



**Clinical Support Services (CSS)  
Employee Handbook  
(Updated April 2022)**

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### 1. Introduction (Approved 12/99; Revised 05/13/2016; Effective 05/16/2016)

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

Various policy changes have been, and will continue to be, developed to enhance the recruitment and retention efforts of the Clinical Support Services system as detailed in this document. . All other SHRA policies, with the exception of the Mediation and Grievance Procedure for SHRA Employees, will remain in effect until such time as a new CSS policy is developed to address the specific issue.

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

As a means to expedite the development of the Clinical Support Services (CSS) Human Resource system, the East Carolina University (ECU) Board of Trustees grants delegation of authority to the ECU Department of Human Resources for approval of non-monetary policies and procedures. The ECU Department of Human Resources will work closely with the Dean of the Brody School of Medicine (SOM) and the ECU Physicians Board in the development of all CSS proposals. "Final draft" policy and procedure proposals will be sent to the ECU Physicians Board for review and recommendation for approval, prior to final approval by the Department of Human Resources and the Dean of the Brody School of Medicine (BSOM). Once approved, these approved policies and procedures will be reported to the ECU Physicians Board at the next scheduled meeting.

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

#### I. Recruitment and Selection

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

1. Internal to ECU; 3 workdays minimum posting

2. Internal and External to State Government; 5 workdays minimum posting.

#### II. Continuous Postings

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

### 4. **CSS Career Banding Salary Administration Policy (Approved 10/2009; Approved 2/2010; Effective 3/1/2010)**

ECU Clinical Support Services (CSS) wishes to compensate its employees at a level that promotes successful work behavior, emphasizes demonstrated competencies that are linked to organizational goals, reinforces high standards of performance, and maintains the labor market competitiveness necessary to recruit, retain and develop a competent and diverse work force. The CSS Salary Administration Plan ensures fair and equitable employee treatment through consistent application of career banding policy and guidelines.

#### I. Career Banding Terms

- A. Competencies: Sets of knowledge, skills and abilities that employees need to successfully do their job. Competencies must be demonstrated on the job, measured according to standards set by the organization, and required of the job based on the organization's needs.
  - 1. Contributing Competencies: The span of knowledge, skills and abilities minimally necessary to perform a job from entry up to the journey competencies recognized for the class.
  - 2. Journey Competencies: Fully acquired knowledge, skills and abilities demonstrated on the job that are beyond the contributing competencies.
  - 3. Advanced Competencies: The highest or broadest scope of knowledge, skills and abilities demonstrated on the job that are beyond journey competencies.

## II. Pay Factors

- A. Financial Resources: The amount of funding that a manager has available when making pay decisions.
  - 1. Departmental business need (budget)
- B. Appropriate Market Rate: The market rate applicable to the functional competencies demonstrated by the employee.
  - 1. Journey market rate guidelines/market reference rate guidelines and related market information
  - 2. Market dynamics
- C. Internal Pay Alignment: The consistent alignment of salaries among employees who demonstrate similar required competencies in the same banded class within a department or unit.
  - 1. Internal pay alignment (equity)
  - 2. Current salary and total compensation
- D. Required Competencies: The functional competencies and associated levels that are required based on organizational business need and subsequently demonstrated on the job by the employee.
  - 1. Minimum qualifications for class
  - 2. Knowledge, skills, and abilities
  - 3. Related education and experience
  - 4. Duties and responsibilities
  - 5. Training, certifications, and licenses

## III. Salary Determination

- A. The salary for a CSS employee who demonstrates required competencies with an overall Contributing competency level shall be below the journey market rate but not below the minimum of the banded class salary range.
- B. The salary for a CSS employee who demonstrates required competencies with an overall Journey competency level shall be below the advanced market rate, but not below the contributing market rate guidelines, unless financial resources or other Pay Factors prevent this.
- C. The salary for an employee who demonstrates required competencies with an overall Advanced competency level shall be above the journey market rate, unless financial resources or other Pay Factors prevent this.
- D. Salaries shall not exceed the maximum of the banded class salary range.
- E. Salaries paid shall not exceed the maximum amount published for recruitment purposes in a vacancy announcement.

### **Salaries shall be in accordance with the following provisions:**

## IV. New Hire

- A. Definition: Initial employment of an individual to a position in a banded class.
- B. Salary Eligibility: Salary shall be set based on application of all Pay Factors

## V. Reinstatement

- A. Definition: Reemployment of a former employee into a banded position after a break in service or reemployment of an employee in a banded position from leave without pay (LWOP).
- B. Salary Eligibility: Salary shall be set based on application of all Pay Factors. Reinstatement from LWOP into previous position shall be previous rate unless a higher rate is justified with across-the-board increases or as a career progression adjustment.

## VI. Promotion

- A. Definition: Employee movement from one position to another with the same banded classification with a higher competency level or employee movement from one position to another with a different banded classification with a higher journey market rate.

- B. Salary Eligibility: There is no requirement for a salary change with promotion. Salary shall be based on application of all Pay Factors.
- C. Acting Promotion: If an employee assumes the duties of a position with a higher competency level or higher journey market rate such on a temporary basis (ex: during an extended recruitment or while an employee is on LWOP), “acting promotion” may be applicable.

VII. Reassignment

- A. Definition: Employee movement from one position to another with the same banded classification with a **lower competency level** or employee movement from one position to another with a different banded classification with a **lower journey market rate**.
- B. Salary Eligibility: Salary shall be based on application of all Pay Factors. If employee’s current salary exceeds appropriate rate based on Pay Factors-and reassignment is not by employee choice, salary may be maintained, except the salary may not exceed the maximum of the banded class salary range. If reassignment is by employee choice, the option to maintain salary above appropriate rate based on Pay Factors is not applicable.

If Pay Factors warrant a salary increase, salary may not be increased more than 100% of the appropriate market rate for the position. If employee salary is at or above 100% of the appropriate market rate for the position, salary may be maintained if Pay Factors warrant, but may not be increased.

VIII. Reallocation

- A. Definition: Assignment of a banded position/employee to a different banded classification documented through data collection and analysis according to customary professional procedure and approved by the State Human Resources Director.
- B. Salary Eligibility: Salary shall be based on application of all Pay Factors.

IX. Horizontal Transfer

- A. Definition: Employee movement from one position to another within the same banded classification with the **same competency level** or movement from one position to another with a different classification with the **same journey market rate**.
- B. Salary Eligibility: Salary shall be based on application of all Pay Factors. If employee’s current salary exceeds appropriate rate based on Pay Factors and the transfer is not by employee choice, salary may be maintained except the salary may not exceed the maximum of the class salary range. If the transfer is by employee choice, the option to maintain salary above appropriate rate based on Pay Factors is not applicable.

If Pay Factors warrant a salary increase, salary may not be increased more than 100% of the appropriate market rate for the position. If employee salary is at or above 100% of the appropriate market rate for the position, salary may be maintained if Pay Factors warrant, but may not be increased.

X. Demotion

- A. Definition: Change in employee status due to disciplinary action resulting in:
  1. Employee movement from one banded position to another with the same banded classification with a lower competency level, or
  2. Employee movement from one banded position to another with a different banded classification with a lower journey market rate, or
  3. Reduction in salary within same banded class.
- B. Salary Eligibility: When demotion results in movement to another banded class, salary shall be reduced if it exceeds the maximum of the salary range. When demotion results in salary reduction in same banded class, salary may not be less than the minimum of the salary range. A salary reduced by disciplinary action may be less than appropriate rate based on Pay Factors.

XI. Career Progression Adjustment

- A. Definition: A salary adjustment within the salary range of the banded class to which an employee is assigned. A career progression adjustment may be granted in conjunction with demonstrated competencies or as justified through labor market.
- B. Salary Eligibility: Salary shall be based on application of all Pay Factors. Employees with active warnings/disciplinary actions or with overall below good or unsatisfactory ratings are not eligible for a career progression adjustment based on competency assessment.

XII. Retention Adjustment

- A. Definition: A salary increase not covered by other pay administration policies that may be necessary to retain a key employee where there is evidence of a job offer from an employer outside of the University and there is no current employee with substantially equal competencies to assume those duties; or to retain a key CSS employee that has been offered a CSS position in another department within the Health Sciences Division and there is no current employee with substantially equal competencies to assume those duties.
- B. Salary Eligibility:
  - 1. External Job Offers: A retention adjustment may result in an employee's salary being above the appropriate rate based on Pay Factors. The salary shall not exceed the maximum of the pay range.
  - 2. Internal Job Offers: Retention adjustment may not exceed 100% of the appropriate market reference rate for the position.
- C. Approval: Retention adjustments due to external job offers may be approved by the Director of Employment/CSS. Retention adjustments due to internal job offers must be approved by the Executive Associate Vice Chancellor for Health Sciences Administration & Finance and the Director of Employment/CSS.

XIII. Grade-Band Transfer

- A. Definition: Employee movement between banded classes and graded classes.
- B. Salary Eligibility:
  - 1. Grade to Band: Salary is established based on application of all Pay Factors for career banding. At time of implementation of a job family or branch, the salary may be maintained except it cannot exceed the maximum of the banded class salary range. Salaries that are below minimum of the banded class at implementation must be adjusted to minimum when funds become available. This adjustment may be retroactive to implementation date
  - 2. Band to Grade: Salary is established by the New Appointments Policy for graded classes.

XIV. Promotional and Reemployment Priority

Until career banding is implemented for all occupational families, employees in career banded classes will be assigned a grade equivalency only for promotional and reduction in force (RIF) reemployment priority purposes. The grade is not a determining factor in establishing salary for career-banded employees.

XV. Salary Decisions

All salary decisions under the CSS Career Banding Salary Administration Policy are final, and are not subject to dispute resolution or grievance under the SHRA Mediation and Grievance Policy for SHRA employees.

XVI. Effective Date

The effective date of all personnel actions for career-banded employees shall be on a current basis except for actions to adjust salaries to minimum with implementation.

**5. CSS Reinstatement Policy (Approved 9/00)**

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

- I. When a former CSS employee is reinstated within 3 months to the same or another CSS position, the following shall apply:
  - A. If reinstated to the same career banded classification at the same competency level or to the same broad banded classification within three months, the new maximum salary shall be the employee's previous salary plus any legislative increase, which has occurred since the separation.

- B. If reinstated to a career banded classification with a higher Journey Market Rate or the same classification with a higher competency level or a higher broad banded classification within three months, the maximum salary shall be the employee's previous salary, adjusted by any legislative increase, plus a promotional increase determined in accordance with the Office of State Human Resources Salary Administration Policy regarding Promotions. A lower salary may be paid.
  - C. If reinstated to a career banded classification with a lower Journey Market Rate or the same classification with a lower competency level or a lower broad banded classification within three months, the maximum salary will be the employee's previous salary, adjusted by any legislative increase, but not to exceed the maximum allowed by the Office of State Human Resources Salary Administration Policy regarding Demotions or Reassignments.
- II. When a CSS employee is reinstated after three months from the separation date, the new salary shall be determined as above or in accordance with the Office of State Human Resources Salary Administration Policy regarding New Appointments. This decision will be at the discretion of the hiring department, as its budget allows; pending HR approval.

## 6. CSS In-Range Salary Adjustment Policy (Approved 7/00, 04/22)

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

### 1. Definitions:

#### A. *Job Change:*

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

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

The amount of the increase will be based on the extent of the job change as determined by the classification consultant and consideration of the relationship to reclassification increases. Salary increases for significant job change may not exceed a 20.00% salary increase.

#### B. *Equity*

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

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

Priority should be given to inequities with the largest salary differentials. An in-range salary adjustment to address an inequity may not exceed 20.00% within a 12-month period, unless a greater than 20.00% increase

is necessary as part of a class study or overall equity plan. The Director of Classification & Compensation must approve such an exception.

C. *Labor Market:*

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

The maximum in-range adjustment to address labor market concerns may exceed 20.00% if supported by the labor market, recruitment, and retention data as determined by and documented by the HR Classification & Compensation Consultant. The application of this component of the policy is reserved to address recruitment and retention issues which are not addressed by a special entry rate or range revision. The salary range maximum may be exceeded in those situations where labor market data clearly demonstrates that the range maximum is no longer competitive, and a retention concern exists.

II. Procedure:

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

**7. CSS Shift Premium Pay Policy (Approved 12/99, Revised 10/2012; effective 11/01/2012)**

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

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

**8. CSS On-Call, Emergency Call-Back, and Extended Duty Compensation Policy (Approved 12/1999; Revised DRAFT 10/2009; Approved 2/2010; Effective 3/1/2010)**

Certain CSS positions are eligible for additional compensation when the employee is (1) required to be on call and return to work; or (2) required to respond to work via telephone or computer in the event of an emergency or urgent need; or (3) scheduled to work additional hours beyond the regular work schedule to perform direct care and treatment of patients on evening, night or weekend shifts due to critical staffing shortages.

I. *On-Call Compensation:*

Additional compensation in the form of time off or additional pay, will be provided, regardless of appointment type, to Fair Labor Standards Act (FLSA) exempt and non-exempt employees who are required to be on-call or who are called back to work (i.e., emergency call-back).



\* On-call pay does not apply to exempt administrative or management personnel.

Management is responsible for non-discriminatory designation of the employees who are to be placed on call and submit a list to the Director of Classification and Compensation in Human Resources.

### Rate of Pay

The plan of compensation shown below shall apply:

<i>On Call Hours</i>	<i>Compensatory Time Earned</i>	<i>-or-</i>	<i>Payment Amount</i>
8	1 hour		<b>\$1.50 per hour (effective 3/1/2010) (\$12.00 per 8-hour shift)</b>

If the above is not applicable to the work schedule, the compensatory time or payment amount shall be computed on a pro rata basis. For example: A 12-hour shift would be 1 ½ hours compensatory time or \$18.00 payment.

Exceptions to the rate or methodology of on-call pay may be approved in exceptional situations either when associated with clinical trials or when the on-call pay is permitted and completely funded by a grant. These exceptions must be approved by the Director of Employment and Clinical Support Services and the Executive Director of ECU Physicians.

### Compensatory Time

Compensatory time off should be taken in accordance with the established leave policy.

FLSA Non-Exempt Employees: Compensatory time is not cumulative beyond 240 hours, and must be exhausted within twelve-months from the date earned. If the time cannot be taken within twelve months or if an employee separates or transfers to another department or another State agency or university before it is taken, it shall be paid at the on-call rate applicable to that position.

FLSA Exempt Employees: refer to the CSS Compensatory Time Policy for Exempt Employees

#### II. *Emergency Call-Back Pay for FLSA Non-Exempt Employees:*

If an FLSA non-exempt employee is called back to work, the following emergency call-back time provisions apply:

1. An employee returning to work shall receive a minimum of two (2) hours compensatory time or additional pay at straight-time for each occasion of emergency call-back.
2. An employee responding via telephone or computer shall receive a minimum of 30 minutes as compensatory time or additional pay at his/her straight-time rate for each occasion of emergency call-back. If more than one emergency call-back occurs within a given shift, total call-back time cannot exceed two (2) hours.
3. An employee who works more than two (2) hours emergency call-back or 30 minutes remote call-back shall be compensated for actual time worked.
4. The employee will submit a monthly log, separate from the monthly timesheet, for supervisory approval of emergency call-back hours worked.
5. Management shall determine a reasonable time for which preparation and travel to return to the worksite shall be compensated. Agreed upon travel and preparation time to the worksite shall be included in hours worked for determining overtime hours.
6. Shift premium pay, holiday pay and overtime pay shall be received in addition to emergency call-back pay, if applicable. Time on emergency call-back is subtracted from on-call hours.

7. An employee whose emergency call-back work continues into the beginning of his/her regularly scheduled hours of work or continues following the end of his/her regularly scheduled hours of work is not eligible for emergency call-back compensation and is instead compensated for actual hours worked.
8. On-call time is not considered as working time for overtime purposes. The time in on-call status is not included for determining overtime hours unless the employee is called back to work. If an FLSA non-exempt employee works overtime while receiving on-call, the on-call pay must be included in calculating the employee's regular hourly rate for overtime pay.
9. On-call and emergency call-back accrued balances shall be paid upon an employee's separation or transfer to another state agency or university.

FLSA exempt employees are not eligible for emergency call-back compensation. Exception: CSS positions approved for extended duty compensation as provided below (Extended Duty for FLSA Exempt Medical Personnel, Section III).

A list of professional medically related classes eligible for extended duty beyond forty hours per week shall be approved and maintained in Human Resources by the Director of Classification and Compensation.

III. *Extended Duty for FLSA Exempt Medical Personnel:*

Critical shortages of coverage on evening and weekend shifts in certain medically related areas sometimes make it impossible to maintain an adequate staff to meet all workload requirements. In order to meet such workloads, a clinical employee who is exempt from the hours of work and overtime provisions of FLSA may, if the employee agrees, be scheduled to work additional hours beyond the regular work schedule and receive pay on a straight-time basis. The number of extended duty hours will be limited to 20 hours per week.

If such additional duty involves primarily the direct care and treatment of patients or other activities which can be performed only by the employee approved for extended duty, the employee may be paid for such additional time on a straight-time basis at a rate of pay to be determined by the nature of the duties to be performed and the scheduled shift (i.e., evenings, weekends, holidays, etc.). Thus, an employee's rate of pay during the additional hours of work may be either higher, lower, or the same as the established rate of pay. Management also has the discretion to award compensatory time in lieu of extended duty pay (refer to the CSS Compensatory Time Policy for Exempt Employees, section II, above).

Eligibility for extended duty is at the discretion of management, and is based on departmental need and availability of funds.

The department will submit a memo requesting authorization for extended duty, including employee name, classification, and rate(s) of pay to the Director of Employment and Clinical Support Services.

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

I. Policy Statement

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

II. Definitions

Broadbanding: A broadband structure classifies jobs into a few wide bands, rather than many narrowly defined salary ranges. A banded pay structure has radically fewer vertical levels and job titles and has wider

salary range boundaries. Broadbanding involves the vertical and horizontal merging of classes into more generic classes with wider pay ranges. A broadbanded structure gives management the flexibility to respond to market changes and demands in a timely manner, minimizing recruitment and retention difficulties due to labor market trends.

III. Procedures

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

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

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

All salary increases are subject to availability of funds.

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

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

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

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

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

**11. CSS Adverse Weather Make-Up Policy (Approved 12/02)**

When a CSS employee does not report to work or leaves early, or when it has been determined that services will be delayed or suspended, per the Adverse Weather Plan Policy #A25, (ECU Physicians' Group Practice Policy and

Procedure Manual) time lost in any weather event will be accounted for in the following manner:

If time missed is two workdays or less:

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

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

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

If time missed is greater than two workdays:

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

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

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

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

## 12. CSS Vacation Leave Accrual (Approved 1/2011)

Effective January 1, 2011, vacation leave accrual rates for CSS employees with 0-2 years of service are adjusted by 1 hour and 20 minutes each month. This adjustment allows for consistency in vacation accrual leave between SHRA and CSS employees in this category due to a change in the SHRA vacation leave accrual policy. The table below reflects the revised vacation leave credit for CSS employees:

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

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

As a means to enhance the recruitment efforts for difficult-to-recruit CSS "career level" positions, the Department of Human Resources has authority to determine the extent of the previous related professional experience for a CSS



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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Not cumulative  
Compensatory time is not cumulative beyond a 12-month period. For this reason, an employee should request to take compensatory time as soon as possible after it is credited. If compensatory time is not used within 12 calendar months after it is credited, it is lost.
- Not transferable  
Compensatory time may not be transferred to any type of leave or to another state university or agency or to any other position within ECU.

- Separation  
There is no payout of compensatory time, and any remaining compensatory time is lost when an employee is separated from the position in which the compensatory time was earned. The employee's separation date may not be moved forward in order to pay for compensatory time.

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

### I. Purpose:

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

### II. Policy:

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

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

### III. Expectations:

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

## **16. CSS Reduction in Force Policy (Approved 12/03, Revised 06/06; Revised 08/01/2011; Revised 06/14)**

### I. Executive Summary

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

As a result, adjustments in the staffing patterns among CSS staff may require more flexibility to hire into areas of need, as well as more expeditious adjustment to changing patient volumes and to the financial performance of various clinics and departments. When circumstances within a department result in: shortages of work; budget

deficits; reorganizations; elimination of programs, services, grants, or contracts; and/or other material changes in clinical operations approved by the Dean, departmental management has the responsibility and the authority to separate permanent CSS employees according to this policy. In comparison to SHRA Reduction in Force (RIF) policy, the CSS RIF policy directly incorporates performance into the administration of the RIF.

## II. Policy

The Chair of a clinical department, the Medical Director of ECU Physicians, or the Director of a staff support office or department with CSS employees, may recommend CSS staff positions to be reduced in force as a result of shortages of work; budget deficits; reorganizations; elimination of programs, services, grants or contracts; and/or other material changes in clinical operations approved by the Dean. A RIF can also occur when a position changes so significantly that an employee is no longer able to perform the required duties. A RIF decision requires an evaluation of the need for specific CSS positions as they contribute to the department's mission, goals, and provision of services. Separation of employees through reduction in force should occur only after management has considered other feasible alternatives that might avoid it. A RIF Plan may not be effective until signatory approval has been obtained from the Dean of the Brody School of Medicine, the Vice Chancellor for Health Sciences, the Associate Vice Provost for Equity and Diversity, the University Counsel and Vice Chancellor for Legal Affairs, the Associate Vice Chancellor for Human Resources, and the Chancellor.

## III. Management Responsibility

Management must consult Employee Relations within the Department of Human Resources regarding the desire to initiate a RIF and provide evidence of the need for the RIF. After consultation with Human Resources, management should request, in writing, permission from the Dean to initiate the RIF plan. Once this written approval is received, Employee Relations will assist management in the preparation/design of a RIF Plan. In no event shall a RIF Plan be authorized without submission and review by Human Resources.

Consideration for reduction in force of employees includes, but is not limited to, the following factors:

Type of appointment;

Time-limited, temporary, trainee (in their initial six months of training), and probationary employees are not covered by this RIF Policy, and may be laid off without following its procedures, and without the provision of benefits outlined in this RIF Policy. "Probationary employees" include new hires, those employees who were career state employees rehired or transferred from another State agency or University, but who are on probation at the time of any action considered in accordance with this RIF Policy.

Positions considered to be most vital to the department in the delivery of services;

Relative efficiency (skills, knowledge and productivity of employees);

Actual or potential adverse impact on the diversity of the workforce;

Length of service of employees (but not seniority-driven).

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

- a. Narrative description of the issue(s) resulting in the need to abolish position(s), including the rationale behind the selection of particular employees to be separated and the ones to be retained. The narrative should include discussion of at least the following:
  - 1) Organizational structure of the department;
  - 2) Clear statement of the rationale for elimination or reduction of position(s), program(s) and/or service(s), including considerations of other persons in affected classifications and possible efficiencies in service;
  - 3) Temporary, trainee, probationary and/or time-limited employees within the affected department must be terminated before any permanent CSS employee may be terminated in accordance with this RIF Policy, provided that a permanent employee can perform the tasks assigned to the temporary, trainee, probationary, and/or time-limited employee.
  - 4) Impact of the RIF on program objectives and/or services, including requirements for the services affected and identification of jobs/functions that will continue after the RIF;

- 5) Description of alternatives considered, including possible transfers, reallocation of resources and/or funding.
- b. Identifying information of the affected employee(s) to include:
  - 1) Performance history, including evaluations and any disciplinary actions;
  - 2) Length-of-service in CSS classifications, and total state service;
  - 3) Age;
  - 4) Race;
  - 5) Gender
- c. Written correspondence to and from the Dean requesting/authorizing the RIF.
- d. Written notification must be given to affected employees at least 30 days in advance. The notification must include the reasons for the RIF; the effective date of the reduction in force; and information related to severance benefits, a description of the re-employment rights and appeal rights.

The supervisor will complete the termination form timely and ensure that the position is abolished when the employee is terminated.

#### IV. Employee Rights

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

- a. Severance Pay based on length-of-service as a State employee:
  - 1) Less than 1 year = 2 weeks pay
  - 2) 1 but less than 5 years = 1 month pay
  - 3) 5 but less than 10 years = 2 months pay
  - 4) 10 but less than 20 years = 3 months pay
  - 5) 20 or more years = 4 months pay

Severance Pay is discontinued if the individual declines an interview or rejects a job offer for an ECU position within 35 miles.

The Age Adjustment Factor for employees aged 40 or above will be 2.5% of the annual salary at the time of the RIF for each full year over 39 years of age, provided the total adjustment is limited by the service payment and cannot exceed the total service payment.

- b. Accrued Vacation Leave paid in lump sum up to 240 hours.
- c. Accrued Legislative Bonus Leave paid in lump sum up to maximum allowed.
- d. Sick leave balances are not paid out. Instead, there will be a reinstatement of sick leave balances if employed in any State agency within five years of the RIF.
- e. The State will continue to pay health insurance premiums for up to twelve months, as long as the employee has twelve or more months of service and the employee was covered by the State Health Plan at the time of separation from service. Employees may continue coverage for their eligible dependents during this twelve month period by paying the premiums to ECU.
- f. Priority for re-employment with the State:
  - 1) For permanent CSS employees covered and affected by this RIF Policy (“Affected CSS Employee”) who have served over one year as a permanent employee after completion of the probationary period, it is required that they be offered an opportunity to interview, and be considered for, any CSS position at the same level or below the one that the Affected CSS Employee held at the time of RIF Notification for which the Affected CSS Employee is at least substantially equally qualified as other candidates as determined by Human Resources in its sole discretion;
  - 2) No priority for re-employment exists over any current, permanent State employee with substantially equal qualifications and/or length-of-service as the Affected CSS Employee.
  - 3) Re-employment priority is terminated if the Affected CSS Employee declines an interview or rejects any State job offer.
  - 4) The Affected CSS employee will receive priority reemployment consideration for a period of six months from the date of the RIF Notification, or until he or she accepts another State position, whichever comes first.
  - 5) A CSS employee who is re-employed in a CSS position will be required to serve a new probationary period if that employee has had a break in service of greater than 31 days.

- g. Access to counseling services through the Department of Human Resources, including employment counselors and benefit counselors

## V. Appeal Rights

An Affected CSS employee has the right to submit an appeal, but only on the basis of one or more of the following grievable issues:

- Failure to provide notice and/or severance benefits as required by this CSS Reduction in Force Policy;
- Unlawful discrimination in selection for RIF;
- Retaliation, including against bona fide whistleblowers, in selection for RIF;
- Failure to give appropriate RIF priority re-employment consideration; and/or
- Denial of veteran's preference in connection with RIF.

The appeal must be received in HR within five work days of the date of the alleged occurrence of the grievable issue

Written appeals, including the basis for the appeal, should be submitted to:

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

### Step 1.

Within ten workdays of receiving the Affected CSS Employee's written appeal of a RIF decision, a meeting must take place between the Affected CSS Employee and the Department Head to discuss the Affected CSS Employee's appeal. Following that meeting, the Department Head shall send a written response to the Affected CSS Employee via certified mail, return receipt requested within five workdays of the Step 1 meeting and provide a copy to the Associate Vice Chancellor for Human Resources..

### Step 2.

If an Affected CSS employee is not satisfied with the Department Head's Step 1 decision, the Affected CSS Employee may submit a Step 2 written appeal to the Vice Chancellor for Health Sciences by submitting a written notice of appeal to the Vice Chancellor for Health Sciences with a copy to the Associate Vice Chancellor for Human Resources within ten workdays of receiving the written notification from the Department Head regarding the Step 1 appeal. The Vice Chancellor for Health Sciences, or his/her designee, must send a written response to the Affected CSS Employee via certified mail, return receipt requested within fifteen workdays, and provide a copy to Associate Vice Chancellor for Human Resources. The decision of the Vice Chancellor for Health Sciences, or his/her designee, regarding the Step 2 appeal is the final agency decision for the University.

## 17. CSS Resignation Policy (Approved: 11/04, Revised and Approved 03/14)

Any CSS employee expecting to terminate employment with the Clinical Support System is expected to give written "working" notice. ("Working" notice is defined as actual days worked after submitting a notice of resignation). Preapproved leave would not be considered part of the working notice.

As is normally the case, any request for vacation leave during this notice will be subject to management's discretion. Employees, dependent upon their notice period, are expected to work the final two or four weeks of their notice (as indicated below for the type of position).

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

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

\*These employees are generally FLSA exempt professionals and/or managers of complex functions in the organization.

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

### I. Purpose:

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

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

### II. Definitions:

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

### III. Policy:

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

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

#### IV. Procedure:

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

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

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

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

#### **19. CSS Probationary Appointment Policy (Approved 11/05, Revised 04/14)**

The purpose is to extend the probationary period and the selection process, and to provide the time for effective adjustment of the new employee or elimination of those whose performance does not meet acceptable standards. All new Clinical Support Services (CSS) employees, including rehires and transfers from SHRA positions (both internal ECU SHRA hires, as well as those from other State agencies), will serve a six (6) month probationary period. The University retains the right to discharge new CSS employees during the initial six (6) month probationary period, without notice or without cause. Probationary dismissals are not subject to appeal. The initial six (6) month probationary period may be extended for a period not to exceed six (6) additional months. Extension of the probationary period should be done in three month increments. Probationary employees are not eligible to apply for other positions with the University only with prior supervisory approval.

Probationary employees are eligible to earn vacation and sick leave and holiday time as they accrue. Any vacation and sick leave time may only be used in accordance with applicable leave policies. Probationary employees with more than three (3) occurrences of unscheduled absence may be subject to termination.

Employees who resign or are terminated during the initial six (6) month probationary period, or during the applicable extension period, are not eligible to be paid accrued vacation leave or legislative vacation bonus leave.

This policy applies to all probationary Clinical Support Services employees hired with an effective date of May 1, 2014 or later.

#### **20. Clinical Support Services (CSS) Disciplinary Policy (Approved 12/06); (Revised 7/22/10) (Revised 10/12; effective 11/01/2012)**

##### I. Purpose

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

##### II. Policy

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

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

Depending upon a review of circumstances, the violation of a work rule may result in disciplinary action. Disciplinary steps provided for each work rule are suggested as guidelines for reasonable, consistent action. Consideration will be given to the seriousness of the offense, whether the employee has committed previous violations of this and/or other work rules, whether the employee self-reported the violation and/or cooperated in the investigation, the employee's overall work record, and other mitigating or extenuating circumstances. Progressive disciplinary action may be taken based on continued infractions of the same work rule, or the same disciplinary track may be continued based on infractions of other related work rules.

### III. Procedure

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

#### Unacceptable Customer Service:

Employee fails to meet expectations for acceptable customer service standards as outlined by the [ECU Core Work Values](#).

#### Unsatisfactory Job Performance:

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

#### Unacceptable Personal Conduct:

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

Unacceptable personal conduct also pertains to all University-affiliated resources managed or owned by an external entity (e.g., Vidant Medical Center). If a University employee's responsibilities require the routine use of resources (e.g., computer applications, equipment, facilities) of an external entity, and the employee's ability or approval to use the resource(s) is (are) terminated by the external entity due to the action of the employee, the employee will be subject to this Disciplinary Policy's processes up to and including dismissal.

#### Gross Inefficiency:

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

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

Some work rule violations may fall under one or more of the categories of unacceptable customer service, unsatisfactory job performance, unacceptable personal conduct, and/or gross inefficiency. No disciplinary action shall be invalid solely because the disciplinary action is categorized incorrectly.

Disciplinary action should be taken as soon as possible after a work rule violation or unacceptable behavior. When the work rule violation is minor, the employee's supervisor may elect to counsel the employee for the first



offense rather than initiating discipline, although it may be appropriate to document the counseling session for future reference.

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

1. Oral Warning
2. Written Warning
3. Suspension Without Pay: A suspension without pay may be issued when it is determined that the incident warrants action more severe than a warning but less severe than a demotion or dismissal. Before a suspension without pay may be issued for any CSS employee, the Employee Relations Specialist for the Health Sciences Division ("Employee Relations Specialist") must be consulted and the Employee Relations Specialist must schedule a pre-disciplinary conference with the employee.
4. Demotion or Dismissal: An employee may be dismissed from employment after other disciplinary measures have failed and/or when an incident warrants it. An employee may be dismissed at any time without regard for any progressive steps if he/she commits an offense for which immediate dismissal is specified and/or warranted. Before a demotion or dismissal of any CSS employee, the Employee Relations Specialist must be consulted and the Employee Relations Specialist must schedule a pre-disciplinary conference with the employee.

At each step in this sequence, the supervisor should:

1. Meet with the employee, and explain the error or work rule violation to the employee.
2. Employee should be given adequate opportunity to provide comments/details regarding the situation.
3. If no further action is necessary, thank employee for meeting and clarifying the situation.
4. Should further investigation be needed, tell employee this will occur and schedule follow up meeting.
5. If determined corrective action is warranted:
  - a. Explain to employee that corrective action is warranted.
  - b. Tell the employee what is expected of him/her.
  - c. Indicate that it is the employee's responsibility to correct the behavior or improve performance.
  - d. Tell the employee specifically what he/she can expect in the event of future similar work rule violations.
  - e. Set a follow-up date to review behavior/performance, if appropriate.
  - f. Summarize the interview on the Corrective Action Report. An Employee Relations Specialist must review each Corrective Action Report before it is issued to the employee to ensure compliance with University policy. Obtain the employee's signature on the Report (if the employee refuses to sign, his/her refusal should be documented on the Report). Provide the employee with a copy of the Report and advise the employee that a copy of the Report will be placed in his/her personnel file.

If it is determined that suspension without pay, demotion, or dismissal is the appropriate course of action, the supervisor must consult with the Employee Relations Specialist and, at a predisciplinary conference with the employee, review the facts leading to suspension without pay, demotion, or dismissal. The employee must be told clearly why he/she has been suspended without pay, demoted or dismissed, and advised of the appeals process. A formal disciplinary letter and a copy of the appeals process will be issued to the employee and placed in the employee's personnel file.

#### IV. Disciplinary Appeals

Probationary and temporary employees may be terminated without cause or advance warning and do not have grievance rights under this policy. The progressive disciplinary process does not have to be applied to probationary employees.

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

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

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

#### Step 1

Department Head/Medical Director. An employee may submit a written appeal to the department head or Medical Director within ten (10) workdays of receiving written notification of disciplinary action, along with a copy to the Director of Employee Relations in Human Resources. The department head or Medical Director will provide written response to the appeal within five (5) workdays of receiving the written appeal, with a copy of the response to Human Resources, Director of Employee Relations.

#### Step 2

Vice Chancellor. If the employee is not satisfied with the Step 1 decision, he/she may submit a written appeal to the Vice Chancellor for Health Sciences, with copy to Human Resources, Director of Employee Relations, within ten (10) workdays of receiving written notification of Step 1 decision. The Vice Chancellor will provide written response to the appeal within fifteen (15) working days of receiving the written appeal, with a copy of the response to Human Resources, Director of Employee Relations. The ruling of the Vice Chancellor for Health Sciences to the Step 2 appeal is the final agency decision for the University.

### V. Disciplinary Appeals Alleging Discrimination

A CSS employee wishing to file an internal complaint alleging discrimination prohibited in the University's Nondiscrimination Policy should contact the University's Office for Equity & Diversity (E&D) for additional information/procedures. Contact information for the Office of E&D is as follows:

Office for Equity & Diversity  
East Carolina University  
Old Cafeteria Building, Suite G-406  
Greenville, NC 27858  
(252) 328-6804  
<http://www.ecu.edu/edc/>

### VI. Maintenance of Disciplinary Actions

Corrective Action Reports remain active for 18 months unless additional corrective action is necessary. Otherwise, they remain a part of the employee's personnel file and may be taken into consideration in determining progression of steps if future corrective action is necessary. Active disciplinary actions may result in an overall annual performance rating of "below expectations". Additionally, an overall annual performance rating of "meets expectations" or better does not render any active disciplinary actions as inactive.

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

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

The following is a guide for disciplinary actions with respect to infractions and violations of laws, University and/or ECU Physicians rules, regulations, policies, and/or standards. This list is not exhaustive of all types of conduct which may constitute grounds for disciplinary action including, but not limited to, suspension without pay, demotion and/or dismissal from employment.

Any of the steps set forth in these guidelines may be skipped or eliminated, at the University's sole and absolute discretion, depending on the seriousness of the offense and any other relevant circumstances of the specific case. As a general rule, disciplinary action shall be more severe for conduct which is a knowing, intentional, or willful violation of the law and/or of the rules, regulations, policies, and/or standards of the University and/or ECU

Physicians. Nothing in this policy should be construed as preventing, limiting, or delaying the University from taking any and all appropriate disciplinary action(s) including, but not limited to, suspension without pay, demotion and/or dismissal, in any circumstances where the University, in its sole and absolute discretion, deems such action appropriate and warranted.

Key: Recommended Disciplinary Actions

- O: Oral Warning (written documentation of such is necessary)
- W: Written Warning
- S: Suspension Without Pay
- D: Demotion/Dismissal

**Disciplinary Action  
for Occurrence**

Work Rule	1st	2nd	3 <sup>rd</sup>	4th
1. Poor performance of duties, including failure to follow instructions or to maintain established standards of workmanship or productivity. (See also Work Rule 10).	O	W	S	D
2. Failure to provide acceptable customer service, whether performance based or conduct based, as defined by the ECU Core Work Values.	O	W	S	D
3. Failure to conform to a departmental uniform or dress code policy, including the wearing of identification badges or nametags. (Refer to BSOM policies <a href="#">HR#15</a> , <a href="#">HR#16</a> , <a href="#">HR#17</a> ).	O	W	S	D
4. Violation of the <a href="#">CSS Absenteeism and Tardiness Policy</a> involving unscheduled absence or tardiness for whatever reason, including failure to report to the work station at the beginning of the scheduled shift or leaving the work station prior to the scheduled conclusion of the work period, and absences which exhibit a pattern or trend. (See also Work Rules 5, 8, and 17).	O	W	S	D
5. Failure to inform the supervisor when leaving the workstation, or failure to report back to the workstation at the scheduled conclusion of a work break or meal period. (Refer to <a href="#">CSS Absenteeism and Tardiness Policy</a> ; see also Work Rules 4, 8 and 17).	W	S	D	
6. Use of profane, abusive, or loud/boisterous language on University premises, or actions which may be discourteous or harmful to others, including smoking in designated non-smoking areas. (Refer to Work Rules 10 and 12)	W	S	D	
7. Use of another's computer sign-on or computer access code or providing another the use of an individual's sign-on code without proper authorization, to gain unauthorized access to confidential or privileged information. (See also Work Rule 18).	W	S	D	

8. Failure of an absent employee to notify the supervisor on each day of absence, unless such notice requirement is waived, or notification not provided in accordance with departmental procedures. (Refer to <u>CSS Absenteeism and Tardiness Policy</u> ; see also Work Rules 4 and 17).	W	S	D	
9. Failure to adhere to University or departmental safety policies and/or procedures, including failure to immediately report an accident on University premises involving an on-the-job injury or property damage. (Refer to <u>Workers' Compensation</u> ).	W	S	D	
10. Insubordination, including refusal to accept reasonable directives from supervisors, security officers, or other proper authorities. (See also Work Rule 1).	S	D		
11. Unauthorized or improper use of University property. (See also Work Rule 16).	S	D		
12. Failure to appropriately interact with anyone on University premises (including patients, their families, students, visitors, customers, or other employees), when such behavior violates another's privacy or dignity, including sexual harassment. (Refer to <u>Workplace Harassment</u> ; see also Work Rule 6).	S	D		
13. Being in an unfit condition to perform the duties of the job, including sleeping on the job, or working under the influence of drugs or alcohol. (Refer to <u>Substance Abuse Policy</u> ).	S	D		
14. Falsification of employment application or other University records, including intentional failure to accurately record time records, or registering the time card of another employee without proper authorization.	D			
15. Threats, fighting, or other physical action against another person while on University premises. (Refer to <u>Violence Prevention</u> ).	D			
16. Commission of any crime on University premises including, but not limited to, theft, unauthorized removal of or willful damage to property, unauthorized possession of alcohol/weapons/explosives, gambling, being found in possession of illegal drugs, and charging personal long distance phone calls to the University without authorization. Or, conviction of a felony or an offense on or off University premises involving moral turpitude that is detrimental to or impacts the employee's service to the State; or conduct unbecoming a State employee that is detrimental to State service.	D			
17. Consecutive absences of three (3) workdays without notifying the supervisor if, by the end of the employee's third regularly scheduled workday, such notification is not provided in accordance with departmental procedures. (Refer to <u>Voluntary Resignation without notice</u> ).	D			
18. Behavior which compromises another's safety or privacy, or discloses confidential University and/or University affiliated information, including medically related records. (Refer to BSOM policy #A14, <u>HIPAA</u> ; see also Work Rule 7).	D			
19. Failure to obtain or maintain legally required certificates, licenses, bonds of other credentials; or any activity which violates federal or state standards regulating the provision of professional services, or violation of regulations affecting continued licensure, commissioning, or certification in a profession. (Refer to BSOM policy #HR9, #HR10).	D			

20. If an employee's responsibilities require the routine use of resources (computer applications, equipment, facilities, etc.) of an external entity, and the employee's ability or approval to use the resource is terminated by the external entity due to the action of the employee.	D			
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**21. CSS Adverse Weather for CSS Employees Assigned to a Joint Venture Policy (Approved 10/12; effective 11/01/2012)**

Clinical Support Services (CSS) employees assigned to perform services for a joint venture will follow the adverse weather policy of the joint venture administration to which they report even if/when the joint venture adverse weather policy and/or its application differ from the ECU and/or ECU Physicians adverse weather policy and/or application. This includes, but is not limited to, the determination of whether operations are open or closed during an adverse weather event; how information is communicated to employees regarding the adverse weather event; if/how employees will be compensated for working during an adverse weather event; and, what leave, if any, must be taken by employees who do not work during an adverse weather event.

**22. Clinical Support Services (CSS) Time-limited Permanent Appointment Policy (Approved 06/14)**

A time-limited permanent appointment is an appointment that has a limited duration to:

1. a permanent position that is vacant due to the incumbent's leave of absence and when the replacement employee's services will be needed for a period of one year or less.
2. a time limited permanent position. If an employee is retained in a time-limited permanent position beyond five years, the employee shall be designated as having a permanent appointment.

This type of appointment is distinguished from a temporary appointment by the longer length of time, and from a regular permanent appointment by its limited duration.

Individuals receiving initial appointments in Clinical Support Service (CSS) positions will be subject to the CSS probationary period as outlined in the CSS Probationary Policy.

Employees with a time-limited permanent appointment receive leave, total state service credit, retirement and health benefits. They are not eligible for severance pay and priority reemployment.

**23. CSS Holiday Premium Pay Policy (Approved 03/11/16, Effective 04/01/16)**

CSS employees who are required to work on designated holidays shall be given, in addition to regular salary, premium pay equal to one-half of their regular straight-time hourly rate for all hours as are worked on these days. In addition, holiday compensatory time off shall be given, not to exceed 8 hours.

**Covered Employees**

This policy applies to both FLSA non-exempt and exempt CSS employees. It does not apply to Exempt from Human Resources Act (EHRA) employees.

Full time permanent, probationary, trainee and time-limited CSS employees are eligible for holiday premium pay.

Part-time (half time or more) permanent, probationary, trainee and time-limited CSS employees are eligible for holiday premium pay at a prorated amount.

Temporary, intermittent, and part-time (less than half-time) CSS employees are eligible for premium pay for actual hours worked on a holiday but are not eligible for equal time off.

**CSS Flexible Holiday Schedule for Clinical Support Services Employees Policy**

East Carolina University establishes a holiday schedule that accommodates for academic programs and clinical operations. Holiday premium pay and holiday compensatory time applies to work performed on those holidays established by East Carolina University.

In an effort to better serve the needs of patients, ECU Physicians will annually develop a separate flexible holiday schedule for Clinical Support Services (CSS) employees working at East Carolina University. The Vice Chancellor for Health Sciences, or designee, has the authority to establish a flexible holiday schedule for CSS employees that varies from the holiday schedule established for the employees in the Division of Health Sciences, subject to the Human Resources Act (SHRA).

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

- A. The flexible holiday schedule for CSS employees will be established no later than three months before the start of each calendar year.
- B. Additional changes may be made to the schedule so long as any change regarding a particular state holiday is made at least three months prior to that particular state holiday.
- C. The Vice Chancellor, or designee, has the authority to require CSS employees to work on days designated state holidays when the clinical operations at ECU Physicians remain open.

### **Shift Schedules**

If an established shift changes at a time other than midnight, the time of the shift closest to midnight will set the hour limits of the day for purpose of computing premium pay. For example, if shifts change at 11:00 p.m., the holiday period will begin at 11:00 p.m. the night before and end at 11:00 p.m. on the night of the holiday.

### **Holiday Compensatory Time**

If CSS employees are required to work on a scheduled State holiday, they shall be given the opportunity to take an equivalent amount, up to eight hours, of holiday compensatory time off from work. Employees will receive their straight time pay for holiday compensatory time taken as premium pay will not apply to the compensatory time.

CSS employees cannot use the compensatory holiday time in increments. In other words, if a CSS employee works an 8-hour holiday, the employee must take an 8-hour workday off when using the holiday compensatory time.

CSS employees must obtain prior approval from their supervisors before using any compensatory holiday time earned under this policy. Exception: If management determines that the scheduling of the use of holiday compensatory time results in extraordinary management inconvenience or overtime pay for job coverage, the eight hours off may be paid out as straight time.

CSS employees must use the compensatory holiday time before using other leave/time (overtime compensatory time, gap hours compensatory time, on-call compensatory time, travel compensatory time, vacation or bonus leave). The compensatory holiday expires 6 months after accrual.

This compensatory holiday time will be tracked separately from other forms of leave awarded to CSS employees.

If the CSS employee separates from employment after accruing the compensatory holiday time, the time will not be transferred or paid out. The employee must take the time prior to their last day of employment in their current position. If a CSS employee transfers to another position (CSS, SHRA or EHRA) the employee must use the compensatory holiday time prior to his/her last day of employment in their current position. The employee must obtain prior approval from their supervisor before scheduling the time off.

### **Overtime**

Holiday premium pay is paid and holiday compensatory time is awarded in addition to any overtime pay due to non-exempt employees pursuant to the FLSA. Premium pay for holiday work will not be included in determining the regular hourly rate of pay for the purpose of calculating overtime payments. Any compensatory time taken in lieu of overtime pay will be governed by the policy on compensatory time and consistent with FLSA.

### **Shift Premium Pay**

Shift premium pay is paid in addition to holiday premium pay. Shift premium pay rates will be applied to the employee's regular salary. Please refer to the CSS Shift Premium Pay policies for eligibility.

### **Exclusion**

CSS employees that are receiving extended duty pay for hours worked are excluded from this policy and will not receive holiday premium pay or compensatory time for hours worked on a designated holiday.

## **24. Clinical Support Services (CSS) Performance Management Policy (Approved 03/04/2020, Effective 04/01/2020)**

### **Performance Management**

Performance management includes the overall management of the employee, including the completion of performance evaluations. Performance management includes coaching, counseling, mentoring, as well as encouraging employee development. In the event that performance and/or conduct are not meeting the expectations, the supervisor should review the Disciplinary Policy and contact the appropriate Employee Relations Consultant.

In order to ensure that employees are aware of job expectations for both performance and conduct, it is essential that a performance management policy be in place. CSS employees will be evaluated on a Performance Plan that will include the ECU Core Work Values, employee's job duties from the position description, and overall performance utilizing a 3point rating scale of Exceeds Expectations, Meets Expectations and Below Expectations.

### **Performance Evaluations**

It is expected that the following evaluations will be completed on CSS employees. Supervisors will be responsible for, and held accountable for, the fair and accurate completion of these evaluations.

- a. Probationary Evaluation – In accordance with the CSS Probationary Appointment Policy, CSS employees serve a 6-month probationary period, which may be extended for a period not to exceed six (6) additional months. At the end of the probationary period, the supervisor should complete a Probationary Report Form that notifies the employee of those areas of meeting expectations as well as areas that need improvement. Should the supervisor request an extension of the probationary period, the supervisor shall document on the Probationary Report Form that the probationary period has been extended, and identifies the areas and reasons for the extension, and contact Employee Relations for assistance with the probationary extension letter, which will be provided to the employee along with the Probationary Report Form.
- b. Annual Evaluation – CSS employees will be evaluated on an annual basis utilizing the approved evaluation form found on the Employee Relations website. The evaluations will be conducted by the end of May of each year. The evaluation period shall run from April 1<sup>st</sup> to March 31<sup>st</sup> of the following year.
- c. Interim Evaluation – CSS employees who are no longer on probation may receive an interim evaluation in between annual evaluations if the supervisor deems it necessary, the employee has active disciplinary actions, or the employee requests it.
- d. Evaluations must be maintained for a period of three (3) years, at which time they can be destroyed.