

**Clinical Support Services (CSS)  
Employee Handbook**  
(Updated April 2009)



**BRODY**  
SCHOOL *of* MEDICINE

## Policy Statement 14: Clinical Support Services (CSS)

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### 1. Introduction: CSS Personnel

Effective November 1, 1998, the North Carolina General Statute 116-40.6 excepted employees of the Medical Faculty Practice Plan at East Carolina University (ECU), formerly designated as employees subject to the personnel act (SPA), from Chapter 126 of the General Statutes; except Article 5-Political Activity, Article 6-EEO, Article 7-Privacy Act, and Article 14-"Whistleblower" Protection. NCGS 116-40.6 authorizes the ECU Board of Trustees to adopt policies and procedures governing the terms and conditions of employment for these employees. The Board is directed to establish procedures that effectively promote the hiring and retention of capable, diligent, and effective career state employees. In broad terms, the Board is authorized to establish a human resources system (to be named "Clinical Support Services" - CSS) that meets the needs of CSS, so that it may remain competitive and responsive in the health care marketplace. Support staff for ECU Physicians are usually designated as Clinical Support Services (CSS) staff in contrast to staff subject to the State Personnel Act (SPA). SPA staff are more often associated with the administrative, research and educational missions of the School of Medicine. In order to be designated as CSS, more than 50% of an employee's duties must be clinically oriented and in support of the practice plan. The application for and acceptance of a CSS position, which is acknowledged in writing by every employee, confirms understanding of certain differences in policy between the two groups. CSS employees, and the clinics they support, may be considered more similar to private medical practice clinics than to traditional state office positions.

Various policy changes have been, and will continue to be, developed to enhance the recruitment and retention efforts of the Clinical Support Services system. Any CSS policies found within the Human Resources section of this Business Manual will be designated as such, as they apply to employees whose positions have been designated as CSS. All other SPA policies will remain in effect until such time as a new CSS policy is developed to address the specific issue.

Refer to Policy Statements # 14 (**Clinical Support Services**) within the Human Resources section for current approved CSS policies.

### 2. CSS Delegation of Authority - Non-monetary Issues (Approved 9/00; Revised 4/09)

As a means to expedite the development of the Clinical Support Services (CSS) Human Resource system, the East Carolina University (ECU) Board of Trustees grants delegation of authority to the ECU Department of Human Resources for approval of non-monetary policies and procedures. The ECU Department of Human

Resources will work closely with the Dean of the Brody School of Medicine (SOM) and the ECU Physicians Board in the development of all CSS proposals. "Final draft" policy and procedure proposals will be sent to the ECU Physicians Board for review and recommendation for approval, prior to final approval by the Department of Human Resources and the Dean of the Brody School of Medicine (BSOM). Once approved, these approved policies and procedures will be reported to the ECU Physicians Board at the next scheduled meeting.

### 3. CSS Postings (Approved 12/99)

#### I. Recruitment and Selection

- A. All vacant CSS positions shall be publicized to permit open and fair competition for all interested employees and applicants.
- B. Each vacancy will be described in an announcement that includes at the minimum; the position number, title, salary range, essential functions, knowledge and skill requirements, minimum training and experience standard, and the application period (closing date).
- C. Each vacancy listing must include a closing date unless the classification has been determined as critical. (See *Continuous Postings* below).
- D. Each permanent CSS position to be filled must be posted. There are two types of searches and minimum posting time.
  1. Internal to ECU; 3 workdays minimum posting
  2. Internal and External to State Government; 5 workdays minimum posting.

#### II. Continuous Postings

For CSS Human Resources system purposes, those positions/classifications designated as critical, may be advertised as "**Ongoing**". (Factors used in determining critical classifications include; turnover, number of positions in class, geographic location, scarcity of qualified applicants, and safety, health, or quality of care of clients. Also, if there is at least one vacancy in two consecutive pay periods). Applications will be accepted on a continuous basis, allowing the hiring department to interview applicants as soon as a vacancy occurs. This will eliminate the usual recruitment period and allow for the filling of positions in a timely manner. The ongoing applicant pool will be purged every ninety days to assure updated and viable applications. Classifications that have been identified as critical include: Patient Relations Representative, Physician Extender, Medical Records Assistant, Clinical Perfusionist, Medical Office Assistant, Staff Nurse, Nurse Specialist, Practical Nurse, and Medical Lab Technologist.

### 4. CSS Reinstatement Policy (Approved 9/00)

Reinstatement is the reemployment of a former employee with a permanent, probationary, trainee or time-limited permanent appointment after a break in service of said employee who previously held a full-time or part-time, permanent, probationary, trainee or time-limited permanent appointment. A break in service occurs when an employee is in nonpay status for more than thirty-one calendar days. After a break in service, a former employee must make application for a vacancy at ECU during the normal recruitment process.

- A. When a former CSS employee is reinstated within 3 months to the same or another CSS position, the following shall apply:
  1. If reinstated to the same salary grade within three months, the new maximum salary shall be the employee's previous salary plus any legislative increase, which has occurred since the separation.
  2. If reinstated to a higher grade within three months, the maximum salary shall be the employee's previous salary, adjusted by any legislative increase, plus a promotional increase determined in accordance with the state Promotion Policy. A lower salary may be paid.
  3. If reinstated to a lower salary grade within three months, the maximum salary will be the employee's previous salary, adjusted by any legislative increase, but not to exceed the maximum allowed by the state's Demotion or Reassignment Policy.
- B. When a CSS employee is reinstated after three months from the separation date, the new salary shall be determined as above or in accordance with the state's New Hire Policy. This decision will be at the discretion of the hiring department, as its budget allows; pending HR approval.

## 5. CSS In-Range Salary Adjustment Policy (Approved 7/00)

The intent of this policy is to provide a means to adjust employee salaries within salary ranges for critical and/or unusual pay administration problems. An in-range salary adjustment may be provided for employees in permanent positions to recognize job change, to offset inequity, or to respond to labor market conditions. In-range pay increases subject to this policy are not covered by policies for promotion, reallocation, salary range revisions, and authorized hiring rates. In-range adjustments are subject to the availability of funds and approval by appropriate Division authority and the ECU Human Resources Department.

### I. Definitions:

#### A. *Job Change:*

A job change is a significant change in duties and responsibilities, which adds value or is critical to the work unit's operations and is documented within the position description.

The changes in duties may be at a higher level, but do not justify a reclassification of the position. If the additional duties are at approximately the same or lower salary grade level, the job change must significantly increase the variety and scope of duties and/or accountability of the employee.

The amount of the increase will be based on the extent of the job change as determined by the classification analyst and consideration of the relationship to reclassification increases. Salary increases for significant job change may not exceed a 10% salary increase.

#### B. *Equity:*

Inequities are situations where employees' salaries are not distributed properly based on employees' education, related work experience, skills, and performance levels. An inequity exists when an employee's salary is below employees in the same or similar classification and other equity factors such as years of relevant education and experience, skill level, and performance level are equal. An inequity also exists when employees have approximately equal salaries, but when an employee should have a salary higher based on years of relevant education and experience.

When considering a salary equity situation, salaries are compared among employees in a specified relevant work unit. A relevant work unit is one in which the salaries of employees are closely related to one another. Typically, consideration is given to the salaries of employees in the same classification; however, salary relationships among employees in different classifications, but in the same class series may be considered. Also, salary relationships of employees in an employee/supervisor relationship may be considered.

Priority should be given to inequities with the largest salary differentials. An in-range salary adjustment to address an inequity may not exceed 10% within a 12 month period, unless a greater than 10% increase is necessary as part of a class study or overall equity plan. The Director of Classification & Compensation must approve such an exception.

#### C. *Labor Market:*

A labor market condition which justifies an in-range salary adjustment is warranted when a pattern of separations due to employees' acceptance of higher salaries or better employment occurs; a pattern of recruitment difficulties as identified by the length of recruitment, salary expectations of applicants, or quality of the applicant pool; or labor market data which indicates the salary range is competitive, but actual salaries within the range trail the market average or midpoint and are inconsistent with employees' levels of experience creating inequities with newly hired employees or creating retention problems.

The maximum in-range adjustment to address labor market concerns may exceed 10% if supported by the labor market, recruitment, and retention data as determined by and documented by the personnel analyst. The application of this component of the policy is reserved to address recruitment and retention issues which are not addressed by a special entry rate or range revision. The salary range maximum may be exceeded in those situations where labor market data clearly demonstrates that the range maximum is no longer competitive and a retention concern exists.

II. Procedure:

An In-range Salary Request form must be submitted by the department to the Brody School of Medicine administration. Upon verification of appropriate budgeted dollars, and approval by the Dean, the request will be forwarded to the Department of Human Resources, Classification & Compensation section.

6. **CSS Shift Premium Pay Policy (Approved 12/99)**

It is the policy of East Carolina University to provide additional compensation for Medical Faculty Practice Plan (CSS) employees scheduled to work on an evening, weekend, or split shift.

1. Non-EPA, CSS employees shall receive premium pay for all hours worked in a shift in which more than half of the scheduled working hours occur *between 3:00 p.m. and 8:00 a.m.*
2. *Shift premium pay shall be granted for all hours worked in weekend shifts for MFPP employees.*
3. CSS employees working a split shift shall receive premium pay for only those hours worked after 3:00 p.m. and if at least half of the overall work hours occur between 3:00 p.m. and 8:00 a.m.
4. Employees shall not receive shift premium pay for hours not actually worked. This includes such times as vacation leave, holidays, sick leave, jury duty, and military leave.
5. Shift premium pay shall be granted in addition to any other premium pay to which the employee may be entitled, such as holiday pay.
6. The rates of shift premium pay shall be as follows:
  - A. *evening shift & weekend day - 14% of regular hourly salary rate*
  - B. *weekend evening shift - 19% of regular hourly salary rate*

7. **CSS On-Call Compensation Policy (Approved 12/99)**

Certain CSS positions are eligible for on-call compensation when the employee is required to be on call and report for work upon contact via appropriate means in the event of an emergency or urgent need.

Management is responsible for designating the individuals who are to be placed on call and submit a list to the Human Resource office. The provisions of this policy do not apply to administrative or management personnel.

I. *Rate of Pay / Compensatory Time*

The plan of compensation shown below shall apply:

<i>On Call Hours</i>	<i>Compensatory Time Earned</i>	<i>-or-</i>	<i>Payment Amount</i>
8	1 hour		\$1.25 per hr. (\$10.00 per shift)

If the above is not applicable to the work schedule, the compensatory time or payment amount shall be computed on a pro rata basis. For example: A 12-hour shift would be 1 1/2 hours compensatory time or \$15.00 payment. An entire week (128 hours) would be 16 hours of compensatory time or \$160.00 payment. Compensatory time should be used whenever possible. Compensatory time is not accumulative beyond a twelve-month period. If the time cannot be taken within twelve months or if an employee separates or transfers to another agency before it is taken, it shall be paid for. Compensatory time off should be taken in accordance with the established leave policy.

II. *Emergency Call-Back Pay*

If an employee is called back to work, emergency call-back time provisions apply.

III. *Overtime*

On-call time is not considered as working time for overtime purposes. The employee is free to engage in personal pursuits during any portion of the on-call shift. However, if a cash payment is made for being on call, it must be included in the regular hourly rate when computing overtime payments.

8. **CSS Temporary Appointment Policy (Approved 9/00)**

A Clinical Support employee who resigns from his/her position cannot be employed as a temporary employee in any capacity with the University for a period of ninety days. This does not apply to employees who retire from the

University. Also, there may be extenuating circumstances, which would be in the best interest of the specific department and employee, that would warrant a temporary appointment. Such requests for exception to this policy should be made by the department head, or his/her assignee, to the Director for Employment and Clinical Support Services.

## 9. CSS Broadbanding Policy (Approved 9/00)

### I. Policy Statement

East Carolina University recognizes that the Brody School of Medicine is a complex and dynamic work environment. The organizational structure is significantly affected by continuous changes in technology; advancements in the field of Health Care; and labor market variables which impact the competitiveness of our salary structure and our ability to recruit and retain qualified employees in medically related classes. The current SPA classification system is a traditional classification and salary structure system which does not provide the flexibility to respond to rapid market changes in a timely manner. The Clinical Support Services Personnel Plan was adopted to allow the Brody School of Medicine the opportunity to develop and adapt policies and procedures to this dynamic health care environment. Within the Clinical Support Services Personnel Plan, authority will be delegated to the Director of Human Resources to develop and implement appropriate classification and pay plans which deviate from the traditional SPA classification system.

### II. Definitions

**Broadbanding:** A broadband structure classifies jobs into a few wide bands, rather than many narrowly defined salary ranges. A banded pay structure has radically fewer vertical levels and job titles and has wider salary range boundaries. Broadbanding involves the vertical and horizontal merging of classes into more generic classes with wider pay ranges. A broadbanded structure gives management the flexibility to respond to market changes and demands in a timely manner, minimizing recruitment and retention difficulties due to labor market trends.

### III. Procedures

The Classification and Compensation Section of the ECU Department of Human Resources will respond to requests from management relevant to recruitment and retention needs and/or make recommendations to management based on the observations of the analysts assigned to serve the Division of Health Sciences. When appropriate the analyst will develop new broadbanding pay structures to meet market demands using professional personnel standards relevant to research and documentation.

The Classification and Compensation Section will retain authority and responsibility for maintaining the integrity of such broadbanding pay structures, ensuring the plan is based on valid labor market data and ensuring equity among employees within the plan. The assigned analyst will monitor salary ranges assigned to the bands and make recommendations to adjust the ranges as needed based on labor market pricing. Recommendations are subject to approval by the Associate Vice Chancellor of Human Resources and the Dean of the Brody School of Medicine.

Any increases which result in any employee receiving greater than a 15% salary increase in a calendar year must be approved by the ECU Board of Trustees unless based strictly on labor market demands.

All salary increases are subject to availability of funds.

## 10. CSS Incentive Pay Policy (Approved 6/01; Revised 6/02; Revised 6/08)

<b>CSS Incentive Pay Policy</b>
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At the Department Chair or Unit Head's recommendation, cash bonuses may be awarded to eligible employees in addition to regular compensation for exemplary contributions by an individual or results achieved by the overall department. The administration of all compensation including bonus awards shall be made on a nondiscriminatory basis without regard to race, color, sex, religion, national origin, age, or disabilities.
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<b>Bonus Payments -Definition</b>	As defined in this policy, a cash bonus is a one-time, lump sum, non-base building monetary payment which does not increase the base salary of the employee. The lump sum bonus payment may be awarded as a flat dollar amount or may be a percentage of the employee's base pay. Cash bonus amounts will be reduced by both tax withholding and benefits deductions.
<b>Types of Bonuses Payments</b>	Eligible CSS employees may receive two types of cash bonus payments: 1) individual contributor bonus commonly referred to as a "spot bonus"; 2) department/unit incentive bonus based on pre-set goals and measurement criteria.

<b>Type 1 Individual Contributor ("Spot") Bonus</b>	<p>At the recommendation of the Department Chair or Unit Head, an individual contributor bonus may be awarded to an employee for "above and beyond" contributions. These bonuses are after-the-fact rewards or payments for which there are no promises or prior agreements. Individual contributor bonuses may be awarded at any time. The amount of the bonus is based on significance of the results. The bonus should be a minimum of \$250, not to exceed \$2,500 per award and a maximum of \$5,000 during a 12-month period, subject to division and HR approval.</p> <p>Individual contributor bonuses may be recommended for personnel based in another department, but must receive approval from the Department Chair or Unit Head of the home department.</p> <p>Individual contributor bonuses must be based on current activities rather than performance evaluations. Additionally, bonuses must be based on definable, measurable criteria. The following criteria are examples for which bonuses may be awarded. Please note that examples provided are not all-inclusive, nor are they automatically sufficient for a bonus payment:</p> <p><b>#1 – Quality Improvement/Reengineering Efforts</b>  -volunteers to participate in special projects to support goals for BSOM Strategic Plan and department  -simplifies and streamlines processes within his/her position or department with positive impact  -develops a procedure manual for his/her position duties or procedures within his/her department  -suggests or implements cost saving measures that contribute to the success of the practice plan  -volunteers to serve on department, BSOM or ECU committees to improve current policies and procedures  -identifies process bottlenecks and recommends or implements corrective solutions utilizing limited resources</p> <p><b>#2 – Service Initiatives</b>  -receives special awards or recognition from department, BSOM or ECU  -provides coverage during Adverse Weather, holidays,</p>
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	<p>vacations, staff shortages</p> <ul style="list-style-type: none"> <li>-receives letters, comments, feedback of special thanks from customers</li> <li>-volunteers for community service activities directly related to mission of BSOM</li> <li>-excels in demonstrating model behaviors outlined in the Cultural Attributes or Performance Management System’s Dimensions</li> <li>-maintains a low rate of unanticipated absenteeism</li> <li>-serves as a model employee in the work environment, through demonstrated behavior</li> <li>-participates in the development of or makes contributions to a department communication venues</li> <li>-participates in special projects beyond normal responsibilities</li> <li>-acts as a mentor to a new employee</li> <li>-takes the initiative or corrective action to address problems in the department</li> </ul> <p><b>#3 – Professional Development Activities</b></p> <ul style="list-style-type: none"> <li>-cross-trains for other departmental duties</li> <li>-completes training and development to enhance personal performance and skills applicable to the position</li> <li>-develops and presents an in-service for department or BSOM</li> <li>-obtains a new certification/license or member of professional organization applicable to their position</li> <li>-pursues additional education, completion of coursework, or certification/licensure to enhance job performance and skills</li> <li>-demonstrates a willingness to accept additional responsibilities in position</li> </ul>
<p><b>Individual Contributor Bonuses – Employee Eligibility</b></p>	<p>Employees with permanent, time-limited, temporary or intermittent appointments are eligible to receive individual contributor bonus awards. Employees <u>not eligible</u> for individual contributor bonuses include the following:</p> <ul style="list-style-type: none"> <li>• Probationary employees</li> <li>• Employees with “below good” rating on most recent performance evaluation</li> <li>• Employees with any type of “active” written warning</li> <li>• Contractual staff</li> </ul>
<p><b>Processing Individual Contributor Bonuses</b></p>	<p>The following documents are required to process individual contributor bonus payments.</p> <ul style="list-style-type: none"> <li>• A memo or e-mail to the Director of Employment/CSS providing justification for the bonus request.</li> <li>• Mass Time Entry Spreadsheet for processing payment (insert appropriate earnings code).</li> </ul> <p>The Director for Employment/CSS will confirm employee eligibility and determine whether justification is consistent with bonus criteria. The Director for Employment/CSS will forward request to the CFO of BSOM for final review/approval.</p>

<p><b>Type 2 Unit-Based Incentive Bonus</b></p>	<p>A Unit-Based Incentive Bonus is a reward or payment based on the achievement of a group of workers operating as a business unit or department. This type of bonus may be awarded to pre-designated CSS employees after the successful completion of predetermined unit goals, and contingent upon meeting or exceeding departmental or unit budget targets. Employees from another department may be included, but must receive approval from the Departmental Chair or Unit Head of the home department at the time the unit-based bonus plan is developed and at the time the request for pay-out is submitted.</p> <p>Unit-based incentive bonus plans should be based on achievement for a six-month or 12-month period, allowing for one annual award or a maximum of two awards per fiscal year.</p> <p>All Unit-based incentive bonus payments should be awarded at the same flat dollar cash amount or at the same percentage for every CSS employee granted the right to participate in the bonus program. Unit-based incentive bonus payments may not exceed 10% of the employee's annual salary during a 12-month period.</p>
<p><b>Unit-Based Incentive Bonus Plan – Employee Eligibility</b></p>	<p>CSS employees may be granted the right to participate in the unit-based incentive bonus plan. CSS employees with a permanent appointment, including time-limited appointment status are eligible to participate in unit-based bonus plans. CSS employees <u>not eligible</u> for unit-based bonuses include:</p> <ul style="list-style-type: none"> <li>• Probationary employees</li> <li>• Employees with “below good” rating on most recent performance evaluation</li> <li>• Employees with any type of “active” written warning</li> <li>• Temporary employees</li> <li>• See “Other Policy Provisions” below</li> </ul>
<p><b>Unit-Based Incentive Bonus Plan – Required Documentation</b></p>	<p>Unit-based bonus plans are contingent upon predetermined measures of achievement. The bonus plan must be clearly defined to convert the goals of the unit in practical measure specifics such as quality, quantity, cost and timeliness. Goals must have the concurrence of management and should be based on the vision of what is achievable.</p> <p>To establish a unit-based performance bonus plan, the following documents must be completed and signed by the Departmental Chair or Head; and submitted to the Director of Employment/CSS, the CFO/BSOM Finance Committee, and Dean for approval <u>prior</u> to bonus plan start-date:</p> <ul style="list-style-type: none"> <li>• A plan document outlining the goals and measure of achievement specifics and the duration of the qualifying event(s). The evaluation period can be no less than 6 months and no more than 12 months.</li> </ul>

	<ul style="list-style-type: none"> <li>• A Mass Time Entry Spreadsheet listing the names of all employees granted the right to participate in the bonus plan. HR will keep the plan document and Mass Time Entry Spreadsheet on file for compensation auditing and record-keeping purposes, and for processing payouts at the conclusion of the bonus period. The Mass Time Entry Spreadsheet should include the following information:             <ol style="list-style-type: none"> <li>1. Name and Banner ID of all employees in the business unit or department.</li> <li>2. Designation of eligible or ineligible beside each employee's name at the start-date of the bonus plan. If ineligible, the reason must be noted beside each employee's name (example: active written warning, attendance problems, etc.).</li> <li>3. The dollar amount or bonus percentage for all eligible employees.</li> </ol> </li> </ul>
<p align="center"><b>Unit – Based Performance/Incentive Bonus Payout Processing</b></p>	<p>To process unit-based incentive bonuses, resubmit the original Mass Time Entry Spreadsheet including any new ineligible employees, indicating the reason why a previously eligible employee is <u>NOT</u> eligible for payment at the end of the bonus period (example: employee has active written warning). The resubmitted Mass Time Entry Spreadsheet must have Departmental Chair or Head approval, and must also receive approval from the Director for Employment/CSS, the CFO/BSOM Finance Committee, and Dean of BSOM <u>prior</u> to payment of bonuses. Upon approval, the department may process payment via the Mass Time Entry Spreadsheet (earnings code 243).</p>
<p align="center"><b>Other Policy Provisions And Considerations – All Types of Bonuses</b></p>	<ul style="list-style-type: none"> <li>• Employees granted the right to participate in the bonus plan must remain on active duty or approved leave from the start to the end of the bonus plan assessment period. Employees on approved LWOP are eligible for bonus payment upon reinstatement.</li> <li>• Employees are not eligible for partial payment of the bonus award upon termination of employment and/or reassignment to another position outside of the department, or to a position not related to the unit's primary function.</li> </ul>

<p align="center"><b>Department Chair/Unit Head Responsibilities</b></p>	<ul style="list-style-type: none"> <li>• Develop a Unit-based Incentive Plan. Establish unit goals and performance measure specifics.</li> <li>• Determine employee eligibility.</li> <li>• Communicate Incentive Bonus Plan to all employees.</li> <li>• Maintain Incentive Bonus Plan documentation.</li> </ul>
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**11. CSS Adverse Weather Make-Up Policy (Approved 12/02)**

When a CSS employee does not report to work or leaves early, or when it has been determined that services will be delayed or suspended, per the Adverse Weather Plan Policy #A25, (ECU Physicians' Group Practice Policy and Procedure Manual) time lost in any weather event will be accounted for in the following manner:

If time missed is two workdays or less:

1. charge to accrued compensatory time (must be exhausted before using VL); or
2. charge to vacation leave, or bonus vacation leave\*; or
3. take as leave without pay when no compensatory or vacation leave is available.

Note: Advancement of leave cannot be issued for make-up days.

\*Use of bonus vacation leave, instead of vacation leave, is the employee's option.

If time missed is greater than two workdays:

The above options will be used for the first two days. The additional days may be made up within 3 months from the occurrence of the absence. If it is not made up within 3 months, the appropriate leave must be charged, or taken as leave without pay.

Advisory Note - There are very few opportunities for such time to be made up without the employee working more than forty hours during a workweek. Since hours worked in excess of forty during a workweek would constitute overtime under Federal regulations for FLSA non-exempt employees, it will be necessary for make-up time to be limited to the workweek in which the time is lost or in a week when the employee has not worked a full work schedule due to such absences as holidays, vacation, sick leave, civil leave, etc. Employees who volunteer to make up adverse weather time on a holiday will not receive Holiday Premium Pay.

Employees who are on prearranged vacation leave or sick leave will charge leave to the appropriate account with no provision for make-up time.

Note: Currently, only the Chancellor has the ability to close the University and excuse absences.

**12. CSS Vacation Leave Accrual (Approved 12/01)**

Effective January 1, 2002, vacation leave accrual rates for all CSS employees are adjusted by 10 minutes each month. This adjustment allows for an even number of accrual days each year, rather than fractional days. The table below reflects the revised vacation leave credit for CSS employees.

<b>Years of Total State Service</b>	<b>Hours Granted Each Month</b>	<b>Hours Granted Each Year</b>	<b>Days Granted Each Year</b>
Less than 2 years	8 hrs.	96 hours	12
2 but less than 5 years	9 hrs. 20 min.	112 hours	14
5 but less than 10 years	11 hrs. 20 min.	136 hours	17
10 but less than 15 years	13 hrs. 20 min.	160 hours	20
15 but less than 20 years	15 hrs. 20 min.	184 hours	23
20 years or more	17 hrs. 20 min.	208 hours	26

**13. CSS Vacation Leave Accrual Credit (Professional New Hires) Approved 12/01**

As a means to enhance the recruitment efforts for difficult-to-recruit CSS "career level" positions, the Department of

Human Resources has authority to determine the extent of the previous related professional experience for a CSS candidate that may be credited towards a higher level of annual leave accrual. As a guideline, one year of related professional service may equate to one year of 'State service' in determining initial accrual from the vacation credit table below. The Department of Human Resources will make these determinations by applying professional judgment to the quantity and quality of the related prior professional service relevant to the ECU position and in accordance with the intent of the CSS and state policy.

This process establishes consistency in the assignment of vacation leave to professional level CSS employees, equitably recognizes prior public sector and university service even when acquired outside of North Carolina, and enhances our ability to recruit qualified candidates.

This policy only applies to those recruitment initiatives involving previously determined, difficult-to-fill professional level CSS positions that are market driven, thus warranting this action.

#### **14. Compensatory Time for CSS (FLSA) Exempt Employees (Approved 12/03)**

##### **I. Policy Statement:**

ECU Clinical Support Services wishes to recognize that in exceptional, limited situations, CSS employees who are exempt from the overtime provisions of the federal Fair Labor Standards Act ("FLSA exempt") may be required to work significantly longer work hours or work weeks than normally are required. This policy is designed to treat such situations equitably and to recognize the work, commitment and dedication of employees who put in those extended hours. This policy applies to all CSS employees designated as FLSA exempt and provides the only compensatory time policy for these employees.

##### **II. Purpose of Compensatory Time:**

Full-time FLSA exempt employees generally are expected to work at least forty hours each week and as many hours as necessary to complete their jobs. This policy does not change these expectations. It does, however, recognize the existence of unusual circumstances in which the workload of particular CSS exempt employees may be especially burdensome. Examples of these circumstances might include but are not limited to:

- Temporary high priority project assignments with mandatory deadlines,
- Overload work performed while vacancies in a department are being filled,
- High volume of patients to be seen at clinics, or
- Work required in meeting work deadlines related to the administrative cycle.

Employees become eligible for compensatory time in these situations only when they are unable to fulfill the tasks within normal business hours.

##### **III. How earned:**

Compensatory time is granted on an hour-for-hour basis. Compensatory time is earned only in exceptional situations and with prior supervisor approval. Both the employee and the supervisor shall discuss in advance the need for unusually longer work hours or workweek than normal during which compensatory time might be appropriate. When compensatory time is to be accrued based on discussions described above, the supervisor and the employee shall agree in writing in advance that this work shall be governed by this policy, and that all documented hours worked beyond 40 in a workweek shall be granted as compensatory time.

##### **IV. How used:**

Employees must obtain prior approval from their supervisor in order to use compensatory time. Compensatory time must be taken before vacation time is taken.

- Not cumulative  
Compensatory time is not cumulative beyond a 12-month period. For this reason, an employee should request to take compensatory time as soon as possible after it is credited. If compensatory time is not used within 12 calendar months after it is credited, it is lost.

- Not transferable  
Compensatory time may not be transferred to any type of leave or to another state university or agency or to any other position within ECU.
- Separation  
There is no payout of compensatory time, and any remaining compensatory time is lost when an employee is separated from the position in which the compensatory time was earned. The employee's separation date may not be moved forward in order to pay for compensatory time.

## 15. Compensatory Time for Exempt Employees (Senior Supervisory and Executive Management) Approved 12/03

### I. Purpose:

Full-time FLSA exempt employees are expected to work at least forty hours each week and as many hours as necessary to complete their jobs. This policy provides expectations for exempt employees in senior supervisory and executive management positions, and for advanced professional levels in the provision of services. [These employees are generally at or above grade level 70, professionals and/or managers of complex functions in the organization].

### II. Policy:

The application for, acceptance of, and appointment to a supervisory, service, or management position within East Carolina University indicates a desire and willingness to participate in professional, managerial, and executive responsibilities in the university environment. These responsibilities are neither 8-hours per day nor 5-days per week duties. Routine and expected duties for professional, salaried positions will periodically require working outside of the normal workday.

Service to faculty, staff, students and customers, early/late meetings, presentations before boards, committees, and commissions, and opportunities to represent the school and university at community and civic organizations are examples of expected duties of exempt positions. The compensation / grade level for an exempt employee is based on overall responsibilities as a salaried professional.

### III. Expectations:

- A nominal schedule may be established for each employee and stated in the position description. Professional, managerial, and/or executive employees in exempt positions should only track actual leave time off (i.e. vacation, sick, bonus, etc), not time worked.
- When job responsibilities of exempt employees' positions require their presence other than the regularly scheduled period, it is expected that exempt employees will accommodate these expectations without accumulation of compensatory time.
- Employees in exempt positions are authorized and expected to flex schedules in accordance with their responsibilities and the overall need to accomplish the expectations of their positions and in coordination with their managerial chain of authority.
- Subject to the approval of their immediate supervisor, senior and executive management personnel who regularly work in excess of 40 hours and are otherwise fulfilling job expectations may occasionally flex their schedules to be out of the office for brief periods of a day (ex. 1-2 hours) without using leave time.

## 16. CSS Reduction in Force Policy (Approved 12/03; Revised 6/06)

### I. Executive Summary

Support staff for ECU Physicians are usually designated as Clinical Support Services (CSS) staff in contrast to staff subject to the State Personnel Act (SPA). SPA staff is more often associated with the administrative, research and educational missions of the School of Medicine. In order to be designated as CSS, more than 50% of an individual's duties must be clinically oriented. The application for and acceptance of a CSS position, which is acknowledged in writing by every employee, confirms understanding of certain differences in policy between the two groups. CSS employees, and the clinics

they support, may be considered more similar to private medical practice clinics than to traditional state office positions.

As a result, adjustments in the staffing patterns among CSS staff may require more flexibility in quickly hiring into areas of need, as well as more expeditiously able to adjust to changing patient volumes and to the financial performance of various clinics and departments. When circumstances within a department result in shortages of work; budget deficits; reorganizations; elimination of programs, services, grants, or contracts; or other material changes in clinical operations, departmental management has the responsibility and the authority to separate CSS employees according to this policy.

In comparison to SPA Reduction in Force (RIF) policy, the CSS RIF policy directly incorporates performance into the administration of the RIF.

II. **Policy**

The Chairman of a clinical department, the Medical Director of Group Practice Administration, or the Director of a staff support office or department with CSS employees, upon approval by the Dean of the School of Medicine, the Health Sciences University Attorney, and the Associate Vice Chancellor for Human Resources, may designate CSS staff to be reduced in force as a result of shortages in work, budget deficits, reorganizations, or other material change in clinical operations.

III. **Management Responsibility**

Departmental management must show evidence of changes in work volume, budget deficits, reorganizations approved by the Dean, or material change in clinical operations. It is expected that management provide Human Resources the earliest notice practical; however, no RIF Plan will be authorized without at least six weeks advance submission and review by Human Resources.

The RIF Plan must incorporate, as a minimum, the following:

- a. Narrative description of the issue(s) resulting in the need to abolish positions, including discussion of at least the following:
  - 1) Legal and organizational requirements for the services affected;
  - 2) Impact of the current situation on overall program objectives;
  - 3) Consideration of redistributing available resources;
  - 4) Alternatives and external funding that have been considered;
  - 5) Economy and efficiencies in service.
- b. Written correspondence to the Dean requesting approval to initiate a RIF
- c. Written approval from the Dean authorizing the RIF;
- d. The classifications of positions selected by management to be involved in the RIF and a listing of all persons in affected classifications, along with the following identifying data:
  - 1) Performance history, including evaluations and any disciplinary actions;
  - 2) Length-of-service in CSS classifications, and total state service;
  - 3) Age;
  - 4) Race;
  - 5) Gender.
- e. Neither temporary nor probationary employees within the affected department, shall be retained if permanent status employees are in comparable positions;
- f. No trainee employees within the affected department, shall be retained if permanent status employees are in comparable positions;
- g. Employees in time-limited appointments are not covered by the CSS RIF Policy and are not eligible for priority re-employment.

- h. The plan will be reviewed by HR, with written acknowledgment from the Associate Vice Chancellor of Human Resources that the RIF Plan has been reviewed.

Written notification must be given to affected employees at least 30 days in advance. The notification must include the reasons for the RIF; severance benefits; a description of the re-employment rights; and appeal rights.

#### IV. **Employee Rights**

Any CSS employee adversely affected by a departmental reduction in force has the following rights:

- a. Severance Pay based on length-of-service as a state employee:
  - 1) Less than 1 year = 1 months pay
  - 2) 1 - 5 years = 2 months pay
  - 3) 5 - 10 years = 3 months pay
  - 4) 10 - 20 years = 4 months pay
  - 5) 20 - 30 years = 5 months pay
  - 6) 30 years or more = 6 months pay
  - 7) Severance Pay is discontinued if the individual declines an interview or rejects a job offer within 35 miles, or reduced if the individual accepts a position in the state or local government system (pay cannot exceed that of prior job).
  - 8) Age Adjustment factor for employees aged 40 or above; the adjustment will be 2.5% of the prior annual salary for each full year over 39 years of age; provided the total adjustment is limited by the service payment and cannot exceed the total service payment (see [Age Adjustment Factor](#)).
- b. Accrued Vacation Leave paid in lump sum up to 240 hours.
- c. Accrued Legislative Bonus Leave paid in lump sum up to maximum allowed.
- d. Health Insurance paid for one year for employees with five or more years of total state service, with the opportunity to continue purchasing child/family coverage unless otherwise prohibited by law or policy.
- e. Priority for re-employment with the state according to past service:
  - 1) For CSS service over one year as a permanent employee, required inclusion for interviews and consideration for any CSS position at the same level or below that held at the time of official written notification, for which the individual is substantially equally qualified as determined by Human Resources;
  - 2) No priority for re-employment exists over any current, permanent state employee with substantially equal qualifications and/or length-of-service.
  - 3) Re-employment priority is terminated if the individual declines an interview or rejects a State job offer at the same salary or higher than that held at the time of official written notification; however, re-employment priority continues if the individual accepts State employment at a lower salary.
  - 4) The CSS employee will receive priority reemployment consideration for a period of six months from the date of the official written notification of separation, or until he or she accepts another state position at the same salary or higher than that held at the time of the RIF; whichever occurs first.
- f. Access to counseling services through the Department of Human Resources, including employment counselors, benefit counselors;
- g. Sick leave reinstatement if employed in any State agency within five years.

V. **Age Adjustment Factor**

An employee qualifies for the age adjustment factor at 40 years of age. To compute the amount of the adjustment, 2.5% of the annual base salary will be added for each full year over 39 years of age; however, the total age adjustment factor payment is limited by the service payment and cannot exceed the total service payment.

*Example:* Age 59; Salary - \$24,000/year; 20 years service

<b>Factor</b>	<b>Computation</b>	<b>Amount of Severance Pay</b>
Service	\$2,000/month for 4 months = \$ 8,000	\$ 8,000
Age Adjustment	\$24,000 x .025 x (59-39) = \$12,000* *Age adjustment factor cannot exceed the service factor so the age factor is limited to \$8000	\$ 8,000
	<b>Total</b>	\$16,000 (paid over 4 months)

VI. **Appeal Rights**

Actions taken under this Policy do not constitute “discipline” or “discharge” under North Carolina General Statutes 116-40.6(b)(2).”

Any CSS employee who is adversely impacted as a result of a reduction in force has the right to submit an appeal on the basis of only the following grievable issues:

- Failure to follow appropriate procedures as defined in the CSS Reduction in Force Policy
- Unlawful discrimination in selection for RIF
- Retaliation, including against bona fide whistleblowers, in selection for RIF
- Failure to give appropriate RIF priority re-employment consideration.
- Denial of veteran’s preference in connection with RIF

The appeal must be made within ten working days of receiving the official written notification of the RIF. Written appeals, including the basis of the appeal, should be submitted to:

**Associate Vice Chancellor for Human Resources**  
**Department of Human Resources**  
**210 East First Street**  
**Greenville, NC 27858**

**Step 1.**

Upon receiving the employee’s written appeal of a RIF decision, a meeting must take place between the grievant and either the Chairperson of the affected department or the Medical Director. The Chairperson or Medical Director must meet with the employee and provide written response to the appeal within ten workdays of receiving written notification of the Step 1 appeal, with copy to Human Resources.

**Step 2.**

If an employee is not satisfied with the Step 1 decision, he or she may submit a written appeal of the Step 1 appeal. The written requests for the Step 2 meeting with the Vice Chancellor for Health Sciences must be submitted to the Associate Vice Chancellor for Human Resources within five workdays of receiving the written notification of the outcome from the Step 1 appeal. The Step 2 appeal will be to the Vice Chancellor for Health Sciences. The Vice Chancellor, or designee, must hear the appeal and respond to the grievant within ten workdays of receiving the written notification for a Step 2 appeal, with copy to

Human Resources. The ruling of the Vice Chancellor for HS to the Step 2 appeal is the final agency decision for the University.

#### 17. CSS Resignation Policy (Approved: 11/04)

Any CSS employee expecting to terminate employment with the Clinical Support System is expected to give written “working” notice. (“Working” notice is defined as actual days worked after submitting a notice of resignation). As is normally the case, any request for vacation leave during this notice will be subject to management’s discretion.

1. Employees in mid-level management\*, senior supervisory, executive management, nursing, and physician extender CSS positions should give at least 4 weeks written “working” notice prior to the last expected work day.
2. Employees in all other CSS positions should give at least 2 weeks written “working” notice prior to the last expected work day.

Failure to provide adequate notice of termination will be documented in the employee’s personnel file and may have an adverse impact on re-employment with the University.

\*These employees are generally at or above grade level 70, professionals and/or managers of complex functions in the organization.

#### 18. CSS Absenteeism & Tardiness Policy (Approved: 11/04)

##### I. Purpose:

Good attendance habits form an integral part of every employee’s job and are essential job functions. Among other things, good attendance habits mean:

- A. Reporting to work at the designated time;
- B. Being at your work station ready for work by the start of the shift;
- C. Remaining at your work station unless the needs of the job require being elsewhere, except during authorized breaks (including restroom breaks);
- D. Remaining at work until the scheduled end of your shift, unless excused by a supervisor;
- E. Leaving promptly at the end of your shift, unless you have been given advance permission from your supervisor to work past that point; and
- F. Calling in and personally notifying your supervisor or designee if you are going to be either absent or tardy, unless a verifiable emergency makes it impossible for you to do so.

##### II. Definitions:

- A. Tardiness: All employees are expected to be at their assigned work location at the start of their shift. Employees who are not at their workstation at the scheduled start time of their shift will be considered tardy without prior management approval. This includes reporting at the beginning of a shift, returning from meal and/or other breaks. Tardiness is defined as a brief unexcused absence from assigned work and may occur in increments as small as 5 minutes. This also includes leaving early prior to the end of a shift. Calling your supervisor immediately before the work shift starts will be considered as tardy.
- B. Excessive Tardiness: Failing to report or clock in/out at the designated time for more than one time per month or 3 times per 6 months without prior approval.
- C. Absenteeism: Failure to report to work as scheduled.
- D. Excessive Absenteeism: Patterned absenteeism occurs when one or more trends of absenteeism are apparent. Examples of patterns may include, but are not limited to, the following:
  - A pattern of unscheduled absences,
  - Repeatedly leaving work early or arriving late
- E. Chronic/Excessive Absenteeism: Chronic absenteeism occurs when an employee utilizes leave in excess of accrued time and/or frequently takes time off without advance approval. Excessive absenteeism refers to being out more often than what is routinely considered normal. Although not

clearly defined by a specific number of days allowed, it often is demonstrated by the patterns listed above in the definition above.

III. Policy:

Employees unable to report to work at their scheduled starting time must notify their supervisor and state the reason for being late or absent prior to the start of the shift. Failure to give proper notification may result in disciplinary action up to and including dismissal. Definitions are provided in order to give an understanding of the operational procedures that management will use as guidelines.

Paycheck adjustments are discouraged, but are allowed at the discretion of management. Vacation time cannot be used in lieu of sick leave, for the employee or his/her family members, unless management approves it.

IV. Procedure:

Excessive absenteeism or tardiness will be addressed by management and may be grounds for disciplinary action. His/her supervisor will notify an employee when attendance is approaching unsatisfactory levels, and the supervisor will begin the disciplinary process if there is not an immediate improvement in attendance. Individual work plans will reflect attendance.

Voice mail or email messages are not acceptable as the only source of contact. In an emergency situation when a voice mail or email message is left, it is the responsibility of the employee to make contact with the supervisor or other designated individual before the beginning of the work shift. Messages from a spouse or other representative are discouraged unless the employee is rendered unable to call.

Personal time off or non-urgent appointment should be arranged in advance whenever possible and considered planned absences. The supervisor should approve requests for time off in advance.

Supervisor can require a physician note if the reason for the absence or tardiness was due to illness or injury.

19. **CSS Flexible Holiday Schedule for Clinical Support Services Employees Policy  
(Approved 6/03; Revised 11/03)**

In an effort to better serve the needs of patients and to coordinate more closely with the Holiday Schedule of PCMH, the Division of Health Sciences will annually develop a separate flexible holiday schedule for Clinical Support Services (CSS) employees working at East Carolina University. The Vice Chancellor for the Division of Health Sciences, or his designee, has the latitude to establish a flexible holiday schedule for CSS employees that varies from the holiday schedule established for Subject to the Personnel Act (SPA) employees in the Division of Health Sciences.

The following stipulations will apply to the CSS Flexible Holiday Schedule Policy:

- A. The Vice Chancellor, or his designee, has the latitude to provide compensatory time off to CSS employees in lieu of closing the clinical operations in the Division of Health Sciences on days designated as State holidays for Subject to State Personnel Act Employees. Advisory Note: Premium pay will not apply.
- B. If CSS employees are required to work on a scheduled State holiday, they must be given the opportunity to take an equivalent amount of compensatory time off from work. CSS employees shall be paid for compensatory holiday time not taken within 12 months of the holiday worked.
- C. CSS employees cannot use the compensatory holiday time in increments. In other words, if a CSS employee works an 8-hour holiday, the employee must take an 8-hour workday off when using the compensatory holiday time.
- D. CSS employees must obtain prior approval from their supervisors before using any compensatory holiday time earned under this policy.
- E. CSS employees must use the compensatory holiday time before using accrued vacation leave.
- F. This compensatory holiday time will be tracked separately from other forms of leave awarded to CSS employees.

The flexible holiday schedule for CSS employees will be established no later than three months before the start of each calendar year.

## 20. CSS Probationary Appointment Policy (Approved 11/05)

The probationary period is an extension of the selection process, and provides the time for effective adjustment of the new employee or elimination of those whose performance does not meet acceptable standards. All new Clinical Support Services (CSS) employees, including rehires and transfers from other State agencies, will serve a six (6) month probationary period. Permanent SPA (Subject to Personnel Act) employees at East Carolina University transferring to CSS positions are not subject to a probationary period. The University retains the right to discharge new CSS employees during the initial six (6) month probationary period, without a notice. Probationary dismissals are not subject to appeal through the ECU Grievance and Appeal Procedure. The initial six (6) month period may be extended for a period not to exceed three (3) additional months. Probationary employees are not eligible to apply for other positions with the University, except within their home department and then must have supervisory approval.

Although probationary employees earn vacation leave, any request to take vacation leave during the probationary period is subject to management approval. Probationary employees are also eligible for sick leave and holiday time as it accrues. Vacation leave may not be used in lieu of sick leave for unscheduled absences. The employee will also be eligible for sick leave and holiday time as it accrues. Probationary employees with more than three (3) occurrences of unscheduled absence may be subject to termination. Pay check adjustments due to negative leave balances are discouraged, and employee may be subject to termination.

Employees who resign or are terminated during the initial six (6) month probationary period, or during the three (3) month extension period, are not eligible to be paid accrued vacation leave or legislative vacation bonus leave. However, after successful completion of the probationary period, vacation that has accrued will be paid if employment is terminated.

This policy applies to all probationary Clinical Support Services employees hired with an effective date of January 1, 2006 or later.

## 21. Clinical Support Services (CSS) Disciplinary Policy (Approved 12/06)

### I. Purpose

To provide written guidelines covering some of the more serious or specific problems regarding employee activities, practices, or conduct which could lead to disciplinary action.

### II. Policy

CSS work rules are provided as minimum guidelines for employee conduct and work performance, but are not all-inclusive (Refer to Section VII for CSS Work Rules). This list may be supplemented by additional regulations where employees are subject to professional and/or state regulation or licensure.

At the time of hire, all new CSS employees are required to read and acknowledge by signature that they have received a copy of the CSS Disciplinary Policy and CSS Work Rules. Any questions regarding interpretation or application of the CSS Disciplinary Policy and CSS Work Rules should be referred to the Employee Relations Specialist assigned to the Health Sciences Division.

Depending upon a review of circumstances, the violation of a work rule may result in disciplinary action. Disciplinary steps provided for each work rule are suggested as guidelines for reasonable, consistent action. Consideration should be given to the nature of the incident, the frequency of violation of this and/or other work rules, and the employee's overall work record. Progressive disciplinary action may be taken based on continued infractions of the same work rule, or the same disciplinary track may be continued based on infractions of other related work rules.

### III. Procedure

There are three categories upon which disciplinary action may be taken:

#### **Unsatisfactory Job Performance:**

Work-related performance that fails to satisfactorily meet job requirements as set out in the relevant job description, work plan, or as reasonably directed by the management of the work unit or agency.

**Unacceptable Personal Conduct:**

- conduct for which no reasonable person should expect to receive prior warning; or
- job-related conduct which constitutes a violation of State or federal law; or
- conviction of a felony or an offense involving moral turpitude that is detrimental to or impacts the employee's service to the State; or
- the willful violation of known or written work rules, including insubordination; or
- conduct unbecoming a State employee that is detrimental to State service; or
- the abuse of animals owned by the State, client(s), patient(s), student(s), or person(s) over whom the employee has charge or to whom the employee has a responsibility; or
- absence from work after all authorized leave has been exhausted; or
- falsification of an employment application or other University records.

**Gross Inefficiency:**

Failure to satisfactorily perform job requirements as set out in the job description, work plan, or as directed by the management of the work unit; and, the act or failure to act causes or results in:

- death or serious bodily injury or creates conditions that increase the chance of death or serious bodily injury to an employee or a member of the public, or to a person for whom the employee has responsibility; or
- failure to obtain or maintain legally required certificates, licenses, bonds or other credentials; or
- the loss of or damage to state property or funds that results in a serious adverse impact on the State and/or work unit.

Some work rule violations may fall under both unsatisfactory job performance and unacceptable personal conduct. No disciplinary action shall be invalid solely because the disciplinary action is categorized incorrectly.

Disciplinary action should be taken as soon as possible after a work rule violation or unacceptable behavior. When the work rule violation is minor, the employee's supervisor may elect to counsel the employee for the first offense rather than initiating discipline, although it may be appropriate to document the counseling session for future reference.

Each of the disciplinary actions listed below should be applied in accordance with actions recommended in the CSS Work Rules. Those actions are:

1. Oral Warning
2. Written Warning
3. Final Written Warning
4. Disciplinary Suspension, Demotion, or Dismissal

At each step in this sequence, the supervisor should:

1. Meet with the employee, and explain the error or work rule violation to the employee.
2. Employee should be given adequate opportunity to provide comments/details regarding the situation.
3. If no further action is necessary, thank employee for meeting and clarifying the situation.
4. Should further investigation be needed, tell employee this will occur and schedule follow up meeting.
5. If determined corrective action is warranted:
  - a. Explain to employee that corrective action is warranted.
  - b. Tell the employee what is expected of him/her.
  - c. Indicate that it is the employee's responsibility to correct the behavior or improve performance.

- d. Tell the employee specifically what he/she can expect in the event of future similar work rule violations.
- e. Set a follow-up date to review behavior/performance, if appropriate.
- f. Summarize the interview on the Corrective Action Report. Obtain the employee's signature on the Report (If the employee refuses to sign, his/her refusal should be documented on the Report) Provide the employee with a copy. Advise the employee that a copy of the Report will be placed in his/her personnel file.

An Employee Relations Specialist must review each Corrective Action Report **before** it is issued to the employee to ensure compliance with University policy. If it is determined that dismissal is the appropriate course of action, the supervisor must review the facts leading to dismissal with the employee. He/she must be told clearly why he/she has been dismissed, and advised of the appeals process. In addition to the Corrective Action Report, a formal dismissal letter and a copy of the appeals process will be issued to the employee and placed in the employee's personnel file.

#### **IV. Disciplinary Appeals**

Probationary and temporary employees may be dismissed without cause or advance warning and do not have grievance rights under this policy.

Oral/written warnings and/or placement on investigatory leave with pay are not grievable. Disciplinary actions for CSS employees are not grievable to the State Personnel Commission. However, depending on what is being alleged, they may have rights under State and Federal EEO and FLSA as well as State and Federal criminal and/or civil statutes. CSS employees who achieved career State employee status on/by October 31 1998, shall be subject to the rules regarding discipline or discharge that were effective on October 31, 1998, and shall not be subject to the rules regarding discipline or discharge adopted after October 31, 1998.

Permanent CSS employees, having successfully completed the probationary period, may submit disciplinary appeals on the basis of the following:

- **Dismissal, demotion, or suspension without pay without just cause**

##### **Step 1**

Immediate Supervisor. Appeals must be presented in writing to immediate supervisor within ten (10) workdays of receiving written notification of disciplinary action, with copy to Human Resources, Director of Employee Relations. The supervisor will provide written response to the appeal within five (5) workdays of receiving the written appeal, with a copy of the response to Human Resources, Director of Employee Relations.

##### **Step 2**

Department Head/Associate Dean. If the employee is not satisfied with the Step 1 decision, he/she may submit a written appeal to the department head or Associate Dean within ten (10) workdays of receiving written notification of Step 1 decision. The department head or Associate Dean will provide written response to the appeal within five (5) workdays of receiving the written appeal, with a copy of the response to Human Resources, Director of Employee Relations.

##### **Step 3**

Vice Chancellor. If the employee is not satisfied with the Step 2 decision, he/she may submit a written appeal to the Vice Chancellor for Health Sciences, with copy to Human Resources, Director of Employee Relations, within ten (10) workdays of receiving written notification of Step 2 decision. The Vice Chancellor will provide written response to the appeal within ten (10) days of receiving the written appeal, with a copy of the response to Human Resources, Director of Employee Relations. The ruling of the Vice Chancellor for Health Sciences to the Step 3 appeal is the final agency decision for the University.

#### **V. Disciplinary Appeals Alleging Discrimination**

A CSS employee alleging workplace discrimination in disciplinary dismissal, demotion, or suspension without pay may report the alleged discrimination directly to East Carolina University's EEO/ADA Officer. An employee should file a report of workplace discrimination within thirty (30) workdays of the alleged discriminatory disciplinary action. Written complaints outlining the nature of the workplace discrimination should be submitted to:

Taffye Benson Clayton  
 Special Assistant to the Provost and  
 EEO/ADA Compliance Officer  
 107 Whichard Building  
 East Carolina University  
 (252) 328-6804

Once a written complaint is received, the EEO/ADA Officer will investigate the complaint and make a determination based on the findings from the investigation of the alleged discrimination. The EEO/ADA Officer will communicate these findings to the employee who filed the complaint and to the Chancellor of East Carolina University within sixty (60) calendar days from receipt of the written complaint.

If an employee is not satisfied with the determination based on the findings from the EEO/ADA Officer, the employee can file a formal grievance in accordance with this policy. The employee has ten (10) workdays from the date he or she receives written notification of the determination made by the EEO/ADA Officer to submit a disciplinary appeal.

**VI. Maintenance of Disciplinary Actions**

Corrective Action Reports remain active for 12 months unless additional corrective action is necessary. Otherwise, they remain a part of the employee's personnel file and may be taken into consideration in determining progression of steps if future corrective action is necessary. Active disciplinary actions may result in an overall annual performance rating of "below good". Additionally, an overall annual performance rating of "good" or better does not render any active disciplinary actions as inactive.

When an employee transfers to another department or work unit, any active written warnings or disciplinary actions will transfer with the employee, and will remain in full force at the new work unit.

**VII. Clinical Support Services (CSS) Work Rules**

The CSS work rules are cross-referenced as a guide in determining the most appropriate work rule(s) upon which to base discipline.

**Key: Recommended Disciplinary Actions**

<b>O:</b>	Oral Warning (written documentation of such is necessary)
<b>W:</b>	Written Warning
<b>F:</b>	Final Written Warning
<b>D:</b>	Disciplinary Suspension, Demotion, or Dismissal

Description	Disciplinary Action for Occurrence			
	1st	2nd	3rd	4th
1. Poor performance of duties, including failure to follow instructions or to maintain established	O	W	F	D

standards of workmanship or productivity. (See also Work Rule 9).				
2. Violation of the <u>CSS Absenteeism and Tardiness Policy</u> involving unscheduled absence or tardiness for whatever reason, including failure to report to the work station at the beginning of the scheduled shift or leaving the work station prior to the scheduled conclusion of the work period, and absences which exhibit a pattern or trend. (See also Work Rules 3, 7 and 16).	O	W	F	D
3. Failure to inform the supervisor when leaving the workstation, or failure to report back to the workstation at the scheduled conclusion of a work break or meal period. (Refer to <u>CSS Absenteeism and Tardiness Policy</u> ; see also Work Rules 2, 7 and 16).	O	W	F	D
4. Failure to conform to a departmental uniform or dress code policy, including the wearing of identification badges or nametags. (Refer to BSOM policies <u>HR#15</u> , <u>HR#16</u> , <u>HR#17</u> ).	O	W	F	D
5. Use of profane, abusive, or loud/boisterous language on University premises, or actions which may be discourteous or harmful to others, including smoking in designated non-smoking areas. (Refer to BSOM Policy <u>#A23</u> ; see also Work Rules 9 and 11)	W	F	D	
6. Use of another's computer sign-on or computer access code or providing another the use of an individual's sign-on code without proper authorization, to gain unauthorized access to confidential or privileged information. (See also Work Rule 17).	W	F	D	
7. Failure of an absent employee to notify the supervisor on each day of absence, unless such notice requirement is waived, or notification not provided in accordance with departmental procedures. (Refer to <u>CSS Absenteeism and Tardiness Policy</u> ; see also Work Rules 2 and 16).	W	F	D	
8. Failure to adhere to University or departmental safety policies and/or procedures, including failure to immediately report an accident on University premises involving an on-the-job injury or property damage. (Refer to <u>Workers' Compensation</u> ).	W	F	D	
9. Insubordination, including refusal to accept reasonable directives from supervisors, security officers, civil defense personnel or other proper authorities. (See also Work Rule 1).	F	D		
10. Unauthorized or improper use of University property. (See also Work Rule 15).	F	D		
11. Failure to appropriately interact with anyone on University premises (including patients, their families, students, visitors, customers, or other employees), when such behavior violates another's privacy or dignity, including sexual harassment. (Refer to <u>Workplace Harassment</u> ; see also Work Rule 5).	F	D		
12. Being in an unfit condition to perform the duties of the job, including sleeping on the job, or working under, or suspected of working under, the influence of drugs or alcohol. (Refer to <u>Substance Abuse Policy</u> ).	F	D		
13. Falsification of employment application or other University records, including intentional failure to accurately record time records, or registering the time card of another employee without proper authorization.	D			
14. Threats, fighting, or other physical action against another person while on University premises. (Refer to <u>Violence Prevention</u> ).	D			
15. Commission of any crime on University premises such as theft, unauthorized removal of or willful damage to property, unauthorized possession of alcohol/weapons/explosives, gambling, being found in possession of illegal drugs, and charging personal long distance phone calls to the University without authorization. Or, commission of a work-related crime while off campus.	D			
16. Consecutive absences of three (3) workdays without notifying the supervisor if, by the end of the employee's third regularly scheduled workday, such notification is not provided in accordance with	D			

<p>departmental procedures. (Refer to <u>Voluntary Resignation Without Notice</u>).</p>		
<p>17. Behavior which compromises another's safety or privacy, or discloses confidential University information, including medically related records. (Refer to BSOM policy <u>#A14</u>, <u>HIPAA</u>; see also Work Rule 6).</p>	D	
<p>18. Failure to obtain or maintain legally required certificates, licenses, bonds of other credentials; or any activity which violates federal or state standards regulating the provision of professional services, or violation of regulations affecting continued licensure, commissioning, or certification in a profession. (Refer to BSOM policy <u>#HR9</u>, <u>#HR10</u>).</p>	D	