



Bluefield State University

*Staff Handbook*

July 2022

## INTRODUCTION

The information provided in the Bluefield State University (BSU) *Staff Handbook* is intended to be used as a reference and procedural guide. The general information in this guide should not be construed to supersede any law, rule, or policy. In the case of any inconsistencies, the statutory and regulatory provisions shall prevail.

The *Staff Handbook* is not an implied or expressed employment contract. This document contains guidelines rather than policies, and it may be subject to change at any time. BSU makes a good faith effort to communicate changes to our employees. However, employees should review actual policies, statutory and regulatory provisions periodically for changes.

The procedures discussed within this guide apply to staff positions. If you require additional assistance, please contact your respective supervisor/manager/director, your Cabinet-level administrator, or:

Office of Human Resources  
219 Rock St.  
Bluefield, WV 24701  
Phone: 304-327-4013  
Conley Hall, Room 202  
Email: [humanresources@bluefieldstate.edu](mailto:humanresources@bluefieldstate.edu)

Office of Payroll/Benefits/Leave  
219 Rock St.  
Bluefield, WV 24701  
Phone: 304-327-4046 or 304-327-4041  
Conley Hall, Room 107

The BSU Office of Human Resources welcomes suggestions regarding the *Staff Handbook*. Please send any suggestions to [humanresources@bluefieldstate.edu](mailto:humanresources@bluefieldstate.edu).

*Bluefield State University is an HBCU, AA/EOE/ADA employer, committed to the principle that minorities, women, veterans, and individuals with disabilities are encouraged to apply. The university complies with all applicable federal and state laws designed to promote equal educational and employment opportunities.*

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# PRESIDENT'S LETTER

Dear BSU Staffer:

Welcome to the Bluefield State University family! I'm delighted that you have decided to join the University as an employee and pursue your professional growth with us. The BSU Staff Handbook is provided to assist you in your understanding of the rights, privileges, and expectations of BSU employees, and to serve as a source of reference for you.

As a member of the University family, you have become part of a proud tradition that spans over 125 years. This University has a rich heritage of preparing leaders who make a positive difference in our community, state, nation and world.

Throughout the year, a variety of educational, cultural, entertainment and athletic events are offered at the University. As President, I encourage you to take advantage of these opportunities.

We look forward to the many contributions you will make at Bluefield State University. May your BSU career be most rewarding.

Sincerely,

Robin C. Capehart  
President

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# STAFF HANDBOOK RECEIPT

Bluefield State University (BSU) provides each new regular staff employee with a *Staff Handbook* (“*Handbook*”) at the initial staff orientation. This *Handbook* collection of information includes policy references, procedures and protocols. Some of the information and policy references may be covered during your orientation; others may not. It is your responsibility to familiarize yourself with information contained in the *Handbook* as well as website and resources germane to the University so you are aware of the policies, procedures and protocols that govern employment with BSU.

Policies included in this Handbook include the following, as well as additional policy references:

GA-613	Campus Safety Policy
GA-614	Drug And Alcohol-Free Campus And Workplace
GA-615	Equal Opportunity and Affirmative Action
CM-305	Information Technology Acceptable Use Policy
Policy 3	Harassment

The *Handbook* is not an implied or expressed employment contract. The provisions of the Handbook are guidelines rather than policies, and Bluefield State University reserves the right to depart from such guidelines where circumstances warrant. Existing policy and law will prevail over any inadvertent errors or outdated material in the *Handbook* text. This includes the provisions of all rules of the West Virginia Higher Education Policy Commission and the Bluefield State University Board of Governors. Guidelines outlined in the *Handbook* may be changed at any time at Bluefield State University’s discretion. This edition of the *Staff Handbook* supersedes and replaces all previous handbooks. If you are employed in an “at-will” status, the *Handbook* does not alter the “at-will” status of your employment. “At-will” employees serve at the will and pleasure of the President.

Any and all information contained within the *Handbook* is subject to change at any time with or without notice. BSU makes a good faith effort to communicate changes to our employees. However, it is your responsibility to keep your *Handbook* updated. Employees hired under a specific employment contract and those covered by the West Virginia classification system are bound by current policies and relevant law. The duration of employment for any employee is unspecified, and is at the discretion of Bluefield State University within appropriate parameters established by applicable rules, policies, and laws.

**Your signature below acknowledges your receipt of the *Staff Handbook* and your responsibility to familiarize yourself with its provisions. Please note that an absence of the employee’s signature on this form does not exempt him/her from the responsibility to abide by the above requirements and provisions.**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name Printed

**Return this document to:**

Bluefield State University Office of Human Resources  
219 Rock St., Conley Hall #202, Bluefield, WV 24701  
Phone: 304-327-4013; Email: [Humanresources@bluefieldstate.edu](mailto:Humanresources@bluefieldstate.edu)

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# PREFACE

The information provided in the Bluefield State University (BSU) *Staff Handbook* is intended to be used as a reference and procedural guide for the purpose of covering general information regarding personnel administration and on the rights, privileges, benefits, opportunities and responsibilities of Bluefield State University staff employees. It is not a comprehensive manual of all policies and procedures, but is intended to answer many basic questions and to direct the reader to additional sources of information. Policies and procedures will change from time to time to accommodate changes in circumstances and applicable law. The general information in this handbook should not be construed to supersede any law, rule, or policy. In the case of any inconsistencies, existing policy and statutory and regulatory provisions shall prevail.

The contents of the *Staff Handbook* are not a promise of employment, continued employment or the terms of employment, nor do they constitute a contract, real or implied. This document contains guidelines rather than policies, and it may be subject to change at any time by the West Virginia Higher Education Policy Commission, Bluefield State University, or federal or other state regulations or guidelines. BSU makes a good faith effort to communicate changes to our employees. However, it is the employee's responsibility to review actual policies, statutory and regulatory provisions periodically for changes.

The BSU Office of Human Resources welcomes suggestions regarding the *Staff Handbook*. Please send any suggestions to [humanresources@bluefieldstate.edu](mailto:humanresources@bluefieldstate.edu).

## WELCOME AND INTRODUCTION

Welcome to Bluefield State University! We're glad you joined us! Bluefield State is a diverse community of students, faculty, and staff from many different cultures. The success of Bluefield State in achieving its mission can only be assured if we all work together. Your role as a Bluefield State University staff member is very important to the success of this mission. Bluefield State will provide a rewarding work experience with opportunities for growth and professional development. We look forward to the contributions you will make to the University as we extend this welcome to you!

Bluefield State University was established as an institute for educating black citizens in 1895. Today, it offers an array of academic programs, many technological advancements used in teaching, and our faculty and staff constitute the heart of the university to support student success. Bluefield State University focuses on affordable, accessible, and relevant higher education programs leading to dynamic career pathway opportunities for both traditional and nontraditional students of the University.

## MISSION STATEMENT

The mission of Bluefield State University, a historically black institution, is to prepare students

for diverse professions, informed citizenship, community involvement, and public service in an ever-changing global society by providing an affordable, accessible opportunity for public higher education through certificate, associate, bachelor, and master degree programs.

## VISION STATEMENT

Bluefield State University is committed to being the region's leading institution of higher education. Embracing the diversity that shapes our world, the University strives to assist students from all walks of life to achieve their personal and professional goals. Using the expertise of faculty and staff, along with the commitment of its students and alumni, Bluefield State University will continue to strive for excellence in learning, service to the community, and advancements in research. Proficiency in these areas enables the Institution and its graduates to make important contributions at the community, state, national, and global levels.

## CORE VALUES

***Excellence.*** We value and are dedicated to excellence in our faculty, staff, and students, programmatic offerings, support services, research, and service to our world.

***Community.*** We value and are dedicated to the development and enhancement of a sense of community, mutual respect, and collaboration among our faculty, staff, students and the greater community we serve.

***Diversity.*** We value and are dedicated to the diversity of our faculty, staff, and students, programmatic offerings, and co-curricular opportunities.

***Growth.*** We value and are dedicated to the intellectual, personal, ethical, and cultural growth of our faculty, staff, and students and to providing those opportunities for growth and continuous improvement throughout our community.

## B-STATE'S STRATEGIC PLAN

Bluefield State University is committed to developing strategies that support its values of fostering excellence in teaching, scholarship, and service to the community. The strategic plan will provide a living framework for where the University should be headed over the next five years and beyond. Follow the 2022-2026 strategic planning process here: <https://bluefieldstate.edu/resources/institutional-research/strategic-plan>.

### Access

Bluefield State University will be a model for *Access* known for:

- Attracting a diverse population of students to an affordable education that is student-centered, dynamic, innovative, and delivered through a variety of methods.

- Delivering strong, nationally accredited programs, including programs in Science, Technology, Engineering and Mathematics (STEM) and health care that meet economic demands at community, state, national, and global levels.

## **Success**

Bluefield State University will be a model for *Success* known for:

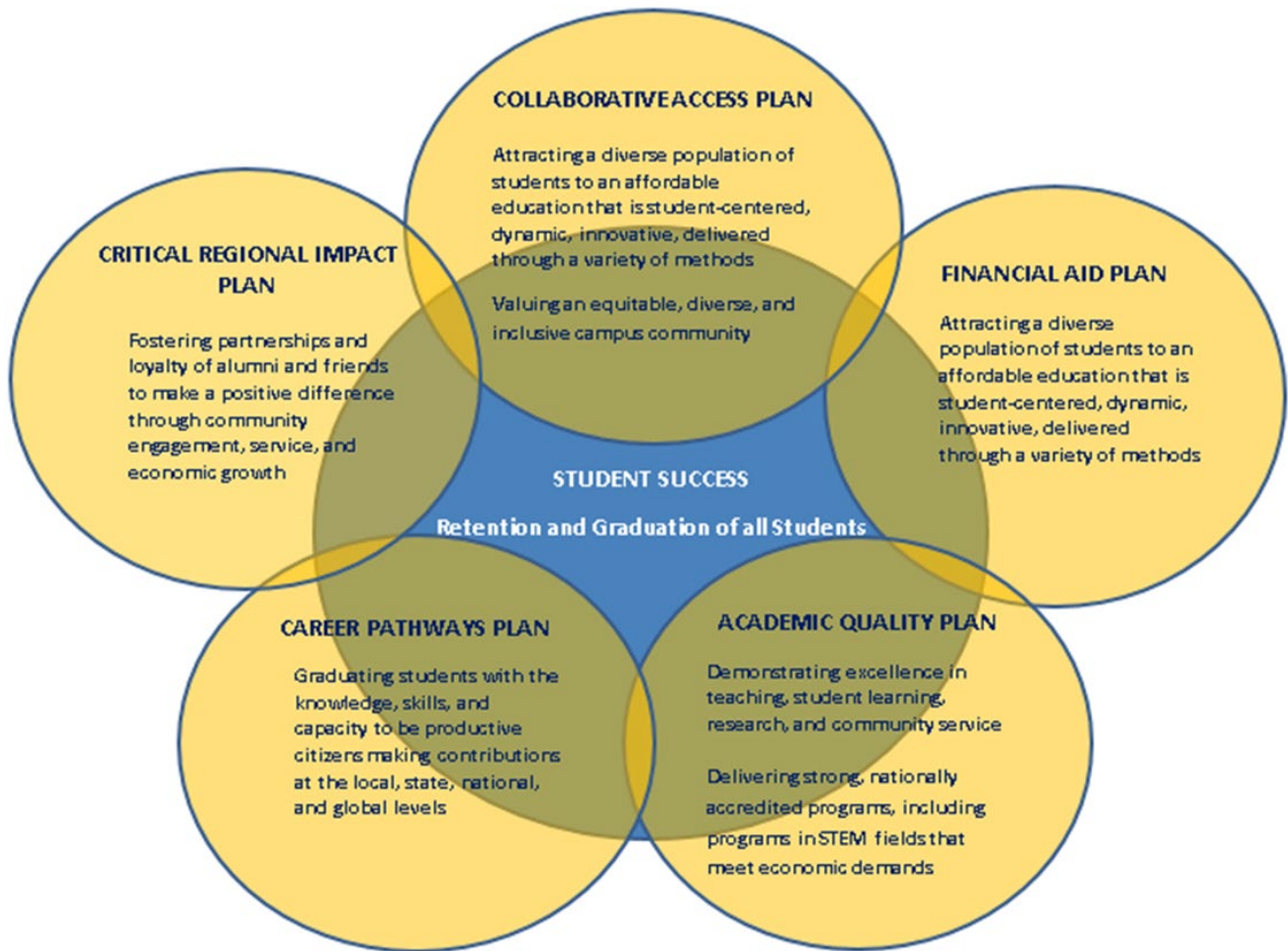
- Emphasizing the retention and graduation of all students.
- Demonstrating excellence in teaching, student learning, research, and community service.
- Valuing an equitable, diverse, and inclusive campus community that respects differences among members.

## **Impact**

Bluefield State University will be a model for *Impact* known for:

- Graduating students with the knowledge, skills, and capacity to be productive citizens making contributions at the local, state, national, and global levels.
- Fostering partnerships and loyalty of alumni and friends to make a positive difference through community engagement, service, and economic growth.

# COLLABORATION FOR STUDENT SUCCESS



Source: Bluefield State College Strategic Planning Model, from “Bluefield State College Integrated Plan for Student Success Focusing on Access, Success, Impact with strategies supporting HEPC’s Quantitative Metrics 2013-2018” as revised 6/15/15;

<https://www.bluefieldstate.edu/sites/default/files/page/attachments/2016/10/strategic-plan.pdf>.

# WV HIGHER EDUCATION POLICY COMMISSION

West Virginia's four-year public higher education institutions reach every region of West Virginia, providing quality and affordable education opportunities for West Virginians close to home, positively impacting local communities, and moving the state's economy forward. For additional information, please refer to: <https://www.wvhepc.edu/>.

## **West Virginia Four-Year Colleges and Universities:**

Bluefield State University  
Concord University  
Fairmont State University  
Glenville State University  
Marshall University  
Potomac State College of West Virginia University  
Shepherd University  
West Liberty University  
West Virginia School of Osteopathic Medicine  
West Virginia State University  
West Virginia University  
West Virginia University Institute of Technology

## **West Virginia Community and Technical Colleges:**

Blue Ridge Community & Technical College  
BridgeValley Community & Technical College  
Eastern WV Community & Technical College  
Mountwest Community & Technical College  
New River Community & Technical College  
Pierpont Community & Technical College  
Southern WV Community & Technical College  
WV Northern Community College  
West Virginia University at Parkersburg

# BSU BOARD OF GOVERNORS

The Institutional Board of Governors, established by state statute, oversees the operation of Bluefield State. The BSU Board of Governors consists of nine lay members appointed by the Governor, one fulltime faculty member, one classified staff employee, and one student. For additional information, please refer to: <https://www.bluefieldstate.edu/resources/board-governors>.

## **BSU Board's Duties Include:**

- determining, controlling, and supervising all financial affairs of the institution;
- developing a master plan for the Institutional Compact;
- submitting a budget request to the West Virginia Higher Education Policy Commission;
- reviewing all academic programs at the institution every five years;
- exercising exclusive authority to approve teacher education programs at the institutional level;
- administering personnel pursuant to uniform rule;
- administering grievances;
- appointment and dismissal of the President;
- evaluating the President every three years;
- submitting an annual report to the Higher Education Policy Commission regarding the University's Institutional Compact;
- entering into consortium agreements;
- delegating power to the President;
- abiding by existing rules regarding acceptance of advanced placement credit;
- acquiring legal services;
- setting tuition and fees, and;
- rescinding delegation of power to the President when necessary.

## **Board Members**

For the roster of current Board members, please visit <https://www.bluefieldstate.edu/resources/board-governors>. Information regarding meeting schedules, agendas, minutes, and bylaws is also publicly available at this URL.



# **BSU EMPLOYMENT**

## **EEO AND AFFIRMATIVE ACTION**

Bluefield State University is an Equal Opportunity-Affirmative Action institution. In compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act, West Virginia Human Rights Act, Title IX (Educational Amendments of 1972), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the other applicable laws and regulations, the institution provides equal opportunity to all prospective and current members of the student body, faculty, and staff on the basis of individual qualifications and merit without regard to race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status and will not permit discrimination or harassment against any employee or applicant for employment on the basis of any such characteristics as identified and defined by law. Bluefield State University neither affiliates knowingly with nor grants recognition to any individual, group or organization having policies that discriminate on the basis of race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status as defined by applicable laws and regulations. Further inquiries may be directed to your immediate supervisor, or to the Vice President for Human Resources located at Room 202 Conley Hall, 304-327-4013, or to the Dean of Students located at Room 312 Conley Hall, 304-327-4401.

## **IMMIGRATION REFORM AND CONTROL ACT OF 1986**

Department of Homeland Security requires that employees complete their portion of the USCIS Employment Eligibility form (Form I-9) in person on or before the first day of work. Work cannot commence until this form is completed. Employees are required to present acceptable documentation of identity and employment authorization at that time. In addition, the State of West Virginia requires verification of a Social Security card for payroll purposes. Bluefield State University retains copies of the completed Form I-9 for a period of 3 years from the date of hire or one year after the employee terminates employment from Bluefield State University, whichever is later. For additional information, please refer to the “New Hire Forms” section online at: <https://www.bluefieldstate.edu/resources/human-resources/forms>.

## **NEW HIRE ORIENTATION**

During the first days of employment, the orientation process will begin. Supervisors will provide employees with a departmental orientation which includes an introduction to policies, procedures, programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations. The supervisor is the first person an employee is to contact

concerning any questions, problems, or complaints pertaining to duties and responsibilities or workplace conditions. A Hiring Department Orientation Checklist is available for use by supervisors and employees, and may be accessed in the “Hiring/Employment (Regular Positions)” section online at <https://www.bluefieldstate.edu/resources/human-resources/forms>.

In addition, a separate new employee orientation is conducted for salaried employees at the time of initial hire. The Office of Human Resources conducts a general policy and staff handbook overview, and the Payroll Office conducts the benefits/payroll/leave management orientation.

## **PROBATIONARY PERIOD**

A probationary period of six months beginning at the original appointment date will apply to new full-time regular classified employees. At the end of three months and the end of the six-month probationary period, the employee will receive a written evaluation of her/his performance and conduct and will be informed as to whether her/his employment will continue beyond the probationary period. As with all positions, continued employment is based on adequate funding, satisfactory performance, acceptable conduct, and adherence to system and institution rules and regulations. If an employee meets the standards of performance and conduct at the end of the six-month probationary period, employment will continue per the provisions as a regular classified employee.

During the probationary period, employees are ineligible for the tuition waiver program.

A classified employee may be separated during the probationary period if failing to meet established performance and conduct expectations.

Nonclassified employees are “will and pleasure” and the aspects of probation do not apply to the terms of their employment.

## **JOB ACCOMMODATION DURING EMPLOYMENT**

An employee who has, or acquires, a disability causing functional restriction or limitations, which can be reasonably accommodated, will be provided such measures by the University, if reasonable accommodation will permit the employee to meet the essential requirements of the job. For additional information or to request such accommodations, contact the Office of Human Resources.

## **EMPLOYMENT STATUS**

Employment categories as set forth in BSU Policy No. HR-706, Personnel Administration, available online at <https://www.bluefieldstate.edu/resources/board-governors/policies> and as listed below:

Full-Time Regular (FTR) - Any employee in a position created to last a minimum of nine months of a twelve month period and in which such employee is expected to work no less than 1,040

hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Such an employee is eligible for all applicable benefits of a full-time regular employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE.

Part-Time Regular (PTR) - Part-Time Regular Employee (PTR). An employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits.

Classified - “Classified employee” or “employee” means a regular full-time or regular part-time employee of an organization who: (i) does not meet the duties test for exempt status under the provisions of the Fair Labor Standards Act; and (ii) is not otherwise a nonclassified employee designated pursuant to subdivision (11) of WV Code Section §18B-9A-2: Provided, That any employee of an organization who was a classified employee as of January 1, 2017, retains that status unless otherwise deemed a nonclassified employee pursuant to the provisions of subparts (A) through (D) of subdivision (11) of WV Code Section §18B-9A-2.

Nonclassified - “Nonclassified employee” means, an employee who meets one or more of the following criteria: (A) Holds a direct policy-making position at the department or organization level; (B) Reports directly to the president or chief executive officer of the organization; (C) Is in a position considered by the president or designee to be critical to the institution pursuant to policies or decisions adopted by the governing board; (D) Is in an information technology-related position; (E) Is hired after July 1, 2017, and meets the duties test for exempt status under the provisions of the Fair Labor Standards Act at the time of hire or anytime thereafter; or (F) Was in a nonclassified position as of January 1, 2017. A nonclassified employee serves at the will and pleasure of the president.

Full-Time Faculty - Employment as a faculty member for a full academic year (at least a nine-month contract basis) for at least six (6) semester credit hours teaching per semester or the equivalent in teaching, research, public service, and/or administrative responsibilities.

Student Employee - An employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits.

Temporary Employee - An employee hired into a position expected to last fewer than nine months of a twelve month period regardless of hours worked per week. A temporary employee is not eligible for benefits.

Casual Employee - A casual employee position is a position created to meet specific operational needs at an institution for no more than 225 hours in a 12-month period. Individuals in a casual employee position are not eligible for benefits.

# **HOURS OF WORK AND PAY**

## **UNIVERSITY BUSINESS OPERATIONAL HOURS**

The official business hours of Bluefield State University are 8:00 a.m. to 4:00 p.m. EST, Monday through Friday. The business hours relate to the time period when University administrative offices are open to meet daily operational needs. Each office must maintain University business hours. The respective Vice President or Cabinet-level administrator may implement flex time schedules and establish specific work schedules for each position subject to Presidential approval. Flex time may also apply to shifts other than day shift.

## **WORK SCHEDULES**

In accordance with HEPC Series 55, the work week is defined as a regularly recurring period of one hundred sixty-eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods. The workweek begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. the following Friday. The standard number of work hours for a full-time classified or nonclassified employee is 37.5 hours during the work week. Employees are expected to be punctual and performing in their positions consistent with their scheduled work hours. Based on operating need, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advanced notice of any significant schedule change. However, employees have the responsibility of reporting as assigned by their supervisors, even if there has not been advanced notice of a significant schedule change given to the employee. It is the practice of Bluefield State University not to routinely make temporary, non-emergency changes in an employee's work schedule.

## **LUNCH BREAKS**

When an employee is scheduled to work six or more (6) hours per WV Code §21-3-10a, the employee must take a lunch break of at least 20 minutes, at times reasonably designated by the employer. Bluefield State provides a lunch break of 30 minutes. When an employee works a shift of less than six hours, it is at the supervisor's discretion whether to provide an unpaid meal break of 30 minutes, the exact timing of which is at the discretion of the supervisor. An employee is not allowed to take a lunch break at the beginning or end of the shift in order to arrive late or leave early.

## **REST BREAKS**

Employees may be granted rest periods not to exceed two 10-minute breaks per 7.5 hour day. Additional unauthorized time away from the work site must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the work station, offering employees the opportunity to attend to personal activities (i.e., to smoke, to make personal calls). Based upon operational needs, an employee may be required to work through a break; in such cases, the employee is not entitled to additional compensation. Breaks are compensated work-release time and may not be used or accrued to make up work time, leave work early, or extend

lunch time, etc.

## OVERTIME

The Fair Labor Standards Act (FLSA) is a federal law that governs whether employees are eligible to receive overtime pay. Classified and nonclassified positions are determined to have a status of either “exempt” or “nonexempt” based upon Federal Fair Labor Standards Act (FLSA) criterion.

- **Non-Exempt Positions** — Employees in non-exempt positions are entitled to overtime compensation. Overtime pay for nonexempt employees is calculated in accordance with the provisions of the FLSA and the central payroll system requirements of the state of West Virginia. Overtime does not commence until forty (40) hours have actually been worked within one (1) workweek. Regular hourly pay, also known as "straight time," is paid for work time between thirty-seven and one-half (37 1/2) hours and forty (40) hours in a work week. Only actual hours worked are included in calculating overtime. Pay which is received for holidays, annual leave, sick leave, or work release time, is not counted as working hours for purposes of overtime. Non-exempt employees must obtain supervisor’s approval before overtime may be worked. The immediate supervisor must submit a request for overtime to the Office of the Chief Financial Officer for non-exempt employees and receive Chief Financial Officer approval before the overtime is worked. Employees will be paid for overtime unless a compensatory time agreement exists. A Compensatory Time/Overtime Request Form may be obtained online via <https://www.bluefieldstate.edu/resources/human-resources/forms>. The Chief Financial Officer will consider requests and determine if requests will receive approval.
- **Exempt Positions** — Employees in exempt positions do not receive overtime compensation. These employees meet the FLSA criteria for executive, professional, or administrative positions. An exception is when an exempt employee is required to work on any designated board or institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis.

Questions regarding overtime must be directed to your immediate supervisor, to the Office of the Chief Financial Officer (Ext. 4048), or to the Office of Human Resources (Ext. 4013). Questions regarding how to calculate pay or hourly rate should be directed to the Payroll Office (Ext. 4046).

## COMPENSATORY AND HOLIDAY TIME OFF

Compensatory time off will be allowed only to the extent authorized by federal and state law. Non-exempt employees will be paid for overtime and holiday pay unless a compensatory time written agreement exists. When a classified or nonclassified exempt employee is required to work on any designated institution holiday, that employee will be given substitute time off on an hour-for-hour worked basis. Any compensatory time must be used within a one-year period following the holiday and with the advance approval of the supervisor.

## **FLEX TIME**

An employee may request and work other than Bluefield State University business hours, to include flex time, four-day work week, and job sharing provided that the required number of hours in the respective work week are worked with the approval of the immediate supervisor and the respective Cabinet-level administrator. The Cabinet-level administrator, upon review of the Executive Vice President and General Counsel, may approve or deny a request for flexible work hours. Based on operational need, the supervisor has the authority to require flex time only in unusual circumstances. Flex time may be granted on a fixed schedule or on a short-term basis.

## **PAYROLL**

### **COMPENSATION**

Base salary is calculated on a thirty-seven and one-half (37.5) hour workweek or (1,950 hours/year). No guarantee exists that employees will receive a salary increase on an annual basis or for merit.

### **PAYCHECKS**

Employees are paid bi-weekly according to the wvOASIS payroll schedule, which may be accessed here: <https://www.wvoasis.gov/PayrollCalendars/Default.aspx>. Under WV State law, employees hired after July 1, 2002 are paid in arrears (generally, the first paycheck is held until the following pay period, resulting in a new employee receiving their first paycheck about four weeks after their start date). When a pay day falls on a weekend, pay checks will normally be issued the preceding Friday. Paycheck deposits per the wvOASIS payroll schedule typically occur on a Friday. The University is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement (if in a benefits-eligible position that includes retirement benefits).

Each employee should examine the paycheck to assure that the correct compensation based upon deductions, overtime (if applicable), hours worked and rate of pay. Employees should immediately notify their supervisors or the Payroll Office (Ext. 4046; Ext. 4041) if they have questions regarding their pay check. Delays in adhering to established payroll deadlines may result in delays to receive a paycheck (paychecks may be delayed until the next pay period).

### **DIRECT DEPOSIT OR WVPAY CARD**

All employees are required to have their pay checks deposited directly into their bank accounts or deposited using the WVPay Card process. The WVPay Card process is a process in which the employee's net pay amount is credited on a pay card. Direct Deposit and WV Pay Card applications are available in the Payroll Office and online at <https://bluefieldstate.edu/resources/human-resources/forms>.

# **TIMEKEEPING/LEAVE MANAGEMENT**

## **TIMEKEEPING FOR NON-EXEMPT SALARIED EMPLOYEES**

Non-exempt salaried employees must submit their time worked on a daily basis using an electronic time and leave system. Employees must “clock in” when they arrive to work, “clock out” when they leave for lunch, clock in upon their return from lunch when they resume working, and clock out at the end of the day when they are no longer working. Their supervisor will verify hours worked electronically. The timekeeping and leave system may be accessed here: <https://www.wvoasis.gov/>. Non-exempt salaried employees whose personal leave balances diminish to zero (“0”) in both their annual and sick leave balances will be placed on the hourly payroll – please see section “Timekeeping for Non-Exempt Hourly Employees” below. Questions should be directed to your supervisor, or to the Payroll Office.

## **TIMEKEEPING FOR NON-EXEMPT HOURLY EMPLOYEES**

Time sheets are submitted to the Payroll Office bi-weekly for all hourly employees. Time sheets are to be delivered to the Payroll Office (Room 107 Conley Hall) when they are due at the end of the payroll cycle. Due to mandatory cutoff dates established by the State Auditor’s Office, it is important that hourly employees adhere to these due dates. Failure to do so will result in the time sheet being held for processing until the following pay period. Salaried employees whose personal leave balances diminish to zero (“0”) in both their annual and sick leave balances will be placed on the hourly payroll. Questions should be directed to your supervisor, or to the Payroll Office.

## **TIMEKEEPING/LEAVE MANAGEMENT FOR EXEMPT SALARIED EMPLOYEES**

Exempt salaried employees must submit their annual and sick leave requests using an electronic time and leave system. Exempt employees will have a regular work schedule pre-populated in the time and leave system and will not have to record time worked on a daily basis. They do not “clock in” or “clock out” when adhering to their work schedule, but they must submit an annual or sick leave request if they are no longer working during their regular work schedule. Their supervisor will verify hours worked and any leave requests electronically. The timekeeping and leave system may be accessed here: <https://www.wvoasis.gov/>. Questions should be directed to your supervisor, or to the Payroll Office.

## **PROCEDURES FOR REPORTING UNSCHEDULED ABSENCES**

Notification of an unscheduled absence, prior to an employee’s scheduled start time, is of the utmost importance. If for any reason an employee is unable to report to work as scheduled, the employee must notify their supervisor prior to their scheduled start time with the reason and expected duration of the absence. Failure to notify an immediate supervisor concerning an absence can result in discipline to the employee, including termination. It is the obligation of the



employee to make certain that the immediate supervisor or designee is notified of an absence prior to the employee's scheduled start time.

## REPORTING ON-THE-JOB INJURIES

**It is the responsibility of the employee to report on-the-job injuries to their supervisor as soon as possible after they occur, and no later than 24 hours after the injury occurs.** All accidents must be reported immediately, or no later than the end of the employee's shift or workday, regardless of whether they result in a Workers' Compensation claim. **The employee and the employee's supervisor or designated party is responsible for contacting the Office of Public Safety by phone at Ext. 4181 as soon as the on-the-job injury occurs,** or immediately thereafter. In addition to the Office of Public Safety, the employee's supervisor should **immediately notify the Office of Human Resources by phone at Ext. 4013.** The Office of Public Safety will speak with the employee, complete an Accident/Incident Report and provide a copy of the incident report to the Office of Human Resources. Special rules apply to leave relative to Workers' Compensation claims. Please see section "Workers' Compensation" under Benefits in this Handbook. Other questions regarding leave relevant to Workers' Compensation claims should be directed to the Office of Human Resources at Ext. 4013.

## HIRING OF RELATIVES

Consistent with Bluefield State University policy, employees may neither initiate nor participate in institutional personnel decisions involving a direct benefit to an immediate family member. Such decisions include, but are not limited to, hiring, supervision, retention, promotion, salary, and leave of absence. Family member is defined by one of the following: relationships by blood (parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin); or relationships by marriage (husband, wife, stepparent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, or niece.). Family members of persons currently employed by the University may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority where decisions involving a direct benefit to the family member may occur. You may also refer to BSU Policy No. HR-715: Employment of Relatives (Nepotism), available here: <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## EMPLOYMENT OPPORTUNITIES

Employment opportunities for regular positions will follow the processes identified in BSU's Policy No. HR-713: Hiring Policy, available online at <https://www.bluefieldstate.edu/resources/board-governors/policies>. Job vacancy announcements are posted and available online at <https://www.bluefieldstate.edu/resources/human-resources/jobs>. In order to be considered for a position, an employee must apply to each specific posting of interest. It is the employee's responsibility to submit all requested application materials in accordance with the instructions included in each job vacancy announcement. If applying for more than one position, it will be necessary to apply separately to each position. Questions regarding the hiring process may be directed to the Office of Human Resources.



## **ACCESS TO PERSONNEL FILES**

A confidential personnel file containing pertinent employment information is maintained for each regular employee in the Office of Human Resources. It contains information concerning employment, such as the resumes/applications, contracts, job descriptions, and evaluations. An employee may examine this file in accordance with institutional policy. The employee is entitled to inspect or copy the personnel file in the presence of a Human Resources staff member. If employees wish to examine their personnel files, they should notify the Office of Human Resources by phone or by filing a written appointment request at least 24 hours in advance of the desired appointment time. Personnel files may be examined only during normal Bluefield State University business hours.

## **CHANGES IN EMPLOYEE NAME, ADDRESS & OTHER INFO**

It is the employee's responsibility to keep the personnel file current regarding any changes in name, address, etc. Such changes should be provided in writing, including supporting documentation to verify the change where applicable, to the Office of Human Resources.

After an employee terminates their employment, it is the former employee's responsibility to notify the Payroll Office of any address changes, etc. Failure to do so may impact the former employee's ability to receive mailings such as W-2's, benefit notices, or other information as may be relevant in a timely manner.

## **WORKPLACE STANDARDS**

Employees of Bluefield State University are committed to advancing the mission and vision of the University by serving as champions of our core values of *Excellence, Community, Diversity* and *Growth*. We work together as campus and community partners to promote an inclusive, welcoming, and engaging educational and work environment while building a stronger Bluefield State University community through your diverse talents and contributions.

## **EMPLOYEE EXPECTATIONS**

Employees are employed to fulfill certain job duties and expectations that support the mission and values of Bluefield State University. Employees are required to provide a full day's work each day of the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, and conflict of interest; and to comply with West Virginia Higher Education Policy Commission and Bluefield State University regulations, rules, policies, and procedures. Employees are entitled to be treated with respect and dignity by supervisors and other employees, and they are entitled by statute and policy to file a grievance for work-related disputes, free from retaliation. Employees are also expected to conduct

themselves in a manner deserving of public trust, treating others with respect and civility at all times. The employee's immediate supervisor will outline standards of performance and conduct for each employee. The following list is not all-inclusive but is intended to illustrate the minimum expectations for acceptable workplace conduct and performance. Employees who contribute to the success of Bluefield State University's mission are expected to:

- Be punctual and function in their positions consistent with their scheduled work hours. They are to seek approval from their supervisors in advance for any changes to the established work schedule, including the use of leave and late or early arrivals and departures.
- Perform assigned duties and responsibilities with the highest degree of public trust.
- Devote full effort to job responsibilities during work hours.
- Maintain the qualifications, certification, licensure, and/or training requirements identified for their positions.
- Demonstrate respect for BSU, coworkers, supervisors, managers, subordinates, students, and customers.
- Use state equipment, time, and resources appropriately and as authorized.
- Support efforts that ensure a safe and healthy work environment.
- Utilize leave and related employee benefits in the manner for which they were intended.
- Resolve work-related issues and disputes in a professional manner and through established business processes.
- Meet or exceed established job performance expectations.
- Make work-related decisions and/or take actions that are in the best interest of BSU.
- Comply with the letter and spirit of all department, University, and state policies and procedures, and federal and state laws and regulations.
- Report circumstances or concerns that may affect satisfactory work performance to management, including any inappropriate (fraudulent, illegal, unethical) activities of other employees.
- Obtain approval from supervisor prior to accepting outside employment.
- Obtain approval from supervisor prior to working overtime, if non-exempt from the Fair Labor Standards Act (FLSA).
- Work cooperatively to achieve work unit and BSU goals and objectives.
- Conduct themselves at all times in a manner that supports the mission of BSU in the performance of their duties.

## **MANAGEMENT RESPONSIBILITIES**

Managers and supervisors are responsible for compliance with University policies and procedures and for communicating and applying operational based directives. In addition to the behavioral expectations identified above under Employee Expectations, management is responsible for and retains the authority to manage and direct the size of the workforce, the work

environment, work assignments, work hours, and related personnel actions. Managers and supervisors are responsible for carrying out administrative directions and decisions.

Managers and supervisors are expected to:

- Establish and maintain a safe and respectful work environment;
- Determine the work force direction, and establish goals and objectives;
- Determine the number and type of positions required, changed or consolidated;
- Establish standards of performance and acceptable conduct;
- Provide employees with ongoing feedback;
- Determine hiring decisions to promote a highly qualified workforce;
- Conduct employee performance evaluations;
- Schedule the workforce, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked;
- Provide the materials and equipment to do the work required;
- Ensure adherence to applicable laws, policies, procedures and practices acceptable and common to the institution;
- Properly and promptly address any performance and/or behavioral problems in a timely manner;
- Responsibly manage institutional resources, including managing fiscal resources within budgets allocated; and
- Work collaboratively, cooperatively and respectfully with others to achieve institutional goals and objectives and to advance the educational mission of Bluefield State University.

## **CONFIDENTIALITY**

Confidential information is protected under Institutional policies, WV Higher Education Policy Commission policies, state or federal law. During the course of performing assigned duties at Bluefield State University, employees may have access to, use, or disclose confidential information. This may include, but is not limited to, student information and records, employee information and records, financial records, health related information, job applicant information, donor histories and related information collected and maintained by various foundations and departments, and mailing lists. All employees are responsible for protecting such information by not disclosing the information without authorization, not viewing or copying information without authorization, and carefully disposing of documents and computer listings containing private information.

It is one of the employee's prime responsibilities to be sure that such information is not revealed or divulged and that it is only used in the performance of assigned University duties. Employees having access to sensitive or confidential information are required to respect the confidentiality of individuals to whose information they have been given access. Employees agree, as a condition of employment, to follow the privacy, security, and computing policies and procedures established by the University, as well as state and federal security and privacy laws and regulations that apply to the use of their access to information and/or computing ID and

password (if applicable) relative to the systems to which they have access. Employees are required to sign an institutional access and confidentiality agreement. Supervisors are required to inform their employees of their institutional access and confidentiality responsibilities and obligations. Failure to abide by the University's access and confidentiality expectations may result in the revocation of system privileges and/or disciplinary actions, including termination of employment. BSU's Confidentiality Agreement Form may be accessed online via "New Hire Forms" section of <https://www.bluefieldstate.edu/resources/human-resources/forms>.

## **APPROPRIATE USE OF COMPUTING AND TELECOMMUNICATIONS RESOURCES**

Telephones, computer equipment, data, or programs owned, leased or otherwise provided by the Institution are for conducting authorized, non-personal business. Use for personal benefit, gain, or unauthorized purposes may be grounds for suspension or dismissal and may require reimbursement of funds to the Institution. Inappropriate use of computing and telecommunications resources should be reported immediately to the supervisor of the department. The supervisor will contact Computer Services to investigate and verify any abuse or misuse of the Institution's computer and/or software, etc. Upon the findings of the investigation presented to the supervisor, the supervisor in collaboration with the Chief Technology Officer will then contact the Bluefield, WV Police Department, if criminal conduct is suspected. If the findings are limited to a violation of policies and/or procedures, then the supervisor, in conjunction with the President or the President's designee, will determine what penalties/discipline is necessary. Please also refer to BSU Policy No. CM-305: Information Technology Acceptable Use Policy, available here: <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **EMPLOYEE PERFORMANCE**

Performance Management is a collaborative, ongoing process between a supervisor and an employee to plan for, develop, and evaluate the employee's work. It focuses on what employees do and how they do it. Bluefield State University staff employees are evaluated based on goals and objectives set by the supervisor. These goals are reviewed on a continual basis with regular written evaluation periods. The results of the assessments are essential in determining quality of job performance.

Bluefield State University is committed to a performance management system that fosters excellent performance. Effective performance management aligns the efforts of supervisors and employees with departmental and University goals, promotes consistency in performance evaluation, helps employees to perform at their best, and is conducted with fairness and transparency. The employee, the supervisor, and the University are critical members of a partnership that ensures performance planning, assessment, coaching, and career development.

BSU utilizes an annual evaluation process in which supervisors meet with their employees to discuss and to document progress toward goals, objectives and competencies. The annual evaluation is just one part of an ongoing, year-long series of conversations. It helps employees

know what is expected of them, how they are doing, and how they contribute to the University; it helps managers measure employee success, provides a basis for coaching and professionally developing employees, and helps employees and supervisors remain focused on department and University goals from year to year. For additional information relevant to performance management and the performance appraisal process, please speak with your supervisor and refer to online resources available at <https://www.bluefieldstate.edu/resources/human-resources/forms>.

## **SOLICITATION/FUNDRAISING**

All solicitations and selling of products and articles upon property, owned or leased, under the jurisdiction of Bluefield State University are prohibited except by organizations and groups directly connected with and recognized by Bluefield State University, and authorized by written approval of the President or the President's designee. No individual, firm, group, organization or other agency may use the name of this Institution to secure funds for any purpose, by any means, without the written permission of the President or the President's designee.

The names of Bluefield State University and the West Virginia Higher Education Policy Commission may not be used to secure funds for any purpose or through any means without the written permission of the institution's President or the President's designee. Employees may not participate in the solicitation of funds by sales or donation, stated or implied, using the name of the institution or their title without the written permission of the University President or the President's designee. BSU Policy No. FS-506: Fundraising Policies and Guidelines is available online at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **CONFLICT OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. For guidelines governing ethics of the institution, please refer to HEPC Series 31: Ethics, available at <https://www.wvhepc.edu/resources/rules-and-policies/> and BSU Policy No. HR-705: Ethics, available at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **UNIVERSITY PROPERTY**

Bluefield State University programs, personnel, time, titles, and property, including equipment, systems, vehicles, information, supplies, and office space are to be used in conducting authorized business of the University. Use of such for personal benefit or gain may be grounds for disciplinary action up to and including termination.

Private information protected under policy or law, such as certain financial, personnel, patient, donor, or student information, histories, and mailing lists, is to remain confidential. Such information may be disclosed, viewed, or copied only with proper authorization and must be disposed of in a manner that retains this confidentiality. Willful disclosure, viewing, or copying of private information without authorization from one's supervisor may result in disciplinary action and/or legal prosecution.

Employees are responsible for securing the University building, office, room, equipment, and other keys assigned to them for work-related reasons. Costs incurred by the Institution as the result of unauthorized use or the misuse of University property, such as but not limited to personal telephone calls, will be recovered from the responsible employee. Personal calls must be avoided at all times except for emergencies. An employee may not use Institutional phones for personal long-distance use, unless charging them to the employee's home telephone number or personal credit card or securing a personal access code whereby charges will be incurred directly to the employee.

## **DRESS AND GROOMING CODES**

All employees are to be suitably attired and groomed during work hours or when representing the interests of Bluefield State University. The supervisor will determine the appropriate dress and grooming codes for each department or work area, according to operational need. Dress and grooming codes will be nondiscriminatory.

## **HARASSMENT POLICY**

Bluefield State University does not tolerate harassment in the work place, or of members of the University community, and wants to provide an environment free of any form of harassment. Harassment is defined as any form of conduct that would be offensive, intimidating, or threatening to the average person and is done on the basis of race, national origin, ethnicity, age, veteran status, disability, religion, sexual orientation, gender, and association with persons different from oneself. Harassment may be of a sexual, racial, or more general nature. Employees or students who believe they have been harassed in violation of this policy should notify their immediate supervisor, or the Vice President for Human Resources, or the BSU Deputy General Counsel.

## **DRUG AND ALCOHOL-FREE CAMPUS AND WORKPLACE**

All employees of Bluefield State University, including faculty, staff, administrators, and student employees, must comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et. seq.) and The Safe and Drug Free Schools and Communities Act of 1989. The use of controlled substances is inconsistent with the behavior expected of employees. It subjects all employees, students and visitors to the University's campuses to unacceptable safety risks, and it undermines the Institution's ability to operate effectively and efficiently.

Bluefield State University is committed to maintaining a drug and alcohol-free campus, workplace and prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances and illicit drugs. All employees must adhere to this policy. Each employee agrees to notify his/her immediate supervisor within five (5) days after being convicted under

any criminal drug/alcohol abuse statute. The unlawful manufacture, distribution, dispensing, possession, sale, or use of a controlled substance in the workplace or while engaged in Bluefield State University business off our premises is strictly prohibited. An employee who violates this policy or who is convicted under a criminal drug statute for a violation occurring in the workplace, in a non-workplace, or on campus will be subject to disciplinary action up to and including dismissal. Please see BSU Policy No. GA-614: Drug and Alcohol-Free Campus and Workplace, available at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **SMOKING POLICY**

Smoking of tobacco, except in designated areas, is prohibited in all buildings and facilities of Bluefield State University. Smoking is also prohibited in any motor vehicle owned, leased, or otherwise operated by the University. Smoking within 20 feet of building entrances is prohibited as designated by signage. Cigarette ashes and cigarette remains should be placed only in designated receptacles. Tobacco products, such as snuff and similar substances, are also prohibited in all buildings and institutional vehicles.

## **WORKPLACE SAFETY/CAMPUS SECURITY**

Bluefield State University is committed to providing and safeguarding the health and security of our students, employees, alumni, and visitors to enhance the learning and working environment while maintaining good order, protecting life and safeguarding property at the institution. Each employee is expected to obey safety rules and to exercise caution in all work activities. The Office of Public Safety offers contact information and campus resources available online at <https://www.bluefieldstate.edu/resources/public-safety>.

Employees should immediately report any unsafe condition to their supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, may be subject to disciplinary action, up to and including termination of employment. So as not to cause any unnecessary dangers or hazardous situations, individuals coming on campus to visit employees should be kept to a minimum. Please see BSU Policy No. GA-613: Campus Safety Policy, available at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **EMERGENCY INFORMATION**

### **DECLARED EMERGENCY**

At the discretion of the President of Bluefield State University, or designee, in consultation with local or state public safety officials, University operations may be shut down in total or in part because of any circumstance which threatens the health or safety of employees and/or students, including inclement weather. The President, or designee, will later declare when emergency conditions no longer exist.

Full-time regular classified and nonclassified employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time

for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up. When extended power and utility interruptions occur, administrators should make arrangements for employees' usual work routine to be accomplished at alternate work locations, or make affected employee(s) available to other administrators for work in other areas. If an administrator deems it advisable and the employee agrees, time off during the utility service interruption may be granted and charged against an employee's accumulated annual leave. When operational needs require a full-time regular classified or nonclassified employee to work during a University declared emergency period, in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for the actual hours worked during the University declared emergency period.

## **EMERGENCY GUIDE**

The Emergency Guide is to be kept in a location where it can be quickly accessed. The guide is available online at <https://www.bluefieldstate.edu/resources/public-safety>, and print copies are available from the Office of Public Safety located on the basement floor of Conley Hall.

Examples of information in the emergency guide includes the following:

- Emergency contacts
- Weather or emergency closing information
- Mental health emergency
- Shooting incident
- Fire
- Explosive device/potential explosive device/bomb threat
- Hazardous materials
- Evacuation
- Evacuating persons with disabilities
- Suspicious mail/packages
- Utilities/power outage
- Weather emergencies
- Lockdown
- Emergency communications
- Personal injuries (worker's compensation)
- Missing student

## **EMERGENCY NUMBERS**

Police/Fire/Rescue 9 - 911

Bluefield Police on BSU Campus (304) 327-4181

## **HAZARDOUS MATERIALS**

Employees working with hazardous materials are to receive documented permission so that appropriate safety protocols may be maintained in the workplace for any hazardous material present. Employees who are concerned about materials which they believe may be hazardous,



but which have not been identified as such, should consult with the supervisor before handling the material. If the concern is not satisfied, the employee may contact the Campus Chemical Hygiene Officer via the Office of the Dean for the School of Science, Technology, Engineering and Mathematics, Ext. 4316, or the Provost and Vice President for Academic and Student Affairs, Ext. 4069/4161. Please also see BSU Policy No. GA-611: Chemical Hygiene, available at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

## **PARKING/ID CARD**

Parking is currently free of charge on campus in designated areas, and is generally for appropriate use by employees and visitors. An Employee ID card may be obtained at the BSU William B. Robertson Library, Main Desk.

## **LOST AND FOUND**

Contact the Office of Public Safety (Conley Hall Basement; Ext. 4180/4181) to report lost items and to turn in any found items.

# **BENEFITS**

## **BENEFIT PLAN INTRODUCTION**

Bluefield State University provides full time benefits-eligible employees an opportunity to participate in a comprehensive package of benefits that includes retirement, health, life, disability, dental, vision, medical and dependent care spending accounts, and other benefits. Employees learn about each of the plans at the new employee benefits session conducted by the Payroll Office. All plans, programs, benefits, services and other provisions are subject to review and change. Information regarding benefits is available by calling the Payroll Office at Ext. 4046. Limited information regarding benefits is available online through the Office of Financial & Administrative Affairs at <https://www.bluefieldstate.edu/resources/financial-and-administrative-affairs>.

## **OPEN ENROLLMENT PERIOD**

Enrollment information is provided during the employee's initial orientation. Enrollment plans are open during the first two months of initial employment. After initial employment, employees who wish to enroll in benefit plans must provide a statement of health and may be required by the Insurance Board to have a physical examination (at the employee's expense) unless there is a life changing event. Also, guidelines allow employees to enroll during the open enrollment period in the spring of each year, as well as change health care plans. Employees should review their benefits occasionally to see if changes should be made. Certain life changing events can require or warrant changes in the employee's benefit plan (i.e., marriage, divorce, birth, promotion, etc.). If a family status change occurs, employees have the calendar month of the

event, and the two following calendar months to change their plan coverage; otherwise, employees may make changes only during the open enrollment period. Change of Beneficiary forms are available through the Payroll Office.

## **RETIREMENT PROGRAMS**

### **DEFINED CONTRIBUTION RETIREMENT PLAN**

The State of WV requires participation in a tax-sheltered 401(a) Defined Contribution Plan. The Higher Education Policy Commission (HEPC) makes decisions regarding the offered programs. Benefit eligible employees contribute six percent of their gross pay, which is matched at six percent by the institution. The funds are fully vested from the date of entry, with select investment choices available via TIAA, <https://www.tiaa.org/public/index.html>. Vesting is immediate and retirement may begin at any age upon termination of employment. Retirement income may be determined on a variety of factors, including investment performance, age at retirement, amount of dollars accumulated, and the income options selected by the retiree, i.e., single life or joint life.

### **SUPPLEMENTAL RETIREMENT PLAN**

In addition to the required basic retirement plan, employees have the option of tax sheltering additional money through the following supplemental retirement plan options: Supplemental Retirement Plan 403(b); or Deferred Compensation Plan 457(b). These supplemental retirement plans may be payroll deducted on a pre-tax basis. All employees, including part-time and adjunct faculty, can participate in a 403(b) plan.

## **HEALTH INSURANCE**

### **PEIA INDEMNITY PLAN**

West Virginia Public Employees Insurance Agency (PEIA) is a self-insured health insurance trust fund which offers plans that include hospital, surgical, major medical, prescription and other medical care coverage. The pre-tax premiums are based on the employee's salary. New employees who enroll the month of hire will have coverage the first of the following month. The term "full-time" will mean a regular position that is considered full-time by the participating agency and that requires at least twenty hours per week, or 1,040 hours per year in that position. For additional information, please see <https://peia.wv.gov/Pages/default.aspx>.

### **MANAGED HEALTH CARE PLAN**

A Managed Health Care plan is one in which the costs of providing health care services are managed by an array of cost controlling measures such as (but not limited to) assigning a primary care physician who coordinates the members' care, controlling access to specialty physicians, monitoring and lowering administrative costs, and negotiating with providers to obtain the best cost of services while maintaining quality of care. For more information on these plan options, please contact BSU's Payroll Office at Ext. 4046.

## **PEIA LIFE INSURANCE**

The basic health plan under PEIA includes \$10,000 term life insurance with an accidental death and dismemberment benefit. Employees who do not need coverage under the health plan may elect life insurance only. Additional optional life insurance may be purchased by the employee for a monthly premium based on age and the principal sum selected ranging from \$5,000 up to \$500,000. Dependent life insurance may also be purchased in the amounts of up to \$40,000 for a spouse and up to \$20,000 for each eligible child. Enrollments under both options are subject to a statement of health after employees have been with the institution for three months or more.

## **MOUNTAINEER FLEXIBLE BENEFIT PLANS**

Additional benefit plans are available on a pretax basis. These plans include dental, eye, flexible spending accounts, etc. Information on these accounts will be given during orientation and can also be obtained during the open enrollment period. These benefits are provided at group-rate costs and paid by the employee. The premiums for Mountaineer Flexible Benefits are withheld both pay periods.

## **SECTION 125 PLAN**

Employees who contribute to the cost of their health insurance, basic life insurance, accidental death and dismemberment insurance, or optional life insurance may elect to pay these premiums on a pre-tax basis. Your tax savings are made up of Federal, State, and FICA (Social Security) taxes which are not paid until the premiums are paid.

## **COBRA**

Federal law entitles the employee and covered dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA) to continue medical coverage only in certain cases when coverage would otherwise terminate, provided the employee and/or dependent(s) pay the full group premiums. A covered active employee who would lose eligibility for coverage because of voluntary or involuntary termination (except for gross misconduct) or reduction in work hours to part-time status may elect to continue medical coverage for self and dependents at the employee's own expense for up to 18 months from the date coverage would have terminated. It will be the responsibility of the employing agency to notify PEIA of termination or reductions in hours within 60 days of date coverage would ordinarily have terminated under the Plan. PEIA will then notify the employee within 14 days of the right to continue coverage. Coverage may be continued for up to 18 months, but will end earlier if an employee becomes covered under another group health plan, fails to pay the required premium, or becomes covered by Medicare. Claim forms are available in the Payroll Office. Employees who have difficulties with claims should contact the Insurance Company by calling the numbers listed on insurance cards.

## LONG TERM DISABILITY

This optional plan provides a “nontaxable” monthly income up to age 65 in the event of total disability. New hires have 31 days from their date of hire to enroll without a statement of health. The benefit begins after six full months of continuous disability and the end of sick leave. The basic monthly income benefit replaces up to 60% of your monthly base wage up to a maximum of \$10,000 per month, less benefits from other sources (such as Social Security or Workers Compensation). An additional plan option replaces up to 80% of your monthly base wage up to a maximum of \$10,000 per month, less benefits from other sources (such as Social Security or Workers Compensation). Rates are based on age and salary. Premiums are paid by the employee.

Employees enrolling for the disability income benefit are also included under the “Annuity Benefit” provision of the plan. The annuity benefit provides for the monthly payment of 12 percent of the employee’s base salary into a TIAA or Great-West basic retirement account in addition to the disability income payments.

Questions regarding long term disability benefits may be directed to the Payroll Office at Ext. 4046.

## WORKERS’ COMPENSATION

Workers’ Compensation state laws provide replacement income and medical benefits if the employee become ill or injured as a result of the employees’ job and the illness or injury qualifies for benefits based on West Virginia State law. Coverage begins on the first day of employment and is provided at no cost to the employee. **All injuries under statutory coverage, no matter how minor, must be reported, in writing, immediately to the supervisor and to the Office of Public Safety and to the Office of Human Resources.** The Office of Public Safety will obtain information from the employee and the employee’s supervisor regarding the incident, complete an incident report and provide it to the Office of Human Resources, who will in turn submit the incident report to the State. An employee’s claim for compensation will be established, including information when received from the attending physician. On-the-job injuries or occupational illnesses which involve no more than three (3) days of disability or absence from work will be charged against the employee’s accumulated sick leave. If such illness/injury requires a leave beyond the three- day period, the employee may have the option of either of the following:

1. Use earned and accumulated sick and annual leave until both are exhausted and then, receive any additional benefits from WV Workers’ Compensation;
2. Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave and receive only Workers’ Compensation benefits for which he/she is determined eligible.

It is never appropriate for an employee to receive both University pay and Workers Comp pay for the same work day. Any questions regarding these two options should be directed to the Payroll Office at Ext. 4046. **An employee is responsible for her or his portion of the health**

insurance premium when s/he is off of the payroll due to collecting Workers' Compensation benefits.

## UNEMPLOYMENT COMPENSATION

Wages at Bluefield State University are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

## SOCIAL SECURITY

All employees must contribute to Social Security. These funds are matched by the Institution. Some of the benefits provided by Social Security are retirement and disability benefits, health care and dependent income for employees who die prior to the age of retirement. Detailed information is available from the Social Security Office.

## WV PUBLIC EMPLOYEES CREDIT UNION

The West Virginia Public Employees Credit Union is a member-owned financial cooperative serving employees of the State of West Virginia. The purpose of the credit union is to promote thrift between its members and to provide low-cost loans and service to its membership. An employee may sign up for membership with the Payroll Office at any time. The West Virginia Public Employees Credit Union offers a wide range of services to meet employee's needs, such as:

- Payroll Deduction
- Direct Deposit
- Savings Accounts
- Checking Accounts
- Loans
- Visa/Owl Program

The Public Employees Credit Union's address is 2200 Washington Street East, P.O. Box 50919, Charleston, WV 25305-0919. The telephone number is 304-558-0566.

## EMPLOYEE WELLNESS PROGRAM

All full-time employees are eligible to participate in an Employee Wellness Program after completion of the six month probationary period, provided the absences will not interfere with the operation of the department at the discretion of the employee's supervisor. The program allows for up to three (3) hours\* per week to participate in wellness activities with the supervisor's approval.

**\*Employees may participate in wellness or educational opportunities, but not both.**

## STAFF DEVELOPMENT AND TRAINING

Bluefield State University encourages career development and self-improvement. Employees will be encouraged to attend various training programs and workshops conducted or offered. These training programs are designed to provide knowledge and skills to ensure better job performance. It is recommended that the employee and supervisor discuss the employee's desire to participate in training programs, conferences, etc. that would be of value to your position and the institution. Personnel Development funds are available to assist employees in professional development and to improve credentials. For additional information on how to request Personnel Development funds, please contact the Office of the Provost and Vice President for Academic and Student Affairs at Ext. 4069.

## EDUCATIONAL OPPORTUNITIES

An employee, at the discretion of his/her immediate supervisor, based on operational need, may receive time off up to a maximum of three (3) hours\* during scheduled work hours for the purpose of attending educational activities or to take a BSU class on campus. Before the semester in which the class is to be taken, each employee is required to provide her or his supervisor a written request for release time. Work release time is subject to the prior approval of the employee's supervisor and Cabinet-Level supervisor. Occasional in-service training may be required as a term of employment. Supervisors have discretion over requiring employees to attend specified training activities, however some training activities may be mandated. Classified employees serving a six-month probationary period are not eligible for work release time during the probationary period.

**\*Employees may participate in wellness or educational opportunities, but not both.**

## TUITION AND FEE WAIVERS

Limited tuition waivers are available for employees and their eligible dependents who wish to take courses at the institution. Contact the Office of the Provost and Vice President for Academic and Student Affairs, Ext. 4069, or the Office of Financial Aid, Ext. 4426, for more information on how to apply.

## HOLIDAYS

Guidelines for Bluefield State University holidays are provided in the BSU Policy No. GA-603: Holidays, available online at <https://www.bluefieldstate.edu/resources/board-governors/policies>. Holidays are intended to grant full-time regular employees the benefit of one (1) workday of paid time off. Persons employed at less than 1.00 FTE receive time off on a prorated basis. There are 12 paid holidays per fiscal year, plus additional days for any statewide, primary or general election. Specified holidays include:

- Independence Day
- Labor Day
- Thanksgiving Day
- The Friday after Thanksgiving

- Christmas Day
- New Year's Day
- Dr. Martin Luther King's Birthday

Five additional days will be determined by institutional policy. If a specified holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday. One-half day preceding Christmas or New Year's Day will be a holiday when Christmas or New Year's Day falls on Tuesday, Wednesday, Thursday, or Friday. Proclamations of a legal holiday by the President of the United States, Governor, or any other authority are recognized at Bluefield State only when they are communicated through the WV Higher Education Policy Commission.

When operational needs require a full-time or part-time non-exempt classified employee to work on any of the observed University holidays, in addition to the employee's regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for actual hours worked on the holiday. The CTO must be used within six (6) months following the holiday.

If an observed holiday occurs on an employee's scheduled annual leave, the day will not be charged to annual leave unless the employee is in a terminal leave period.

Any specific adjustment regarding a day of observation will be announced by the President's Office or designated authority.

Part-time employees (.53 FTE or above) receive prorated holiday pay if the holiday falls on a day they are regularly scheduled to work and during the hours they are regularly scheduled to work.

## **BSU PROGRAMS, EVENTS AND ADDITIONAL PRIVILEGES**

- **Annual Employee Benefits and Health Fair** - The Benefits Health Fair offers health screenings, wellness and benefit plan information. The fair is held each April during the PEIA open enrollment period.
- **Athletic Events** – BSU offers an exciting array of Men's and Women's intercollegiate sporting events. For additional information, please see <http://go-bstate.com/information/missionphilosophy>.
- **Bookstore** - The campus bookstore offers a complete line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items. BSU full-time employees receive a 20% discount on bookstore purchases, excluding textbooks, drinks and food.
- **Library Privileges** - Employees may use library facilities, collections, and information services. The William B. Robertson library is a member of the Mountain Library Network consortium for West Virginia. This offers our patrons the opportunity to have access to

materials both here on site as well as at the other member libraries. For additional information, please see <https://www.bluefieldstate.edu/academics/library>.

- **Fitness Center and Wellness Programs-** The BSU Pool and Fitness Center offers a fitness area, pool, and all types of fitness equipment. For more information, call the Athletic Department at Ext. 4208.

## EMPLOYEE LEAVE

Guidelines for staff employee leave is available via BSU Policy No. HR-704: Employee Leave, at <https://www.bluefieldstate.edu/resources/board-governors/policies>. Questions regarding employee leave may be directed to the BSU Payroll Office at Ext. 4046.

Annual and sick leave may not be taken before it is accrued. If an employee works less than a full month, annual and sick leave will be accumulated on a pro-rata basis. During a terminal leave period, no type of leave may be accrued. Terminal leave is the period following the last day of scheduled work from employment such as resignation, retirement, etc. A recognized institutional holiday occurring during an employee's leave period will not be considered as a day of leave, provided the employee is not in a terminal leave period.

## ANNUAL LEAVE

### ANNUAL LEAVE ACCRUAL – NONCLASSIFIED EMPLOYEES

Full-time nonclassified employees and faculty with twelve-month appointments are eligible for up to twenty-four (24) days annual leave per year (2.00 annual leave days per month). Leave will be calculated by the wvOASIS system at the estimated rate of 2.00 days per month from the date of employment (if annualized, 24 days annual leave divided by 26 pay periods results in approximately .9230 days annual leave per biweekly pay period). Bluefield State University defers to the state of West Virginia's system of record, wvOASIS, relative to determining specific annual leave calculations for nonclassified employees.

Nonclassified employees working at least 1,040 hours per twelve (12) consecutive months on a regular and continuing basis, but less than 1,950 hours will accumulate annual leave on a pro rata basis. Accumulated annual leave for continuing employees may be extended beyond that earned during a period of one (1) year by written approval of the president or his/her designee, but in no case will it exceed twice the amount earned in any twelve-month period. A nonclassified employee is entitled to payout of accumulated leave at termination of service, limited to a maximum of 48 annual leave days.

### ANNUAL LEAVE ACCRUAL – CLASSIFIED EMPLOYEES

Employees occupying full-time classified positions are eligible for annual leave on the following basis, with leave calculated by the wvOASIS system. Bluefield State University defers to the state of West Virginia's system of record, wvOASIS, relative to determining specific annual leave calculations for classified employees. Information provided below reflect close estimates.



- Less than 5 years of service: 1.25 days per month
  - (15 annual leave days per year divided by 26 pay periods is about .5769 annual leave days per biweekly pay period)
- 5 but less than 10 years of service: 1.50 days per month
  - (18 annual leave days per year divided by 26 pay periods is about .6923 annual leave days per biweekly pay period)
- 10 but less than 15 years of service: 1.75 days per month
  - (21 annual leave days per year divided by 26 pay periods is about .8076 annual leave days per biweekly pay period)
- 15 or more years of service: 2.00 days per month
  - (24 annual leave days per year divided by 26 pay periods is about .9230 annual leave days per biweekly pay period)

Employees working at least 1,040 hours per twelve (12) consecutive months on a regular and continuing basis, but less than 1,950 hours will accumulate annual leave on a pro rata basis. Accumulated annual leave for continuing employees may be extended beyond that earned during a period of one (1) year by written approval of the president or his/her designee, but in no case will it exceed twice the amount earned in any twelve-month period. A classified employee is entitled to accumulated leave at termination of service and the aforementioned limits apply. Annual leave will not be granted to casual (225 hours), temporary/part-time (1,039 hours), or student employees.

Crediting Years of Service – An annual appointment period of nine (9) months or more will be credited for one year of service for annual accrual rate determination.

Illness During Annual Leave – Illness which occurs during scheduled annual leave is counted as annual leave.

## **SCHEDULING AND USE OF ANNUAL LEAVE**

Annual leave must be approved in advance by the supervisor. Annual leave will be arranged to fit operating schedules; however, consideration will be given to an employee's request. An employee may not take leave before it is earned and illness which occurs during scheduled annual leave is counted as annual leave.

## **TRANSFER OF ANNUAL LEAVE**

Up to fifteen (15) days of accumulated annual leave may be transferred from other agencies of the West Virginia State government to BSU. Certification of the employee's annual leave balance, which existed at the state agency, must accompany the request for transfer and bear the signature of an officer of that agency.

## **UNUSED ANNUAL LEAVE UPON SEPARATION OF EMPLOYMENT**

An employee is entitled to accumulated annual leave at termination of service, subject to limits set forth in BSU Policy No. HR-704: Employee Leave. In the event of an employee's death in service, the value of accumulated annual leave will be paid to the employee's estate.

## **SICK LEAVE**

### **SICK LEAVE ACCRUAL**

Full-time classified and nonclassified employees will accumulate sick leave at the rate of 1.5 days per month. The wvOASIS payroll system calculates sick leave at the rate of about .6923 per biweekly pay period (if annualized, 18 days sick leave divided by 26 pay periods results in approximately .6923 days sick leave per biweekly pay period). Accumulation of sick leave is unlimited. Employees working at least 1,040 hours on a regular and continuing basis during a twelve (12) consecutive month period will accumulate leave on a pro-rata basis. Employees working less than 1,040 hours are not eligible for leave benefits.

### **SCHEDULING AND USE OF SICK LEAVE**

Sick leave provisions are contingent upon continued employment. Anticipated sick leave requests should be submitted as far in advance to the supervisor whenever possible. For all other sick leave requests, the employee must notify his/her immediate supervisor of the absence as soon as possible. An employee may not take leave before it is earned and illness which occurs during a scheduled annual leave is counted as annual leave.

### **TRANSFER OF SICK LEAVE**

Accumulated sick leave may be transferred from other agencies of WV State government to Bluefield State University for new hires. Contact the the Payroll Office, Ext. 4046, for information.

## **UNUSED SICK LEAVE UPON SEPARATION OF EMPLOYMENT**

An employee is not entitled to payment for accumulated sick leave at termination of service unless, upon meeting certain requirements, the individual is retiring from Bluefield State University and may be eligible to apply unused sick leave as credit toward the premiums for the WV Public Employees Insurance Plan. An employee may also transfer sick days to another West Virginia State agency, but the value of sick leave may not be paid to the employee's estate. For additional information, contact the Payroll Office, Ext. 4046. If you have been covered by PEIA (or one of the managed care plans offered through PEIA) for health or life insurance continuously since before July 1, 1988, 100% of the premium will be paid for you. Your days convert as follows:

- 2 days of accrued leave = 100% of the premium for one month of single coverage
- 3 days of accrued leave = 100% of the premium for one month of family coverage

If you were hired after July 1, 1988, or if you had a lapse in coverage after July 1, 1988, then 50% of the premium will be paid for you. Your additional coverage is calculated as follows:

2 days of accrued leave = 50% of the premium for one month of single coverage  
3 days of accrued leave = 50% of the premium for one month of family coverage

Full-time faculty members employed on an annual contract basis for a period other than 12 months may extend employer-paid insurance coverage based on years of teaching service as follows:

3 1/3 years of teaching service = 1 year of single coverage  
5 years of teaching service = 1 year family coverage

Employees hired on or after July 1, 2002 are not eligible for this benefit.

## **MEDICAL LEAVE VERIFICATION**

Medical leave verification/assessment is a signed statement from the treating physician to validate the illness or other cause for which sick leave or medical leave of absence may be granted. Pregnancy-related illness or disability will be treated the same as any other off-the-job illness or disability. The physician signing the medical assessment must be current and appropriately board certified. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any. Based upon the medical assessment, employability and/or accommodation determinations will be made by Bluefield State University. It is the employee's responsibility to pursue and obtain the necessary medical assessment from the treating healthcare provider, and present the completed evaluation to Bluefield State University in a timely manner. Provision of incomplete, unacceptable or untimely medical information may result in an unexcused absence, disciplinary process and/or loss of leave and/or medical benefits. Additional information regarding medical management and related forms is available online at <https://www.bluefieldstate.edu/resources/human-resources/forms>.

## **FUNERAL LEAVE**

When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. For the purpose of administering this leave policy, the immediate family is defined as listed in BSU Policy No. HR-704: Employee Leave, and includes father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof. A reasonable amount of time is determined at the discretion of the supervisor, and is based upon geographic distance, work load and similar factors. Sick leave is not provided for an extended bereavement period or to attend to the affairs of the estate; annual leave may be requested for these purposes.

## **CATASTROPHIC LEAVE**

A classified or nonclassified employee experiencing a catastrophic illness or injury as defined by BSU Policy No. HR-704: Employee Leave, may request approval to receive paid leave time donated by other employees. The employee must request this leave by filling out the Catastrophic Leave Request Form, providing medical leave verification from the attending physician (generally using the Medical Leave Verification Form – Employee, or the Medical Leave Verification Form – Immediate Family), and submitting the forms to the Office of Human Resources. If/when the catastrophic leave request has been approved, a catastrophic leave donation request will be sent to all employees. Within established procedures and donor leave limits, employees may voluntarily donate accumulated sick or annual leave to an approved recipient. Forms regarding catastrophic leave are available online at <https://www.bluefieldstate.edu/resources/human-resources/forms>.

## **LEAVE WITHOUT PAY**

A full-time regular employee, upon application in writing and with written approval by the President, or President's designee, may be granted a continuous leave of absence without pay for a period of time not to exceed one year when there is an expectation the employee will return to work. During this time the employee will not accrue sick or annual leave. Leaves of absence without pay may be granted for medical reasons, personal need, or in compliance with the Parental or Family Medical Leave Acts. Prior to a medical leave of absence without pay, all sick and annual leave balances must be used and exhausted. The employee may continue PEIA insurance at the employee premium cost and the Institution will continue to pay its portion. For a personal leave of absence, all annual leave must be taken before the leave is approved. The employee may continue PEIA insurance, but will be responsible for the entire cost of the insurance. For a parental/family leave of absence, all annual leave must be taken before the leave is approved. The federal Family and Medical Leave Act (FMLA) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave. An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

The President, or President's designee, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay and will determine if the purpose for which such leave is requested is proper and within sound administrative policy. At the expiration of a leave of absence without pay, the employee will be reinstated without loss of any rights, to the vacant position or a comparable position. During a leave of absence without pay, BSU will honor an employee's rights under WV statute. Failure of the employee to report promptly at the expiration of a leave of absence without pay, except for satisfactory reasons submitted in advance, will be cause for immediate termination of employment by the Institution.

## **MILITARY LEAVE**

In accordance with WV HEPC Title 133 Procedural Rule Series 38: Employee Leave, available online at <https://www.wvhepc.edu/resources/rules-and-policies/>, an employee who is a member of the National Guard or any reserve component of the armed forces of the United States will be entitled to and will receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of thirty (30) working days ordered or authorized under provisions of state law in any one (1) calendar year. An employee will be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave. Benefits of this section will accrue to individuals ordered or called to active duty by the President of the United States for thirty (30) working days after they report for active service.

The Public Employees Insurance Agency will make available health and life insurance benefits to those full-time public employees currently covered by the Public Employees Insurance Agency who are members of a reserve component of the United States Armed Forces, including the West Virginia National Guard, and who are mobilized to active military duty by the President of the United States in response to terrorist attacks, as follows:

- Public employee members with healthcare insurance coverage and benefits for themselves and their families may continue their coverage while on such active military duty by paying their premium share to their respective benefit coordinators after expiration of their leave time. The employer will continue to pay its normal pre-mobilization share for the public employee members and their families;
- Employer participants in the Public Employee Insurance Agency will continue to pay premiums associated with the basic life insurance for their public employee members who are on such active military duty; and
- Public employee members with optional life insurance coverage in force at the time of mobilization for active military duty may continue such coverage by paying their premium share to their respective benefits coordinators.

PEIA has implemented a 90-day grace period for receipt of the employee's insurance premiums. This is since constraints of military service can provide the employee from getting their premium remitted within the timely cycle. For those who are in a war zone, appeals will be considered on a case-by-case basis after the 90-day grace period expires.

## **GRIEVANCE, WITNESS, AND JURY LEAVE**

Employees who are subpoenaed or directed to serve as jurors, or appear as witnesses for review proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, will be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to leave with pay for the required period of absence during the regularly scheduled work time including reasonable travel time. An employee may be granted leave in this section provided the employee is not a party to the action. Leave for an employee who is subpoenaed as a witness, who is absent in

connection with an employee's usual official duties, or who serves as a jury member will be entitled to leave with pay for such duty and for such period of required absence. However, an employee who is scheduled to work prior to the court or hearing start time will initially report to work, travel time permitting. The employee is also expected to return to work, for the remainder of the work day, if he or she is excused before the end of that regular work day. This leave would also apply to those who live in the surrounding state(s) and would be called for jury duty, etc. in their home state.

## INCLEMENT WEATHER LATE SCHEDULE

Absences from work due to weather conditions other than during a declared emergency must be charged against the employee's personal accumulated annual leave balances. Bluefield State University schedule change announcements and what they mean are provided below. Some employees are required to work if the University is on Inclement Weather Schedule. Please see your supervisor for guidance.

1. "Classes will meet on the Inclement Weather Schedule." This is an alteration of class meeting times. Its purpose is to provide time for University maintenance personnel to clear snow from campus sidewalks, steps, and parking lots. In this case, employees are to report at the regular times unless a specific change in time is announced through the media, such as reporting to work at 9:00 a.m. instead of the usual 8:00 a.m. ***Exception: Maintenance personnel report at designated times.***
2. "Classes will not be held (or are canceled)." In this case, employees are to report at the regular time, unless a specific change is announced through the media.
3. "The University is closed." This means that all offices are closed and classes will not meet. Employees do not report for work that day. The President, or President's designee, usually in conjunction with local or state public safety officials, has the authority to declare an emergency situation and to close the university (See HEPC Title 133, Series 38).

Generally:

- A decision on the status of day classes will be made and announced through the media on or before 6:00 a.m. on the day in question;
- A decision on the status of night classes will be made and announced through the media on or before 2:00 p.m. on the day in question;
- Weather-related schedule changes will be announced via BSU email and text alerts, BSU FaceBook, BSU Hotline at 304-327-4350, on local television stations such as WVVA-TV and WVVA Snow Patrol, CBS-59TV, WOAY-TV Channel 4, and on the following primary radio stations: WHIS-J104-KICKS Country & WKOY/WKMY in Bluefield, WCIR & WJLS in Beckley. The University will attempt to notify other primary radio stations and television stations in the service area.

## **DISASTER SERVICE LEAVE**

Any state employee who is a certified disaster service volunteer of the American Red Cross may be granted leave with pay for up to fifteen (15) working days per year to participate in specialized relief services. Approval of the immediate supervisor and a report to the Governor including employee's name and cost of salary and benefits during the leave period is required.

## **EMERGENCY LEAVE**

An emergency leave of up to five days within any fiscal year, with pay, may be granted by the President, or President's designee, of Bluefield State University in the event of extreme misfortune to the employee or her or his immediate family. Typical events which may qualify an employee for such leave include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

## **UNAUTHORIZED LEAVE**

Notification of an absence prior to an employee's scheduled start time is required. If, for any reason, an employee is unable to report to work as scheduled, the employee should notify her or his supervisor at the earliest possible time with the reason and the expected duration of the absence. Failure of advance notification can result in discipline, including termination. Absence from work for three (3) consecutive days without timely explanation or authorization deemed satisfactory to the Institution may result in automatic termination. Leave forms appropriate to the circumstance should be turned in prior to or immediately after the leave has occurred.

## **PROGRESSIVE DISCIPLINE**

Each employee must maintain standards of performance and conduct as outlined by the immediate supervisor, the department in which the employee works, and institutional policy, and must comply with all applicable policies, procedures, and laws.

Progressive discipline applies to classified employees of Bluefield State University. Nonclassified employees serve at the "will and pleasure" of the University President and the aspects of progressive discipline do not apply to their terms of their employment.

When a Classified employee does not maintain the appropriate standards of performance or conduct, disciplinary action, including but not limited to, demotion, suspension, transfer, or dismissal may be taken. The supervisor will provide the employee notice of the unacceptable performance or conduct, an explanation of the supervisor's concerns, and an opportunity for the employee to provide an explanation for the behavior in question. Notice and an opportunity to explain should usually precede formal written disciplinary actions, and especially major disciplinary actions such as suspension or dismissal.

Depending upon the actual and potential consequences of the offense, employee misconduct may be considered minor misconduct or gross misconduct. Minor misconduct is that which is generally deemed by the supervisor as correctable by counseling and/or instruction through progressive discipline. Gross misconduct is of substantial actual and/or potential consequence to operations or persons, typically involving flagrant or willful violation of policy, law, or standards of performance or conduct. Gross misconduct may result in any level of discipline up to and including immediate dismissal at the University President, or President's designee's, discretion.

Progressive discipline requires notice of concern and expectations to the employee through counseling and written warning(s), with potential suspension, demotion, transfer, and termination. Written notice and an opportunity to explain should usually precede major disciplinary actions such as suspension or dismissal. ***Management is to work with the Vice President for Human Resources regarding any situation involving classified employee discipline, before the institution issues any form of discipline to a classified employee beyond verbal counseling.***

### **Guidelines for Written Warnings**

Supervisors generally should follow these guidelines when issuing written warnings.

- State the reason(s) for the discipline, such as unsatisfactory performance, failure to maintain regular and satisfactory attendance, inappropriate conduct, etc. and quote the rule(s) of conduct violated. For example: "You are being issued this written warning for tardiness. This is in violation of *The Staff Handbook*, which states, employees are to 'Be punctual and function in their positions consistent with their scheduled work hours.'"
- State the facts, giving specific examples, listing witnesses, dates, etc., that verify the substandard performance/behavior. Explain the impact that this has had on operations. For example: "You are receiving this written warning because you have failed to follow the department call-in procedures on two occasions in the last month on [dates]. You also had unexcused absences on [dates]. As a result of your conduct, there was insufficient staffing and our service to the University community did not meet the desired standard."
- Describe any previous discussions or corrective actions such as verbal warnings, coaching, counseling, etc., that are relevant to the current problem or similar in nature to the current problem. For example: "On [date], you received a verbal warning regarding your attendance."
- Describe future consequences if similar behavior continues. For example: "Further instances of unscheduled absences will result in additional disciplinary action, up to and including a possible recommendation for the termination of your employment."
- Include signature line for employee to show that s/he has received the letter. State clearly that the employee's signature does not imply agreement with the letter but simply acknowledges receipt of it. If the employee refuses to sign the document, that should be noted.



**A list of reasons for possible dismissal includes, but is not limited to:**

1. Reporting to work under the influence of alcohol or narcotics or partaking of these substances while at work;
2. Malicious destruction or theft of property at the institution, of the Board of Governors, or of its visitors, patrons, or employees;
3. Wrongful injury to an employee of the Board of Governors or an employee's institution;
4. Refusal to comply with Institutional rules;
5. Neglect of duty;
6. Absence from work for three (3) consecutive work days without proper notice, explanation, and/or authorization;
7. Dishonesty;
8. Sleeping on duty;
9. Failure to maintain established performance standards;
10. Habitual absence from work without permission or proper explanation;
11. Tardiness;
12. Insubordination; and/or
13. Failure to adhere to repeated warnings.

Management should contact the Office of Human Resources, Ext. 4013, regarding questions relative to classified staff progressive discipline.

## **GRIEVANCE PROCEDURE**

The statutory grievance procedure is available to all full-time and part-time regular employees of Bluefield State University. The grievance procedure is to be used for resolution of most work-related concerns. Exceptions include pension or other retirement system issues, insurance issues, or matters not within the vested authority of the employer. Grievances must be filed within 15 days of the aggrieved incident. For additional information refer to BSU Policy No. HR-711: Grievance Procedure, at <https://www.bluefieldstate.edu/resources/board-governors/policies>, or to WV Code §6C-2-1 et seq., or refer to the West Virginia Public Employee's Grievance Board's website: <https://www.pegb.wv.gov/Pages/default.aspx>. Under all procedures, the employee or the employee's designated representative has the responsibility to clearly indicate that a grievance is being filed, provide an explanation of the issue including the specific policy violation, and the remedy sought for resolution of the issue. Grievances must be filed with the President's Office and with the West Virginia Public Employee's Grievance Board in Charleston, WV.

# SEPARATION OF EMPLOYMENT

Separation of employment is an inevitable part of personnel activity within any organization, and many of the reasons are routine. Below are examples of some of the most common circumstances:

Resignation - Voluntary employment termination initiated by employee. In order for an employee to leave in good standing, s/he will (1) provide two weeks written notice of resignation to the immediate supervisor, and copy the Office of Human Resources and the Payroll Office; (2) return all University property; and, (3) settle any monetary or other obligations with the University. An employee is expected to work throughout the two-week notice, unless waived by the immediate supervisor.

Discharge - Involuntary employment termination initiated by the Institution. When it is determined by the supervisor that an employee is not meeting performance or conduct standards or fails to comply with legal or policy requirements, termination for cause may occur consistent with applicable procedures.

Automatic Termination - Absence from work for three consecutive work days without proper notice, explanation, and/or authorization shall be deemed gross misconduct and neglect of duty, and the employee's University employment will be terminated.

Reduction in Force - (Layoff) Involuntary employment termination because of lack of funds or work. Bluefield State University will comply with the requirements of WV statute when implementing this procedure.

Retirement - Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the Institution.

Grant Expiration - Voluntary and/or involuntary employment termination caused as a result of the expiration of a grant or loss of funds in a grant.

Medical Reason - Voluntary and/or involuntary employment termination because it is medically, psychologically, or psychiatrically determined that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made. The employee should investigate what benefit entitlement is applicable. Existing laws and policies will guide the University in protecting the employment and retention rights of disabled employees who are considered otherwise qualified within the meaning of such laws.

# **TERMINATING EMPLOYEE HEALTH INSURANCE PRIVILEGES**

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to certain employees who lose coverage. Please see “COBRA” section under “Benefits” in this Handbook.

# APPENDIX 1: CAMPUS MAP & DIRECTIONS



## Directions:

### Traveling North on I-77

1. Take Exit 1 (52 North), immediately after going through the East River Mountain Tunnel and turn right on John F. Nash Boulevard.
2. Continue on 460 West.
3. Take the Maryland Avenue exit and follow the hospital signs to Cherry Street.
4. Follow Cherry Street to the 52 Junction. At the traffic light follow 52 North across Easley Bridge.
5. Turn right into the campus. Proceed across campus following the campus map at the entrance.

### Traveling South on I-77

1. Take Exit 1 (52 North) and turn right on John F. Nash Boulevard.
2. Continue on 460 West.
3. Take the Maryland Avenue exit and follow the hospital signs to Cherry Street.

4. Follow Cherry Street to the 52 Junction. At the traffic light, follow 52 North across Easley Bridge.
5. Turn right into the campus. Proceed across campus following the campus map at the entrance.

## **APPENDIX 2: BSU POLICY REFERENCES**

Bluefield State University strives to provide convenient access to important policy information. Listed below please find several BSU Policy references. As policy information may change at any time, you are encouraged to periodically review the most current BSU Policy information available at <https://www.bluefieldstate.edu/resources/board-governors/policies>.

### **BSU List of Policies (on 07/01/22):**

#### **BOARD GOVERNANCE**

BG-101	Reserved
BG-102	Policymaking
BG-103	Presidential Appointments, Responsibilities and Evaluation
BG-104	Interinstitutional Cooperation and Sharing Between Public and Private Higher Education in West Virginia
BG-105	Making Agendas Available to the Public
BG-106	Financial Exigency

#### **ACADEMIC**

AC-201	Academic Objectives
AC-202	Program Review
AC-203	Grade Point Average for Associate and Baccalaureate Degrees
AC-204	Standards and Procedures for Undergraduate Admissions
AC-205	Assignment of Academic Credit and Financing Noncredit Instruction
AC-206	Textbook List
AC-207	Transferability of Credits
AC-208	Intellectual Property

#### **CAMPUS ASSETS**

CM-301	Reserved
CM-302	Naming or renaming of buildings or organizational units
CM-303	Use of Institutional Facilities

- CM-304 Disposition of Obsolete and Unusable Equipment, Surplus Supplies and other  
Unneeded Materials for Bluefield State University
- CM-305 Information Technology Acceptable Use Policy

#### FACULTY

- FC-401 Reserved
- FC-402 Faculty Development
- FC-403 Academic Freedom, Professional Responsibility, Promotion, Tenure
- FC-404 Repealed 1-7-2021

#### FISCAL OPERATIONS

- FS-501 Reserved
- FS-502 Assessment, Payment and Refund of Fees
- FS-503 Awarding of Undergraduate Tuition and/or Fee Waivers
- FS-504 Purchasing
- FS-505 Institutional Bookstore Return Policy
- FS-506 Fundraising Policies and Guidelines
- FS-507 Reduced Tuition and Fee Program for State Residents who are at least 65 Years of  
Age

#### GENERAL ADMINISTRATION

- GA-601 Reserved
- GA-602 Change in the organization of Colleges, Schools, Divisions, Departments or other  
administrative unites
- GA-603 Holidays
- GA-604 Alcoholic Beverages on Campus
- GA-605 Social Justice
- GA-606 Repealed
- GA-607 Measles and Rubella Immunization
- GA-608 Credit Card Solicitation on Bluefield State University Campus
- GA-609 Enforcement and Penalties for Traffic and Parking
- GA-610 Enrollment Management Council
- GA-611 Chemical Hygiene
- GA-612 Bluefield State University Archives and Records Management Policy
- GA-613 Campus Safety Policy
- GA-614 Drug And Alcohol-Free Campus And Workplace
- GA-615 Equal Opportunity and Affirmative Action
- GA-616 West Virginia Freedom of Information Act Requests

## HUMAN RESOURCES

HR-701	Reserved
HR-702	Staff Development
HR-703	Classified Employees
HR-704	Employee Leave
HR-705	Ethics
HR-706	Personnel Administration
HR-707	Productivity of Faculty and Administrators and Employment of Adjunct Part-time Faculty
HR-708	Repealed
HR-709	Catastrophic Leave
HR-710	Employment Innovations
HR-711	Grievance Procedure
HR-712	Salary Policy
HR-713	Hiring Policy
HR-714	Employee Wellness
HR-715	Employment of Relatives (Nepotism)
HR-716	Classified Staff Workforce Reduction

## RESEARCH

RS-801	Reserved
RS-802	Research and Scholarship Misconduct
RS-803	Extramural Grants and Contracts Administration
RS-804	Financial Conflict of Interest on Federal Grants Policy

## STUDENTS

ST-901	Reserved
ST-902	Student Rights and Responsibilities
ST-903	Student Academic Rights

# **CAMPUS SAFETY POLICY**

## **BLUEFIELD STATE UNIVERSITY BOARD OF GOVERNORS POLICY NO. GA-613**

### **TITLE: CAMPUS SAFETY POLICY**

### **SECTION 1. GENERAL**

- 1.1 Scope: This policy establishes a commitment to a safe campus environment.
- 1.2 Filing Date: February 12, 2009
- 1.3 Effective Date: April 10, 2009

## **SECTION 2. POLICY STATEMENT**

- 2.1 Bluefield State College is committed to providing a safe campus environment for students, employees and the general public to enhance the learning and working environment while maintaining good order, protecting life and safeguarding property at the institution.
- 2.2 It is the policy of Bluefield State College to establish and adhere to risk management and loss control policies and procedures that will protect the safety of its students, its employees and the communities it serves and protect the assets of the institution.
- 2.3 The campus-wide Safety Committee will be responsible to distribute information regarding campus safety.
- 2.4 All Bluefield State College employees and governing officials have responsibilities to providing a safe learning environment, providing safe workplaces, following safe practices, limiting exposure to potential liability and loss, and carrying out the necessary steps to maintain an effective and efficient safety program to provide an effective risk management and loss control program.

# **BSU DRUG AND ALCOHOL-FREE CAMPUS AND WORKPLACE POLICY**

## **BLUEFIELD STATE COLLEGE BOARD OF GOVERNORS POLICY NO. GA-614**

### **TITLE: DRUG AND ALCOHOL-FREE CAMPUS AND WORKPLACE**

## **SECTION 1. GENERAL**

- 1.1 Scope: This policy establishes and maintains a drug and alcohol-free campus and workplace.
- 1.2 Authority: Drug-Free Workplace Act of 1988
- 1.3 Filing Date: February 12, 2009, December 16, 2013
- 1.4 Effective Date: July 1, 1989, April 10, 2009, October 7, 2013, December 12, 2013
- 1.5 Replaces A.200 Drug-Free Workplace

## **SECTION 2. POLICY STATEMENT**



- 2.1 Bluefield State College is committed to maintaining a drug and alcohol-free campus, workplace and prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances and illicit drugs. All employees and students will receive a copy of and must adhere to this policy. Each employee agrees to notify his/her immediate supervisor within five days after being convicted under any criminal drug statute.
- 2.2 An employee or student who violates this policy or who is convicted under a criminal drug statute for a violation occurring in the workplace, in a non-workplace, or on campus will be subject to the College's disciplinary procedure up to and including dismissal; in addition, employees may be required to participate satisfactorily in a state or federally approved drug assistance or rehabilitation program.
- 2.3 The campus-wide Drug/Alcohol Committee will provide literature informing employees, students, and visitors of the dangers of drug abuse. The Counseling Center, the Office of Human Resources, the Office of the Vice President for Student Affairs and Enrollment Management, and the institution's designated Title IX Officer will provide employees and students information on available drug counseling, rehabilitation, and employee assistance programs.
- 2.4 Individuals employed under a grant but are noncompliant with the Drug-Free Workplace Act of 1988 are subject to the following: suspension of payments under a grant, suspension or termination of a grant, and suspension or debarment from federal assisted activities.

### **SECTION 3. CAMPUS-WIDE DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM AND COMMITTEE**

- 3.1 The Campus-Wide Drug and Alcohol Abuse Prevention Committee is established to plan and evaluate campus-wide drug and alcohol abuse prevention activities and to monitor compliance with federal statutes.
- 3.2 The Campus-Wide Drug and Alcohol Abuse Prevention Committee is responsible for:
  - planning all employee and student campus activities as related to drug and alcohol abuse prevention;
  - evaluating all policies, procedures and programs related to drug and alcohol abuse to determine their effectiveness and to implement any changes to the program when needed; and
  - ensuring that college policies and procedures are consistent with Federal statutes.
- 3.3 Membership of the Drug and Alcohol Abuse Prevention Committee includes:
  - Director of Counseling Center to serve as Chair for committee
  - Student Affairs Representatives (2)
  - Director of Human Resources
  - Director of Public Safety
  - Director of Student Health Center

- BSU’s designated Title IX Officer
- Faculty Representative
- Student Representatives (2)
- Classified Staff Representative
- Non-Classified Representatives

3.4 Those members who represent specific constituencies will be appointed by the President in consultation with the Committee Chair and head of the appropriate constituent group.

## **BSU EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

### **BLUEFIELD STATE COLLEGE BOARD OF GOVERNORS POLICY NO. GA-615**

#### **TITLE: EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

#### **SECTION 1: GENERAL**

- 1.1 Scope: This rule sets forth Bluefield State College’s Board of Governors’ Equal Opportunity and Affirmative Action Policy.
- 1.2 Authority: WV Code §18B-1-6, §18B-1B-5. See also WV HEPC Title 133 Procedural Rule, Series 40, “Equal Opportunity and Affirmative Action.”
- 1.3 Filing Date: July 21, 2014
- 1.4 Effective Date: June 19, 2014
- 1.5 BSC Policy Monitor: Human Resources

#### **SECTION 2: POLICY STATEMENT**

- 2.1. It shall be the policy of Bluefield State College to provide equal employment opportunities to all qualified employees and applicants and to prohibit discrimination or harassment against any such individuals on the basis of protected characteristics. The College considers race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status as protected characteristics and will not permit discrimination or harassment against any employee or applicant for employment on the basis of any such characteristic. The College will conform both to the letter and the spirit of the law and regulations with respect to prohibiting any such discrimination or harassment and will engage in affirmative action to employ, advance in employment and treat all qualified persons without discrimination in any employment

- practices. Also, the College will adhere to the provisions in its Hiring Policy #42.
- 2.2. The College shall use the principles of equal employment opportunity and affirmative action in making employment decisions.
  - 2.3. The scope of this policy prohibiting discrimination and harassment in accordance with the principles of equal employment opportunity and affirmative action extends, but is not limited to, the following: recruitment, employment, promotion, transfer, training, working conditions, wage and salary administration, benefits and the application of all other employment-related policies. These principles of non-discrimination and anti-harassment also apply to the selection and treatment of independent contractors, personnel working on College premises and any other persons or firms doing business with the College.
  - 2.4. In furtherance of its policy prohibiting discrimination against individuals on the basis of disability, the College will provide reasonable accommodation in the work place for disabled employees. All inquiries regarding the rights of employees with disabilities, including the right to employment accommodations, should be directed to the ADA Coordinator/Director of Human Resources.
  - 2.5. The College shall take the initiative in developing or modifying its own affirmative action plan to achieve compliance with the equal employment opportunity and affirmative action policies of the West Virginia Higher Education Commission as well as those of the state and federal governments. The president shall, through appropriate means, establish and maintain programs of equal employment opportunity and affirmative action within her/his jurisdiction in accordance with all laws and regulations applicable to the institution. The equal employment opportunity and affirmative action goals of the institution must be integrated into and consistent with other performance goals of the institution.
  - 2.6. Bluefield State College shall submit its affirmative action plan to the Chancellor of the Higher Education Policy Commission by July 1 of each year. The Office of Human Resources and its representatives shall work collaboratively with the Assistant to the President for Equity, Diversity and Inclusion, and the management at all levels of the institution, to help facilitate the achievement of equal employment opportunity/affirmative action goals and compliance across the institution.

## **INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY**

### **BLUEFIELD STATE COLLEGE BOARD OF GOVERNORS POLICY NO. CM-305**

#### **TITLE: INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY SECTION 1. GENERAL INFORMATION**

1.1 Scope: This policy set standards of acceptable use of the information technology environment at Bluefield State College. It includes, but is not limited to, electronic mail, pornography, wireless, social media, and mobile devices. This policy applies to all people using Bluefield State College's Information Technology Environment (ITE), including staff, faculty, students, contractors, visitors and affiliates.

1.2 Authority: W. Va. Code §18B-1-6

1.3 Replaces Policy D.1400

1.4 Filing Date: April 15, 2021

1.5 Effective Date: April 15, 2021

1.6 Control over: All Bluefield State College Information Technology Resources

## **SECTION 2. POLICY**

2.1 Introduction: Information technology is playing an increasingly important role in the life of each individual, and consequently to the Bluefield State College community. Access to these finite resources is a privilege and is provided with an expectation of responsible and acceptable use. In addition to the principles and guidelines provided in this policy, institutional policies along with certain federal, state and local regulations apply to the use of the Information Technology Environment (ITE).

2.2 General Principles and Guidelines: The basic premise of this policy is that responsible and acceptable use of the Bluefield State College ITE does not extend to whatever an individual is capable of doing. Instead, certain principles provide a guide to users regarding responsible and acceptable behaviors and users are responsible for knowing and understanding them. These principles and guidelines include, but are not limited to:

2.2.1 The Bluefield State College ITE was funded and developed for the sole purpose of promoting and supporting the mission of the College.

2.2.2 Authorized users of the Bluefield State College ITE, or College sponsored resources such as WVNET are those individuals who have been granted a username and password. The username and password combination are the user's identity and license to access and use the components of the Bluefield State College information technology environment for which users are specifically authorized.

2.2.3 Authorized users will abide by institutional policies along with applicable local, state and federal regulations.

2.2.4 The resources of the Bluefield State College ITE are finite and shared. Appropriate and responsible use of these resources must be consistent with the common good. The ITE may NOT be used for commercial or profit-making purposes.

2.2.5 The College reserves the right to limit access to the Bluefield State College ITE when investigating cases of suspected abuse or when violations have occurred.

2.2.6 Use of the ITE is a privilege and not a public forum, therefore the College reserves the right to restrict or deny usage of the ITE when such usage does not promote or support the mission of the College.

2.2.7 Users must adhere to the ethical standards governing copyright, software licensing, intellectual property, and proper downloading of data (i.e. Music, Video,...).

2.2.8 Personal web pages may NOT contain the official Bluefield State College logo.

## **SECTION 3. ELECTRONIC MAIL (EMAIL)**

3.1 This policy establishes the applicability of law and other Bluefield State College policies relating to electronic mail. The College recognizes that principles of academic freedom and shared governance, freedom of speech, and privacy of information hold important implications for electronic mail and electronic mail services. The College affords electronic mail privacy protections comparable to that which it traditionally affords paper mail and telephone communications.

The College encourages the use of electronic mail and respects the privacy of users. It does not routinely inspect, monitor, or disclose electronic mail without the holder's consent. Nonetheless, subject to the requirements for authorization, notification, and other conditions specified in this policy, the College may deny access to its electronic mail services and may inspect, monitor, or disclose electronic mail when required by and consistent with the law. The College will not attempt to regulate the content of a person's electronic mail and accepts no responsibility for the content of electronic mail.

Although it is impossible to ensure the confidentiality of any electronic message stored or communicated through the computing facilities, this policy articulates the procedures adopted to provide users with a secure mail environment. Electronic mail is a privileged communication between the parties involved and will be subjected to the same protection afforded traditional paper mail. The purpose of this section is to describe (1) Qualifications for Email, (2) Postmaster Responsibilities, (3) Undelivered Email, (4) Email Violations, (5) Discovery of Illegal Activity, (6) File Backup, (7) Email Maintenance, and (8) Email Violations Procedure.

3.1.1 Qualification for Email: All Bluefield State College faculty, staff, students, and alumni qualify to receive an email account. Email accounts will be automatically created for any person who is an entering student or for any faculty or staff personnel upon employment. As of August 19, 2013, all Bluefield State College business related communications among students, staff, and faculty members will be conducted via the official Bluefield State College email system.

Students must utilize the official Bluefield State College email account that is assigned upon admission to the institution. Staff and faculty members must utilize the official Bluefield State College email account that is furnished upon initial employment. Other Email domains such as @hotmail.com, @yahoo.com, @msn.com, @gmail.com, etc. will not be recognized as official communication from Bluefield State College. Information about these accounts is attainable through the College Computing Services department in Suite 123 of Dickason Hall.

3.1.2 Postmaster Responsibilities: The postmaster is the person assigned responsibility for dealing with email related issues at Bluefield State College. It may be necessary at times for the postmaster to read an electronic mail header which has failed to reach its destination to determine, if possible, the intended addressee and redirect the message to the correct address. However, it is not the practice of the postmaster to read or to discuss the content of any message. The postmaster is a staff member of the Bluefield State College technology area and is assigned by the Director of Computer Services. The postmaster will read the mail only to the extent necessary to assist in proper mail delivery. Copies of the messages will not be retained after successful redirection, nor will the postmaster discuss the contents of the messages with others.

3.1.3 Undeliverable Email: The computer system automatically forwards all undeliverable mail to the designated postmaster and/or returns it to the sender. This is a standard feature of many mail systems. Typically, the postmaster checks the address and, where appropriate, re-sends the message to the correct address. In general, incorrectly addressed outgoing mail is ignored, while incoming email is redirected to its intended recipient.

3.1.4 Email Violations: In general, policies and restrictions outlined in state (Electronic Mail Protection Act, West Virginia Statute, House Bill 2627) and federal laws and the Faculty, Classified Staff or Student Handbooks are applicable when using electronic mail. Specific examples include, but are not limited to the following:

- Forged Mail- It is a violation of this policy to forge an electronic mail signature or to make it appear as though it originated from a different person.
- Intimidation- It is a violation of this policy to send electronic mail that is abusive or threatens an individual's safety. The use of electronic mail for sexual, ethnic, religious, or other minority harassment is also prohibited. Known threats to personal safety will be reported to Campus Police.
- Harassment- It is a violation of this policy to use electronic mail to harass an individual. This includes sending or forwarding chain letters, deliberately flooding a user's mailbox with automatically generated mail, inappropriate email messages, and sending mail that is deliberately designed to interfere with proper mail delivery or access.
- Unauthorized Access- It is a violation of this policy to attempt to gain access to another person's mail files regardless of whether the access was successful or whether or not the messages accessed involved personal information.
- Illegal Use of Mail Services- It is not only a violation of this policy to send copyrighted materials electronically - it is a federal offense. All violations will be dealt with accordingly and/or reported to the proper authorities.
- Chain Letters/Junk Email – It is a violation of College policy to send chain letters and junk email. A chain letter is a letter sent originally through national and international mail services and now through networks such as the Internet. The original intent was for young people, mostly students, to meet peers of the world. Writers shared such things as their community environment, their schools, their friends, and many times about their family life. Junk email is email sent as commercial transactions, personal business, and other non-College activities. The negative side to chain letters and junk email on the Internet, or any other network, is that it fills the net and the mail servers with useless junk at the expense of the subscribers who use the Internet mail legitimately.
- Spam– It is a violation of College policy for anyone to “Spam” from College mail servers. Spam is exploiting servers or similar broadcast systems for purposes beyond their intended scope.
- Hoaxes– It is a violation of College policy to distribute an email hoax with the intention to mislead or trick others into believing or accepting or doing something, so as to bring about the belief in or acceptance of what is actually false.
- Attachments – Attachments are any items added in addition to the original email being created. Attachments must adhere to the section on illegal use of the mail services above. Attachments have a direct effect on all mail servers and recipients, so an attachment should not exceed 10 MB. Large attachments should never be sent in mass mailing.

3.1.5 Discovery of Illegal Activity: Any messages whose content is clearly illegal should be reported to the “Computing Services Help Desk”, appropriate campus official(s) or to the Campus Police Office. Such items might be discovered as part of normal Postmaster activity, dead letter processing, contact from local/state/government agencies or other tasks. Examples might include messages containing illegally obtained credit card numbers, telephone authorization codes, grade reports, criminal conspiracy, illegal transmission of copyrighted materials, or similar items. Users will be held accountable for all actions performed with their

email account, including those actions performed by other individuals as a result of user negligence.

3.1.6 File Backup: Mail files are copied as a routine aspect of system backups. This is an automatic process that does not involve any human reading of the files copied. Such practices are not considered a violation of privacy.

3.1.7 Email Maintenance: Accumulating old email is similar to saving a person's old letters in order to re-read them in the future. Storage of electronic email requires disk storage on a server or the user's computer. The user controls storing email on their computer, but email stored on the College server is subject to the Email Postmaster, and the Postmaster retains the right to delete items from any mailbox and/or the trash folder that are older than 6 months.

3.1.8 Email Violations Procedure: The College reserves the right to authorize disconnecting a user's account if the user represents a threat to system or mail integrity. As part of an investigation, the College may examine mail files, logs, and any other appropriate documents or testimony. The appropriate Faculty, Staff or Student Handbook, local, state or federal law, shall determine any necessary disciplinary action.

## **SECTION 4. PORNOGRAPHY**

4.1 The College aims to prevent its staff, students, visitors and contractors from having unnecessary contact with pornographic material accessed through the Information Technology Environment (ITE). Contact with such material may not only be offensive but could also be construed as a form of harassment. All types of harassment are unacceptable, discriminatory and, in certain circumstances, unlawful. This Code aims, in particular, to prevent and address harassment arising from the use of College ITE facilities, or ITE facilities used on College premises, to access, display, generate, distribute, forward or store pornographic material. The College seeks to maximize the opportunities afforded by ITE for teaching, research, and administration; however these facilities must be used acceptably, responsibly, and legally. In particular, using ITE facilities to access, display, generate, distribute, forward or store material which may be offensive, pornographic, obscene or abusive is unacceptable and, in many cases, illegal. All such incidents will be treated seriously and could provide grounds for disciplinary action leading to dismissal or expulsion from the College. The College takes breaches of this Code seriously and will co-operate with efforts to prosecute anyone using its ITE facilities unlawfully. If College ITE facilities are used in connection with pornographic material, a complaint should be made to the Chief Technology Officer the Director of Human Resources, or the head of department/division who will decide if the matter should be reported to Campus Police Office or if it can be dealt with by the College procedures outlined below.

4.1.1 Reasons for this Policy: Using ITE facilities in connection with pornographic material is unacceptable to the College and may also be contrary to federal or state law. Furthermore, using ITE facilities in connection with pornographic material also contravenes the College's Policy on Harassment. Harassment has legal implications in various types of legislation, including Health and Safety law. If such activities are not discouraged the College's internet link could be suspended and this would have far reaching negative implications.

4.1.2 Definitions: ITE pornography is understood by the College to be material of an explicit sexual nature which is made available, displayed, generated, distributed, forwarded or stored using ITE facilities such as the internet, software packages, email, storage devices, mobile devices or computer hardware. The pornographic material may be in the form of visual texts, including photographs or moving images, such as video files including mpg, avi, and ram files,

or written texts and may depict, for example, bestiality, pedophilia, sexual torture, incest, lewd display of genitalia, or depictions of lewd sexual activity. The College acknowledges two exceptions to the Code outlined here. Firstly, the College is mindful that there is legitimate study and research into ITE pornography and associated issues and this is the only reason for deliberately accessing such material. Individuals must be able to show that the access is necessary to their work or studies and they are expected to exercise discretion to ensure that the spirit of the College's Comprehensive Information Technology Policy is not contravened. They should take great care also that the material is not stored or displayed in a way that would offend others who may come into contact with it. Secondly, there may be incidents involving the unsolicited receipt of ITE pornography and the College would NOT discipline an individual in such circumstances.

4.1.3 ITE Pornography Complaints Procedure: Action may be taken at two levels to address complaints of ITE pornography and these are outlined below. In less serious cases, it may be sufficient that disciplinary action is taken by the appropriate College authorities, such as systems managers. Other cases will be referred to Campus Police. A member of the Campus Police will decide on the severity of the offence. In general, the College will hand to the police incidents in which there is: pornographic material involving moving images; pornographic text or images with personal reference to the recipient; pornographic material circulated from Bluefield State College to other organizations; pornographic material of a pedophile nature or containing references to bestiality. Advice on dealing with complaints about ITE pornography can also be obtained from the Chief Technology Officer or the Director of Human Resources.

4.1.4 Faculty/Staff: Any member of the faculty or staff found to have transgressed this policy with regard to ITE pornography will be subject to disciplinary action in accordance with their conditions of service. Disciplinary action may take the form of a verbal or written warning and, for serious misconduct, demotion, transfer or dismissal. Incidents of a more serious nature will also be referred to the Campus Police and the College authorities will be informed.

4.1.5 Students: Any student found to have transgressed this Policy with regard to ITE pornography will be subject to disciplinary action as outlined in the Student Handbook.

4.1.6 Monitoring: Incidents of ITE pornography dealt with by the College including those referred to the Campus Police will be tracked on an annual basis by Computing Services.

4.1.7 Responsibilities: The cooperation of all College staff, students, contractors and visitors is essential to ensure the success of this policy. The College is committed to acting positively to prevent and address incidents involving pornography and is involved in programs of staff training to heighten awareness about this important matter as needed.

## **SECTION 5. WIRELESS LOCAL AREA NETWORKS (WLAN) OR WIFI**

5.1 This policy is required to protect Bluefield State College's network infrastructure from uncontrolled or unauthorized access that could result in intellectual property loss or data destruction and to provide a consistent interface and procedure for use by the Bluefield State community. Wireless Local Area Networks (WLAN) or WiFi networks are by nature an open transport technology that can be inherently insecure and therefore any extension to the College's networks using this infrastructure must be authorized by Computer Services prior to procurement and implementation.

5.1.1 General Principles and Guidelines: Security and access control will be implemented and any visitor to Bluefield State College requiring wireless access may be required to register with Computer Services prior to date needed allowing 24 hours for the request to be processed.



Computer Services will work to maintain internet access as open as possible consistent with security requirements. Radio propagation and channel management will be controlled by Computer Services to prevent interference and unintentional spill. All wireless access nodes added must be approved and configured by Computer Services to ensure appropriate security is enabled and correct operation with existing equipment. No wireless device can be used to provide private network services for downstream unregistered user equipment or services. Commercial propagation of WiFi services onto the College's sites needs to be formally registered and pre-approved by Computer Services. Computer Services will monitor the network for rogue wireless implementations and has the authority to disable and disconnect immediately upon detection. Any breach of this policy may result in network privileges being revoked. Computer Services will work with departments to accommodate special needs, where technically feasible and cost justifiable. Computer Services will collaborate with academic departments where devices used for specific educational or research applications may require specific solutions. Wireless networking has the potential to make it very easy to gain unauthorized access to the College network based resources. However, the Privacy Act 1993 places an onus on organizations to protect information from inappropriate access by unauthorized parties. There is a significant amount of information held on the College's network and it is therefore important to ensure that only authorized people have access to this resource.

## **SECTION 6. ELECTRONIC SURVEYS**

6.1 Surveys and inquiries which are addressed to Bluefield State College faculty, staff, and/or students must be approved and administered by an official unit of the College. The survey instrument may also require approval by the Office of Institutional Research and Effectiveness. Surveys conducted on or off campus in the name of the College by an official unit of the College should be relevant to the surveyed constituency. Procedures and survey request and requirements document can be found on the Institutional Research and Effectiveness website.

## **SECTION 7. COMMENTARY: INTRODUCTION AND ANALOGIES**

7.1 The Information Technology Environment discussed above consists, not only, of the superficial wires, equipment and devices of the data, voice, video, and more conventional information networks on our campuses (and the world) but also the more subtle milieu created by the integration of these technologies into our everyday life situations. In this respect the whole is much greater than the sum of the parts and thus the effect of inappropriate use of this resource can be much greater than might be imagined. This should not be a cause for hesitation about its use but merely a call for thoughtful consideration of action. In describing the responsibilities and acceptable behaviors related to the Information Technology Environment, certain analogies can be drawn. Social norms, behaviors, and responsibilities associated with the use of electronic communication, publication, media, and access authorization are no different than the conventional mediums with which we are all familiar, i.e.:

- Email or electronic mail is just another form of mail or communications,
- Posting to a news group is the same as posting a notice or comment on a bulletin board, newsletter, letter to the editor, call to a talk show, etc.,
- Participating in a chat group is the same as participating in discussions anywhere a group might congregate face-to-face e.g. in a class, the student center, recreation room, lounge, church group, etc.,

- Creating a WWW or World Wide Web presence is publishing (i.e., making public) a person's own magazine, memoirs, diary, biography, press release, newsletter etc. Consequently, the person is not only, typically, the author but also, perhaps more importantly, the person becomes the editor and publisher and is responsible for their publication from a legal standpoint. Even though Bluefield State College is not the publisher, editor, or author it is the provider of the resource and, as such, is associated with the publication. Therefore, Bluefield State College maintains the right to restrict or deny use of this resource when usage does not promote or support the mission of the College or the State of West Virginia.
- User ID and password combinations are a person's identity and license to use and access limited portions of the ITE. In this sense they are like the person's BSU identification card or a driver's license. Impersonating another individual or allowing impersonation by another individual is not acceptable behavior.
- The computing systems used for mail, WWW, and other technologically augmented services are similar to an assigned work or office space. The space (and some of the content) belongs to Bluefield State College and the State of West Virginia but other personal items may exist in the room. In this sense BSU has an obligation to provide a reasonable amount of security to protect a person's personal property but cannot assume full responsibility for it nor guarantee full privacy. Similarly, as in a person's work or office space, in the course of normal maintenance of the ITE, certain information may be seen by those attending to the maintenance. All employees of Information Technology are instructed that the disclosure of this information is a punishable offense (as is the willful intrusion without cause). Also, in a similar manner, a person is allowed the use of certain space and accouterments and is expected to utilize them in a responsible manner by taking proper care, providing reasonable security, and respecting the property and privacy rights of others occupying similar spaces and their assigned, and private resources.

## **SECTION 8. COMMON FORMS OF VIOLATIONS**

8.1 Although most users strive for acceptable and responsible use of the ITE, inexperienced users may unwittingly engage in behaviors that violate the principles and guidelines of responsible and acceptable use. To that end, this section outlines some of the more common forms of violations that occur. These examples should not be interpreted as an exhaustive list of violations. Questions regarding the appropriateness of specific behaviors should be directed to Computing Services.

- Furnishing false or misleading information or identification in order to access another user's account
- Using another person's username/password or permitting someone else to use your username/password
- Investigating, reading or attempting to access another user's files without permission
- Attempts to access or manipulate certain components of the information technology environment without authorization
- Alteration of software, data, or other files without authorization
- Disruption or destruction of equipment or resources
- Using subterfuge to avoid being charged for computer resources or deliberate, unauthorized use of another user's account to avoid being billed for services
- Copying or attempting to copy data or software without authorization
- Interfering with legitimate work of another user
- Sending abusive, harassing, or obscene messages

- Viewing or listening to objectionable, obscene, pornographic, or harassing material in public areas
- Excessive recreational use of resources
- Any activity or action that violates the College's Student Code of Conduct or Policies, faculty/staff policies and regulations, or federal, state, or local laws.

## **SECTION 9. ENFORCEMENT**

9.1 Violation of these guidelines constitutes unacceptable use of information resources, and may violate other College policies and/or state and federal law. Suspected or known violations should be reported to the appropriate ITE computing unit. The appropriate College authorities and/or law enforcement agencies will process violations. Violations may result in revocation of computing resource privileges, academic dishonesty proceedings, faculty, staff or student disciplinary action, or legal action.

The maintenance, operation, and security of computing resources require responsible College personnel to monitor and access the system. To the extent possible in the electronic environment and in a public setting, a user's privacy will be preserved.

Nevertheless, that privacy is subject to the West Virginia Access to Public Records Act, other applicable state and federal laws, and the needs of the College to meet its administrative, business, and legal obligations.

The office of Computer Services is authorized to engage in investigations and apply certain penalties to enforce this policy. These penalties include, but are not limited to, temporary or permanent reduction or elimination of access privileges to any or all of the components of the ITE. If, in the opinion of Computing Services, it is necessary to preserve the integrity of facilities, services, or data, Computing Services may suspend any access, whether or not the account owner is suspected of a violation. In such a case, Computing Services will attempt to notify the user of any such action after the potential threat to the facilities, services, or data is contained. If such an investigation is required it will be done only under the direct authorization of the Director of Computing Services and all effort will be made not to disclose any content to anyone other than those with a need to know during the investigation or adjudication of the alleged offense.

Consequences of the discovery and investigation process or normal maintenance might include the inspection of files contained in an individual's storage space or monitoring selected traffic on the networks. Again, all effort will be made not to disclose any content to anyone other than those with a need to know. However, where there are moral, ethical, or legal implications of the nondisclosure of such information Computing Services personnel are similarly instructed to contact the Director of Computing Services, who, may authorize its disclosure to appropriate authorities if deemed warranted. In most cases an individual accused of a violation of this policy will be notified and have an opportunity to respond before a final determination of a penalty is made. The Director of Computing Services or their designee, in conjunction with other responsible parties (e.g., College Council, Student Judicial Affairs, Academic Affairs, or Human Resources) will examine the available evidence and circumstances. If a penalty is levied, the decision may be appealed through the appropriate channels.

## **SECTION 10. GENERAL INFORMATION AND DEFINITIONS**

10.1 Access Nodes: This is the device that is connected to the wired network and provides wireless access for devices to resources on the network.

10.2 Channel: A channel is a communications path based on different frequencies that access points and devices can select to communicate.

10.3 Protocol: This is the communications language used between peers.

10.4 Radio propagation: This is the transmission and reception area covered by the access point where access to service can be achieved.

10.5 Wireless devices: This is an assortment of electronic devices and could include but is not limited to a computer, tablet, personal digital assistant (PDA), laptop, or mobile device.

10.6 WLAN: Local area networks that use wireless communication defined by the IEEE 802.11 standard.

If any provision of this policy is ruled invalid under law, it shall be deemed modified or omitted to the extent necessary, and the remainder of the policy shall continue in full force and effect.

Adapted with permission from Massey College Policy Guide and Marshall University Acceptable Use Policy and Wireless Communications and Networking Procedure.

## **BSU HARASSMENT POLICY**

### **BLUEFIELD STATE COLLEGE BOARD OF GOVERNORS POLICY 3**

**TITLE: HARASSMENT**

#### **SECTION 1. GENERAL**

- 1.1 Scope: The purpose of this policy is to prescribe a work and educational environment where illegal harassment based on race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status, and protected activity (i.e., opposition to prohibited discrimination/harassment or participation in the complaint process) or status explicitly defined as protected under applicable state and federal law as well as nondiscriminatory hostile workplace harassment does not occur. This policy shall cover all Bluefield State College employees including executive, administrative, faculty, classified, non-classified, temporary, students, student workers, independent contractors, and volunteers.
- 1.2 Authority: West Virginia Code § 18B-1-6; Office for Civil Rights of the U.S. of the Department of Education on the interpretation of the following: Title IX of the Education Amendments of 1972 and US Equal Employment Opportunity Commission (U.S.-EEOC) interpretative guidelines issued in March, 1980; and subsequent federal court decisions on the subject of sexual harassment.
- 1.3 Effective date: August 20, 2015
- 1.4 Filing date: October 28, 2015

- 1.5 BSC Policy Monitor: Assistant to the President for Equity, Diversity, and Inclusion

## **SECTION 2. POLICY**

- 2.1 It is the policy of the Bluefield State College Board of Governors that the work and educational environment will be free from all forms of harassment of any employee, student, applicant for employment, student workers or contracted employee. Illegal harassment in any manner or form is expressly prohibited.

## **SECTION 3. RESPONSIBILITIES**

- 3.1 This policy extends to employees while engaged in any work-/service-related activity during the performance of Bluefield State College business. Work-/service-related activities include, but is not limited to, conducting work/service, representing the State or the agency, receiving awards, speaking as a State or agency representative, and participating in activities when invited as a result of Bluefield State College service.  
It is the responsibility of Bluefield State College to provide educational opportunities to create this environment and to take immediate and appropriate action when alleged harassment is reported.
  - 3.1.1 Further, this prohibition applies to independent contractors and volunteers while engaged in any Bluefield State College work-/service-related activity.
  - 3.1.2 The college takes workplace harassment seriously.
    - 3.1.2.1 Any employee found to be in violation of this policy will be subject to appropriate disciplinary action up to and including termination of employment.
    - 3.1.2.2 Any student found to be in violation of this policy will be subject to appropriate disciplinary action up to and including expulsion.
    - 3.1.2.3 Any employee or student found to have knowingly and willfully made false accusations against another employee or student will be subject to appropriate disciplinary action up to and including termination of employment or expulsion.
- 3.2 Employees have the responsibility to:
  - 3.2.1 Refrain from all forms of harassment;
  - 3.2.2 Promptly report allegations or observations of harassment to their immediate supervisors or to the Office of Equity, Diversity, and Inclusion;
  - 3.2.3 Fully cooperate in and not interfere with any employer-authorized investigation;
  - 3.2.4 Not retaliate against those who participate in the complaint and/or investigation process;
  - 3.2.5 Ensure complaints are made in good faith and;
  - 3.2.6 Participate in required training.
- 3.3 Supervisors at every level are of primary importance in the implementation and enforcement of this policy and have the responsibility to:

- 3.3.1 Monitor the work environment to ensure that it is free of harassment;
- 3.3.2 Promptly refer allegations of harassment to the Office of Equity, Diversity, and Inclusion;
- 3.3.3 Assist with any investigations as requested by the Office of Equity, Diversity, and Inclusion;
- 3.3.4 Ensure that complainants, falsely accused individuals, and/or persons interviewed regarding complaints suffer no adverse impact in their employment;
- 3.3.5 Ensure that all employees within their respective areas participate in appropriate training and;
- 3.3.6 Communicate this policy to all of their respective employees.

#### **SECTION 4. DEFINITIONS**

- 4.1 “Protected Category” means a category under which an individual falls or is perceived to fall that is protected under federal, state, or local anti-discrimination laws, including race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status.
  
- 4.2 Discrimination - Discrimination is conduct that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual’s employment, education, living environment or participation in a program or activity based upon an individual’s race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status.
  
- 4.3 Workplace Harassment Definition - Workplace harassment is any unwanted or undesirable conduct that demeans or shows hostility toward another person at the workplace. Workplace Harassment may include but is not limited to:
  - 4.3.1 Hostile Work Environment, which consists of harassment based on race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability, genetic information, sexual orientation, marital status, gender identity and expression, and veteran status, and protected activity (i.e., opposition to prohibited discrimination or participation in the complaint process), or status explicitly defined as protected under applicable state and federal law.
  - 4.3.2 Bullying, which consists of outrageous behavior that deliberately causes extreme physical and/or emotional distress. Such conduct involves the repeated unwelcome mistreatment of one or more employees/students often involving a combination of intimidation, humiliation, and sabotage of performance which may include, but is not limited to:
    - a. Unwarranted constant and destructive criticism;
    - b. Singling out and isolating, ignoring, ostracizing, coercing, etc.;

- c. Persistently demeaning, patronizing, belittling, and ridiculing; and/or;
  - d. Threatening, shouting at, and humiliating, particularly in front of others.
- 4.3.3 Cyber-bullying, which involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm others.
- 4.4 Sexual Harassment Definition (EEOC: N-915-050) - Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
- 4.4.1 submission to such conduct is an explicit or implicit condition of employment;
  - 4.4.2 submission to or rejection of such conduct is used as the basis for employment decisions; or
  - 4.4.3 such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive work or educational environment.
  - 4.4.4 Quid Pro Quo Sexual Harassment: Meaning “this for that” or “something for something,” a type of illegal sexual harassment in which the satisfaction of a sexual demand is used as the basis of a tangible employment action.
- 4.5 “Intimidation” means implied threats or acts that cause imminent fear of harm in another on the basis of actual or perceived membership in a Protected Category.
- 4.6 “Retaliation” means any adverse employment action taken against a person who complained about harassment, supported a complainant involving harassment, or who participated in the investigation of a claim of harassment because of that person’s participation in filing the complaint of harassment, supporting a complainant involving harassment, or for participating in the investigation of a claim of harassment.
- 4.7 “Hostile Environment” means an environment created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent, or pervasive and objectively offensive so as to interfere with, limit, or deny the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits, or opportunities.

## **SECTION 5. FILING OF COMPLAINTS**

- 5.1 The filing of complaints of workplace harassment should be directed to the Office of Equity, Diversity, and Inclusion. If the complaint is against the Office of

Equity, Diversity, and Inclusion, the complaint should be directed to the Office of Human Resources.

- 5.2 The filing of complaints of harassment by or about students should be directed to the Office of the Vice President for Student Affairs and Enrollment Management.

## **SECTION 6. ADDITIONAL RESOURCES**

- 6.1 While an individual alleging illegal harassment has a duty to promptly file complaints with their immediate supervisor and the Office of Equity, Diversity, and Inclusion, the individual also has the right to file such complaints with:

- 6.1.1 The United States Department of Education Office of Civil Rights is responsible for enforcing Title IX. Additional information about Title IX and the Office of Civil Rights' complaint procedure which may be utilized in addition to the procedures set forth in this policy, is available at:

Office of Civil Rights  
U.S. Department of Education  
100 Penn Square East, Suite 515 Philadelphia, PA 19107-3323  
Telephone: 215-656-8541  
Fax: 215-656-8605;  
TDD: 877-521-2172 Email: [OCR\\_Philadelphia@ed.gov](mailto:OCR_Philadelphia@ed.gov)  
Website: <http://www2.ed.gov/>

- 6.1.2 Additional information about federal anti-discrimination/harassment/retaliation laws and complaint procedures may be directed to:

United States Equal Employment Opportunity Commission  
801 Market Street, Suite 1300  
Philadelphia, PA 19107-3127  
Telephone: 866-408-8075  
Fax: 215-440-2606  
TTY: 800-669-6820  
Website: <http://www.eeoc.gov/>

- 6.1.3 Additional information about State anti-discrimination/harassment and retaliation laws and complaint procedures is available from:

The West Virginia Human Rights Commission  
1321 Plaza East – Room 108A  
Charleston, WV 25301  
Telephone: 304-558-2616  
Toll Free: 888-676-5546  
Fax: 304-558-0085  
Website: <http://www.hrc.wv.gov/Pages/default.aspx>



- 6.1.4 Additional information on the prevention and elimination of unlawful employment discrimination in the state of West Virginia:  
State of West Virginia Equal Employment Opportunity Office  
500 Dee Drive  
Charleston, WV 25311  
Telephone: 304-558-0400  
Fax: 304-558-3861  
<http://www.eeo.wv.gov/>

## APPENDIX 3: WVHEPC RULES AND POLICY REFERENCES

Listed below please find several WVHEPC Rules and Policies references. As this information may change at any time, you are encouraged to periodically review the most current information available at <https://www.wvhepc.edu/resources/rules-and-policies/>.

Effective Rules (on 07/01/22):

[Series 2: Higher Education Finance Policy](#)

– Legislative Rule – Final – Effective July 1, 2001

[Series 3: Higher Education Accountability System](#)

– Legislative Rule – Final – Effective July 2, 2020

[Series 4: Rules and Administrative Procedures](#)

– Procedural Rule – Final – Effective September 28, 2018

[Series 5: Guidelines for Governing Boards in Employing and Evaluating Presidents](#)

– Legislative Rule – Final – Effective April 29, 2019

[Series 6: Higher Education Adult Part-Time Student \(HEAPS\) Grant Program](#)

– Legislative Rule – Final – Effective April 6, 2004

[Series 7: West Virginia Providing Real Opportunities in Maximizing In-State Student Excellence \(PROMISE\) Scholarship Program](#)

– Legislative Rule – Effective May 1, 2019

[Series 9: Academic Freedom, Professional Responsibility, Promotion and Tenure](#)

– Procedural Rule – Final – Effective September 20, 2007

[Series 10: Policy Regarding Program Review](#)

– Procedural Rule – Effective October 10, 2008

[Series 11: Submission of Proposals for Academic Programs at Public Regional Institutions and the Monitoring and Discontinuance of Existing Programs](#)

– Procedural Rule – Final – Effective February 13, 2020

[Series 12: Capital Project Management](#)

– Legislative Rule – Final – Effective June 4, 2018

[Series 13: Change in Organization of Colleges and Schools](#)

– Procedural Rule- Final – Effective January 20, 2017

[Series 14: Holidays](#)

– Procedural Rule – Final – Effective December 1, 2019

[Series 17: Transferability of Credits and Grades at the Undergraduate Level](#)

– Procedural Rule – Effective December 24, 2015

[Series 18: Assignment of Academic Credit and Financing Noncredit Instruction](#)

– Procedural Rule – Final – Effective June 22, 2002

[Series 19: Guidelines for College Courses for High School Students](#)

– Procedural Rule – Final – Effective February 29, 2016

[Series 20: Initial Authorization of Degree-Granting Institutions](#)

– Legislative Rule – Final – Effective May 2, 2013

[Series 21: Freshman Assessment and Placement Standards](#)

– Procedural Rule – Final – Effective January 19, 2019

[Series 22: Grade Point Average for Associate and Baccalaureate Degree Students](#)

– Procedural Rule – Final – Effective January 21, 2018

[Series 23: Standards and Procedures for Undergraduate Admission](#)

– Procedural Rule – Final – Effective February 13, 2015

[Series 24: Preparation of Students for College](#)

– Procedural Rule – Final – Effective August 10, 2002 – Repealed – Eff. November 18, 2016

[Series 25: Residency Classification for Admission and Fee Purposes](#)

– Procedural Rule – Final – Effective April 11, 2019

[Series 26: Underwood-Smith Teaching Scholars Program and Teacher Education Loan Repayment Program](#)

– Legislative Rule – Final – Effective July 2, 2020

[Series 28: WV Engineering Science and Technology Scholarship Program](#)

– Legislative Rule – Final – Effective April 27, 2005

[Series 29: Travel](#)

– Procedural Rule – Final – Effective August 1, 2002

[Series 30: Purchasing](#)

– Procedural Rule – Final – Effective September 23, 2016

[Series 31: Ethics](#)

– Procedural Rule – Final – Effective August 1, 2002

[Series 32: Tuition and Fee Policy](#)

– Legislative Rule – Final – Effective June 4, 2018

[Series 33: Anatomical Board](#)

– Interpretive Rule – Final – January 31, 2018

[Series 34: Medical Student Loan Program](#)

– Legislative Rule – Final – Effective May 14, 2009

[Series 38: Employee Leave](#)

– Procedural Rule – Final – Effective November 19, 1992 (transferred from previous boards)

[Series 40: Equal Opportunity and Affirmative Action](#)

– Procedural Rule – Final – Effective December 1, 2019

[Series 41: Health Sciences Service Program](#)

– Procedural Rule – Final – Effective August 18, 2019

[Series 42: WV Higher Education Grant Program](#)

– Legislative Rule – Final – Effective August 5, 2017

[Series 43: Purchasing Efficiencies](#)

– Legislative Rule – Final – Effective April 6, 2004

[Series 46: Standards for Subject-Area Content in Secondary Level Teacher Preparation Programs](#)

– Procedural Rule – Final – Effective December 23, 2004

[Series 47: Commission Organization and Meeting](#)

– Procedural Rule – Final – Effective Date July 22, 2011

[Series 48: Research Trust Fund Program](#)

– Legislative Rule – Final – Effective August 5, 2017

[Series 50: Energy and Water Savings Revolving Loan Fund Program](#)

– Legislative Rule – Effective April 21, 2010

[Series 51: Bookstores and Textbooks](#)

– Procedural Rule – Final – Effective May 27, 2010

[Series 52: Annual Reauthorization of Degree-Granting Institutions](#)

– Legislative Rule – Final – Effective August 5, 2017

[Series 54: Campus Safety Procedures](#)

– Procedural Rule – Final – Effective September 7, 2018

[Series 55: Human Resources Administration](#)

– Legislative Rule – Final – Effective June 4, 2018

[Series 56: Military Student Withdrawal Policy](#)

– Procedural Rule – Final – Effective June 11, 2014

[Series 58: Nursing Scholarship Program](#)

– Legislative Rule – Final – Effective June 8, 2016

[Series 59: Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, College-Level Examination Program, and Nursing Career Pathways](#)

– Procedural Rule – Final – Effective November 5, 2021

[Series 60: West Virginia Reverse Transfer Program](#)

– Procedural Rule – Final – Effective August 6, 2015

[Series 61: Choose West Virginia Practice Program](#)

– Procedural Rule – Final – Effective December 1, 2019

[Series 62: Energy and Water Savings Performance Contracts, Monitoring Use and Reduction](#)

– Procedural Rule – Final – Effective September 7, 2018

[Series 63: Mental Health Loan Repayment Program](#)

– Legislative Rule – Final – Effective August 15, 2021

[Series 64: Administrative Exemption](#)

– Legislative Rule – Final – Effective August 15, 2021

## **APPENDIX 4: BSU ORGANIZATION CHART**

The Bluefield State University organization chart may change at any time. You are encouraged to periodically review the most current organization chart available on the Board of Governors webpage at <https://www.bluefieldstate.edu/resources/board-governors>.

## **APPENDIX 5: HIRING DEPARTMENT ORIENTATION CHECKLIST**

To assist hiring departments with welcoming new employees and conducting their departmental orientation, an orientation checklist is available via the “Hiring/Employment (Regular Positions) section at <https://www.bluefieldstate.edu/resources/human-resources/forms>.