

**BOARD OF TRUSTEES of WESTERN ILLINOIS UNIVERSITY**

REGULATIONS

Approved: March 7, 2003

Section: **II. Employees**

Subsection: **C. Civil Service Employees**

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**II. Employees (continued)**

**C. Civil Service Employees**

**1. Coverage**

This Subsection C. applies to all civil service employees of the Board unless otherwise provided by these Regulations, by law, or by the terms of a collective bargaining agreement.

**2. Work Week**

- a. The standard work week (exclusive of unpaid meal periods) for all full-time employees shall consist of 37 1/2 hours per week, except for those classifications maintaining 24-hour-per-day operations including, but not limited to, Security and Plant Engineers, for which the standard work week shall consist of 40 hours per week.
- b. Any change in the standard work week for full-time employees shall require approval of the designated employer representative (Director of Human Resources) and the President.

**3. Work Schedules and Shift Assignments**

A schedule of work days and shift assignments shall be maintained for each civil service employee. Work day schedules and shift assignments may be changed to meet operating conditions and needs of the University upon reasonable notice to the civil service employees affected.

**4. Performance Evaluation**

The University shall develop a performance evaluation program for employees consistent with these Regulations and the statutes and rules governing the State Universities Civil Service System. The programs and any changes shall become effective when approved by the President. Each performance evaluation program shall include the following elements and such other elements as are necessary and appropriate: (a) a description of the evaluation structure; (b) an identification of the roles and responsibilities of employees and supervisors; (c) a statement of job related criteria for performance evaluation; and (d) a description of the employee appeal procedure with respect to recommendations or decisions made pursuant to a performance evaluation.

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**II. Employees (continued)**

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**5. Grievance Procedure**

- a. The University shall establish a grievance procedure for the resolution of employee grievances. An employee may file a grievance when a dispute arises concerning the interpretation or application of these Regulations and/or policies established by the University. The grievance procedure shall contain the following elements and such other elements as are necessary and appropriate:
  - (1) provisions for informal resolution;
  - (2) formal procedures for filing a grievance; and
  - (3) provisions for a formal employer representative decision and an appeal by the employee of that decision.
- b. The decision made at the conclusion of the appeal shall be final and binding and shall be consistent with these Regulations.
- c. If an employee seeks resolution of the grievance in any other forum, whether administrative or judicial, or pursuant to a grievance procedure under a collective bargaining agreement, the employer representative shall have no obligation to process the grievance under the procedure established in accordance with this regulation.
- d. An employee grievance committee may be established for the purpose of advising the employer representative on employee grievances.
- e. The grievance procedures described above and any changes therein shall become effective when approved by the President.

**6. Employee Discipline Program**

- a. The University shall develop and maintain an employee discipline program specifying reasonable rules of conduct, descriptions of inappropriate behavior, and corrective disciplinary measures. Each program shall contain the following elements and such other elements as are necessary and appropriate:
  - (1) rules of conduct with examples of unacceptable behavior;

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**II. Employees (continued)**

**C. Civil Service Employees (continued)**

**6. Employee Discipline Program (continued)**

a. The University shall develop and maintain an employee discipline program ... (continued)

(2) the following levels of disciplinary action:

- (a) oral warning;
- (b) written reprimand;
- (c) suspension;
- (d) discharge; and,

(3) an employee appeal procedure.

b. The discipline programs described above and any changes therein shall become effective when approved by the President.

**7. Employee Benefits**

a. Limitations and Eligibility

Except as otherwise indicated for prevailing wage rate groups, employee benefits shall be made available to employees in status positions, including, for the purposes of this paragraph 7., employees in appointments designed to qualify employees for status in the class, i.e. learner, trainee, apprentice, and, where appropriate, provisional. Civil Service employees in other types of non-status appointments will not be extended employee benefits under this paragraph 7. except that employees with temporary appointments shall be eligible for holiday pay in accordance with paragraph c. below. An employee with a full-time appointment shall be eligible to receive the benefits specified in this paragraph 7. An employee whose appointment is at least half-time but less than full-time shall be eligible to receive such benefits on a pro-rated basis. An employee whose appointment is for less than half-time shall not be eligible for benefits under this paragraph 7., except that such an employee shall be eligible for holiday pay in accordance with paragraph c. below on a pro-rated basis.

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C. Civil Service Employees (continued)

7. Employee Benefits (continued)

b. Vacation Leave

- (1) Non-exempt employees, as defined by Fair Labor Standards Act criteria, shall earn vacation leave in accordance with the following schedule:

<u>Years of Service Completed</u>		<u>Rate Earned/Hr. of Pay Status</u>	<u>Equiv. Days per Year</u>
<u>At Least</u>	<u>Not More Than</u>		
0	3	.0462	12
3	6	.0577	15
6	9	.0692	18
9	14	.0808	21
14		.0962	25

- (2) Exempt employees, as defined by Fair Labor Standards Act criteria, shall earn vacation leave in accordance with the following schedule:

<u>Years of Service Completed</u>		<u>Leave Days Earned per Year</u>
<u>At Least</u>	<u>Not More Than</u>	
0	3	25
3	6	26
6	9	27
9		28

- (3) Beginning October 1, 1972, where there has been a break in service, the service year shall be determined by the addition of all previous periods of State service which qualified for earning of vacation leave.
- (4) An employee who leaves the service of the University for any reason, provided that the employee is not reemployed within 30 calendar days at the same place of employment, shall receive pay for vacation leave to the extent of any accrued balance as of the date of separation from service. No vacation leave will be available or payable for employees whose service is terminated prior to the completion of the probationary period.
- (5) Except as provided below, an employee may not accumulate more than two times the appropriate annual level of vacation leave. Upon reaching this maximum, vacation leave will cease to be earned except as the accumulation is reduced. An employee who is required to work on a special assignment may, at the discretion of the President, be permitted to earn up to 12 days of vacation leave beyond the maximum provided above. Such additional vacation leave must be used within 12 months after the employee completes work on the special assignment. Extra pay in lieu of vacation leave will not be

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**7. Employee Benefits (continued)**

b. Vacation Leave (continued)

allowed. An employee's preference as to time of leave shall be considered, but the employer representative shall have the right to assign leave periods. Observed holidays that occur during the approved vacation leave shall not be charged against vacation leave.

- (6) Vacation leave shall not be taken during the probationary period, except for good cause and upon approval of the employer representative.

c. Holidays

- (1) All Board facilities will be closed except for necessary operations on the following principal holidays: New Year's Day, day before or day after New Year's Day, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, day before or day after Christmas Day,

(a) Principal holidays which fall on a Saturday shall be observed on the preceding Friday; principal holidays which fall on a Sunday shall be observed on the following Monday.

(b) Supplemental holidays will be observed on days designated by the President but shall be limited to work days, except Saturday and Sunday, immediately preceding or following the observance day of the respective principal holiday.

- (2) (a) Employees with full-time status, provisional, apprenticeship, trainee, or temporary appointments, except prevailing rate craft employees and those employees covered by collective bargaining agreements, will be excused on the observed day of each of the aforementioned principal and supplemental holidays. Such employees with less than full-time appointments shall be eligible for holiday pay on a pro-rated basis. All other employees, except for prevailing rate craft employees and employees covered by collective bargaining agreements, will be excused without pay.

(b) For employees who work other than a Monday through Friday workschedule, the calendar date on which a principal holiday falls shall be considered the holiday for purposes of receiving premium pay if work is performed on that date, in which case premium pay will not apply to work performed on the date the principal holiday is observed by the employer representative. If departmental needs permit, employees may be granted the calendar holiday off with full pay instead of the observed holiday in which case premium pay will not apply to work performed on the observed holiday.

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**II. Employees (continued)**

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**7. Employee Benefits (continued)**

**c. Holidays (continued)**

- (3) (a) Prevailing rate craft employees will be excused for all holidays designated in their area agreements and shall be compensated as stipulated and in accordance with provisions contained in said area agreements for said holidays.
  - (b) Five additional holidays shall be granted with pay to prevailing rate craft employees and shall be observed on days designated by the employer representative. These additional holidays are: Day before or after New Year's Day, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, day after Thanksgiving, and day before or after Christmas Day.
  - (c) Prevailing rate craft employees shall have the option of charging any unpaid area agreement holiday to vacation leave which they have available on holidays on which they are excused.
- (4) Employees covered by a collective bargaining agreement shall be granted paid holidays in accordance with the express terms of that agreement.
  - (5) In the event that work is required on any observed holiday as specified in paragraph (1) above, compensation shall be determined as follows:
    - (a) i. Employees who are eligible for holiday pay shall receive straight time pay for the holiday, plus compensation at the rate of time and one-half for hours worked or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one-half times the number of hours worked.
    - ii. Employees who are not eligible for holiday pay shall be compensated at the rate of time and one-half for hours worked, or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one-half times the number of hours worked.
    - iii. Exempt employees, as defined by Fair Labor Standards Act criteria, who are required to work on an observed holiday shall be granted, by mutual agreement between the employee and the employer representative, paid time away from work equivalent to the number of hours worked on the holiday.
  - (b) Prevailing rate craft employees shall be compensated in accordance with the terms of their area agreement for holidays designated in the area agreement. For the five additional holidays referred to in paragraph (3)(b) above, these employees shall be compensated in accordance with paragraph (a)(i.) or (ii.) above.
- (6) To be eligible for holiday compensation, employees must be on the active payroll on their last scheduled work day preceding the observed holiday and their first scheduled work

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**7. Employee Benefits (continued)**

c. Holidays (continued)

day following the observed holiday, unless they are absent on such day(s) for good cause and such absence is approved by the employer representative.

d. Sick Leave

(1) (a) An employee in a status position shall earn credit for sick leave with full pay at the rate of .0462 hours of sick leave for each hour in pay status, equivalent to one regular work day for each completed calendar month of service or twelve regular work days per year.

(b) A status employee who fails to complete a full month of service shall have sick leave credit pro-rated for the shortened period of that month.

(2) There shall be no limit in the amount of sick leave which may be accumulated.

(3) An employee whose employment or re-employment by the Board commences within two years after termination of his or her employment by an employer covered by the State Universities Civil Service System shall, if separated in good standing, be allowed to transfer his or her accrued sick leave to the location of employment or re-employment by the Board, provided that such employee has not received a lump sum payment for accrued sick leave. If such employee has received a lump sum payment for accrued sick leave, only accrued sick leave which was earned before January 1, 1984 may be transferred; credit for accrued sick leave which was earned after December 31, 1983 and prior to January 1, 1998 shall be governed by paragraph (4) below.

(4) (a) Upon termination of employment at the University and provided the employee is not reemployed at the same place of employment within 30 calendar days, an employee, or such employee's estate, shall be entitled to a lump sum payment for accrued sick leave earned on or after January 1, 1984 and prior to January 1, 1998.

(b) The lump sum payment for accrued sick leave shall be computed as the product of the employee's daily rate of compensation and one-half of the lesser of the following: (i) the number of days, or fractions thereof, of sick leave earned by the employee, in accordance with paragraph (1) above, minus any days, or fractions thereof, of sick leave used by the employee; or (ii) the number of days, or fractions thereof, of sick leave earned by the employee in accordance with paragraph (1) above after December 31, 1983 and prior to January 1, 1998. Sick leave days shall be used in the order in which they have been accrued.

(c) An employee may waive payment for all or part of his/her eligible accrued sick leave (one-half of the employee's accumulated and unused sick leave earned after December 31, 1983 and prior to January 1, 1998) by executing an appropriate waiver form prior to termination of employment.

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## **II. Employees (continued)**

### **C. Civil Service Employees (continued)**

#### **7. Employee Benefits (continued)**

##### **d. Sick Leave (continued)**

(d) An employee who has received a lump sum payment for accrued sick leave from an employer covered by the State Universities Civil Service System and who, within two years, is employed or reemployed by the Board may, if separated in good standing, have his or her accrued sick leave restored if, within 30 days after commencement of such employment or reemployment, the employee pays said lump sum payment to the Board for the benefit of the location at which accrued sick leave is restored. For each day of sick leave to be restored, the employee shall repay the gross amount he or she was paid for one day of accrued leave. An employee may have part or all of his or her accrued sick leave restored in this manner; however, if the employee does not make any such payment to the Board, he or she shall not be entitled to have any such sick leave so restored.

(5) An employee may use accumulated sick leave only when the employee is prevented from performing assigned duties because of illness, injury, or temporary disabilities caused or contributed to by pregnancy, or is obtaining medical or dental consultation or treatment, or for special circumstances stipulated under the Bereavement Leave provision of these Regulations. An employee may use up to twelve (12) days of earned sick leave per calendar year for absences resulting from the illness or injury of a parent, spouse, domestic partner, or child. The use of sick leave for familial purposes in excess of the twelve-day limit may be granted by the employer representative upon evidence of need and recommendation of the supervisor.

(6) The Board, through its employer representative, reserves the right to require acceptable evidence of disability, illness, or injury before allowing use of any sick leave benefits.

(7) Unless approved in writing by the employer representative, sick leave requested during a work stoppage may be denied and the absence from work treated as unexcused.

##### **e. Parental Leave**

An employee may use up to 20 days of earned sick leave per calendar year for parental leave upon the birth of a child by the employee, the employee's spouse, or domestic partner or the adoption of a child by the employee, the employee's spouse, or domestic partner. Requests for parental leave of more than 10 days shall be submitted to the employer representative 30 days in advance, except in cases of emergency. Non-emergency requests for parental leave of more than 10 days shall be subject to the consideration of maintaining efficiency of operations.

##### **f. Bereavement Leave**

(1) Employees will be granted, upon request, leave of up to three scheduled work days to attend the funeral or memorial service and/or for travel and bereavement time, upon the death of a member of the employee's immediate family, household, in-laws, grandchildren, and/or grandparents; and up to one day to attend the funeral or memorial service of a relative other than the above who is not a member of the employee's household. The amount of

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**II. Employees (continued)**

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**7. Employee Benefits (continued)**

f. Bereavement Leave (continued)

leave provided is not intended to be guaranteed and is available only when there is a need. Bereavement leave shall be taken in not less than one-half day increments and may not be accumulated. Employees covered by a collective bargaining agreement with different bereavement leave benefits will receive those benefits according to their agreement.

- (2) Immediate family is defined as: father, mother, sister, brother, spouse, domestic partner, and children. Biological, adopted, foster, legal wards, or step family members are considered immediate family under this policy. In-laws are defined as: mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law.
- (3) Other relative is defined as: aunt, uncle, niece, nephew, or first cousin of the employee. Such relatives are regarded as members of the immediate family only if in residence in the employee's household at the time of death.
- (4) Bereavement leave benefits are not granted in the event of the death of a member of the employee's spouse's or domestic partner's family unless specifically stated. For example, grandparent refers to the grandparent of the employee. For purposes of application of bereavement leave, relationships existing due to marriage or domestic partnership will terminate upon the divorce or termination of the domestic partnership of the relative through whom the marriage or domestic partnership relationship exists. Current marital status will be defined in accord with Illinois State Law.
- (5) The employee's supervisor may grant additional leave to an employee who cannot, because of special circumstances, return to work at the completion of the allowable bereavement leave days. An employee may choose to take such leave without pay or may use accrued vacation or sick leave time.

g. Leaves of Absence

Requests for leave of absence without pay for reasons other than disability (including but not limited to leaves of absence without pay for advanced study), upon recommendation of a supervisor, may be granted by the employer representative after vacation leave is reduced to not more than five days. Each request will be considered on the basis of its individual merits and the operational needs of the employer representative. The employer representative may waive the above vacation reduction requirement when it is determined to be in the best interests of the employer to do so.

h. Educational Benefits

- (1) Tuition and fee waivers shall be granted by each state university in Illinois to status civil service employees of the University. The following credit hour maxima shall apply to employees who enroll in courses at Western Illinois University:

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7. Employee Benefits (continued)

h. Educational Benefits (continued)

	<u>Academic Term</u>	<u>Annual</u>
Full-time employee	6 c.h.	18 c.h.
3/4 time employee	4 c.h.	12 c.h.
1/2 time employee	3 c.h.	9 c.h.

These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve service. The fees which will be waived by the University include credit evaluation fees, activity fees and graduation fees. In addition, service fees, such as those imposed to secure revenue for bond retirement, will be waived by the University for an employee of the University. For employees who enroll in courses at state universities in Illinois other than Western Illinois University, the credit hour maxima and fees which will be waived will be determined by the institution in which such employees enroll.

- (2) Employees are encouraged to enroll in courses having scheduled class hours outside their scheduled work hours. For courses held during the employee's work schedule, the employee may be excused to attend classes subject to a maximum of 4 clock hours per week or the number of clock hours required to attend one course, whichever is greater. Requests for excused absences to attend classes must be submitted to the supervisor for approval prior to enrollment and request for waiver of tuition. When such approval is granted, employees shall "make-up" time at the discretion and approval of the supervisor by (i) working outside of regularly scheduled hours during the work week in which the excused absence occurs, or (ii) deducting the time spent in class from the employee's accumulated vacation leave. Daily overtime compensation shall not be earned for make-up time worked under (i) above.
- (3) The natural, adopted, foster, or step-children and the spouse or domestic partner of any status employee under full-time employment (including employees on sick leave or compulsory disability leave) who dies while in service at the University shall be entitled to a waiver of tuition and fees (as defined in paragraph (1) above) up to and including the baccalaureate degree at the University. Should both parents be full-time employees, the death of one parent shall make the child eligible for the waiver of tuition and fees. Children of a divorced employee are eligible for waiver of tuition and fees if such employee was contributing to their support at the time of death. Children of a domestic partner who is not an employee at Western Illinois University will be considered as step-children of the employee for the purposes of this program. Waivers for children of domestic partners are only available for use at Western Illinois University.
- (4) An employee who has retired from Western Illinois University shall be eligible for a waiver of tuition and fees at Western Illinois University as specified in paragraph (1) above for one-half time employees.

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## **II. Employees (continued)**

### **C. Civil Service Employees (continued)**

#### **7. Employee Benefits (continued)**

(5) See Board Regulations Section IV.B.2.a. for provisions governing the award of 50% tuition waivers to the children of University employees with 7 cumulative years or more of service.

##### **i. National, State, and Local Elections**

Upon the approval of their supervisors, employees may be granted time off up to two hours without pay to vote in any national, state, or local election.

#### **8. Overtime Compensation**

a. (1) Except as provided in paragraph 7.h.(2) above, employees in non-negotiated classifications that are covered by the overtime provisions of the Fair Labor Standards Act will be compensated at time and one-half either through the payroll process or by allowing compensatory time off, for all time in a work week in excess of the number of hours of work comprising an established full-time daily or weekly work schedule. Employees shall not receive overtime compensation on both a daily and weekly basis for the same work time.

(2) For the purpose of computing overtime, paid benefit time for which work is not performed shall count as time worked in any work week.

b. For employees paid on a prevailing rate basis, the number of hours before daily and/or weekly overtime is payable, and the rate of overtime pay will depend on the number of hours and the rate being paid locally pursuant to the appropriate multi-employee area agreement.

c. For employees in a negotiated classification, overtime payment shall be in accordance with the provisions of the applicable collective bargaining agreement.

d. Employees in positions that are exempt from the overtime provisions of the Fair Labor Standards Act shall work as required by their position.

#### **9. Compulsory Disability Leave**

(a) If the employer representative believes an employee is unable to perform assigned duties due to illness, injury, or disability, the employee shall be informed in writing on the basis of such belief. The employee may be required to obtain medical examinations and may be placed on leave for disability in accordance with rules of the State Universities Civil Service System. Refusal of an employee to complete a medical examination may result in disciplinary action.

(b) The employer representative shall notify the employee in writing of the duration of the compulsory disability leave period. Any earned sick leave or vacation leave may be used during the compulsory disability leave period. That portion of compulsory disability leave for which earned sick leave or vacation leave credits are not used shall be without pay.