



## INSTITUTIONAL POLICY: PE-01

Category:	Personnel
Subject:	Employees
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### PE 01-1. Authority

- 1.1 W. Va. Code §§ 6C-2-1, et seq.; 18B-1-2; 18B-1-6; 18B-2A-4; 18B-7-1, et seq.; **18B-8-1, et seq.**, 18B-9A-1, et seq.; and 18B-9B-1.
- 1.2 The Fair Labor Standards Act of 1938, as amended 29 U.S.C. § 201, et seq.
- 1.3 W. Va. Const. Art. VI, § 38.

### PE 01-2. Purpose and Applicability

- 2.1 The West Virginia School of Osteopathic Medicine (“WVSOM”) seeks to design and administer fair and flexible human resource practices that allow WVSOM to attract, retain, and motivate high performing employees.
- 2.2 The purpose of this policy is to set forth the guiding principles for establishing human resource practices for all WVSOM faculty and staff and covers other employment practices required by state law. This policy applies to all WVSOM employees. Specific application to various job types may be limited by each section below.

### PE 01-3. Definitions

- 3.1 “Benefits” means programs that WVSOM uses to supplement the cash compensation of employees and includes health and welfare plans, retirement plans, pay for time not worked and other employee prerequisites.
- 3.2 “Chief Human Resources Officer” means the human resources officer who oversees all aspects of human resource management, practices, and operations for WVSOM.
- 3.3 “Critical to the institution” means the position is core to WVSOM’s mission and has a significant impact on its business operations or services as determined by the President or his/her designee.
- 3.4 “Employee” means an individual who works full time or part time at WVSOM.
- 3.5 “Essential” means that when WVSOM is faced with an institutional emergency, employees in such positions may be required to remain at their work location or to report to work to protect, recover and continue operations at WVSOM. Absent extraordinary circumstances,

supervisors are required to notify employees, if identified as essential, in advance of specific WVSOM situations.

**3.6** “Faculty” means all faculty classifications as defined in Institutional Policy PE-02: Faculty.

~~3.63.7~~ “Faculty Council” means an elected council of faculty that advises the Vice President for Academic Affairs and Dean and President on matters concerning the faculty.

~~3.73.8~~ “Full-time equivalent” or “FTE” means the percentage of time for which a position is established, with a full-time position working 1950 hours per year being 1.00 FTE.

~~3.83.9~~ “Full-time regular” is a designation that is used to determine benefits and payroll eligibility.

~~3.93.10~~ “Information technology related” means the position has a primary responsibility of supporting information technology functions, as determined by the President or his/her designee.

~~3.103.11~~ “Nonclassified employee” means a non-faculty regular employee of WVSOM who meets one or more of the following criteria:

~~3.10.13.11.1~~ Holds a direct policy-making position at the department or organization level;

~~3.10.23.11.2~~ Reports directly to the President;

~~3.10.33.11.3~~ Is in a position considered by the President or his/her designee to be critical to the institution pursuant to policies or decisions adopted by WVSOM’s Board of Governors;

~~3.10.43.11.4~~ Is in an information technology-related position;

~~3.10.53.11.5~~ Is hired after July 1, 2017, and meets the duties test for exempt status under the provisions of the Fair Labor Standards Act at the time of hire or anytime thereafter; or

~~3.10.63.11.6~~ Was in a nonclassified position as of January 1, 2017.

~~3.113.12~~ “Part-time regular” is a designation that is used to determine benefits and payroll eligibility.

~~3.123.13~~ “Reduction in force” or “RIF” means a separation from employment of at least five percent of WVSOM’s full-time (1.0 FTE) staff due to lack of funds, lack of work, redesign, or elimination of positions or reorganization, with no likelihood or expectation that the positions would be filled because the positions themselves are eliminated.

~~3.133.14~~ “Staff” means all nonclassified employees.

~~3.143.15~~ “Staff Council” means an elected council of staff that advises the President on matters pertaining to staff concerns.

#### **PE 01-4. Delegation of General Administration of Human Resources Practices**

- 4.1 To enable WVSOM to function in a proper and expeditious manner and to advance WVSOM's mission and objectives, the WVSOM Board of Governors delegates to the President the following authority:
  - 4.1.1 To oversee and administer a system for all personnel matters, including but not limited to, hiring, promotions, demotions, transfers, compensation and benefits administration, discipline, performance management, alternative dispute resolution, and termination of employment. The President shall determine availability of all employee positions and applicable salary ranges prior to any hiring decisions set forth in Section 4.2 below.
  - 4.1.2 To administer a system for hearing eligible employee grievances and appeals. *Provided*, that the grievance procedure established in state law is the exclusive mechanism for hearing eligible employee grievances and appeals.
  - 4.1.3 To contract and pay for supplemental employee benefits for applicable employee positions. *Provided*, that if the supplemental employee benefit program incurs expense to WVSOM, then the President shall first obtain approval from the Board of Governors.
  - 4.1.4 To adopt additional human resources internal procedures to effectuate the implementation of this policy or in furtherance of any other authority that the Board of Governors has specifically delegated to the President pursuant to this policy. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this policy.
- 4.2 While the President retains the authority under Section 4.1 above, the President delegates to the Vice Presidents and Associate Vice Presidents the following authority to directly administer the day-to-day personnel matters within their respective departments:
  - 4.2.1 Hiring, promotions, demotions, transfers, compensation within applicable salary ranges approved by the President, benefits administration, discipline, performance management, alternative dispute resolution, and termination of employment;
  - 4.2.2 Decisions concerning time and leave for eligible employees, in consultation with the Office of Human Resources;
  - 4.2.3 The Vice President for Academic Affairs and Dean shall submit to the President for decision all faculty promotion and tenure recommendations per the requirements set forth in WVSOM Institutional Policy PE-02: Faculty.
- 4.3 All human resource practices shall be consistent with federal and state law and any policy adopted by the Board of Governors.

#### **PE 01-5. Meetings On and External Review of Human Resources Policies**

- 5.1 ~~Pursuant to West Virginia Code §§ 18B-7-1, et seq., 18B-9A-1, et seq., and 18B-9B-1, the~~ The President shall meet at least quarterly with representatives of Faculty Council and Staff Council to discuss the implementation and effectiveness of any human resources policies adopted by WVSOM pursuant to West Virginia Code §§ 18B-7-1, et seq., 18B-8-1, et seq., 18B-9A-1, et seq., and 18B-9B-1. Where appropriate, the President or his/her designee shall

make recommendations to the Board of Governors to address concerns or issues identified by **Faculty Council and Staff Council** regarding ~~the implementation and effectiveness of~~ the human resources policies.

- 5.2 The Chief Human Resources Officer shall initiate an ~~an-comprehensive~~ external review of human resource practices at least once every five years, relating to WVSOM's compliance with ~~the applicable provisions of~~ West Virginia Code §§ 18B-7-1, et seq., 18B-8-1, et seq., 18B-9A-1, et seq., and 18B-9B-1. Faculty Council and Staff Council shall be given the opportunity to speak with the external auditors before the start of the audit and after its completion.
- 5.3 Where appropriate, the Chief Human Resources Officer is encouraged to seek input from all employees regarding the development and implementation of internal human resource procedures.

#### **PE 01-6. Overview of Philosophy and Responsibilities of the Classification and Compensation Program**

- 6.1 WVSOM considers all employee positions to be critical to the institution. Therefore, all staff positions are nonclassified. While critical to daily operations, a nonclassified employee may or may not be deemed essential to report for duty in emergencies or other special situations as identified by the President or his/her designee.
- 6.2 The President or his/her designee shall design and administer a fair and flexible classification and compensation program for faculty and staff that aligns with WVSOM's mission, vision, and values, and meets the following objectives:
  - 6.2.1 Attracting and retaining a high performing, qualified and diverse workforce;
  - 6.2.2 Motivating and rewarding faculty and staff for high levels of performance;
  - 6.2.3 Competing within comparable labor markets; and
  - 6.2.4 Providing flexibility to respond to changes in the labor market, within available financial resources.
- 6.3 The Chief Human Resources Officer is responsible for analyzing emerging trends and changing circumstances that impact compensation in order to keep the classification and compensation program consistent with best practices, and to make any appropriate classification and compensation program change recommendations to the President. The President shall obtain the approval of the Board of Governors prior to implementing any change that would make fundamental, systemic changes to the overall classification and compensation program.
- 6.4 The Chief Human Resources Officer is responsible for developing and maintaining job titles, minimum base compensation per position, and alignment of job titles to respective pay for all faculty and staff; provided that supervisors most familiar with work performed in their respective units and the abilities of the employees who do the work have significant responsibility for recommending pay to the Chief Human Resources Officer. Final approval of an employee's pay shall be made pursuant to the authority set forth in Section 4 above.

- 6.5 In conjunction with supervisors, the Office of Human Resources shall develop and maintain a job description for all faculty and staff positions.
  - 6.5.1 Individual job descriptions must include a summary of the essential duties and the level of the work performed.
  - 6.5.2 To maintain accurate job descriptions, supervisors shall periodically review individual job descriptions and notify the Office of Human Resources if the content of a position undergoes a fundamental change, pursuant to Section 8 of this policy.
  - 6.5.3 For all new positions or vacated positions, the Office of Human Resources shall review a position's submitted duties, responsibilities, functions, skills, education, and experience required for the position, as provided by the respective supervisor, and then compare those factors to internal and external jobs to determine the job title and the corresponding minimum base compensation for the position.

#### **PE 01-7. Compensation Elements**

- 7.1 An employee's compensation involves consideration of elements such as education, experience, skill measures, performance, internal salary equities, and any budget parameters established by the Board of Governors or the President. The Chief Human Resources Officer shall assess employee compensation and make recommendations to the appropriate Vice President or Associate Vice President within approved salary ranges.
- 7.2 An employee's compensation may include any of the following elements, consistent with the West Virginia Code and the West Virginia Constitution:
  - 7.2.1 Base compensation: defined as the hourly rate or salary based on a 37.5 hour work week.
  - 7.2.2 Annual increment: defined as the annual lump sum payment based on years of state service multiplied by a flat dollar amount contemplated by West Virginia Code § 5-5-2.
  - 7.2.3 Incentive compensation: defined as one-time payments based on (i) the achievement of previously defined, objective quantifiable metrics over a defined time period; (ii) incentive to motivate an employee to remain employed in his/her current position until a certain date; or (iii) other contractual agreements, including substantial work on projects deemed critical to the department, division, or institution.
  - 7.2.4 Compensation for interim supplemental responsibilities: defined as additional compensation through an interim upgrade or promotion due to a significant change in duties and responsibilities of an employee on a temporary basis. Such a temporary reassignment shall normally be for no less than four consecutive weeks and no more than twelve consecutive months and shall only occur when the responsibilities being undertaken by the employee are those of another position that is vacant because of the incumbent's illness or resignation or because of temporary sufficient change in the duties and responsibilities of a filled position. If the temporary reassignment of responsibilities meets the test for a temporary upgrade or promotion, the affected employee shall have his/her base salary adjusted upwards consistent with an upgrade or promotion under this policy. At the end of the temporary reassignment, the affected

employee shall have his/her salary returned to its original level including any salary increase which the employee would have received in his/her regular position.

7.2.5 Overtime and holiday compensation: defined as compensation for applicable, eligible employees who are required to work overtime, or during a holiday or emergency closure.

7.2.6 Compensatory time-off (CTO): may be offered by a supervisor to an eligible, non-exempt employee in lieu of overtime pay.

7.2.7 Other compensation elements may be considered as deemed appropriate by the President.

7.3 An employee's base compensation shall not be placed below the set minimum for the corresponding job title.

### **PE 01-8. Job Change Adjustments for Employees**

8.1 Upon written request, the Office of Human Resources shall review an employee's individual job description to determine whether the individual's job description, as modified to fit current duties, amounts to a fundamental change compared to the employee's previous individual job description, to determine whether the employee should be assigned to a new job title and corresponding pay.

8.2 If the Office of Human Resources determines that a significant change in duties and responsibilities has occurred such that there is a fundamental change in the position, then the Office of Human Resources shall assign the employee position to a new job title. A fundamental change is a change in the relative worth of the position in achieving WVSOM's objectives and is assessed by considering a number of factors, including but not limited to the duties and responsibilities, essential requirements, qualifications, experience, and skills required to perform the position. It is not sufficient that there be a mere change in the volume of work.

8.3 In determining whether a fundamental change has occurred, the Office of Human Resources shall consider the following:

8.3.1 the current job description of the incumbent in relation to the work actually being or proposed to be performed;

8.3.2 changes that have occurred to the position, considering the duties, responsibilities, essential requirements, and organizational hierarchy of the role;

8.3.3 comparable positions to ensure equity and consistency in measurement of work value within the department and across WVSOM;

8.3.4 the ongoing nature of the changes to the duties, responsibilities, and essential requirements; and

8.3.5 other factors deemed appropriate by the Office of Human Resources.

8.4 The following factors do not justify a job change adjustment:

8.4.1 the incumbent employee's performance in the position;

- 8.4.2 the length of service or time in the position;
  - 8.4.3 the education beyond the minimum required education of the job title, including but not limited to obtaining additional degrees in a field not related to the employee's current job duties;
  - 8.4.4 the knowledge, skills, and abilities of the incumbent employee that are not directly relevant to the position under review;
  - 8.4.5 any differences in job change adjustments in other departments;
  - 8.4.6 any temporary duties (not including interim assignments) performed in addition to the incumbent employee's regular position description duties or a one-time project (such circumstances may warrant a supplemental pay adjustment); or
  - 8.4.7 efforts to undertake a job change adjustment to retain an incumbent employee (such circumstances may warrant a critical retention adjustment).
- 8.5 This section does not alter the requirements for faculty promotion and tenure as set forth in Institutional Policy PE-02: Faculty.
- 8.6 If the Office of Human Resources determines that a fundamental change has occurred, then the Office of Human Resources will recommend the most appropriate job title consistent with the employee's new duties and responsibilities to the appropriate Vice President or Associate Vice President for approval.
- 8.7 The effective date of a job change adjustment and any accompanying salary adjustment should generally follow the date of approval.

#### **PE 01-9. Compensation Adjustments for Employees**

- 9.1 Pursuant to the authority set forth in Section 4 above, an employee's compensation may be modified for one of the following reasons, provided it comports with the West Virginia Code and the West Virginia Constitution:
- 9.1.1 Performance-based merit adjustments: Performance-based merit adjustments are designed to reward employees' performance and should not be treated as a cost of living adjustment. These adjustments should be tied to an employee's annual performance evaluations and may be either base adjustments or one-time, lump sum payments.
  - 9.1.2 Market adjustments: Market adjustments may be requested when the employee's pay is not consistent with relevant external market data, where individual pay circumstances require consideration of external market data for similar jobs, or in instances with high turnover or low supply of qualified applicants. Market adjustments may only be an increase to an employee's base pay, and not a one-time payment.
  - 9.1.3 Critical retention adjustments: Critical retention adjustments are intended to retain an employee that occupies a position that is critical to the mission of WVSOM. Critical retention adjustments should be reserved for a job involving unique skills, experience, or knowledge or jobs that are extremely hard to fill. Critical retention

adjustments may only be an increase to an employee's base pay, and not a one-time payment.

9.1.4 Job change adjustments: A job change adjustment pursuant to Section 8 of this policy. A job change adjustment may only be an increase to an employee's base pay, and not a one-time payment.

9.1.5 Supplemental pay adjustments: Supplemental pay adjustments are used to compensate employees performing additional responsibilities that are functionally different or broader in scope than the current assignment. Supplemental pay adjustments may only be an increase to an employee's base pay, and not a one-time payment.

9.2 Other adjustments may be considered as deemed appropriate by the President. *Provided*, that any inequities between employees' compensation within the same job title may not alone justify an adjustment to compensation.

### **PE 01-10. Market Analysis**

10.1 The Chief Human Resources Officer shall periodically, but at least once every five years, oversee a comprehensive study of market salaries to facilitate a review of established pay and job titles at WVSOM. Additionally, the Chief Human Resources Officer shall oversee informal reviews of the market salaries at least three years after each comprehensive study is completed.

10.2 Nothing in this section or policy shall prohibit the President, the Vice Presidents, or the Associate Vice Presidents from modifying job titles and standardized job descriptions in the absence of a comprehensive market study.

### **PE 01-11. Reduction in Force**

11.1 WVSOM seeks to provide a positive and stable work environment. However, conditions may arise that necessitate the elimination of filled positions, otherwise known as a reduction in force (RIF). A RIF involves a separation from employment of at least five percent of WVSOM's full-time (1.0 FTE) staff. This section outlines the guiding principles for implementing reductions in force at WVSOM.

11.2 RIF Process and Review Committee.

11.2.1 Reasons to implement a RIF may include, but are not limited to, budget reductions, loss of funding, reorganization, material changes to the duties or responsibilities of a position, program change/elimination, or an emergency that curtails operations.

11.2.2 The President shall establish and appoint a review committee to review, propose and implement any RIF plan upon the President's approval. The members of the review committee shall include, but are not limited to the following individuals or his/her designee: Vice President for Finance & Facilities, Vice President for Academic Affairs/Dean, Vice President for Administration and External Relations, Vice President for Legal/Governmental Affairs and General Counsel, Faculty Council



Chairperson, Faculty Board of Governors Representative, Staff Council Chairperson, Staff Board of Governors Representative, and the Chief Human Resources Officer.

11.2.3 Prior to undertaking any RIF, the Chief Human Resources Officer shall, at a minimum:

- (i) List reasonable alternative solutions to a RIF that were considered (e.g., where applicable, reductions of operating expenses other than payroll, moratorium on further hiring, or voluntary separation);
- (ii) Identify the reasons for implementing the RIF;
- (iii) Identify the positions recommended for elimination and the reasons for the elimination;
- (iv) Describe any re-organization of the department or other changes that will occur as a result of the RIF;
- (v) Describe the impact of the RIF plan to other employee positions, including whether other positions will also be eliminated; and
- (vi) Any other matters required by the review committee or the Chief Human Resources Officer.

11.2.4 A RIF does not alter any employee's at-will employment status or the ability of WVSOM to terminate the employment of an at-will employee.

11.2.5 A RIF is not intended to be a performance management tool.

11.2.6 In situations where some, but not all of the positions within the same department may be eliminated, the review committee shall evaluate the individual employees potentially subject to the RIF based on the following criteria, which are listed in order of importance for determining retention:

- (i) Performance: each employee's documented quality of work performance over the previous 24 months as demonstrated in, but not limited to, performance evaluations of record and disciplinary history;
- (ii) Skills and qualifications: specific duties and responsibilities of each position, the employee's knowledge and skills; and
- (iii) Seniority: the length of service in the position and as an employee of WVSOM.

11.2.7 The Chief Human Resources Officer will coordinate the evaluation process for the review committee in consultation with the appropriate supervisors.

11.2.8 Upon completion of the evaluation process, the review committee shall recommend to the President a RIF plan, including identification of those employees subject to the RIF. The President has the final approval on any RIF plan.

11.3 Commitment to Equal Opportunity and Affirmative Action.

11.3.1 All RIF decisions under this Section 11 shall be made without regard to race, ethnicity, color, religion, sex (including pregnancy), gender, gender identity, sexual orientation, national origin, age, marital status, veteran or military status, disability,

genetic information, or other category that is protected under federal, state, or local anti-discrimination laws.

11.3.2 The Chief Human Resources Officer shall undertake an adverse impact analysis to determine that all RIF plans under this policy comply with this section.

#### 11.4 Rights of Employees

11.4.1 WVSOM shall provide an employee at least 30 calendar days written notice (“Notice Period”) that his/her position is going to be eliminated, unless the financial circumstances of WVSOM dictate a shorter notice period, as determined by the President.

- (i) In some situations, it is in the best interests of the employee or the department that during the notice period the employee receive an alternative assignment.
- (ii) The notice should indicate whether or not the employee will receive an alternative assignment during the notice period.

11.4.2 During the notice period, the department shall provide any employees subject to a job elimination reasonable time off without charge to accrued leave to attend job interviews, subject to the operational needs of the department.

11.4.3 In accordance with West Virginia Code § 6C-2-1, et seq., eligible employees may utilize the West Virginia Public Employees Grievance Procedure to seek resolution for their grievable issues involving a RIF.

11.4.4 Any employee impacted by a RIF may reapply for an open position through the normal application process.

#### 11.5 Severance Agreement

11.5.1 As a part of the RIF plan, WVSOM may offer a severance package to an employee who is impacted by a RIF, if financially feasible. If WVSOM offers a severance package, WVSOM shall provide the employee 14 calendar days from the date of receipt of the offer to consider the terms and conditions of the agreement and to accept the severance package. Additionally, after an employee executes a severance agreement, that employee maintains the right to revoke that execution and void the severance agreement for seven calendar days after execution. No severance benefits shall be paid to any employee that revokes execution of the severance agreement.

11.5.2 Any severance shall be paid in installments. WVSOM may also subsidize health insurance for a predetermined period of time as determined by the review committee and the President. Any severance payments shall be discontinued if the individual is rehired by WVSOM prior to the end of the severance payments.

11.5.3 Any severance agreement shall contain a statement indicating that the employee releases all claims against WVSOM, including any claims that the employee could grieve pursuant to West Virginia Code § 6C-2-1, et seq. The severance agreement shall also contain a statement of any post-employment benefits applicable to the employee. Any severance agreement will not be effective, and severance pay shall not be paid, unless the employee agrees to the terms and conditions of and executes the severance agreement during the 14-day period.

11.5.4 Nothing in this Section 11 shall prohibit WVSOM from moving forward with a RIF if an employee declines to execute a severance agreement.

11.6 Exclusions. This Section 11 and the rights, duties, and responsibilities contained herein are only applicable to the proposed elimination of positions that are held by full-time regular employees. Any position eliminations under the following circumstances are excluded from the RIF requirements in this Section 11:

11.6.1 Part-time or temporary positions;

11.6.2 Grant funded or contract positions;

11.6.3 A reduction in FTE that reduces the position by twenty percent or less but does not eliminate benefits eligibility;

11.6.4 Any instance in which WVSOM has contracted with an outside vendor for services and an employee is offered employment by that vendor with comparable wages; or

11.6.5 Internal transfers.

## **PE 01-12. Performance Management**

12.1 Strategic alignment of WVSOM's workforce with its mission, vision, and values is critical to the continued growth and success of WVSOM. Performance management will be used to ensure strategic alignment and also support employees as they work to achieve their fullest potential.

12.2 The Chief Human Resources Officer shall develop a performance management plan for employees that accomplishes the following objectives:

12.2.1 Provide a fair assessment of job performance;

12.2.2 Provide counseling regarding development opportunities or areas of needed improvement;

12.2.3 Provide a basis for compensation decisions;

12.2.4 Serve as a factor for reduction in force decisions; and

12.2.5 Support and provide documentation for personnel actions.

12.3 Supervisors shall undertake performance management in a manner that is consistent and objective, and should not reflect personal prejudice, bias, or favoritism. Any employee who supervises one or more employees shall complete a training on performance management policies, procedures, and processes, as required by the Chief Human Resources Officer.

12.3.1 Each year the Chief Human Resources Officer shall offer training on performance management policies, procedures, and processes for newly appointed supervisors prior to completion of the initial performance evaluation process.

12.3.2 All supervisors shall be provided with refresher materials on performance management policies, procedures, and processes every three years.

12.4 At the end of the first six months of each staff employee's employment, the employee's supervisor shall provide a written evaluation based on the performance standards or goals

established by the supervisor for the position. The supervisor shall meet with the employee and explain the contents of the evaluation.

12.5 Employees shall receive an annual written performance review based on the performance standards or annual goals established by the supervisor for the position, during the time period determined by the department, and approved by the Chief Human Resources Officer. Supervisors should also provide regular, informal feedback throughout the year. Before a performance review is completed, a supervisor shall solicit feedback from the employee's prior WVSOM supervisor if the employee has changed supervisors within the current performance review period.

#### 12.6 Rights of Employees

12.6.1 Once the annual written performance review is completed, the supervisor shall meet with the employee and explain the contents of the review.

12.6.2 An employee shall be given 10 business days to respond in writing regarding the results of his/her performance review, if the employee would like to do so. The response shall be delivered to the employee's supervisor. Upon receipt, the supervisor will review the employee's written response and determine if any changes should be made to the performance review.

12.6.3 If an employee has a concern, he/she is encouraged to talk to his/her supervisor, next-level supervisor, or Office of Human Resources. However, WVSOM considers a performance review finalized 15 business days after it is first delivered to the employee by the supervisor.

12.6.4 If an employee receives an evaluation or review of "needs improvement" or its equivalent designation, the employee's supervisor shall document in the evaluation a plan of improvement and, if applicable, defined objectives and timelines for improvement. An employee who does not meet the objectives for improvement in accordance with the timeline specified in the improvement plan may be considered for additional personnel action, including termination of employment.

12.6.5 In accordance with West Virginia Code § 6C-2-1, et seq., eligible employees may utilize the West Virginia Public Employee Grievance Procedure to seek resolution for their grievable issues involving performance management.

#### **PE 01-13. Additional Employment Practices Regarding Staff**

Part-Time Staff. The President should only establish part-time staff positions based on the operational needs of a department or the institution, and shall not create part-time staff positions solely to avoid the payment of benefits.

#### **PE 01-14. Continuing Education and Professional Development for Staff**

14.1 The Chief Human Resources Officer shall establish and operate a continuing education and development program for staff that encourages and supports continuing education and professional development. However, supervisors, with requested assistance from the Chief

Human Resources Officer, shall primarily be responsible for identifying developmental opportunities in partnership with individual staff.

- 14.2 Subject to appropriate supervisory approval, any staff is eligible to participate in continuing education and professional development programs appropriate to his/her position. Any WVSOM programs or practices shall require that staff be selected on a nonpartisan basis using fair and meaningful criteria which afford all individuals opportunities to enhance their skills and productivity in the workforce.
- 14.3 Funds allocated or made available for continuing education and professional development may be used to compensate and pay expenses for staff employees pursuing additional academic study or training to equip themselves better for their job duties. The programs or practices may include reasonable provisions for the continuation of employment of any staff receiving the benefits of the education or training, or for reimbursement to WVSOM for expenditures incurred on behalf of the individual.

#### **PE 01-15. Adoption of WVSOM Employee Handbook**

- 15.1 WVSOM shall adopt and enforce an Employee Handbook to administer the provisions of this policy and to address procedural personnel matters.
- 15.2 All revisions to the Employee Handbook may occur pursuant to WVSOM's Procedure for the Adoption, Amendment, or Repeal of Institutional Operating Procedures.

#### **PE 01-16. Superseding Provisions**

This policy supersedes the West Virginia Higher Education Policy Commission ("HEPC") Series 8 (W. Va. Code R. § 133-8), Series 39 (W. Va. Code R. § 133-39), Series 53 (W. Va. Code R. § 133-53), any other rule of HEPC which relates to the subject matter contained within this policy, and any conflicting provisions within the WVSOM Faculty Handbook and the WVSOM Employee Handbook. This policy also repeals and supersedes WVSOM Institutional Policies PE-01: Adoption of WVSOM Employee Handbook (effective February 1, 1990; last revised on January 8, 2013); PE-04: Recruitment and Hiring; PE-11: Faculty and Staff Development; PE-15: Classified Employee Salary Administration; and any other WVSOM policies or procedures which relate to the subject matter contained within this policy.