parties may be referred to the Mediation Coordinator to discuss whether mediation is an appropriate means for resolving the dispute. The Mediation Coordinator will be the current chairperson of the campus Alternative Dispute Resolution committee. Mediation is a process that helps people resolve disputes for themselves in a mutually acceptable way in which everyone involved in the dispute meets with one or more trained mediators. In a private setting, the mediator provides an orderly, simple process for the parties to discuss their dispute along with their feelings, perceptions and needs. The goal is to begin communication and move towards resolving the dispute in a manner agreeable to all.

If the parties are unable to informally resolve the dispute, they do not wish to pursue mediation or are unsuccessful in resolving the dispute through mediation; the Grievance Coordinator will advise the person raising the dispute of the procedure for a Grievance hearing.

The initial grievance must be filed within 5 working days of the event that has given rise to the grievance or request for disciplinary review. The complainant will have 5 working days from the date of the decision letter to appeal to the next level within the complainant's employment unit. After completion of the employment unit's review of the matter and the outcome is not to the complainant's satisfaction the Complainant may submit a grievance petition.

According to Board of Regents policy a grievance must be filed within 10 working days of the notice of a grievable employment action. Complainants are required to prepare a petition to ensure that the Grievance Committee will address the specific issues that most concern the complainant.

See the SGSC Classified Staff Grievance Policy for further instructions and information.

YOUR JOB

You were chosen for your job because we believe that you are the best qualified to carry out the duties and responsibilities of the position. Your future advancement with the College will be based on your performance in this position.

This handbook is provided to answer questions you might have concerning your employment at South Georgia State College.

There will be questions not answered here. When these arise, go to your supervisor or to the Human Resources Department located on the First Floor of Thrash Hall on the Douglas Campus or call (912) 260-4377 or (912) 260-4378.

We hope that your employment with South Georgia State College will be a rewarding and pleasant experience for both you and the College.

Job Classifications

The information in this handbook applies to all classified employees. A classified employee is one who is not identified as a member of the faculty or a student employee. There are two categories of classified personnel:

1. Professional and Administrative – All employees not required to clock in and out as hourly employees because of their professional or administrative responsibilities and who are not identified as faculty shall be designated as Professional and Administrative Employees.
2. Staff – All employees required to clock in and out and those paid bi-weekly or on an hourly basis are designated as Staff.

TYPES OF EMPLOYMENT

All employees are classified at the time of employment as full-time regular, full-time temporary, part-time regular, part-time temporary.

The following describes the employment status categories:

- A. **Regular:** Employees who are employed for a continuous period that is expected to exceed six (6) calendar months shall be known as “regular” employees. Regular positions with a work commitment of three-quarters time (30 hours per week) or more are benefits eligible.
- B. **Regular – Limited Term:** Employees who are employed for a continuous period that is expected to exceed six (6) calendar months but whose positions are intended to have a limited term not to exceed three (3) years shall be known as “Regular -Limited Term.” This status may be used for situations where funding for the position is covered by sponsored or other non-state sources or allocated for a limited term as in the case of special projects and where employment is generally not intended to continue following the initial limited term period. Regular – limited term positions with a work commitment of half-time or greater are benefits eligible.

- C. **Temporary:** Employees who are not employed as “regular” employees are “temporary” employees. Institutions may hire temporary employees directly or may elect to obtain the services of temporary employees through outside organizations that provide temporary services. It is recommended that all temporary employees are processed through human resources to maintain compliance with state, federal and Board of Regents policies. Temporary employees paid through the institution shall be employed for a period no longer than six (6) calendar months; however, such temporary employment may be extended up to an additional six (6) months if the appropriate employing supervisor or department head of the said institution of the University System needs the services of that individual subject to the approval of the human resources office of the institution. Once an individual has served as a “temporary” employee on an institution’s payroll for a twelve (12) month period he/shall not thereafter be employed as a “temporary” employee until a period of thirty (30) calendar days has elapsed.
- D. **Temporary – Occasional:** Occasional employees are a subcategory of temporary. An individual with an “occasional” appointment works sporadically, but might work on a recurring basis, as needed, over a period longer than six (6) months. These individuals may work full-time or part-time for brief periods, but their total FTE over the course of a year should not exceed 49% of the time. Occasional positions are not benefits eligible.
- E. **Student Employees:** All student employees shall be and are classified as “temporary”, and employment of student assistants shall not be subject to the re-employment restriction outlined in sections 3 & 4 above. See the policy on position classification for additional information on student employees.

Provisional Appointment

With the exception of certain public safety employees, all classified employees are required to serve the first six (6) months of employment in the University System on a provisional basis to provide the employer an opportunity to evaluate the employee’s performance. University System employees transferring to another University System institution or the University System Office are subject to a new six (6) month provisional period upon beginning at the new location.

If the work of the employee is satisfactory, employment will be continued. Should the work not be satisfactory, the employee will be notified in writing prior to the completion of the six (6) months provisional period. In the event of an approved leave of greater than thirty (30) days, an equivalent extension of the provisional period may be granted with the approval of the President or the Chief Human Resources Officer. The extension should be granted only in exceptional circumstances, and in no instance shall the provisional period be extended such that the total provisional period would exceed nine (9) months.

An employee who has been discharged during the provisional period does not have any right to appeal or procedural protections as provided for in Section II – I (Dismissal, Demotion or Suspension) and K (Appeals of these policies).

Public safety employees are subject to the same provisional employment requirement as other classified employees, except that the six (6) month provisional period will not begin until any person employed as a public safety officer has completed his/her mandated training for

certification as a police officer. This special provision only applies to those public safety employees for who specified training is mandated by state law and such training occurs after their employment.

Employment of Relatives

No individual shall be employed in a department or unit, which will result in the existence of a subordinate-superior relationship between such individual and any relative of such individual through any line of authority. A marital or familial relationship shall constitute neither an advantage nor a disadvantage for any employee.

Conditions of Employment

Prior to starting work at South Georgia State College, all new employees must complete the following to insure timely additions to the payroll:

1. The State Security Questionnaire and Loyalty Oath Form
2. Federal and Georgia withholding tax forms.
3. Social Security number and photo copy of card must be provided.
4. Group Insurance, Teachers Retirement or
Georgia Defined Contribution Plan application.
5. The I-9 Form, proof of U. S. citizenship will be required.
6. Direct Deposit Form
7. Right to Know Compliance Training

Security Questionnaire Loyalty Oath

The State of Georgia requires that a Security Questionnaire/Loyalty Oath be executed and retained in the permanent files of the Human Resources Personnel File. This document must be completed by all persons employed for thirty or more days.

Immigration Form I-9

All new employees are required by the provisions of the Immigration Reform and Control Act of 1986 to complete a government form I-9 before, or within three (3) days of, employment. This form attests to the individual's eligibility for employment in the United States. Certain specific documents, which will prove your eligibility for employment in this country, must be presented to the person processing your employment papers. This law applies to all individuals, regardless of employment status, who enter into an employee/employer relationship with the Board of Regents of the University System of Georgia.

Criminal Background Check

Georgia law provides that persons previously convicted of certain crimes are not eligible to hold some positions with the Board of Regents. In order to fulfill this mandate, the Office of Human Resources will conduct criminal background checks on all persons seeking employment. Certain convictions may disqualify an applicant for consideration in sensitive positions or positions of trust. Human Resources shall maintain a list of all positions that are considered positions of trust for the purposes of compliance with this policy.

Eligibility for Rehire

USG employees that separate voluntarily or involuntarily will receive a rehire eligibility designation. The circumstances of an employee's separation from the University System of

Georgia (USG) must be reviewed and documented to determine the employee's eligibility for rehire within the USG. All employees who separate from the USG will be assigned to one of three categories:

1. Eligible for Rehire
2. Conditional
3. Ineligible for Rehire

A designation into one of the three categories will be made regardless of the reason for separation (resignation, retirement, discharge, or other). Employees must be notified in writing if they receive a conditional or ineligible for rehire designation at the point of separation and may appeal the decision through the established institutional procedures.

Definitions

Eligible for Rehire: Employees who separate from the USG with a satisfactory work record and in compliance with relevant Board of Regents policies and procedures are eligible for immediate rehire. The separation reason may include (but is not limited to) voluntary resignations, expiration of contract or limited term employment, reductions in force and retirements.

Conditional: Employees who separate from the USG with a less than satisfactory work record, including voluntary resignations, resignations in lieu of discharge, or who are terminated for reasons other than criminal behavior, acts of violence or serious policy violations are generally not recommended for rehire for at least 12 months. The separation reason may include (but is not limited to) unsafe work practices, loss of required credential or discharge due to unsatisfactory performance. After this minimum period, the hiring institution will have no obligation to consider an employee designated as "conditional" for future employment, but will however have the discretion and authority to determine that considering a former employee designated as "conditional" is in the best interest of the institution (and the USG as a whole). This determination should include carefully considering such factors as the amount of time that has passed since the previous separation, any evidence of improved performance for other employers in the interim, similarities and differences between the current potential job and the previous job from which the applicant was separated, and any other mitigating circumstances explained by the applicant.

Ineligible for Rehire: Employees who separate for serious misconduct, major policy violations, or criminal behavior may be deemed ineligible for rehire upon recommendation from the institution CHRO and senior level administration and approval from the University System Office Human Resources Office. The separation reason may include (but is not limited to) institutional harassment policy violations, commission of a crime, falsification of credentials, or acts of workplace violence.

Performance Evaluation

At least annually, your supervisor will evaluate your job performance. You will be given the opportunity to talk to your supervisor about your job and how you are performing. This program is designed to recognize your individual contributions and to improve your understanding of your job duties and responsibilities. Take this opportunity to discuss any problem areas or to ask any questions you may have. Areas to be evaluated will include quality of work, productivity, knowledge of job, adaptability and initiative, dependability, judgment, relationships with people, attendance and punctuality, and accountability. Considerations for salary increases, promotions, transfers, demotion or retention will be based on these evaluations.

Disqualification of Employment

A person shall be disqualified for employment for any of the following reasons:

- A. Conviction of a criminal drug offense. The first conviction shall disqualify a person for not less than two years. Any person who has been convicted of a second or subsequent criminal drug offense shall be ineligible for employment or reemployment for a period of five years from the most recent date of conviction;
- B. Any false statement of material fact during the recruitment, application or hiring process;
- C. Membership (past or present) in any organization advocating the violent overthrow of the Government of the United States;
- D. Conviction of a felony or a crime involving moral turpitude, unless he/she has been pardoned, when the position for which the individual is being considered is a position of trust.

Salary Adjustments and Increases

Salary adjustments may occur whenever a new salary scale is approved by the Board of Regents, our governing body. Appropriate adjustments will be made to employee's salaries in positions affected as funds are made available. This action should not be confused with a promotion or similar action where there is a change in an employee's responsibility.

Salary increases are normally made on the basis of merit on an annual basis, providing funds are made available to the Board of Regents from the state appropriations allocated by the Georgia Legislature. The decision to increase your salary is made after considering your record for the previous year as reflected in the performance evaluation. The prevailing salary scale within your particular job classification must also be considered.

It should be stressed that salary increases are not automatic.

Promotions

An employee may be eligible for promotion and transfer opportunities during his/her tenure at South Georgia State College. Whether employee initiated, department reorganization, or a vacant position opportunity, employees are urged to follow the procedures described below to ensure a smooth transition.

An employee who wishes to apply for a vacant position opportunity within the College may confer with his/her supervisor before making application for the new position, if desired. Employees normally are not eligible to apply for a transfer during the probationary period. Sometimes it may be desirable in the interest of the employee and/or South Georgia State College for an employee to be transferred from one position to another requiring comparable skill sets and within the same salary range.

Transfers

South Georgia State College supports an environment that values the pursuit of career mobility and encourages employees who express an interest, and have the abilities, to pursue appropriate vacancies to foster their career development. Toward that end, employees' efforts to transfer

from one position to another will be supported. An employee may apply for a posted position in another department or at another USG institution or the University System office or be identified for transfer when appropriate. Institutions shall have the discretion to transfer an employee when deemed appropriate. For the purposes of this policy, there shall be two types of transfers as follows:

1. **Internal Transfer** - The shift of an employee from one position to another of the same classification or to one with comparable skills and in the same general pay range in the same institution.
 1. The employee who is affected by an internal transfer shall continue all benefits uninterrupted.
 2. The employee will not restart the provisional period.
2. **External Transfer** – The movement of an employee from a position at one institution within the University System to a position at another institution or to or from the University System Office. Since institutional compensation practices may differ due to market conditions, the transfer may be to a position at a different pay range but the provisions of this transfer policy shall apply. a. In the event of an external transfer, accumulated sick leave, retirement benefits and service continuity will be transferred if the break in service does not exceed thirty (30) calendar days. When the external transfer occurs with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:
 1. Transfer of the total accrued vacation balance, not to exceed forty-five (45) days.
 2. Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation leave for which the employee may be paid shall not exceed twenty-five (25) days.
 3. The transferring employee will restart the provisional period at the new location effective on the first day of employment and serve his/her first six (6) months in a provisional status, subject to all terms and conditions of the provisional period policy.

When an employee terminates from one institution and is then hired by another System institution, this shall not constitute an external transfer. If the termination and subsequent hiring occurs with less than thirty (30) days between the actions, the Chief Human Resources Officer of new employer may choose to treat such an action as an external transfer under this policy at his/her sole discretion.

Workweek and Overtime

Institutions of the University System have established a standard work week of forty (40) hours and abide by the provisions of the Fair Labor Standards Act. There are variations of this schedule depending on the department in which you work. Adjustments in work schedules are made to fit their needs. Your supervisor will let you know the schedule you will work.

Overtime work is authorized for employees who are not exempt from the provisions of the Fair Labor Standards Act only when the work is deemed necessary by the President or designated representative. Payment for overtime work will be made in accordance with the Fair Labor Standards Act.

Rest Periods

Work schedule permitting, rest periods may be allowed, i.e. coffee breaks, snack breaks, stretch breaks, etc. Taking a break for a short rest period depends upon the department involved and whether or not normal work can be continued while employees take breaks. Where rest periods

are allowed, they are limited to two, 15-minute breaks per day. Breaks cannot be used to allow employees to leave work early.

Time Records

All classified staff and student employees are required to clock in and out through the OneUSG online portal. All Professional and Administrative staff are required to log any exception time through the OneUSG online portal.

Payday

Classified staff employees are paid every other Friday. Pay advices can be downloaded from the employee OneUSG portal online.

Resignation

Employees who resign for any reason should give as much notice as possible. The minimum notice is two weeks, but a shorter period may be agreed upon in writing between the supervisor and the employee.

Employees who resign for any reason should give as much notice as possible. The minimum notice is generally ten (10) working days, but a shorter period may be permissible. Written notice is expected. The supervisor is strongly encouraged to provide a written acceptance of the resignation, regardless of whether the resignation was submitted orally or in writing. The institution is not obligated to allow an employee to rescind the resignation. The supervisor may designate an earlier final date of employment.

Upon notice by an employee indicating his/her intent to resign, whether verbally or in writing, the immediate supervisor is expected to accept the resignation in writing. Any written resignation shall be made a part of the employee's official personnel file. The written response shall be issued to the employee, with a copy maintained in the official personnel file. Upon the termination of an employee, the employee's home department shall submit the institutional form (which may be electronic) to Human Resources for processing.

The department should identify any equipment or other property issued to the employee and ensures that it is collected from the employee on or before his/her last date of employment. The employee will receive his/her final paycheck or direct deposit with the normal payroll period that coincides with his/her termination date. Accrued vacation/annual leave up to the maximum accumulation as outlined in policy shall be paid to the employee in accordance with the institutional payroll policy.

The institution will issue the required Department of Labor Separation Notice, provide information on the employee's rights regarding benefits continuation under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, and provide any other information regarding the conversion of benefits not covered by COBRA.

Continuing Education and Other Training

Human Resources regularly provides workplace-training opportunities to SGSC employees. South Georgia State College employees are also eligible to obtain ongoing education as well as other job specific training opportunities, if money is available. These opportunities may include conferences, specialized training, conventions, association memberships, etc., which are available, as job relatedness requires. Employee supervisor, department manager, and/or vice presidential approval may be required.

Personnel Records

The official, permanent personnel file of each employee is maintained in the Office of Human Resources.

Employees may review their official, permanent personnel file with the appropriate Human Resources staff member by appointment. Please email open.records@sgsc.com to request personnel records.

LEAVE POLICIES

Annual Leave

All regular classified employees working at least one-half time or more earn paid vacation. Eligible employees earn leave at the rate of one and one-fourth days ($1\frac{1}{4}$) per month for each of the first five years of employment; one and one-half ($1\frac{1}{2}$) days per month for each of the next five years of employment and one and three-fourths ($1\frac{3}{4}$) days per month after the completion of ten years of continuous service. Earned vacation may be accumulated up to a maximum of 45 working days. Accumulation over 45 days at December 31 of each year will be lost.

Upon a move between University System institutions, with no break in service, an employee must transfer accrued vacation leave of between one (1) and twenty (20) days. For employees with accrued vacation leave of greater than twenty (20) days, the employee may elect one of the following options:

1. Transfer of the total accrued vacation balance, not to exceed forty-five (45) days.
2. Payment by the institution from which the employee is moving of accrued vacation leave greater than twenty (20) days. The total accrued vacation for which the employee may be paid shall not exceed twenty-five (25) days.

Regular employees working one-half time or more but less than full-time will earn leave in a ratio equivalent to their percentage of actual hours worked.

Vacations are normally scheduled during “slack” periods and at the convenience of your department. You should arrange your schedule to avoid conflicts in requested leave time. If two employees request leave for the same time period and both cannot be absent at the same time, the employee with longer service has priority. Annual leave must be scheduled at times acceptable to both the employee and supervisor.

Sick Leave

South Georgia State College has a sick leave policy which allows salary to be continued for all regular employees with accumulated sick leave who are incapacitated by illness or injury. You should realize that sick leave is a privilege. It is not meant to be used simply to take additional time off the job. Abuse of this privilege is a serious offense and will be considered just grounds for termination.

All regular full-time employees of the University System of Georgia sick leave shall be accumulated at the rate of one working day per calendar month of service. Regular part-time employees working one-half time or more will accumulate sick leave in an equivalent ratio to

their percentage of time employed. Sick leave for employees shall be cumulative.

You should notify your supervisor immediately if you are ill and unable to report to work. If you fail to notify your supervisor the absence may be charged against your vacation time or be considered as leave without pay, depending upon your supervisor's recommendation.

There is no limit to the amount of sick leave you accumulate, but you will not be paid for such leave when you terminate your employment. However upon the movement of an employee among institutions of the University System, accumulated sick leave will be transferred if there is no actual break in service.

Also, upon retirement an employee may receive credit for accrued sick leave for which he/she has not used or been paid. More specific details are available in the Human Resources Office.

Sick leave may be granted for the following reasons:

1. Illness or injury to the employee
2. Medical and/or dental treatment or consultation
3. Illness, injury, or death in the employee's immediate family requiring the employee's presence
4. Maternity

"Immediate family" for the purpose of sick leave will include spouse, children, mother, father.

"Immediate family" for funerals will include spouse, children, mother, father, brother, sister, grandparents, mother-in-law, father-in-law.

Time allowed for funerals will be up to three days in town, five days out of town. Exceptions on any sick leave may be made on an individual basis.

Sick leave claimed for a period exceeding five days must be documented by a physician's statement as well as documenting such leave with FMLA paperwork. Sick leave claimed for five or less days may require documentation by a physician's statement prior to having it charged to sick leave if the supervisor has concerns about possible abuse of sick leave. Interpretations of legitimate sick leave requests will be made by the College.

Military Leave With Pay

Ordered Military Duty – For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including but not limited to service schools conducted by the armed forces of the United States. Such duty, performed for a period or periods not exceeding a total of 30 days in any one calendar year, shall be deemed "ordered military duty" regardless of whether the orders are issued with the consent of the employee.

Leave of Absence – An employee who receives orders for active military duty shall be entitled to absent him/herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed a total of eighteen (18) work days in any one calendar year and not exceeding eighteen (18) work days in any one continuous period of absence (as authorized by Georgia Law O.C.G.A. 38-2-279 (e)). This paid leave period runs from October 1 until September 30 of

the following year. Any leave above 18 days within the same year is deemed as unpaid leave. At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active duty.

Emergency Leave of Absence – Notwithstanding the foregoing leave limitations of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to state active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding thirty (30) days in any one calendar year and not exceeding thirty (30) days in any one continuous period of such State active duty service.

Maternity Leave

Disability due to pregnancy shall be considered as any other disability and appropriate sick leave provisions of these policies shall apply.

Family and Medical Leave (see Appendix A on Page 31)

Consistent with the provisions of the federal Family and Medical Leave Act (FMLA) of 1993, an eligible employee may be entitled to up to twelve (12) work weeks of leave during any twelve (12) month period for one or more of the following reasons:

- The employee's own serious health condition, including an on-the-job injury or occupational disease covered by Worker's Compensation, which causes the employee to be unable to perform the functions of his or her job.
- The care of an immediate family member with a serious health condition
- The birth and care of a newborn child
- The legal placement of a child with the employee for adoption or foster care
- A spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation.

FMLA and Health Insurance

Whether utilizing paid or unpaid time, employees may continue their insurance benefits during FMLA leave by paying their portion of the premiums. In order for insurance benefits to continue (as is the case with other types of sick leave without pay) the employee must make the normal premium payment. If you have any questions about your insurance as it relates to Family & Medical Leave or making payments while on leave, please contact Human Resources.

FMLA and Leave

FMLA leave is unpaid (employers are not required to grant such leave as paid time off). However, employees may elect to utilize – or the institution may require that employees utilize – their accrued paid sick leave and/or annual leave, as appropriate for such absences. (Exception: If your FMLA leave is a result of an on-the-job injury, you have the option of using unpaid leave even if you have paid leave available.)

If an employee is on unpaid FLMA leave he/she would not accrue annual leave or sick leave during this period of time. If an employee is using unpaid FMLA on an intermittent basis, leave accruals will only calculate on that paid portion of the pay period. Questions regarding the

calculations of leave accruals should be directed to Human Resources. If a request for family leave is denied for any reason, notice of the denial will be provided to the requesting employee by the supervisor denying the request in a timely manner. The notification will be provided in writing and will include the reason for denial. Employees are referred to the Family and Medical Leave Act on-line at:

http://www.usg.edu/hr/benefits/family_and_medical_leave_act_fmlla

Court Duty

Court duty leave with pay shall be granted regular employees for the purpose of serving on a jury or as a witness. Such leave shall be granted upon presentation of official orders from the appropriate court.

Voting

Employees of the University System are encouraged to exercise their constitutional right to vote in all federal, state, and local elections. When an employee's normal working hours coincide with voting hours, the employee shall be granted leave, as stipulated by the immediate supervisor, for the purpose of voting.

Selective Service and Military Physical Examinations

Any regular employee required by Federal law to take a Selective Service or Military physical examination shall be paid for any time lost to take such an examination.

Personal Leave

At the discretion of the President of an institution personal leave of absence without pay for periods not to exceed one year may be approved. Such approved personal leave shall allow the employee the right to elect to continue group insurance benefits.

Other Leave

In the event of inclement weather or any emergency which requires leaves of absence of employees, the President of a unit in the System may declare leave with or without pay.

Holidays

There are twelve official paid holidays for all regular employees. A terminating employee shall not be paid for any official holidays occurring after his or her last working day. Temporary employees and regular employees working less than half time will not be paid for holidays.

The official paid holidays are as follows:

New Year's Day	1 day
Martin Luther King's Birthday	1 day
Memorial Day	1 day
Labor Day	1 day
July 4 th	1 day
Thanksgiving	2 days
Christmas	5 days

EMPLOYEE BENEFITS

USG Healthcare Plans

The University System of Georgia offers group health benefit plans to all regular employees working one halftime or more. There are currently several plans available to USO employees, all of which are administered by a third party. Plan materials providing detailed information on the options available are distributed to employees at the time of hire and during the Annual Open Enrollment period. For each plan, application for coverage must be made within 31 days of employment; otherwise an application would have to be made during the annual open enrollment period or if an employee experiences a qualifying life event. Available coverage options include:

- Medical and Pharmacy
- Dental
- Vision
- Life and AD&D Coverage
- Disability
- Health Savings Account
- Flexible Spending Accounts
- Lifestyle Discount Programs Please refer to the health benefit website

Please visit <http://www.usg.edu/hr/benefits> for further information on the available coverage options or contact Human Resources.

Worker's Compensation

All employees of the South Georgia State College are covered under the provisions of the Workers' Compensation Act. This Act provides protection for the employee in the event of injury or death while performing services for South Georgia State College.

If an employee incurs an on-the-job accident, he/she should immediately notify the immediate supervisor in order that the necessary paperwork may be completed within the ten days required by law. The supervisor is responsible for promptly reporting any accident, injury, exposure or illness that **does not require medical treatment** to the office of Human Resources using the "Incident Notice Only" form.

Social Security

Terms, conditions, requirements, and reservations, benefits, privileges, and other conditions of Title II of the Social Security Act, as amended, shall apply to all officers and employees of the University system except those specifically excluded under the agreements with the Employees' Retirement System of Georgia providing coverage.

Retirement

All regular employees are required to be members of a Retirement System and make contributions as a condition of employment. Eligible employees contribute a percentage of their gross salary. These definitions apply to these terms as they are used in this policy:

- **Teachers Retirement System of Georgia:** The Teachers Retirement System of Georgia (TRSGA) was established in 1943 by an act of the State Legislature to provide retirement security to individuals employed by the state's public educational entities. Specifically, all employees who are employed one-half time or more in covered positions of the state's public schools systems, regional libraries, country libraries, and regional educational service agencies are required to be members of the Teachers Retirement System of Georgia (TRSGA) as a condition of employment. Employees in covered positions of the University System of Georgia are required to be members

of TRSGA unless eligible for participation in an optional retirement plan administered by the University System's Board of Regents. The TRSGA is a defined benefit plan.

- **Optional Retirement Plan:** The Optional Retirement Plan (ORP) is a defined contribution plan established in 1990 as an alternative retirement plan for designated employees of the University System of Georgia. Employees eligible for ORP shall be those employees whose positions are eligible for participation in ORP pursuant to the authority granted to the Board of Regents under O.C.G.A Section 47-21-7 and whose positions have specifically been identified by the USG institutions or the University System Office as meeting the criteria under this law.
- **Employees Retirement System (ERS):** Any *vested* member of ERS who becomes an employee of the University System of Georgia may elect to remain a member of ERS, provided that such election must be made to the Board of Trustees of TRSGA within sixty (60) days of such employment and is irrevocable once the election is made. This retirement option is not open to other employees of the University System of Georgia.
- **Georgia Defined Contribution Program:** A retirement system for temporary, seasonal, and part-time employees of the State of Georgia who were not eligible for membership in the Employees' Retirement System (ERS) or the Teachers Retirement System (TRS)

Process/Procedures

Employees who are only eligible for TRS shall be enrolled as of the 1st day of employment.

Employees who are eligible for both TRS and ORP must choose between TRS and ORP within sixty (60) days of the employee's date of hire as required by state law. This election is irrevocable once the election is made. An employee eligible for ORP who fails to make an election within the sixty (60) day period shall automatically be enrolled in TRS with no right of appeal.

Any *vested* member of ERS who becomes an employee of the University System of Georgia may elect to remain a member of ERS, provided that such election must be made to the Board of Trustees of TRSGA within sixty (60) days of such employment and is irrevocable once the election is made.

Tax Sheltered Annuity Programs

You may wish to participate in a tax deferred annuity program wherein you invest a portion of your monthly salary affording a current tax benefit. Income you invest in such programs is not subject to Federal taxes until it is withdrawn at a later date.

The College does not approve or disapprove any plan or underwriting company. Proper investigation of each program is your responsibility. Further information concerning tax sheltered annuities may be obtained by contacting the Human Resources Office.

Flexible Spending Accounts Plan (FSA)

Two additional tax savings benefits are available to you as an employee of South Georgia State College. They are the Health Care Flexible Spending Account and the Dependent Care Flexible Spending Account. These plans allow regular employees to pay for medical expenses and/or child care expenses with "pre" tax dollars. Appropriate forms and details are available in Human Resources.

Health Savings Accounts (HSA)

An HSA is a tax-advantaged account established to pay for qualified medical expenses for those who are covered under a high deductible health plan (HDHP). With money from this account,

you pay for health care expenses until your deductible is met. Employees are eligible to participate in a Health Savings Account (HSA) if you are enrolled in the HDHP Plan and you meet the following conditions:

- is not covered by any other health plan that is not an HDHP,
- is not currently enrolled in Medicare or TRICARE,
- has not received medical benefits through the Department of Veterans Affairs (VA) during the preceding three months; and
- is not claimed as a dependent on another person's tax return.

Educational Opportunities

The College encourages employee self-development through participation in training courses and instructional programs on and off campus. As part of its mission statement, the University System of Georgia is committed to "the recruitment, hiring, and retention of the best possible faculty, staff and administration." The Board of Regents of the University System of Georgia is committed to creating a more educated Georgia. Both of these commitments extend internally, as well as, externally. As part of its desire to meet its employees evolving needs, the University System of Georgia (USG) has established an educational assistance program, the Tuition Assistance Program (TAP). The purpose of TAP is to foster the professional growth and development of its eligible employees. The tuition assistance program is available to full time benefits-eligible employees of the USG who have successfully completed at least six (6) months of employment in a benefits-eligible position. Full details are available on-line at

http://www.usg.edu/hr/benefits/tuition_assistance_program_policy

Time off to attend classes, whether on or off campus, must be approved by the employee's supervisor and the Vice President of the employee. If classes approved are during working hours, this time must be made up by working during lunch or later, or by taking annual leave.

YOUR RESPONSIBILITIES

Safety

Your safety on the job is basically your responsibility. You should make every effort to avoid careless work habits and report unsafe working conditions to your supervisor.

Also, regardless of the severity of any on-the-job injury you may sustain, you should report it to your superior immediately.

Personal Appearance and Dress Code

As an employee of South Georgia State College you are to use good judgment at all times regarding your personal appearance. You are expected to dress appropriately, to be neat, to wear clean clothing, and to be careful of your personal hygiene. Flagrant violations of commonly accepted standards of cleanliness or dress may be cause for disciplinary action. If you have a question concerning the standard of dress for your area, ask your supervisor.

Attendance

Your supervisor will tell you about your daily work schedule and lunch period. You will be expected to remain on the job until official quitting time unless your supervisor has excused you. Violation of the rule may result in termination of employment.

What South Georgia State College Expects of You

As an employee of South Georgia State College you are expected to provide reasonable effort and productivity as well as adhering to published rules and regulations, and to accept customs and standards of courtesy, conduct and cooperation.

The following are examples of actions which are unacceptable to the College and which may result in disciplinary action or discharge:

1. Failure to perform duties required by the employee's job description or assignments directed by management, including the failure to abide by the particular rules of an employee's place of work.
2. Failure to maintain work quality and/or productivity.
3. Failure to adhere to established safety policies and procedures.
4. Rude or discourteous behavior toward employees at the SGSC or its customers, including threats, intimidation, coercion, the use of profanity and other harassing statements.
5. Tardiness, temporary unauthorized absence from the South Georgia State College premises or work area during work hours, and leaving the work area early.
6. Presence in an unauthorized area.
7. Failure to report an injury occurring on premises operated by the South Georgia State College concerning an employee, staff member, student or any other person.
8. Behavior, which interferes with the work performance of other employees

and/or disrupts any teaching, administrative or other activity of South Georgia State College.

9. Failure to adhere to established Information Technology policies and procedures.
10. Absenteeism and misuse of sick leave.
11. Unauthorized absence from work for an entire shift or workday without notification to the supervisor. Note: If an employee is absent from work for three days without authorization, they are considered to have quit without notice.
12. Insubordination or willful disobedience.
13. Consumption, possession or being under the influence of alcohol or other impairing substance on South Georgia State College property or during working hours.
14. Carrying a weapon, whether licensed or unlicensed, on South Georgia State College property.
15. Wasting time, loitering, or loafing at work, including sleeping while on duty.
16. Fighting in the work place.
17. Sexual harassment. (See also separate policy.)
18. Acceptance of additional compensation in any form for work performed in the scope of employment at South Georgia State College for which compensation has been or will be made through the payroll.
19. Commission of a criminal act.
20. Violation of confidential information pertaining to patients, students, employees or research/intellectual property, to include gaining unauthorized access to records or information, with or without harmful intent.
21. Drug offenses.
22. Dishonesty.
23. Refusal to cooperate in South Georgia State College administrative actions (i.e. refusal to appear as a witness at an official grievance or other hearing, refusal to cooperate in an official investigation or inquiry, etc.)
24. Illegal use of the computer and/or network that would include, but not be limited to, copyright and software license violation, failure to adhere to all federal and state laws including those prohibiting slander, libel, harassment and obscenity.
25. Private use of state property including computing/IT resources for personal gain or benefit, or for the gain or benefit of others.
26. Disclosing information that is confidential by law, including educational records; unauthorized release of confidential or official information.
27. Willful damage or theft of South Georgia State College property or property belonging to another person.
28. Falsification of institutional documents or records including applications for employment.
29. Violation of South Georgia State College procurement card or purchasing policies.
30. Violation of South Georgia State College or USG policies or procedures.
31. Theft, misappropriation of funds, and/or unauthorized access, use or removal of

- State property.
32. Unauthorized release of confidential or official information.

Please note: since a complete list of specific offenses is impossible, discharge is not limited to the situations described above.

Garnishment of Pay

The College considers the acceptance and settlement of just and honest debts to be a mark of personal responsibility. When the College receives a garnishment subpoena, the named employee will be consulted and requested to clear the matter. If there are repeated instances of payment default after counseling, the College will consider that to be sufficient grounds to terminate the employee for cause.

RULES OF CONDUCT

Confidential Information

Employees of the College having access to confidential material should not discuss such information with fellow employees or other individuals. Evidence of disclosure shall be considered grounds for termination.

Canvassing and Soliciting

Canvassing, placing of signs and posters for solicitation purpose, chain letters, collections for any purpose, sale of tickets or merchandise are prohibited on the College premises.

Gifts and Gratuities

No official or employee of South Georgia State College may accept gratuities, courtesies, or gifts in any form whatsoever from any person or persons, corporations, or associations that directly or indirectly, may seek to use the connection or consideration on any commercial commodity, process or undertaking.

Conflict of Interest

Any employee of South Georgia State College should avoid actual or apparent conflict of interest between his or her college obligations and his or her outside activities.

Cooperation in Internal Investigations

Any employee of South Georgia State College shall cooperate to the fullest extent possible in any internal investigation conducted by his or her employment unit, when directed to do so by his or her immediate superior or such other persons who have been given investigative authority by the president of the institution. Such cooperation may involve the use of polygraph tests. Failure to cooperate fully shall be grounds for adverse personnel action, including possible termination of employment.

Political

You should contact the Human Resources Office concerning policies governing political activities.

College Property

Employees must not take equipment, records, supplies or any other College property off campus for personal use or for any purposes not approved by the Vice President for Business Affairs, the President or his/her designee.

Drug Free Work Place

South Georgia State College, as a recipient of federal funds, supports and complies with the provisions of the Drug Free Work Place Act of 1988. As an employer, South Georgia State College will aggressively promote and strive to maintain a drug free work place for its faculty and staff.

The unlawful manufacture, distribution, dispensation, possession or use of illegal drugs by South Georgia State College employees is prohibited. Violations of this policy, to include misdemeanor and/or felony drug convictions during the course of one's employment will result in appropriate disciplinary actions being imposed by the institution. Said penalties may include suspension or termination of employment.

Employees who feel they have a potential substance abuse problem are encouraged to seek professional assistance.

Faculty, staff members, and student employees of South Georgia State College are expected to adhere to the policies of the institution, observe the basic rules of good conduct and to meet appropriate standards of performance. This policy, as with other institutional policies, including state and federal laws, and Board of Regents policies shall be observed.

Use of State Property

Employees of South Georgia State College have a responsibility to help minimize the costs of daily operations. State property should be given the same care as one's personal property. Employees are not permitted to use any office supplies or equipment for private/personal purposes. The conduct of any activity on SGSC property shall be in such a manner as not to obstruct, or unreasonably interfere with, legitimate business or the free flow of traffic by persons rightfully using the grounds or facilities. You are responsible for the conduct of any visitors you bring to the office as your guest. Violations of these guidelines by a visitor can subject the employee to disciplinary action.

Telephone Service, Fax Machines and Computers

Telephones, fax machines and computers are to be utilized for business purposes, not personal calls, faxes, emails or projects. They are the property of the college and are monitored. Prompt calls and courteous manners are expected by all users.

Employees should consult their supervisor to become familiar with the procedure to place calls.

Telephone procedures:

1. Prompt, courteous answers to telephone calls should be a self-imposed rule. It is a good practice to identify oneself and one's department/unit when answering or making a call.
2. Personal long distance calls must not be charged to SGSC telephone numbers. If it is necessary to make a personal long distance telephone call from a SGSC telephone, the call must be charged to a personal telephone credit card, must be placed as a collect call, or must be charged to a third number that is not a SGSC telephone number.
3. Personal telephone calls should be kept to a minimum. Supervisors are required to observe the frequency of such calls and to warn employees who use the phone excessively for personal calls.
4. All personal use of equipment should be kept to a minimum. Failure to abide

by these procedures requires the reimbursement of the State and may lead to disciplinary action.

Computer procedures:

There is an extensive and lengthy policy covering the use of South Georgia State College computer equipment, for additional information or for a copy of the policy, contact the IT Director or refer to the SGSC Website.

Personal Use of State Vehicles

State vehicles may not be used for personal purposes except as stipulated by the state. Non-state employees should not be permitted to drive state vehicles.

Safeguarding SGSC Equipment

If you handle SGSC equipment, you are responsible for the care and security of that equipment while it is under your control. You are not permitted to use SGSC equipment for personal reasons. Unauthorized use or removal of SGSC equipment or property may be cause for immediate discharge. If you are found guilty of carelessness or mischievous, malicious, or willful destruction of SGSC equipment or loss of property, you may be required to pay for the repair, recovery, or replacement of such equipment or property. In addition, this may be a cause for immediate discharge.

Ownership of Intellectual Property Rights

The Board of Regents of the University System of Georgia recognizes that research and scholarship should be encouraged and carried out without regard to financial gain from licensing fees, royalties, or other such income. However, the Board of Regents also recognizes that patentable inventions, discoveries, software programs, and other intellectual property often arise from University System of Georgia-related staff or faculty efforts.

The policies governing the administration of inventions are included in the Board of Regents Policy Manual. Other board policies govern other forms of intellectual property including computer software. Those policies also provide recognition and incentive to inventors and at the same time ensure that University System of Georgia shares in the rights pertaining to inventions in which it has an investment. Any income accruing to the USG is used in the furtherance of its academic mission.

Other Rules of Conduct

1. Every employee shall make a due and diligent effort to determine whether he/she has a conflict of interest or appearance of conflict before taking any action.
2. Every employee shall continually monitor, evaluate, and manage his/her personal financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.

Outside Activities

Any outside occupation, pursuit or endeavor that interferes with the regular and punctual performance of an employee's SGSC duties is prohibited. In such cases, SGSC employment may

be terminated. Before engaging in self-employment or salaried work or accepting positions of responsibility outside the college, the employee should discuss his/her plans with the immediate supervisor if there are any questions as to whether such activities might interfere with or be in conflict with SGSC employment.

Professional employees are encouraged to participate in professional activity that does not interfere with the regular and punctual discharge of official duties provided the activity meets one of the following criteria: (1) is a means of personal professional development; (2) serves the community, state or nation; or (3) is consistent with the objectives of South Georgia State College.

UPDATES, CHANGES AND/OR REVISIONS TO EMPLOYEE HANDBOOK

As a reminder, the policies and procedures in this handbook are designed to serve as guidelines for management action. All policies and procedures outlined in this handbook are subject to change. All updates, changes and/or revisions are noted in the on-line version of the Personnel Handbook.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
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U.S. Department of Labor | Wage and Hour Division



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SOUTH GEORGIA STATE COLLEGE

CLASSIFIED EMPLOYEE HANDBOOK ACKNOWLEDGEMENT RECEIPT

I hereby acknowledge receipt of the South Georgia State College Classified Employee Handbook and understand my responsibility to be aware of and understand all policies and procedures covered therein. I further understand that this employee handbook does not constitute a contractual obligation on the part of South Georgia State College as policies set forth are determined by the Board of Regents of the University System of Georgia and by the State of Georgia and/or the U.S. Government through various executive orders and federal employment guidelines.

Signature

Date

Print Name