

A photograph of a modern, multi-story building with a facade of grey panels and large windows. The building is the background for the entire page. In the foreground, there is a small tree and a sign for EastWest University.

EAST/WEST™
UNIVERSITY

**PERSONNEL
HANDBOOK
2020**

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UNIVERSITY

Table of Contents

Mission and Purposes of the University	5
The University Faculty	5
Description of Ranks	6
Faculty Council	6
Academic Governance	7
Policies for Faculty Appointments	7
Academic Hiring	7-10
Conditions of Appointment	10
Adjunct Faculty	11
Faculty Rights and Responsibilities	11-12
Academic Freedom and Responsibilities	12
Teaching	13-14
Research and Research-related Activities	16
Community/Public Service	16
Relations with Colleagues	16
Resolution of Conflict	16
Faculty Evaluation	17
Promotions	17
Promotion Policies and Calendar	17-18
Reappointment	18
Non-reappointment	18
Performance Review for Faculty and Academic Staff	19
Grievance Policies, Procedures, and Disciplinary Action Policies	19-24
Confidentiality	24
Faculty Vacation/Sick leave	24
Administrative Staff and Other Personnel	24
Background Checks	24
Work Schedule	25
Employment Status	25
Probationary Employees	25
Terms of Employment	26
Evaluation of Administrative and Other Personnel	26

General Policies Applicable to Faculty, Administration, and other Personnel	26
Employee Rights and Responsibilities	27
Payroll Policies and Procedures	27
Absenteeism/Unscheduled Absence	28
Job Abandonment	28
Vacation Leave	28
Sick/Personal Leave	29
Special Reserve or National Guard Duty	29
Maternity/ Paternity	29
Attendance in Court	30
Funerals	30
Professional Meetings	30
Health	30
Job-related Injuries	30
Other Reasons for Leave of Absence	30
Reinstatement after Leave of Absence	31
Wage Garnishment	31
Insurance	31
Retirement	32
General Policies applicable to Faculty, Administrative and other Personnel	32-33
Holiday Policies	33
Winter Break	34
Equal Opportunity and Non-discrimination Policy	34
Smoke Free Environment	35
Drug Free Environment	35
Drugs, Alcohol, controlled substances	
Family Medical Leave Act (FMLA)	36-38
Sexual Harassment	38-41
Title IX Complaint Procedure	41-42

Mission And Purposes Of The University

East-West University's policies regarding personnel administration aim to fulfill the University's mission and purposes most effectively and efficiently. The University is established primarily to preserve and extend and to integrate and transmit knowledge of human beings concerning themselves, the universe, and their Creator. It strives to develop the wisdom derived from human heritage in its graduates, the spirit of query that leads to discovery, and the sense of dedication that spends itself in humankind's service. It inspires the students to pursue natural and supernatural truths and imbibe the urge to live a fuller and more fruitful life. The conduct and activities of the University personnel are evaluated only in terms of relevance to the University's mission and purposes, so the truths and ideals it cherishes and teaches are demonstrated to the community, the nation, and the world through the lives and achievements of its faculty, students, and graduates.

The University Faculty

The faculty of East-West University is composed of three categories:

- a) full-time faculty
- b) research and visiting faculty
- c) adjunct faculty

a. Full-Time Faculty:

The full-time faculty includes the Chancellor, Provost, Dean of Program Development, Director of Enrollment Management, Divisional Chairpersons, Program Directors, and all full-time members of the instructional staff in the ranks of instructor, assistant professor, associate professor, and professor whose employment classifies them with faculty status in the University. Under normal circumstances, a full time teaching load will be four courses per quarter or equivalent responsibility.

b. Research and Visiting Faculty:

The research and visiting faculty consist of faculty members of the instructional and research staff who also have a full-time appointment for a specified time and without accumulating time toward tenure. They participate in University functions and may, in specific cases, attend meetings of committees and councils.

c. Adjunct Faculty:

The adjunct faculty members are members of the instructional staff with contracts stipulating less than full-time employment. Adjunct faculty may attend meetings of committees and councils.

Description Of Ranks

The prime consideration for all appointments to faculty ranks shall be demonstrated excellence in teaching.

1. Full-Time Instructor:

Faculty members at this rank shall have an advanced degree in the academic area of appointment, ordinarily have plans for completing the terminal degree from an accredited institution, and give evidence of continuing academic development.

2. Assistant Professor:

Faculty members at this rank shall have a master's degree in the academic area of appointment. The doctorate or terminal degree in the academic field of appointment is preferred for this rank. Exceptions are made for candidates who have attained recognition for professional achievements and evidence of continued academic development. The assistant professor should have demonstrated evidence of teaching ability and academic potential in his/her profession.

3. Associate Professor:

In addition to the assistant professor's requirements, candidates for this rank shall possess an earned doctorate or terminal degree in the academic area of appointment from an accredited institution and/or possess documented and comparable practical experience in lieu of the advanced degree. The candidate shall also show evidence of substantial teaching ability, professional achievement, research, and service. The candidate should also be engaged in activities that are likely to result in additional academic achievements and improved teaching effectiveness.

4. Professor:

This rank shall fulfill requirements for associate professorship, which includes the doctorate or terminal degree in the academic area of appointment from an accredited institution. In addition, candidates to this rank should possess distinguished academic/technical achievements recognized by peers within and outside the University. The candidate should also show evidence of outstanding teaching ability, professional success, research, and service.

Faculty Council

The Faculty Council is comprised of all full-time faculty members. The Faculty Council advises the Provost, Associate Provost, Assistant Provost, and the Chancellor on all academic and curricular matters and concerns. It also functions as the Curriculum Committee of the University.

Academic Governance

The faculty are expected to participate in establishing and functioning a participatory governance system to ensure academic freedom and promote the institution's goals. The University looks to the faculty for recommendations on various academic personnel matters, including faculty appointments, reappointments, promotions, the award of tenure, and salary increase guidelines; on the development of new academic programs and modifications or discontinuance of existing programs, on academic curricula and standards; on the definition of University mission and goals; on policies governing research and creative endeavors; on the formulation of annual budget requests and allocations; and on the selection and review of specified administrative officials, as well as other issues that concern the general welfare of the University, including student affairs and the academic environment.

Faculty Appointments

Academic Hiring

All appointments, promotions in rank, annual salary determinations, and tenure decisions are made by the Chancellor on the recommendation of the Provost and the immediate supervisor of such personnel. No appointment is official until the Chancellor announces it. Each faculty appointee shall receive a letter of appointment/reappointment before commencing his/her duties at East-West University. The letter shall specify the position's title, length of appointment, salary, and any other special conditions differing substantially from the Personnel Handbook information.

Recruiting and selecting faculty is a responsibility of the respective Division/Department/Program Director, the Provost, and the Chancellor.

The purpose of the academic hiring process is to

1. recruit and hire the best qualified and most appropriate faculty and academic staff to implement the goals and objectives of the University within the framework of its mission and vision
2. provide substantive and procedural accountability for University commitments to a fair, legal, and effective recruitment process
3. ensure implementation of principles of affirmative action and equal opportunity in hiring faculty and academic staff
4. permit review and authorization of academic position requests concerning budget and program priorities
5. provide a reservoir of information in an accessible, understandable, coherent, and practical format, so that those responsible at EWU can meet requirements of a fair, legal, and effective hiring procedure

6. satisfy EWU's commitments to all applicable federal and state laws, including a database to satisfy audit requirements
7. accomplish purposes 1 through 6 expeditiously, with efficient use of human and other resources.

Academic hiring procedures cover faculty and academic staff. Faculty and academic staff have been ranked as listed above; academic and administrative titles such as program director or Chairperson etc.; and executive management titles such as Chancellor, Provost, Associate Provost, Assistant Provost, etc.

In general, academic vacancies are to be posted. However, in the cases listed below, the posting and search requirements of the Academic Hiring Procedures may be waived.

1. Appointment for less than two quarters (6 months), or appointment for a full year at 50% time or less
2. Shift from fixed-term status to other continuing appointment system for faculty/staff previously screened
3. A shift from other appointment categories
4. Special opportunity (unique qualifications).

Chairpersons are responsible for providing written support for and/or concurrence with recommendations to establish new positions or fill vacant positions. Planning by the Chairperson is expected to address, but not be limited to, the following factors:

- Assessment of staffing needs in light of identified academic priorities
- Specific qualification needs for faculty/academic staff to meet program priorities
- Relative merit to filling positions in light of program, market, and budgetary considerations
- Consideration of current unit representational patterns and current placement goals
- A broad-based search plan to ensure a diverse candidate pool.

The Chairperson may want to confirm that the Provost will approve the position before initiating the search plan's formal process and position request.

Upon approval of the position by the Provost, the Chairperson is responsible for the composition of a search committee.

The Chairperson electronically submits the Academic Position Request, including advertisement to the Provost.

The Provost approves the position request considering enrollment projections, staff flexibility, program needs, priorities, budget implications, affirmative action goals, staff flexibility, and salary range. A disapproved position request is returned to the Chairperson at this point.

Human Resources Office posts approved positions on the EWU web page. All academic vacancies must be posted locally. The application deadline date for all postings must be at least two weeks after the posting date. The Chairperson may deal directly with publications, associations etc., if necessary.

The Search Committee chairperson acknowledges all communications from applicants.

The Chairperson has the primary responsibility to ensure adequate representation based on current availability percentages of women and minority groups among the initial applicants and the candidates remaining after each screening process.

The Search Committee screens all candidates based on

- (1) program needs,
- (2) excellence of qualifications and credentials based on clearly delineated job-related criteria,
- (3) placement goals, and
- (4) diversity considerations. Search Committee recommends a list of final (on-campus interview) candidates.

The Chairperson approves the initial applicant list and later the list of final candidates. The list of applicants for interviews is sent to the Provost. The Search Committee interviews all candidates on the final list, makes its final recommendation and submits to the Chairperson:

1. final candidates who are considered to be offered the position and those not to be offered the position
2. a resume or curriculum vitae of each final candidate
4. Search Committee's evaluation of final candidates
5. assessments made by individuals and/or groups who interviewed the final candidate(s)
6. for each applicant who is not on the final candidate list, specific job-related reason(s) along with supporting documentation
7. applicant's file, including a letter of application/nomination, curriculum vitae, reference letters, etc.
8. a file of the Search Committee's procedures including copies of sample letters, screening criteria, core questions asked in the interview, meeting minutes if kept, etc.

The Provost approves a final selection and the appointment terms. The Chancellor, in conjunction with the Provost, makes the position offer to the identified candidate.

The terms and conditions of employment should include:

- academic rank and/or title, the Department, appointment basis, appointment status, and percent time if less than 100%, the time covered by appointment, and the salary provision
- a criminal background check is a prerequisite for all faculty appointments at East-West University. Note that foreign nationals who come to EWU directly from a residence outside the U.S., and for whom the Department of Homeland Security provides the necessary clearance, are excluded from the background check, but are subject to degree verification.

The offer letter must indicate: "The offer of appointment is contingent on satisfactory criminal background check results, including degree verification. You will be contacted by the H.R. manager to initiate the background check process."

- the general expectations regarding the professional responsibilities of the person being appointed
- relevant position responsibilities concerning teaching, research, and service including applicable information about employee processing, (pay schedules, electronic deposits, holidays, etc.
- summary of benefit programs (Contact the Benefits Office for the most up-to-date summary.)

If the preferred candidate rejects the offer, the next final candidate will be offered the position from the final candidate list. If no final candidates remain, a new final candidate list taken from the initial applicant list may be considered, and proceeding from there.

Conditions Of Appointment

1. Professor:

Appointments to the professor's rank imply permanent tenure, subject to all conditions and reservations described under tenure unless other stipulations are made at the time of appointment.

2. Associate Professor:

Appointments to the associate professor's rank shall be for two years and imply progress toward permanent tenure, subject to all conditions and reservations described under tenure unless other stipulations are made at the appointment time.

3. Assistant Professor:

Initial appointments to the rank of assistant professor shall be for one academic year. An assistant professor is not eligible to apply for tenure until he/she may qualify and is promoted to Associate Professor.

4. Instructor:

Appointments to the instructor's rank are not permanent and are made for one academic year. The average period of service in this rank is no more than five years.

5. Summer Appointments:

The University does not guarantee summer appointments. Summer appointments, regardless of rank, shall be for one specific summer only. Preference shall be given to full-time faculty members of the University based on seniority. Summer employment shall not accumulate towards tenure.

6. Special Appointments:

In exceptional cases, such as delayed student recruitment, resignation due to extended sickness, or incapacitation of a faculty member, the Chancellor may appoint, with the Divisional Chairperson/Program Director's advice and that of the Provost, a replacement for the rest of the academic year on a temporary basis.

7. Adjunct Faculty:

Appointments of adjunct faculty are made every quarter for that quarter only. Recommendations for the staffing of courses with adjunct instructors are based on the Department's specific needs at any given time within the context of institutional priorities. Upon completing the scheduling for the quarter, the program chairperson recommends adjunct faculty to the Provost, who then makes the appointment decision. Adjunct faculty shall possess an earned degree or equivalent of at least one-degree level above the prospective teaching assignment. Degrees must have been obtained from institutions accredited by agencies such as the NCA/HLC or ACE; equivalencies must have been issued by agencies such as ECE (Milwaukee) and must be provided by the candidate. The focus of academic preparation must be in the area of teaching assignment. Exceptions to the requirement of degree credentials may be made in the case of lab assistants, remedial course instructors, and language instructors at the primary level. Adjunct faculty hiring recommendations shall be based on the candidate's relevant experience in teaching, research, service, professional preparation and recommendations, professional and student evaluations, and similar relevant evidence. Solicitation for applications will include the use of local media.

8. Research and Visiting Faculty:

Research and visiting faculty shall generally be sponsored and funded by an outside source of support. The duration of such appointments shall be for no longer than one year subject to renewal at the discretion of the Provost and the Chancellor.

9. Administrators with Faculty Rank:

Administrators with faculty rank shall have the qualifications of the respective faculty rank as described above, in addition to their administrative qualifications, which shall minimally be a master's degree in the area of administrative duties.

10. Administrators:

Administrators without faculty rank shall minimally have a master's degree in the area of their administrative duties.

Faculty Rights and Responsibilities

East-West University Board of Trustees confers upon the faculty freedom, power, and responsibility to develop a free and distinguished university and to promote the welfare of humankind through teaching, research, and public service.

Academic Freedom and Responsibility

East-West University endorses academic freedom and responsibility, as stated by the AAUP 1940 with amendments. East-West University adheres to the principle of academic freedom with correlative responsibilities as stated by the American Association of University Professors, the Association of American Colleges, and other organizations.

“Teachers are entitled to full freedom in research and publication of the results, subject to adequate performance of their other academic duties but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching of the subject matter controversial material which has no relation to that subject. Limitations of academic freedom because of the institution's religious or other aims should be clearly stated in writing at the appointment time.

College and university teachers are citizens, members of a learned profession, and an educational institution's officers. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their unique

position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to indicate that they are not speaking for the institution".

"1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments," AAUP Policy Documents and Reports, 1995.

Academic freedom includes the right to:

- discuss in the classroom any material which has a significant relationship to the subject matter as defined in the approved course description;
- determine course content, grading, and classroom procedures for the courses they teach;
- conduct research and engage in creative endeavors;
- publish or present research findings and creative works;
- engage in public service activities; and
- seek changes in institutional policy through established University procedures and by lawful and peaceful means.

Academic responsibilities include the obligation to:

- carry out assigned teaching, research, and public service duties in a professional manner and keeping with University policy;
- refrain from introducing matters which are not consistent with their teaching duties and professional competence and which have no significant bearing on the subject matter of the course as approved under University procedures;
- pursue excellence and intellectual honesty in teaching, research, and other creative endeavors and in public service activities; and also in publishing or presenting research findings and creative works;
- encourage students and colleagues to engage in free discussion and inquiry, and to evaluate student's and colleague's performance on a scholarly basis;
- work in a collegial manner with proper individuals and bodies to encourage free search for knowledge, its free exposition, and the University's continuing quest for excellence; and
- differentiate their official activities as faculty members from their activities as citizens. When the situation warrants, they should make it clear that they do not speak for the University when speaking as private citizens.

Teaching

Because the faculty's role in the educational process is primary and central, the faculty member, as a teacher, has the responsibility to make every effort to be

accurate, objective, and effective, and to address topics and present materials consistent with the teaching assignments as defined in the approved course syllabus. Every effort has been made to encourage the pursuit of student learning by manifesting the best academic standards of the discipline or profession, to accord students respect as individuals and mutual trust, and to establish an appropriate role as an intellectual guide, counselor and mentor, both in and out of the classroom. If problems arise, as a result, both instructor and student shall attempt to resolve them in informal, direct discussions as between well-intentioned, reasonable persons.

Students are never to be exploited for private advantage or subjected to discrimination or harassment, such as racism, sexism, and other forms of bias. Instructors should foster and require honest academic conduct. They have authority and responsibility for grades and shall assure that the evaluation and assessment of academic performance reflect each student's actual achievement. They must use good faith application of criteria appropriate to the field of study and the course and assure that each student is free to voice opinions openly without fear of retaliation.

In addition, all faculty members, regardless of rank, in fulfillment of their contracts are expected to meet the following responsibilities:

- Meet classes as scheduled and teach with professional competence, enthusiasm, and diligence.
- Meet classes as planned, and in case of emergency, if at all possible, give adequate notice of the time change, makeup time, or substitute meetings. No faculty member is authorized to change the hour or room of a class, cancel a scheduled class, or change the scheduled examination time without the Provost's permission.
- At the first class session of each quarter and in each class, state the course goals, objectives, and content, and inform the students of testing and grading procedures, attendance requirements, and success requirements.
- Submit a detailed course outline, sample tests and examinations, and lists of readings to the program director and students within the first week after the beginning of the quarter. A part-time instructor may be asked to adapt existing course outlines, depending upon the Program Director's decision.
- Instruct students in the facts, concepts, generalizations, appreciation, and skills focussed in the assigned course.
- In conducting the course, maintain a clear connection between the goals and content and the conduct of each course, and strive to generate a proper understanding and respect on the students' part for academic freedom.
- Refrain from any exploitation of students for personal advantage or any coercion of students' judgment or conscience. At the same time, strive to

develop among students respect for others' and their opinions by demonstrating respect for each student as an individual regardless of age, sex, race, national origin, ethnic, religious or socio-economic background, or physical handicap.

- While in and out of the classroom, refrain from discriminatory or slanderous remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct about colleagues. We encourage faculty members to accept a share of the obligation for helping the University function smoothly as a living and vigorous organization, and for promoting it.
- Are available for student counseling and advisement for a reasonable number of hours each week, both regularly scheduled and by special appointment, with a minimum of one hour per course every week.
- Maintain office hours during the day and evening for at least 10-12 hours per week (full-time faculty members). Notice of the office hours should be submitted to the Program Director and posted on the faculty member's office door.
- Evaluate student's work solely based on academic achievement without undue or unexcused delay.
- Submit midterm and final grade reports and attendance rosters for each class by the end of the fifth week of classes and also by the end of the quarter along with any other reports about the assigned course(s) to the Program Director.
- Supervise, when applicable, senior projects required for the bachelor's degree, in consultation with the Provost.
- Write candid and fair letters of recommendation for students upon request.
- Attend Faculty Council meetings called by the Provost (optional for part-time faculty members).
- Be available for service during orientation and registration.
- Participate in the formation and implementation of academic policies and practices.
- Cooperate with the Program Director, department members, and concerned administrators to develop curricula, prepare course outlines and syllabi, and select textbooks.
- Consult with the Program Director on matters related to departmental problems and observe proper channels of communication.
- Recommend library books and other instructional materials.
- Maintain an inventory of assigned equipment and supplies.
- Participate in faculty and professional organizations.
- Submit an annual report (full-time faculty members) summarizing work performed during the academic year. This report is given to the immediate supervisor who retains a copy and transmits the original through the

Provost to the Chancellor no later than seven weeks before the end of the academic year or by such date as stipulated by the Provost.

- Attend convocation ceremonies (optional for part-time faculty members).
- Perform such other duties as assigned by the Divisional Chairperson/Program Director, Provost, and/or the Chancellor.
- Provide extra class time or instructional work for students to compensate for missed class sessions due to holidays or when the University is closed due to emergency, weather or other unforeseen circumstances.

Research and Research-related Activities

Faculty members are expected to maintain currency in their professional field of study and competence. As applicable, they are expected to create, seek, and state knowledge freely and openly, strive for scholarly excellence, exercise critical self-discipline and judgment in generating, using, extending, and transmitting knowledge. They must adhere to the highest standard of intellectual honesty to oversee and evaluate the work of students. These endeavors shall be conducted consistently with accepted scholarly standards and in conformity with legal, professional, and University codes and policies.

Community/ Public Service

East-West University is committed to public service as an integral part of its mission. Public service involves applying the faculty member's professional training and competence to issues of significance to EWU constituencies. It is related to academic program objectives for which the faculty member is appointed. These endeavors shall be conducted consistently with accepted scholarly standards and in conformity with legal, professional, and University policies.

Relation with Colleagues

Faculty have the responsibility to respect colleagues' free inquiry and respect their views and, as applicable, acknowledge colleagues' contributions to their work. Evaluation of other faculty's professional performance shall be honest and objective, in accordance with established University criteria. Faculty shall foster collaboration with and support of colleagues.

Resolution of Conflicts

The University is committed to respect the rights of the faculty. Faculty members who believe that their rights have been violated have the right to seek redress through the University's established procedures for the hearing and resolving complaints. Faculty members must meet their responsibilities as defined in this document. Faculty members accused of failing to meet these responsibilities have a right to be informed of the accusations and accorded timely access to University procedures to determine whether the allegations are valid and any sanctions justified.

Faculty Evaluation

The Divisional Chairpersons/Program Directors shall be responsible for the performance evaluation of all faculty members assigned to the departments or programs of their divisions.

Promotion Procedures

Promotions

The formal procedures for promotion shall be initiated by the faculty applicant and based upon the individual's academic achievement and performance in the teaching areas. Consideration for promotion is based upon merit and is independent of tenure. Written intention and documentation must be submitted to the appropriate: Divisional Chairperson/Program Director who, with a recommendation, will submit it to the Provost. The Provost and Chancellor shall have final authority over all promotion decisions. The qualifications for specific ranks have been outlined in the preceding paragraphs.

1. By February 1, the faculty member who wishes promotion informs the departmental/program chairperson and submits the following relevant documents to the Chairperson and the Provost, in support of the application, indicating rank sought:
 - a. Letter of Application summarizing accomplishments;
 - b. Updated resume;
 - c. Evaluation materials including class visitations and course evaluations;
 - d. Copies of publications;
 - e. Information concerning relevant activities including presentations, attendance at professional meetings, courses, workshops, seminars, and relevant community activities;
 - f. Documentation of other professional activities such as grant proposals, new program development, research in progress, etc.
2. Within one week after February 1, a Promotion and Tenure Committee, composed of five senior faculty members (having served a minimum of five years) with a rank above that of the rank requested, is established in conjunction with the Administrative Core Group and approval of the Provost.
3. By February 20, the department/program chairperson reviews the materials and makes a recommendation to the Promotion and Tenure Committee and the Provost. A rationale for the recommendation is given.

4. By March 1, the Promotion and Tenure Committee reviews the materials and recommends to the Provost. A rationale for the recommendation is given.
5. By March 15, the Provost reviews the files and recommends approval or denial of the promotion to the Chancellor and informs the Promotion and Tenure Committee of the recommendation. A rationale for the recommendation is given.
6. If the Promotion and Tenure Committee and the Provost disagree, the Chancellor may appoint a committee to review the files and make a recommendation. The Promotion and Tenure Committee may submit a written explanation to be considered by the Chancellor.
7. By April 15, the Chancellor reviews, makes a decision, and notifies the applicant in writing."

Reappointment

All full-time faculty members to be reappointed shall receive written notice in the form of a letter of reappointment from the Chancellor or his/her designee no later than ten days before the end of the current academic year. There shall be two types of reappointment: firm reappointments and conditional reappointments. Faculty members who receive firm letters of reappointment shall be those deemed indispensable to program maintenance. The decision to offer firm letters of reappointment shall be solely at the discretion of the University administration. An end-of-the-academic year meeting with the Chancellor shall conclude the process of reappointment.

Conditional letters of reappointment shall be contingent upon the University's need or requirements for the ensuing academic year. A conditional letter of reappointment shall not be deemed a firm offer until the University has so notified the faculty member no less than ten days before the beginning of the academic year.

The faculty member desirous of continuing in the employ of the University shall sign the reappointment letter and return it to the Provost or Chancellor. Failure to return the signed letter within fifteen days from the date of its receipt by the faculty member shall signify refusal of the position offered.

Non-Reappointment

Faculty members not being considered for reappointment shall be sent non-reappointment letters by the Provost or Chancellor no later than ten days before the end of the current academic year.

Performance Review for Faculty

The purposes of the annual performance evaluation of faculty are to:

- Ensure that each individual has a clear understanding of what is expected of him/her in his/her appointment;
- Assess individual performance against expectations;
- Provide an opportunity for fixed-term faculty to provide input to the Divisional Chairperson about their performance;
- Provide input for decisions about future appointments.

The following principles are to be followed for faculty

- A. Each faculty member shall be evaluated on an annual basis and informed in writing the results of his/her evaluation by the Department Chair.
- B. Faculty shall be informed of all factors used for evaluation
- C. These annual assessments of fixed-term faculty shall be reflected in recommendations to the Provost's Office regarding additional appointments, reappointment, and/or promotion.

Guidelines for Unit Consideration in Implementation

- A. The Chairperson should initiate the annual evaluation process early enough so that the full process, including feedback to faculty members, may be completed within three months after the end of the current appointment period.
- B. Each faculty member shall submit a written summary of activities for the appointment period to the Chairperson promptly before the evaluation.
- C. The Chairperson shall offer to discuss the evaluation with the faculty member. A draft of the written evaluation shall be given to the faculty member before this discussion.
- D. No later than three months after completing the evaluation, the Chairperson shall provide the faculty member or academic staff member a final written evaluation of her/his overall performance.
- E. The faculty member shall have an opportunity to respond to the evaluation.
- F. The full documentation for this written evaluation, including the faculty member's response, shall be placed in the individual's personnel file.
- G. For those appointed to one-time appointments, an evaluation must still be completed, and a copy retained by the Chairperson.

Grievance Policy, Procedure, And Disciplinary Action Policies

A faculty or academic staff member who feels aggrieved is encouraged to first seek an informal resolution before filing a formal grievance. The grievance policy and procedures are not intended to be used to challenge University policies.

A faculty member may be disciplined for causes including but not limited to

- (1) intellectual dishonesty;
- (2) acts of discrimination, including harassment, prohibited by law or University policy;
- (3) acts of moral turpitude;
- (4) theft or misuse of University property;
- (5) incompetence; ·
- (6) refusal to perform reasonable assigned duties;
- (7) use of professional authority to exploit others;
- (8) violation of University policy substantially related to the performance of faculty responsibilities; and
- (9) violation of the law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration.

Discipline or the threat of discipline may not be used to restrain faculty members in their exercise of academic freedom. Where disciplinary action short of dismissal for cause is sought, the Provost shall provide the faculty member with written notice of the cause for disciplinary action and an opportunity to respond before the imposition of any disciplinary action.

The faculty member may challenge any disciplinary action imposition by filing a grievance under the Faculty Grievance Procedure provisions. No disciplinary action, except temporary reassignment of duties or temporary suspension with pay, shall be implemented during the grievance's pendency.

Disciplinary action may include but is not limited to reprimand, suspension with or without pay, termination, reassignment of duties, and mandatory counseling and/or monitoring of behavior and performance.

All proceedings and records concerning disciplinary action shall be confidential insofar as the law permits.

Definitions

- A. **Grievance:** A written complaint filed by a faculty or academic staff member against a university administrator alleging a violation of University or Department policy or established practice.
- B. **Faculty member:** A person with a paid University appointment at the rank of professor, associate professor, assistant professor, or instructor, is considered faculty for the grievance policy and procedures.
- C. **Academic Staff:** A person with a paid University appointment at the rank of academic specialist, research associate, or librarian, including those with a continuing appointment.

- D. Administrator: A person appointed as the head of an administrative unit, department chair, or provost level position.
- F. Practice: Actions taken by the administrator within an administrative or academic unit based on customs or standards in that unit that are usually unwritten but of long-standing duration.
- G. Violation: A breach, misinterpretation, or misapplication of an existing policy or established practice.

Grievance Procedure

A faculty or academic staff member may file a formal grievance against an administrator who alleges a university policy violation or established practice.

A faculty /academic staff member who feels aggrieved may discuss his/her complaint in a confidential conference with his/her supervisor or the Provost.

Filing A Grievance

To file a grievance, an individual faculty or academic staff member must submit a written, signed statement (the "grievance") to the Provost within 28 days of the date that the grievant knew or should have known of the alleged violation. The grievance must contain the following information:

1. the specific policy or established practice that has allegedly been violated;
2. the date of the alleged violation and the date on which the grievant became aware of the alleged violation;
3. the facts relevant to the alleged violation;
4. the person(s) against whom the grievance is filed (the "respondent"); and
5. the redress sought.

The grievant must also submit any documents that are relevant to the Provost's initial jurisdictional findings.

The Respondent

The Provost will provide a copy of the grievance and any documents submitted with the respondent's grievance within three (3) days of receipt. The respondent shall submit any relevant documents concerning the Provost's initial jurisdictional findings to the Provost within seven (7) days of receipt of the grievance.

Jurisdictional & Procedural Decisions

1. The Provost shall determine whether the following jurisdictional requirements have been met within 14 days of the date that the grievance was filed. The Provost may also seek information from appropriate University office(s) to assist in making these jurisdictional determinations:
 - a. whether the grievant has a standing under the Faculty Grievance Policy;
 - b. whether the grievance has been filed in a timely fashion;
 - c. whether the grievance identifies an appropriate respondent(s);
 - d. whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated;
 - e. whether the grievance contains an adequate statement of the facts relevant to the complaint; and
 - f. whether any other jurisdictional issue(s) need to be decided in connection with the initiation of the grievance and, if so, an explanation of such issues.
2. The Provost shall inform the parties in writing if each jurisdictional requirement has been met and the names of any University offices consulted regarding the jurisdictional decisions. If any jurisdictional requirement has not been met, the Provost shall dismiss the grievance.
3. Each party shall have the right to appeal the Provost's jurisdictional decisions by filing a written statement explaining the reason(s) for the appeal to the Chancellor within 14 days of the issuance of such a decision.
4. Suppose any party files an appeal of the Provost's jurisdictional decision(s). In that case, the Provost shall submit the written appeal, together with any written response to the appeal from the parties and a written response by the Provost, to a three-person jurisdictional Grievance Hearing Board appointed by the Chancellor from the list of faculty/academic staff. The Board shall deliberate and submit to the Chancellor and the Provost a written decision (including the basis for its decision) on the appeal within seven (7) days of its convening by the Provost.
5. The Provost shall forward a copy of the jurisdictional Grievance Hearing Board's decision to the parties within seven (7) days of its receipt from the panel.

Informal Resolution

1. The Provost shall confer with the parties and make every reasonable effort to resolve the grievance informally as quickly as possible.
2. If the Provost determines that the grievance cannot be informally resolved, the Provost shall so notify the parties in writing. If the grievant wishes to pursue the grievance, the grievant must submit a written request for a formal hearing to the Provost within 14 days of such notice. Failure to

submit such a request will constitute a waiver of the faculty member's right to pursue the grievance.

Grievance Hearing Board Composition

1. All full-time faculty and academic staff who have served for at least three consecutive years and are engaged in the University's academic activities on a regular basis are eligible and expected to serve as members of the Grievance Hearing Board.
2. The Grievance Hearing Board shall consist of three members selected by the Chancellor. Hearing Boards shall serve throughout an entire proceeding.
3. The Provost shall take necessary precautions to avoid any conflict of interest on the part of the hearing panel's members. No member of the hearing board shall be from the same Department.

Procedures

1. Hearings shall be scheduled as expeditiously as possible and with due regard for the schedule of both parties. Grievances involving faculty/academic staff who hold academic year (AY) appointments will normally not be held during the summer session unless the faculty/academic staff member has a summer appointment.
2. The Provost shall convene the hearing panel and shall be present during all formal proceedings. The Provost shall provide written notice of the time and place of the hearing, the names of counsel, the names of any witnesses, and copies of any documents submitted by the parties and deemed relevant by the Provost to each party at least seven (7) days before the hearing.
3. The hearing shall be conducted in good faith and must be completed within 14 calendar days unless the Provost determines that an extension of time is necessary.
4. The privacy of confidential records used in the hearing shall be respected.
5. All parties may present their cases in person or through their representative and may call witnesses on their behalf. The witnesses' names must be provided to the Provost at least seven (7) days before the hearing date.
6. Any party or counsel shall be entitled to ask pertinent questions of any witness or the other party at appropriate points in hearings. The Presiding Officer shall determine what questions are relevant.
7. The grievant bears the burden of proving that there has been a violation of EWU policy or established practice.
8. The Provost shall decide about the grievance, in writing, within 28 days of receipt of the hearing panel's findings and recommendations.
9. All parties shall be notified in writing of their right of appeal to the Provost when a copy of any decision is forwarded to the parties.

If the Provost is a direct party to the grievance, the Chancellor will take the Provost's place. Suppose the Chancellor is a direct party to the grievance. In that case, the Provost will assume the functions for the Chancellor's procedure, if accepted by the grievant, or the latter may select a member of the Board of Trustees, with mutual agreement of the grievant and Provost/Chancellor.

The Chancellor shall decide the appeal within 28 days of receipt of the panel's findings and recommendations.

Confidentiality

All records and information related to grievance proceedings under this Policy (both formal and informal) shall be kept confidential to the degree permitted by law. The FGO, parties to the grievance, their counsel, and other relevant administrators and faculty (including witnesses, presiding officers, and panel members) shall respect the confidentiality of information and records and the privacy of all parties whose interests are affected by a grievance.

Faculty Members Vacation /Sick Leave

Faculty members holding a nine-month appointment shall have no paid leave or vacation. However, they shall be paid for all official holidays and breaks between quarters falling within the contract period.

THE ADMINISTRATIVE STAFF AND OTHER PERSONNEL

All non-faculty employees with full-time, permanent or probationary, part-time or trainee status shall be governed by the following policies unless otherwise stipulated. All efforts have been made to make this manual as clear and concise as possible. The University reserves the right to make any changes.

Background Checks

According to the Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.), Employee Credit Privacy Act (820 ILCS 70/1 et seq.), and the Campus Security Enhancement Act (110 ILCS 12/1 et seq.), the following procedures have been implemented to ensure compliance in the attainment, disclosure, and utilization of information as a result of conducting a criminal background investigation.

East-West University's policy on background checks is intended to help the University protect its interests and the well-being of its students, staff, faculty, and the public. This policy establishes parameters for criminal history and related background checks on individuals who are offered employment at the University. Failure to disclose any criminal history or any misrepresentation of education or work history may influence the hiring process.

Work Schedule

The standard workweek shall be Monday through Friday. However, the Chancellor or the immediate supervisor may direct any employee, at the University administration's discretion, to work on an additional day (s) of the weekend or holidays should the need arise. Graduation ceremony participation is mandatory for all full-time employees. Any hourly employees shall be compensated at the applicable hourly rate for any additional work performed.

The standard workday for all employees shall be 8:30 A.M. to 5:30 P.M., including a one-hour lunch break. There is no flexible work arrangement here at the University. However, the Chancellor or the immediate supervisor may approve an earlier or later reporting and /or release time for work. All employees shall keep the central office and /or the immediate supervisor notified of their whereabouts at all times on campus.

Employment Status

The University may employ any qualified person under the following categories:

- a) Exempt status – any person employed on a nine-month, ten-month, or twelve-month salary basis.
- b) Non- exempt status – any person employed on an hourly basis.
- c) Academic year employee – any person employed on a nine-month basis.
- d) Calendar year employee – any person employed on a full-year basis.
- e) Probationary – initial classification.

Probationary Employees

Any employee other than of a temporary or trainee status, regardless of position classification, shall first hold a status of the probationary employee until the employee completes three months of continuous satisfactory employment, as evidenced by the supervisor's evaluation, after which the employee's status shall change from probationary to non- probationary status.

Suppose a probationary employee is absent from work due to illness, lay off, leave of absence, or any other reason. In that case, the employee's probationary period may be increased by the period of such absence. The probationary period may be extended to an additional three months if, in the Chancellor's or the immediate supervisor's judgment, additional time is needed to evaluate the employees' skills and ability.

During the probationary period, an employee may be dismissed with immediate effect, with or without cause, at the immediate supervisor's recommendation and with the concurrence of the Chancellor.

Terms of Employment

All employees not otherwise contracted for a specific period, regardless of their employment status, shall serve at the Chancellor's discretion. All such employees are considered to be employees at will and can be fired for any reason.

Evaluation of Administrative Personnel and Other Staff Members

The supervisor of each administrative staff member or other personnel shall be responsible for evaluating the subordinates' job performance. Such evaluation shall be conducted no less than on an annual basis.

Performance Review for Administrative Personnel and Other Staff Members

The purposes of the annual performance evaluation of the staff are to:

- Ensure that each individual has a clear understanding of what is expected of him/her in his/her appointment;
- Assess individual performance against expectations;
- Provide an opportunity for the staff to provide input to their performance;
- Provide input for decisions about future appointments.

The following principles are to be followed by the staff

- A. Each staff member shall be evaluated on an annual basis and informed in writing of the results of his/her evaluation by the supervisor.
- B. Staff shall be informed of all factors used for evaluation.
- C. These annual assessments of the staff shall be reflected in recommendations to the Provost's Office regarding additional appointments, reappointment, and/or promotion.

Guidelines for Implementation

- A. The supervisor should initiate the annual evaluation process early enough so that the full process, including feedback to staff members, maybe completed three months after the current appointment period.
- B. The supervisor shall offer to discuss the evaluation with the staff member. A draft of the written evaluation shall be given to the staff member before this discussion.
- C. No later than three months after completion of the evaluation, the supervisor shall provide a final written evaluation of her/his overall performance to the staff member.
- D. The staff member shall have an opportunity to respond to the evaluation.
- E. The full documentation for this written evaluation, including the staff member response, shall be placed in the individual's personnel file.

Employee Rights And Responsibilities

East-West University employee rules and regulations concerning the comprehensive work environment and work conditions, vacations, holidays, and leave-of-absence are enumerated below.

The standard University hours of operation other than academic instruction are 8:30 A.M. through 5:30 P.M. with a one hour lunch period.

Payroll Policies and Procedures

Effective January 15, 2007, the University has made it mandatory to participate in the Direct Deposit program for all full time and part-time employees.

Pay periods shall be every two weeks payable on every other Friday.

Attendance Policy and Procedure

East-West University expects that all employees maintain a good attendance record.

While the University's regular working hours are from 8:30 A.M. to 5:30 P.M., different departments, such as Admissions, Records, Financial Aid, and Student Services, vary depending upon need and function. The relative department directors recommend specific hours upon approval of the Provost.

Daily attendance records are kept by the University receptionist who reports these to the Assistant to the Chancellor. Either the employee or the immediate supervisor will notify the receptionist about an absence.

Reporting An Absence:

1. When absent from work, the employee must make a reasonable effort to immediately notify the supervisor of the reason for such absence before the beginning of the scheduled day.
2. If the absence is to continue beyond the first day, the employee must notify the supervisor daily unless otherwise arranged.
3. Absence for three consecutive working days without notifying the supervisor is considered a voluntary termination.

Payment For Absence:

1. All absences, such as a funeral, holiday, jury duty, military duty, personal leave, sick leave, vacation, family medical leave, etc., are charged to the individual employee as vacation/personal days.
2. Absences due to inclement weather or transportation problems will require either personal leave or vacation day.

When no accrued time is available:

Excused absences may be granted by the immediate supervisor but shall not exceed three consecutive days unless approved as a leave of absence. Normally, excused absences will not exceed five working days in each fiscal year. The loss of wages will be reflected in the paycheck.

Prior approval is required for vacation or personal leave. (Personal leave may be used, without prior approval, in emergency situations.)

The Provost may approve time off without pay exceeding ten days.

Non-Payment for Absence:

Employees on salary payroll will have the appropriate amount deducted from their paycheck with insufficient, paid leave. Employees on the hourly payroll report only the hours worked for the pay period.

Absenteeism / Unscheduled Absence:

Failure to report to work on a scheduled workday or working less than half of a scheduled workday due to tardiness or leaving early without a written and approved time-off request from at least the previous day constitute absenteeism. Absences on consecutive days for the same reason will count as one unscheduled absence under this policy. Some examples of unscheduled absences include absences due to car trouble, caring for a family member with the flu, and home emergency.

Job Abandonment

Failure to call in or notify the supervisor of the reason for being absent from work for more than three consecutive workdays is considered job abandonment.

Failure to return to work or directly notify the supervisor of the absence within three consecutive working days after any approved leave of absence or suspension is also considered job abandonment.

Such termination shall be a voluntary resignation and shall not be subject to the staff complaint and grievance procedure. This policy assures that the business of East-West University shall continue without interruption.

Vacation Leave

Each employee's vacation time is determined on a calendar year basis. For the first year, vacation days will be prorated based on the date of employment. All full time twelve-month employees shall be entitled to paid vacation time as follows:

- a) from the date of hire until completion of three years of continuous service, five workdays per year beginning the second year of employment.
- b) from the completion of three years of continuous service until the completion of six years of continuous service, seven workdays per year.
- c) from the completion of six years of continuous service until the completion of nine years of continuous service, ten workdays per year.
- d) from the completion of nine years of continuous service until the completion of twelve years of continuous service, fifteen workdays per year.
- e) from the completion of twelve years of continuous service until the completion of fifteen years, twenty workdays per year.
- f) for the employees with over fifteen years of continuous service, twenty-five days.

Vacations days are not cumulative, although they can be taken for personal business within a particular service year. Prior approval of the supervisor for taking vacation days is necessary.

Conflicts in requests for vacation time shall be decided based on the employees' seniority.

Sick/Personal Leave

All twelve-month full-time employees are entitled to twelve days of sick leave per year. Sick days may be taken for personal business; however, personal days do not accumulate. All employees are required to notify their immediate supervisor of taking a sick/personal day off as soon as possible. Sick days cannot accumulate more than twelve days during continuous employment.

Accumulated sick days can only be used in the case of hospitalization or an incapacitating illness.

Special Reserve Or National Guard Duty

Any employee who is a member of a reserve component of the Armed Services, the Illinois National Guard, or the Illinois Naval Militia shall be entitled to leave for mandatory active duty for the active-duty duration. Upon receiving payment for such services rendered under the Illinois Military Code, the employee shall then submit his/her earnings statement to the University and be entitled to payment by the University for the difference between his/her normal University pay and military pay for the same period of time.

Maternity/Paternity

An employee shall be granted a leave of absence without pay for a period not to exceed six months for maternity or paternity after the expiration of accumulated sick days and unused vacation. Maternity leave shall only be granted upon receipt of a written statement by the employee's physician,

indicating the delivery date. A pregnant employee may continue to work as long as her physician deems her able to perform her normal duties and may return to work as soon as her physician deems her able to resume her normal duties. Accumulated sick days and/or earned vacation days may be used for maternity/ paternity leave.

Attendance In Court

Any employee who is called for jury duty or subpoenaed by a legally constituted tribunal shall be entitled to leave of absence with pay for the duration of such jury duty or testimony. The University shall pay only the difference between the regular pay and any pay for jury duty or witness fees received by the employee. Any employee who wishes to bring in the check and not be paid the difference may do so.

Funerals

Employees will be allowed three (3) consecutive days of administrative leave in the event of a death of a mother, father, spouse, child, mother in law, father in law, grandmother, or grandfather.

Professional Meetings

Administrative leave shall be authorized at the Chancellor's discretion or by the immediate supervisor to employees absent from the University while participating in meetings related to their University assignment.

Health

An employee, who is temporarily unable to perform duties by virtue of illness or non- job-related injury, shall be granted a leave of absence without pay for a period not to exceed six months after the expiration of accumulated sick days and unused vacation time. Such leave may be extended at the discretion of the Chancellor. Upon return to work, proof of illness or injury must be presented with verification by qualified medical personnel.

Job-Related Injury

Any job-related injury shall be governed by the Illinois Workers Compensation Law and shall immediately be reported to the employee's supervisor.

Other Reasons for Leave of Absence

The Chancellor may grant a leave of absence without pay to any employee when such action is deemed to be in the University's best interest, and under such terms and conditions as may be determined. Such leave may be granted for a period not to exceed six months and is renewable at the Chancellor's discretion. An employee receiving such leave may use accumulated paid vacation or sick leave to cover additional periods. The employee shall earn no additional

vacation leave or sick leave during such period (s), nor shall this time be counted as continuous service for the purpose of calculating vacation leave. Such leave of absence shall not entitle the employee to a continuation of insurance benefits.

Reinstatement After Leave Of Absence

An employee returning from a duly sanctioned leave of absence shall automatically be reemployed in the former or comparable position.

Garnishment of Wages

A garnishment is a legal deduction of a sum from wages to satisfy a creditor. If the University receives one, the University will obtain validation of the claim against that employee and advise him/her to seek a release. If the employee fails to obtain a release prior to the claim's validation, deductions will begin and continue until the University receives a release.

INSURANCE

Life Insurance:

All full-time employees may participate in the University-sponsored life insurance program for which the University pays a specific portion of the premium. Coverage shall be effective three months after the starting date of employment. Employees may not include their family members in his/her individual employee's coverage.

Health/Dental Insurance:

All full-time employees may participate in the University-sponsored health/dental insurance program for which the University pays a portion, as determined annually by the Provost, of the premium only for the individual employee's coverage. An employee may include family members in his/her coverage but must pay the premiums for such additions. Coverage shall be effective three months after the starting date of employment. If you miss the enrollment deadline, your next opportunity to join will be during the next open enrollment period.

Returning nine-month employees shall have their insurance premiums paid by the University over the three month summer period.

Supplementary Insurance:

The University does not pay for supplementary insurance, such as short-term and long-term disability insurance, but will make available such insurance to all full-time employees through payroll deduction.

Retirement Benefits:

Effective FY 1997-98 and subject to an annual review of the University's financial situation, the University contributes up to 5% of a full-time employee's annual base salary to equally match the employee's contribution to a retirement benefit program after the first year of full-time continuous service at the University, in addition to FICA contribution to the Federal Social Security Program.

Full-time employees meeting the minimum retirement requirements become official University retirees upon cessation of active service. Retirement status entitles an individual to retirement benefits and income paid by the 403(b) Base Retirement. Retirees over age 65 are required to be covered under Medicare Part A and Medicare Part B, if eligible.

If available, full-time employees retiring with 25 or more years of continuous and meritorious service to the University may request and be allowed office space in addition to the use of a computer, phone, University address, and select general University services such as the use of the library.

Application for retirement:**Full-time Employee:**

- All eligible full-time employees should submit a Retirement Request Form at least 90 days before their retirement date.
- Employees who have been covered under the TIAA/CREF retirement plan must obtain a release form to be presented to the Provost for signature.

**GENERAL POLICIES APPLICABLE TO FACULTY
ADMINISTRATIVE STAFF AND OTHER PERSONNEL**

Documents Needed For Employment

- Federal/State Withholding W4-Withholding Exemption
- I-9 Form (complete section 1 only)
- Direct Deposit Form
- Resume
- Two forms of identification to complete your I-9 form
- Voided check for direct deposit
- Official transcripts (sealed) or please arrange for them to be sent to the EWU Office of Human Resources

All East-West University employees must fill out Section 1 of Form I-9 and provide original document(s) to establish identity and work eligibility within three business days. The Immigration Reform and Control (IRCA) Act imposes

penalties on employers who knowingly hire or continue to employ persons who are not authorized to work in the United States.

Hiring Practices

East-West University's policy on hiring practices is by a competitive, open, and fair recruitment and selection process and approval of the Chancellor. A current employee may fill a position or vacancy, thus providing him/her an opportunity to move up in responsibility at the University. Otherwise, the vacancy shall be advertised and the best candidate hired from outside.

The University Committee on Personnel Appointments, named by the Chancellor, has jurisdiction in regard to all categories of the University personnel. The Committee shall consist of five members from among the senior academic/administrative officers of the University.

Recruiting and selecting candidates for the position of Vice-Chancellors, Deans and line/staff officers, and recommending them to the Chancellor, is a responsibility of the University Committee on Personnel Appointments. A member or members of the Committee and/or the appropriate line or staff officer may be designated to administer the recruitment and screening of candidates for these positions for the consideration of the Committee. The Chancellor or his/her designee may interview candidates recommended by the Committee from whom a final selection is to be made. The recommendation of the Committee shall include the proposed salary.

Responsibilities of the University Committee on Personnel Appointments shall also include reviewing policies, rules, and procedures for the appointment, reappointment, tenure, promotion, raise on salary, suspension and termination of personnel and other related matters, and making necessary recommendations for the Chancellor's decision.

Holiday Policies

All full-time employees, except personnel hired on the basis of temporary need, shall have time off with pay unless otherwise directed by the Chancellor to be present for work on the following holidays:

- New Year's Day
- Dr.Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and the Day after Thanksgiving
- Christmas Eve and Christmas Day

Winter Break

The University closes down for several workdays during the holiday season after the fall quarter ends in December and before the beginning of the winter quarter in January. These days are charged to the individual employee's vacation/personal days. The days are announced in the yearly calendar of the University.

Equal Opportunity & Non-Discrimination Policy

East-West University is committed to the principles of equal opportunity, non-discrimination, and affirmative action. University programs, activities and facilities are available to all without regard to race, color, gender, religion, national origin, political persuasion, sexual orientation, marital status, disability, height, weight, veteran status, age, or familial status. The University is an Affirmative Action, Equal Opportunity Employer. As an equal opportunity employer, it recruits, hires, and promotes persons for all positions without regard to sex, race, national origin, ethnic, religious or socio-economic background, age, or physical handicap, and solely based on a person's capability, qualifications, experience, and achievements.

In carrying out this commitment, the University is guided by the policies adopted by the Board of Trustees and by federal and state laws and regulations that may apply to the University. These may include:

- Titles VI and VII of the Civil Rights Act of 1964 prohibiting discrimination in the provision of services and employment based on race, color, religion, national origin, or gender.
- Title IX of the Education Amendments of 1972 prohibiting discrimination against students and employees on the basis of gender.
- Age Discrimination Act of 1975 prohibiting discrimination based on age in programs or activities receiving federal financial assistance.
- Age Discrimination in Employment Act of 1967 prohibiting discrimination in employment based on age. .
- Equal Pay Act of 1963 prohibiting discrimination in salaries on the basis of gender.
- Title VIII of the Public Health Service Act prohibiting discrimination in the admission of students in health personnel training programs on the basis of gender.
- Sections 503 and 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of disability in any program or activity receiving federal financial assistance and requiring facilitation of the employment of individuals with disabilities.
- Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 requiring affirmative action is disabled and Vietnam-era veterans' employment.

- Retirement Equity Act of 1984 requiring pension equity.
- Americans with Disabilities Act of 1990 prohibiting discrimination against individuals with disabilities.

Smoke-Free Environment

The University campus is a smoke-free environment. Smoking and the use of tobacco in any form is prohibited in all areas of the University campus. This applies to all employees, clients, contractors, and visitors. Smoking shall be permitted during the work breaks only at a reasonable distance (15 feet or more) outside the building entrance so as to ensure that secondhand smoke does not enter the area through entrances, windows, ventilation systems, or any other ways. Smokers must dispose of all cigarette butts in the appropriate receptacles rather than littering.

Drugs/Alcohol and Other Controlled Substances

Consistent with state and federal law, East-West University maintains a workplace free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance.

This requirement is mandated by the Drug-Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illicit drugs, and alcohol are prohibited on any property under the control of and governed by the East-West University Board of Trustees, at any site where individuals perform work on behalf of the University, or at/during any event officially sponsored by the University. This policy applies to all University employees and students.

An employee/student must notify the University of any criminal drug statute conviction for a violation occurring on East-West University premises or sponsored events no later than five calendar days after such conviction (for the faculty and staff to the Provost, for non-exempt staff to the Manager of Physical Facilities and Safety, and for students to the Director of Counselling and Student Affairs) Failure to provide such notice will subject the employee/student to discipline up to and including dismissal pursuant to applicable University procedures governing employee/student discipline.

Violations of the EWU drug and alcohol policy may also be violations of federal or local law referred to by the appropriate agencies. In such situations, cases may proceed concurrently at the University and in the criminal justice system.

East-West University supports programs aimed at prevention of substance abuse by University employees. Assistance may be available voluntarily. Leaves of absence to obtain treatment may be brought under medical leave provisions

and will be considered in evaluating disciplinary action. Repeated violations will result in immediate dismissal.

Family Medical Leave Act (FMLA)

An employee may be eligible for benefits under the Federal Family and Medical Leave Act. To be eligible under this provision, an employee must make a written request for leave without pay to the supervisor. Leave taken pursuant to this provision may be concurrent with a leave of absence and not in addition thereto.

The Family and Medical Leave Act (FMLA) of 1993 is a federal law enacted to help employees balance their work and family life and promote families' stability and economic security. It allows eligible employees to take job-protected unpaid leave or substitute appropriate paid leave if the employee has earned or accrued it for up to 12 workweeks during 12 months (July 1 - June 30) a family or personal serious health condition which qualifies under FMLA.

On October 28, 2009, President Obama signed into law the National Defense Authorization Act for the Fiscal Year 2010 (H.R. 2647). Section 565 makes important changes to the Family and Medical Leave Act (FMLA).

Specifically, military caregiver leave has been expanded so it may be used to care for veterans undergoing treatment, recuperation, or therapy for an injury, as long as the veteran was a member of the Armed Forces, National Guard, or Reserves within five years of requiring care. The amendments also expand military caregiver leave so that employees may use it to care for a covered service member's serious injury or illness incurred because service on active duty aggravated an existing or preexisting injuries. Previously, the Act only allowed caregiver leave for serious illnesses or injuries incurred on active duty. The legislation also expands the use of qualifying exigency leave. Under the new law, qualifying exigency leave will now cover family members of the regular Armed Forces deployed to a foreign country, in addition to current coverage of family members of the Guard or Reserves.

To be covered, an employee must have worked for the University for at least twelve months. An eligible employee is entitled to twelve workweeks of unpaid leave during twelve months for the following reasons:

- a. for the birth or placement of a child for adoption or foster care; or
- b. to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- c. to take medical leave when the employee cannot work because of a serious health condition.

- Qualifying exigencies: Employees are eligible to take FMLA leave because of a qualifying exigency when the covered military member is on active duty or call to active duty status to support a contingency operation as either:
 - o a member of a regular component of the Armed Forces duty during the member's deployment with the Armed Forces to a foreign country.
 - o a member of the reserve components or a retired member of the regular Armed Forces or Reserves.
- Military caregiver leave may be taken for a covered servicemember defined as either:
 - o a member of a regular component of the Armed Forces duty during the deployment of the member with the Armed Forces to a foreign country with a serious injury or illness;
 - o a member of a reserve component of the Armed Forces duty during the member's deployment with the Armed Forces to a foreign country under a call or order to active duty with a serious injury or illness.

Procedure

- An employee must provide East-West University at least 30 days advance notice of eligibility, rights and responsibilities, and designation before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days' notice is not practicable due to lack of knowledge about when leave will be required to begin, notice must be given as soon as practicable. An employee shall provide notice either in person, by telephone, or by other electronic means. The employee's family member may give notice of the need for FMLA leave if the employee cannot do so personally.
- The employee will be required to provide medical certification for all leave requests. This includes their own FMLA leave Certification of Health Care Provider for Employee's Serious Health Condition, a covered family member Certification of Health Care Provider for Family Member's Serious Health Condition, qualifying exigencies related to a family member's call up for, or service on, active military duty Certification of Qualifying Exigency for Military Family Leave or to care for a family member who has or is recuperating from a serious illness or injury incurred in military service, including where the employee is next of kin to the service member Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave. The certification documentation is also required for a child's placement for adoption or foster care from the granting agency. The employee will also be required to inform his/her Department how he/she wishes to use his/her accrued time to cover the FMLA leave and the anticipated duration of the leave.

- As a condition of restoring an employee from FMLA leave occasioned by the employee's health condition, the University must require certification from her/his health care provider to resume work and perform the job's essential functions. The University can contact the doctor for clarification or authentication under the same terms as apply for the original certification.
- Departments are required to post and keep posted on the premises and in conspicuous places FMLA Posting Requirements notice and provide information concerning the procedures for filing complaints or violations of the Act.
- The University may request recertification at any reasonable interval, but not more than every 30 days, unless:
 - the employee requests an extension of leave,
 - circumstances described by the original certification have changed significantly, or
 - the Department receives information that casts doubt upon the continuing validity of the certification.
- If the original certification was for a period in excess of 30 days, no recertification may be requested prior to the end of that period unless one of the above circumstances applies. For chronic conditions, recertification is required every six months. Exceptions may be made only if circumstances have changed significantly, or the employer has reason to believe the employee was not absent for a reason indicated.
- Upon return from FMLA leave, an employee is entitled to the same position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment unless the Department can show that an employee would not otherwise have been employed. Suppose an employee was hired for a specific term or only to perform work on a distinct project. In that case, the Department has no obligation to restore the employee if the employment term or project is over, and the Department would not otherwise have continued to employ the employee.
- A Department may not use absences that qualify as FMLA leave as a negative factor in employment actions.

Sexual Harassment

East-West University is committed to maintaining a learning and working environment for all students, faculty, and staff that is fair, humane, and responsible, an environment that supports career and educational advancement on the basis of job and academic performance. Sexual harassment subverts the mission of the University and offends the integrity of the University community. It is not tolerated at East-West University.

Sexual harassment is a form of unlawful gender (sex) discrimination. It may involve harassment of women by men, harassment of men by women, and harassment between persons of the same sex. Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and the State of Illinois statutes make sexual harassment unlawful. The University and the law also prohibit retaliation against persons who complain about alleged sexual harassment or who cooperate in an investigation of reported sexual harassment.

This policy applies to all members of the University community: faculty, staff, and students. This policy also prohibits sexual harassment by third parties towards members of the University community.

Many kinds of behavior may fit within the preceding definition of sexual harassment. Speech and expressive conduct can also be sexual harassment.

The following list of examples of sexual harassment is not exhaustive:

- sexual assault
- threats or insinuations which lead the victim reasonably to believe that granting or denying sexual favors will affect her or his reputation, education, employment, advancement, or standing within the University
- sexual advances, sexual propositions, or sexual demands which are not agreeable to both parties
- repeatedly using sexually degrading words or sounds to describe a person
- unwanted and unnecessary touching, patting, hugging, or other physical contacts
- recurring comments or questions about an individual's sexual prowess, sexual deficiencies, or sexual behavior
- sexually explicit emails or text messages
- sexual misconduct such as stalking, cyberstalking, recording or transmitting sexual images, and voyeurism
- unwelcome and persistent sexually explicit statements or stories which are not legitimately related to employment duties, course content, research, or other University programs or activities
- sexual violence, including sexual assault, rape, sexual battery, and sexual coercion.

The behavior of a sexual nature that is not sexual harassment may nonetheless be unprofessional in the workplace or disruptive in the classroom and, like other unprofessional or disruptive behavior, could warrant discipline:

- i. submission to such behavior is made, explicitly or implicitly, a term or condition of an individual's employment or status in a course, program, or activity; or

2. submission to or rejection of such behavior is used as a basis for a decision affecting an individual's employment or participation in a course, program, or activity; or
3. such behavior is so severe, persistent, or pervasive that a reasonable person would find that it:
 - a. alters the terms or conditions of a person's employment or educational experience, or
 - b. unreasonably interferes with an individual's work or performance in a course, program, or activity, thus creating a hostile or abusive working or educational environment.

Harassment based on gender that does not involve unwanted sexual attention is prohibited gender discrimination under the University's Anti-Discrimination Policy. A person's subjective belief alone that behavior is offensive does not necessarily make that behavior sexual harassment. The behavior must also be objectively unreasonable.

The determination as to whether the behavior is sexual harassment must take account of the totality of the circumstances, including the nature of the behavior and the context in which it occurred. Sexually harassing conduct often involves a pattern of offensive behavior. However, a single incident may constitute sexual harassment depending on the severity of the conduct and on factors such as the degree to which the conduct affected the student's education or the employee's work environment, the type and duration of the conduct, and the identity of and relationship between the alleged harasser and the student or employee.

First Amendment Protections

This policy shall not be interpreted to abridge First Amendment rights or to infringe academic freedom, as defined in the EWU Personnel Handbook under the section on Faculty Rights and Responsibilities, and the document entitled Academic Freedom for Students at East-West University.

The protections of the First Amendment must be carefully considered in all complaints involving speech or expressive conduct. The fact that speech or a particular expression is offensive is not, standing alone, a legally sufficient basis to establish a violation of this policy. To violate this policy, speech or expressive conduct must constitute sexual harassment, as defined above. Speech or expressive conduct that constitutes sexual harassment is neither legally protected expression nor the proper academic freedom exercise.

Sexual Harassment by Third Parties

The University prohibits sexual harassment by third parties towards members of the University community when the third party has been brought into contact with a member of the University community through a University program or activity. Although individuals who are not students or employees of the University are not subject to discipline under the University's internal processes, the University will take prompt, corrective action to eliminate sexual harassment and prevent its recurrence in those circumstances.

Suppose a University student believes that she or he has been sexually harassed in a University program or activity by an individual who is not a University employee or student. In that case, the student should report the alleged sexual harassment to the Director of Counselling and Student Affairs or the unit administrator (e.g., department chair or dean) responsible for that program or activity.

Suppose a University employee (including a student employee) believes that he or she has been sexually harassed within the scope of his or her employment activities by an individual who is not a University employee or student. In that case, the University employee should initially report the alleged sexual harassment to his or her supervisor.

Options outside the University for Resolution Of sexual harassment

Students may file complaints under Title IX with the Office for Civil Rights, U.S. Department of Education, in addition to the East-West University Office of the Director of Counselling and Student Affairs.

Violations: Title IX Complaint Procedures

Reporting Sexual Harassment

A member of the University community who wishes to file a complaint about sexual harassment by an employee or student of the University should take the following action:

- If the alleged harasser is a faculty or staff member, the complaint should be made, orally or in writing, to the alleged harasser's unit administrator with reference to Title IX.
- If the alleged harasser is the unit administrator, the complaint should be made, orally or in writing, to the unit administrator's superior with reference to Title IX.
- If the alleged harasser is a student, the complaint should be made to the Department of Counselling and Student Affairs with reference to Title IX.

The University can most effectively investigate and respond to alleged sexual harassment if the complaint is made as promptly as possible after the alleged sexual harassment occurs.

The University can only take corrective action when it becomes aware of problems. Therefore, the University encourages persons who believe that they have experienced sexual harassment to come forward with their complaints and seek assistance within the University. Faculty, staff, and students who believe that they have witnessed sexual harassment are encouraged to promptly report the alleged harassment. In addition, supervisors, managers, and other designated employees are expected to promptly report all allegations of sexual harassment initially to their immediate supervisor and with reference to Title IX.

Complaints filed directly with the Director of Counselling and Student Affairs will be investigated by that Department before any student disciplinary proceedings are initiated.

Reports of sexual assault and other crimes should be directed to the East-West University Director of Security, regardless of whether the matter is also reported and investigated as sexual harassment.

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East-West University is a private, not-for-profit and non-denominational institution of higher learning in Chicago's South Loop. East-West is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools (NCA) and provides affordable, quality higher education to students from all ethnic and socio-economic backgrounds.