

Murray State University

Staff Handbook

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www.murraystate.edu

Unless otherwise designated, all information included in the Staff Handbook is policy of Murray State University's Board of Regents, as published in the Personnel Policies and Procedures Manual. The Staff Handbook is a restatement and summary of these policies. Please refer to the Personnel Policies and Procedures Manual for more detailed information on information contained in this document.

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ORGANIZATION AND ADMINISTRATION

History of Murray State University

Murray State Normal School, created by the Kentucky General Assembly in 1922, admitted its first students in September, 1923. In 1926, when the General Assembly granted the institution authority to confer baccalaureate degrees, it was renamed Murray State Normal School and Teachers College. The college was accredited by the Southern Association of Colleges and Schools in 1928 and received authority to offer liberal arts and preprofessional courses in 1930, when the name was changed to Murray State Teachers College. In 1948 the name was changed to Murray State College, and in 1966 the General Assembly authorized the Board of Regents to change the name to Murray State University.

The Murray State University Shield

The Murray State Shield, the official seal of the university, is taken from the heraldic coat-of-arms of the family of William Murray, Earl of Mansfield and Lord Chief Justice of Great Britain in 1756. The Earl of Mansfield is an ancestor of the Murray family from whom the city and university take their names. The shield itself is blue with a double gold border. The three stars represent hope, endeavor, and achievement. This emblem appears on diplomas, stationery, and other official university documents.

The Murray State University Alma Mater

*In the heart of Jackson's Purchase
'Neath the sun's warm glow
Is the home of Murray State
Finest place we know.*

CHORUS:

*May we cherish thy traditions
Hold thy banner high
Ever guard thy name and glory
Live and do or die.*

*Though we leave thy walls forever
Many miles go hence
May our love for Alma Mater
Only have commenced.*

CHORUS

Words by A. B. Austin

Mission

The following mission statement was adopted by the Murray State University Board of Regents on September 2, 1994.

Murray State University serves as a residential, regional university offering core programs in the liberal arts, humanities, sciences, and selected high-quality professional programs.

Geographic Region. *Murray State University's programs serve the west Kentucky region.*

Institutional Admission Standards. Murray State University shall admit students to the institution under selective admission standards which exceed the minimum established by the Council on Postsecondary Education, with only limited exceptions. Institutional guidelines shall be consistent with the system-wide policy for admitting under-prepared students, including the removal of academic deficiencies within a specified time frame. Through this approach, the university seeks to provide both broad access and high-quality programs.

Degree Levels. Murray State University shall emphasize selected undergraduate, associate, and baccalaureate programs of distinctive quality. Subject to demonstrated need, a limited number of master's degree programs as well as the specialist program in education shall be offered.

Strategic Directions/Program Priorities. Murray State University shall prepare graduates who can function in a culturally diverse and increasingly interdependent world, by making a commitment to international education as an integral dimension of the university experience. The highest priority of the university is given to academic programs of distinctive quality in the core liberal arts and sciences, and to those programs that meet regional needs by preparing graduates in the essential professions of education, business, health services, and applied technologies. In response to additional demonstrated demand, the university's academic priorities also include programs in communications, human services, and selected areas in agriculture. These strategic priorities translate into a core of liberal arts baccalaureate degree programs, in addition to degree program priorities at the associate, baccalaureate, master's, and education specialist levels that may include the following: liberal arts and sciences, education, business, health services, applied technologies, communications, human services, and agriculture.

Enhancement of Instruction. At Murray State University, instructional enhancement is based on continuous program review and assessment of individual student knowledge and performance. Fostering student-centered learning and development is the primary goal of faculty and staff. Through honors programs, international education, cooperative education/internship experiences, co-curricular activities, and projects that demonstrate creativity, research skills, and technical mastery, the university offers students a challenging academic environment.

Research and Service Functions. Murray State University shall assist the region with research and service and promote and support economic development. To assure quality regional services without diminishing the role of teaching, the university rewards differentiated faculty roles for teaching, research, and service. Faculty evaluation is based upon systematic portfolio review. Regional needs of schools, businesses, and health and human services are served by the university's priority programs. The university reaffirms its commitment to assisting schools with the implementation of Kentucky education reform. Fine arts and cultural programming provide the region with culturally diverse enrichment and entertainment.

Academic research is expected of all faculty for enhancement of instruction and currency in the discipline. Research and service related to the unique features and needs of the region are emphasized. Murray State University, as a designated Center of Excellence for Reservoir Research, places particular emphasis on research and service which support the objectives of the center.

Collaborative Ventures. Murray State University shall seek cooperative programming with other institutions of higher education, regional industry, businesses, and schools. Curriculum development shall emphasize the transfer of credits from other institutions toward degree completion. Models for collaborative programming exist throughout the university. Especially significant is the telecommunications network in partnership with other institutions of higher education, schools, businesses, health and human service agencies, and training and testing services. The university also engages in exchange agreements with a number of foreign universities and with joint doctoral programs.

Efficiency and Effectiveness. Murray State University shall promote cost effectiveness in academic planning and institutional management by basing budget priorities on strategic planning and measures of quality of performance which promote continuous improvement of programs and services. Strategic planning resulting in the elimination of duplicative and unproductive programs is essential, while the development of carefully selected new programs compatible with this mission is appropriate.

Goals

Murray State University will:

- *sustain a commitment to academic excellence;*
- *emphasize its primary commitment to students;*
- *nurture academic freedom in order to promote dissemination, discovery, preservation, and application of knowledge;*
- *provide educational experiences that develop intellect and character;*
- *enrich the personal, social, and cultural qualities of student life;*
- *provide public service based on its areas of strength and responsibility; and*
- *increase access to higher education.*

Administrative Organization

The President serves as the chief executive officer of the university and as such is ultimately responsible to the MSU Board of Regents for all matters pertaining to the institution. The President reports directly to the board. The following vice presidents report to the President: Provost and Vice President for Academic Affairs, Vice President for Student Affairs, Vice President for Finance and Administrative Services, and Vice President for Institutional Advancement.

STAFF HANDBOOK OVERVIEW

Due to periodic change in federal and state law and in Murray State's Board of Regents' mandates, policies and procedures contained in this handbook are subject to change. As university policies and procedures are modified and developed, revisions and additions will be made to the handbook as quickly as possible. However, due to the time involved in the revision and distribution process, it is incumbent upon the reader to verify that a particular policy is the most current.

The policies in this handbook were developed by Human Resources, reviewed by the vice presidents, recommended by the President, and adopted by the Board of Regents. Policies contained in this handbook are intended to increase understanding, eliminate the need for personal decisions on matters of university-wide policy, and help assure uniformity of interpretation and application throughout the university. All administrators have the responsibility for administering these policies in a consistent and impartial manner.

This handbook is distributed to all staff members for the use of all employees. Infinite details cannot be covered to meet every situation; therefore, Human Resources will advise and counsel supervisors and employees concerning interpretation of policy or matters not covered herein.

For additional policies, procedures and information, faculty, staff and students are advised to consult all official university publications, such as the Personnel Policies and Procedures Manual, Faculty Handbook, Student Handbook and the university Bulletins.

INTERPRETATION AND RIGHTS

Murray State University, through its Board of Regents and the authority granted by the state of Kentucky, has adopted the personnel policies restated in this handbook to serve as a reference guide for employees and supervisors to promote a well-organized and consistent personnel program.

Interpretation

This handbook, from time to time, makes an effort to summarize applicable provisions of state and federal law. This effort has been made in good faith with the aim of providing assistance to the Murray State University employee. It should be obvious that in the event of a conflict as between federal and state law and the summary expression as stated herein, the federal and state law will prevail over the expression. The final responsibility for the interpretation of federal and state law is with the employee. The university has attempted, and will continue to attempt, to provide a degree of guidance; but the employee is responsible for the final determination as to his or her rights under federal or state law.

Disclaimer of Contractual Significance

Nothing contained in Murray State University's written personnel policies, manuals, handbooks, publications, transmittals or any oral statement in connection therewith shall constitute or imply a contract of employment between the university and any employee of such university.

Reservation of Rights

Murray State University reserves the right to change any rule or regulation stated herein. The right to modify or change is subject to any limitations imposed by law. Systematic efforts will be made to supply on a timely basis updates to and changes of these policies.

EMPLOYMENT

Definition of Staff

The staff are employees of Murray State University in non-teaching activities of various types in support of the educational, research, and service programs of the university. Many of the supervisory and managerial positions of the university require the employment of college degree level personnel. Other positions range from those requiring no special educational background to those requiring developed skills involving extensive experience or apprenticeships and/or special training.

Regular Staff Employees

Full-time - Employees of this category are employed for a period of time exceeding six months to work a minimum of 37 1/2 hours per week. These employees are eligible for all fringe benefits of the university.

Part-time - Employees of this category are employed for a period of time exceeding six months to work less than 37 1/2 hours per week. These employees are eligible for all benefits of the university except group insurance and possibly retirement benefits (based on number of hours worked per week). Reference: Policy No. V B and V C.

No regular staff employee shall have an employment contract right beyond June 30 of the fiscal year in which that employee is hired, SAVE AND EXCEPT as the term may be longer than one (1) year, but in no event longer than four (4) years. Contracts or letters of employment will be processed as soon as possible after the Board of Regents adopts the budget for the subsequent fiscal year (July 1 – June 30).

Temporary Staff Employees

Full-time - Employees of this category are employed for a period of time not to exceed six months. The employee is to work a minimum of 37 1/2 hours per week while employed.

Part-time - Employees of this category are employed for a period of time not to exceed six months and must work less than 37 1/2 hours per week.

A temporary employee is not eligible for fringe benefits of the university including vacation, sick leave, paid holidays, retirement (except as required by law) or the medical and life insurance programs.

Affirmative Action Policy

Murray State University formally declares its commitment to all laws mandating affirmative action and equal opportunity regulations together with all valid state and federal regulations enacted pursuant thereto. The policy of Murray State University is to guarantee freedom from discrimination in its operation and administration of its programs, services, and employment practices; in its relationships with students, faculty, and staff; and in its interactions with the community which it serves.

Murray State University endorses the intent of all federal and state laws created to prohibit discrimination. Murray State University does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.

Persons who wish to inspect the MSU Affirmative Action Plan or who seek other information concerning the Affirmative Action Program of Murray State University should contact the Director of Equal Opportunity, Murray State University, Murray, KY 42071.

Probationary Period

A probationary period of six months shall be required of all regular staff employees at the time of initial employment at the university. If employment is terminated, a probationary period may be required upon return to the

university. The probationary period is to allow the supervisor and the new employee to determine the advisability of employment continuation. This period should be utilized to (a) assist the new employee in every possible way to adjust quickly and efficiently to the work situation, and (b) observe the quality of work performed in relation to the standards required of the job.

The probationary period may be extended one time upon written request and justification from the administrative head of the department. The request must be approved by the Associate Vice President for Human Resources and the Vice President of the department's organization, or the President when it pertains to his/her staff. During the probationary period, an employee is eligible for benefits in the same manner as regular employees.

Employment of Relatives

No university employee may recommend the employment of his/her child, spouse, sibling or other close relative in his/her immediate area of supervision. This policy applies to all university employees and student employees on University Student Employment, Work-Study, or federal, state, and institutional grants.

Promotions and Transfers

Promotion is defined as the movement of an employee from one position to another position of a higher pay grade or salary. Transfer is defined as the movement of an employee from one position to another position at the same pay grade level or similar salary. An employee must normally have completed at least six (6) consecutive months of employment in the current position before being eligible for transfer or promotion. The Associate Vice President for Human Resources shall have the authority to waive the six (6) months requirement where circumstances indicate that an exception would serve the best interests of the university. See also Probationary Period. The employee must have the qualifications specified in the position specifications for the new position.

Demotions

Demotion is defined as the movement of an employee from one position to another position of a lower pay grade or salary. Occasions may arise when a demotion would be in the best interest of the university rather than layoff or termination of employment. A demotion may occur during the course of the fiscal year or at the time contracts are to be renewed. Demotion may be necessary for the good of the university and/or the employee in cases where an employee cannot perform the work satisfactorily in his/her present position. The administrative head of the department may recommend that an employee be demoted for disciplinary reasons or other justifiable reasons including the written request of the employee. Prior to such recommendation for demotion, a written explanation for the demotion shall be forwarded to Human Resources. Demotions within a department or between departments will follow the procedures outlined in Promotions and Transfers and Pay Plan. The employee has the right to file a grievance when he/she has been demoted or a recommendation for demotion has been made. See: Policies Staff Grievance and Employee Discipline. An employee whose demotion is effective at the beginning of a new fiscal year does not have the right to a hearing. This is considered a new position in a new fiscal year.

Resignation

An employee who intends to resign his/her position must give adequate notice to his/her supervisor or administrative head of the department. This notice should be given as far in advance as possible to allow the university to seek a qualified replacement. A minimum of two-weeks notice is required in order for the employee to receive accrued vacation leave pay. The administrative head of the department must approve any exceptions to this policy. An employee who has resigned must have an Employee Clearance Record (Personnel Form No. 8) completed and submitted to Human Resources prior to the release of his/her final paycheck. (See Exit Procedure).

Terminations and Layoffs

Termination

If any employee's performance of duty or personal conduct is unsatisfactory, appropriate action shall be taken toward involuntary termination of that employee from the university. Employees may be subject to termination for

cause due to (1) inefficiency and/or (2) misconduct. Employees may also be terminated due to a reduction of forces resulting from an elimination of positions.

Note: Employees wishing to appeal termination for cause shall file the appeal in writing with the Associate Vice President for Human Resources within ten (10) working days of receipt of notice of termination.

Lay-off

A temporary layoff is one not exceeding four months. A permanent layoff is one exceeding four months and will be considered a permanent reduction in force, and the employee will be terminated with loss of all service benefits.

Exit and Clearance Procedure

An Employee Clearance Record (Personnel Form No. 8) must be completed with proper signatures as part of the clearance procedure. Each of the following departments must be cleared by each terminating employee (applies to voluntary and involuntary termination). He/she must obtain an authorized signature from faculty/staff department, University Library, Cashier's Office, Public Safety, Grants Development, University Store, and Human Resources. The employee clearance procedure must be completed prior to the employee's receipt of his/her final salary payment.

Employee Exemption from the State Wage and Hour Law

Several policies of Murray State University refer to employees who are exempt or non-exempt from the Fair Labor Standards Act. Employees are exempt from this law if they are employed in positions which meet the qualifications of executive, administrative, supervisory, or professional employees as defined by federal and state laws.

PAYROLL AND WORKING HOURS

Working Hours

Workweek - The normal workweek for full-time employees is 37 1/2 or 40 hours measured from Friday midnight until midnight of the following Friday. (Saturday through Friday.) Employees of several departments of the university regularly work 40 hours per week. Each department establishes schedules for these hours.

Shifts - The normal office hours of the university are 7 1/2 working hours per day, 8:00 a.m. to 4:30 p.m. Employees may be required to work shifts different from normal, such as afternoon, evenings, and/or weekends. The supervisor shall base assignment of an employee to a shift upon the needs of the department, work performance, and seniority.

Days - The normal workweek is five (5) days, Monday through Friday, with one hour for lunch each day. Several departments require a seven-day per week operation. Employees working in these departments will be required to work schedules to meet the needs of these departments. The supervisor shall base the assignment of an employee to a schedule upon the needs of the department, work performance, and seniority.

Payroll

Payroll schedules are distributed to each department by the Payroll Office prior to the beginning of each fiscal year delineating the dates for submitting payroll information and date of payment.

Payroll Deductions

Required Deductions

The university is required by law to make the following deductions from the individual employee's paychecks: federal income tax; state income tax; city tax; and FICA tax, as well as retirement system employee contributions.

Optional Deductions

The individual employee has the option to request the following deduction(s) be withheld: health insurance, supplemental life insurance; flexible spending accounts, disability insurance, tax-sheltered annuity, or deferred compensation plans that are approved by the university; deposits to the MSU Federal Credit Union and/or the banking/savings institutions in the continental United States; contributions to United Way, the MSU Annual Fund, or

other miscellaneous agencies accommodated by Payroll; and other optional deductions which may be made by approval of the Board of Regents.

Overtime and Exceptional Compensation

As a general policy, it is expected that the university's various workloads should be accomplished within the basic schedule of the workweek. Due to peak workloads, unforeseen circumstances, or emergency situations, which prevent the work from being accomplished during the regularly scheduled working hours, it is recognized that overtime work may be necessary.

The administrative head of the department has the authority to approve overtime work of his/her hourly employees. Overtime work shall only be permitted with the approval of the administrative head of the department. At times employees will be required to work overtime.

Requirement to Pay Overtime Compensation

Overtime compensation must be paid for all hours worked above forty (40) for the same employer. For the purpose of this policy, the university is the employer and not its individual departments or university-sponsored grants and contracts. If a non-exempt employee is required or allowed to work more than forty (40) hours during a workweek, the employee must be paid at least one and one-half times his/her regular hourly rate for those hours in excess of forty (40). Any hours between thirty-seven and one-half (37 1/2) and forty (40) will be paid at the employee's regular rate of pay. When an employee holds more than one position, a weighted average rate of pay may be used.

Time Off Without Pay

Under the provisions of the State Wage and Hour Law an employee may not be granted time off during a future workweek in lieu of compensation for hours worked in excess of forty (40) per week. Any time off without pay must be granted during the same workweek. Time off without pay during the same workweek should be scheduled by the employee's supervisor whenever possible to prevent overtime compensation. An employee may be granted or requested by his/her supervisor to take time off without pay during the workweek as scheduling of work permits to prevent overtime compensation.

The Workweek for Computing Overtime

The normal workweek of the university is from Friday midnight until the following Friday midnight. Certain departments have different workweeks based upon their individual work schedule. Overtime resulting from work in different departments will be calculated on the workweek of the department providing the most hours worked. For the purpose of computing overtime, each workweek stands alone. Hours worked during two or more workweeks cannot be averaged when computing overtime. Any approved leaves with pay (holidays, vacation, sick leave, funeral attendance, etc.) granted during the workweek will be counted as hours worked for computing overtime compensation.

Working Hours

Hours worked includes all time an employee is required or permitted to be on duty, on the employer's premises, or at a prescribed work place, except for meals or other periods when the employee is free from duty. Periods during which an employee is completely relieved from duty and which are long enough for him/her to use the time effectively are not hours worked. Work breaks or rest periods of a short duration, such as five (5) to fifteen (15) minutes, are considered to be hours worked; however meal periods of thirty (30) minutes or more are considered to be non-work time.

Unscheduled University Closing

An hourly employee required to work after the university has been closed due to an unscheduled event (such as inclement weather) will be compensated at a rate equal to their regular wage plus their regular wage (double time) up to 40 hours per week. Time worked in excess of 40 hours will be compensated at a rate of regular pay plus one and one-half times regular pay.

Compensation for University Holidays

Employees who are required or permitted to work on university approved holidays will receive their regular rate of pay for the holiday plus overtime rate (one and one-half) of pay for any hours worked during the holiday, unless time off is granted for the hours worked. An employee who is required or permitted to work on a university approved holiday may be granted time off at a future time at the rate of one and one-half hours for each hour worked on the holiday. Time off granted for holidays, in lieu of pay, must be requested by the employee and approved by the supervisor.

Pay Plan

The university's hourly wage scale and wage policy are designed to treat all personnel fairly and equitably in level of pay and wage adjustments.

Wage Increases

Annual increases in wages, when approved by the Board of Regents, are effective July 1. Increases, when authorized by the Board of Regents, may be granted to all non-student employees who were employed prior to April 1 in accordance with established pay increase guidelines. Wages of employees hired on April 1 or after shall be increased effective July 1 to the entry wage rate established for his/her grade for the new fiscal year. Every non-exempt employee must make at least the minimum pay rate in his/her grade.

Change of Jobs

Promotion - An employee shall receive either the entry-level wage for the new position or a five percent (5%) per grade increase in pay, whichever is greater; but not greater than the maximum rate of pay for the new grade. Employees promoted after the budget is approved by the Board of Regents may, at the request of the new supervisor, have any merit funds previously granted applied to their new wage effective July 1.

Lateral - An employee shall retain the same level of pay when moving from one job to another job within the same grade.

Demotion - The wage will be the greater of the following three options: (1) entry rate of pay for the grade; (2) prior wage reduced five percent (5%) per grade; or (3) when a demotion follows a promotion and the demotion takes the employee to either the same grade or a higher grade prior to the promotion, the wage the employee made prior to the promotion.

Reclassification

Upgrade of Job - The pay rate of the present employee shall be adjusted by five percent (5%) per grade or the entry rate for the new grade, whichever is higher.

Downgrade of Job - An employee whose position is reclassified to a lower classification grade will remain in the current pay grade for two years. At the end of two years, the employee's rate of pay will be reduced according to Demotion Procedures.

Extra Compensation for Staff

Staff may be paid extra compensation for extra work performed for approved programs, grants, contracts, etc., if the work performed is not part of his/her work assignment or no one else on campus can perform this work as part of his/her normal employment. Total overload compensation will not exceed twenty (20) percent of the base salary during the employee's base contract period.

Recording Time Worked

All employees, including students, who are doing non-exempt work as defined by the State Wage and Hour Law are required to record all hours worked during each university workweek. (See definition of university workweek.) The university requires that time be recorded by all employees doing non-exempt work using either a time sheet or a time clock. Each department is required to maintain accurate records of time worked and report the time worked to the Payroll Office on a scheduled basis. Each employee and his/her supervisor must sign the time sheet or time card (from time clocks) to verify that the recorded time is the time actually worked. An employee may not use a time clock to

record the time worked for another employee. This action will be cause for disciplinary action. (Reference: Employee Discipline)

Absenteeism

Attendance on the job by all employees is vitally important to the smooth functioning of operations at the university. The employee must notify the supervisor as early as possible but not later than the beginning of the shift on the first day of absence and each day thereafter, unless otherwise approved. Absence for three (3) or more consecutive working days without notification may be cause for separation without notice.

Performance Evaluation

Each regular employee shall receive no less than an annual performance evaluation. The evaluation will be based on performance expectations and standards previously established for each employee. The university administration has the right to use an employee's evaluation for management decisions and administrative hearings.

The evaluation year shall be March 1 through the end of February of the following year. At the beginning of each evaluation period a statement of performance goals and standards of evaluation shall be prepared by each employee and supervisor. Both the employee and the supervisor shall sign this statement. The employee's first-line supervisor shall complete the written evaluation. The completed evaluation must be discussed with the employee, signed by the employee, and forwarded to Human Resources. The evaluation will be placed in the employee's personnel file. An employee who disagrees with the evaluation has the right to appeal based on content, procedure, or discrimination. Human Resources should be contacted to begin the appeal process.

Rest Periods

All staff who work a minimum of four (4) hours in a workday must be granted a rest period. The following rules shall apply: Time for rest periods must be at least ten (10) minutes and shall not exceed fifteen (15) minutes during each four (4) hour work period. Scheduling of rest periods shall be established so the services to the university will not be disrupted. Rest periods may not be accumulated from day to day or added together to create a prolonged break. Rest periods cannot be foregone to make up for time lost due to absence or tardiness. Rest periods may not be used at the beginning or end of the work schedule or added to the scheduled meal period. No reduction in compensation shall be made for staff employees for scheduled rest periods.

Weather

The university recognizes that inclement weather conditions can result in lateness and possible absences.

When the University Remains Open During Inclement Weather

An employee must make every effort to arrive on time AND notify his/her supervisor of anticipated lateness. If an employee is unable to arrive at work on time, he/she will not be penalized (no loss of pay or charge to vacation) due to extreme or hazardous conditions. If employees are unable to get to work, the employee will be given the option of how this absence will be charged. He/she shall choose one of the following: the employee will not be paid for the period of time absent, or the time absent will be charged against the employee's accumulated vacation.

When the University Closes Due to Inclement Weather

The President or his/her designate shall decide if weather conditions warrant early departure of employees campus-wide. Due to critical services in certain departments, some employees must continue to work. In this case, employees working in critical services (Food Services, Heating & Cooling Plant, Public Safety, etc.) who must continue working will complete their normal hours. (See Overtime and Exceptional Compensation)

LEAVES OF ABSENCE (Including Vacation Leave, Sick Leave, and Holidays)

General Leaves of Absence

The Board of Regents may grant a leave of absence for a period up to one year except as stated. (See Personal Leave) After the leave, the employee will return to his/her regular job or similar position. Each applicant will be required to state the purpose for which a leave is sought and to detail the manner in which an approved leave would be used. Leaves may be granted provided that satisfactory arrangements can be made to ensure minimal disruption of operations. While a leave cannot exceed one year, it is subject to extension by the Board of Regents on a year-to-year basis. An employee granted subsequent leaves (beyond the first year) will be given every consideration for re-employment at the end of the leave period. Conditions and requirements of specific types of leaves of absences are defined below.

Vacation Leave

All regular staff employees are eligible for vacation benefits. Accrual and accumulation will be as follows:

- 10 days per year for first through fourth year - calculated at rate of .833 days per month
- 15 days per year for fifth through tenth year - calculated at rate of 1.25 days per month
- 17 days per year for eleventh through fourteenth year - calculated at rate of 1.42 days per month
- 20 days per year beginning fifteenth year - calculated at rate of 1.67 days per month

An employee's vacation day accumulation may not exceed 1 1/2 times the annual allowable maximum at the end of a fiscal year (June 30). Employees may not use accrued vacation without prior approval of their supervisor.

Sick Leave

Each regular full-time or part-time employee is eligible to accrue sick leave at the rate of one normal working day for each month of service or major fraction thereof (12 working days). The maximum sick leave that may be accrued at any time is one hundred eighty (180) days. The administrative head of the department shall approve sick leave for eligible employees, subject to the conditions and/or limitations stated under this policy.

An eligible employee will be granted sick leave:

1. When unable to perform job duties as a result of illness, accident or injury, adoption of a child, pregnancy, childbirth, or other medical conditions.
2. When relieved from duty to prevent the employee's exposure to, or exposure of, contagious disease or other potential health hazards.
3. For the temporary care of members of his/her immediate family who are disabled as a result of illness, accident or injury, pregnancy, childbirth, or related medical conditions requiring the presence of the employee. Immediate family shall be the employee's spouse, children or step-children, parents or step-parents, siblings or step-siblings, or in-laws.
4. When the employee's appointment with a physician or dentist cannot reasonably be scheduled during non-work hours.
5. An employee who is unable to report to work due to personal or family illness must notify his/her supervisor as soon as possible. It is the employee's responsibility to ensure proper notification.

Either before, during, or after an absence an employee may be required by his/her supervisor or the Associate Vice President for Human Resources to furnish a statement from an attending physician or other acceptable evidence of inability to work. (See Personnel Policies and Procedures Manual for additional detailed information)

Employees shall be credited for accrued sick leave not to exceed the allowable maximum when separated by proper resignation, lay off, or retirement. The employee's amount of accrued sick leave shall be listed on the Personnel Action Form effecting the separation. An employee who is re-employed may have his/her unused sick leave balance reinstated upon request by the supervisor and with approval of the administrative head of the department.

Sick Leave Bank

The purpose of the Sick Leave Bank is to provide a means of obtaining additional sick leave days to avoid loss of compensation due to a catastrophic illness or injury of the employee. This benefit is available to eligible, voluntarily participating faculty and staff who have legitimately exhausted all of their accumulated sick and vacation leave.

The office of Human Resources shall be responsible for managing and administering the university's Sick Leave Bank to include the procedural establishment, solicitation of contributions from faculty and staff, processing of applications, and records management.

All regular full-time and regular part-time Murray State University employees who have a sick leave balance of six or more days at the time of the initial contribution shall be eligible to participate in the Sick Leave Bank. Upon joining, an eligible employee must immediately contribute 1-3 days of accumulated sick leave. Participation is restricted to eligible employees who have contributed to the Bank. Sick Leave Bank usage is not available to an employee's family member.

The criteria for Sick Leave Bank usage shall be as follows:

1. Serious accident by the employee requiring absences from work.
2. Serious illness of the employee.
3. Extended hospitalization of the employee.
4. Legitimacy of previously used employee earned sick leave may be considered.

To be considered for Bank leave usage a written request, signed by the employee's department head, must be submitted to the Associate Vice President for Human Resources. Requests for Sick Leave Bank assistance must be in writing and be accompanied by a written statement from a licensed medical practitioner stating the beginning date of the condition, a description of the catastrophic illness or injury, and date the employee may be able to return to work. Monthly progress reports will be required to continue sick leave payments to the employee. Sick Leave Bank usage may be awarded in 20-day increments, not to exceed 100 days per illness or injury.

Holidays

The university recognizes the following holidays for all regular employees except faculty on academic year contracts: Independence Day, Labor Day, Presidential Election Day (every fourth year), Thanksgiving (3), Christmas (5), New Years (2), Martin Luther King Day, Spring Break (3), and Memorial Day.

Personal Leave

A leave without pay for a period or periods not to exceed thirty (30) working days in any fiscal year may be recommended by the administrative head of the department, forwarded through the appropriate vice president, Associate Vice President for Human Resources, and President for final approval.

Educational Leave

An educational leave with or without pay may be granted for a period of one year or less to attend a college or university or for the purpose of training in areas related to the work of an employee which will benefit the university.

Military Leave

A regular employee who volunteers or is inducted through the Selective Service of the United States shall be granted military leave without pay in accordance with existing law. Upon his/her honorable discharge, provided he/she is still physically and mentally qualified, he/she shall be restored to his/her former position or employed in a position of like seniority, status, and pay. If he/she is not qualified to perform the duties of such a position by reason of disability sustained during his/her military service but is qualified to perform the duties of such other vacant position at the university, he/she shall be employed in such other position as will provide him/her like seniority, status, and pay. The employee must make application for re-employment within 90 days after he/she is discharged from military service or from hospitalization continuing after discharge for a period of not more than one year.

Annual Military and Emergency Duty Leave

Any employee who is an active member of any U. S. Armed Forces Reserve or the National Guard of any state shall be relieved from civil duties, upon request, to serve under orders on training duty without loss of regular compensation or vacation leave for a period not to exceed ten (10) working days in any calendar year or as provided by statute. An employee may be required to submit a copy of orders or other official notice to qualify for leave without pay.

Voting

Any person entitled to vote in any election in this state shall be entitled to absent himself/herself from any services or employment in which he/she is then engaged or employed for a period of four (4) hours on the day of the election between the time of opening and closing the polls. The employee will be given the option as to how this absence is to be charged. He/she shall choose either time off without pay or the time absent will be charged against his/her accumulated vacation.

Funeral Leave

Funeral leave will be granted due to:

1. Death of immediate family member (immediate family member includes spouse, child or step-child, parent or step-parent, siblings or step-siblings, or in-laws). Paid funeral leave may not exceed three (3) working days. Leave with pay may be extended if extensive travel is involved. The total time off with pay cannot exceed five (5) working days.
2. Death of a close relative or close relative of a spouse (grandparents, grandchildren, uncles, or aunts). An employee may be granted one (1) paid day off if the death and/or funeral is during the employee's normal workweek. An employee who is solely involved in handling burial responsibilities will follow "Death of immediate family member" above.
3. Death of other relatives (including nieces and nephews), associates, or close friends. Time off shall be charged to accrued vacation or leave without pay.

The Employee and the Judicial System

An employee who is a party to litigation arising from his/her employment with Murray State University will be excused with pay and the time will not be charged against his/her accrued vacation, EXCEPT for those cases the employee is adjudged to be guilty of some criminal activity. An employee who is a party to the litigation not arising from employment with Murray State University will be excused without pay or will charge the time off to his/her accrued vacation leave at the employee's option.

An employee will be excused with pay to appear as a witness for the time the court requires him/her to be at the court and the time required going to and from court. A subpoena must be presented to the supervisor approving the time off as soon as possible. The time off with pay will not be charged against accrued vacation leave.

Upon verbal or written notice from the court, the university encourages the employee to serve on jury duty. The employee will be excused with pay for the period of absence. The time off will not be charged against accrued vacation leave. The employee is to report to work for the portion of the day he/she is dismissed from jury duty.

Public Service Leave of Absence Without Pay

Murray State University recognizes that faculty and staff, as all citizens, may wish in the fulfillment of civic responsibilities to seek public office, to serve at the request of a public official, or to assist in the campaign of a candidate for public office. The university will consider granting a professional public service leave of absence, without pay, for any employee seeking public office or assuming a major position in a political campaign or for either

appointed or elected public service. Such requests require approval of the Board of Regents prior to the commencement of such activity.

Family Leave

A staff member may be granted up to six (6) months unpaid, job-secured leave following childbirth or adoption; the serious illness of the employee; or for the purpose of caring for a seriously ill parent, spouse, or child, if the faculty or staff member has exhausted his/her vacation and sick leave. The normal period of absence which can be charged against sick leave is established at six (6) weeks for childbirth or adoption. Absences beyond the six (6) week period following childbirth may be charged to sick leave when supported by a statement from the attending physician indicating that the additional time is a medical necessity. If any accrued sick leave remains, it will be held until the end of the family leave time. The university will continue to cover basic life and health insurance benefits during this leave. Should both spouses be employees of the university, only one will be eligible for family leave at any given time.

Marriage

Employees will be granted one (1) day with pay to attend their own wedding or the wedding of individuals in the immediate family when the wedding falls on a workday. Individuals considered as members of the immediate family are the employee's children, siblings, parents, in-laws or any member of the employee's household.

OTHER BENEFITS

Group Life and Medical Insurance Program

Eligibility - All full-time, regular employees working a minimum of 37.5 hours per week are eligible for medical insurance coverage on themselves and their eligible dependents, the basic life insurance coverage on themselves, and the tax-saver program. The effective date for medical insurance, life insurance and tax-saver programs is the first day of the month following thirty (30) days of employment.

Medical Insurance - Detailed information on the group medical plan is provided to each employee in the insurance booklet issued by the insurance company administering the plan. Additional information regarding coverage may be obtained from Human Resources. The full policy on medical insurance can be found in Policy V A, Group Life and Medical Insurance Program, in the [Personnel Policies and Procedures Manual](#).

Life Insurance - Term life insurance coverage of \$10,000 and \$10,000 accidental death and dismemberment is provided to all eligible employees. Employees may purchase supplemental life insurance for themselves (does not include dependents). The insurance company may require evidence of insurability for supplemental purchases.

Tax-Saver Program - This program is available to all regular, full-time employees. A brief summary of the program follows. Additional information may be obtained in the Human Resources office.

1. Insurance Premium - The insurance premium for the option chosen by the employee will be withheld from the employee's gross wages but will not be included in the taxable income and taxes will be reduced.
2. Medical Spending Account - An employee may set aside money in an individual medical spending tax-saver account for reimbursement of out-of-pocket medical expenses not covered by insurance and incurred during a calendar year. Money put into a medical spending account is not subject to federal and state income taxes or to Social Security tax. IRS regulations stipulate that amounts left in medical spending or dependent care accounts at year end cannot be returned to the employee.
3. Dependent Care Account - A dependent care account can be used for reimbursement of eligible day care costs of a dependent under the age of 13 or a dependent child or adult who meets IRS qualifications. Money put into a dependent care account is not subject to federal and state income taxes or to Social Security tax. The annual maximum established by IRS code that can be put into a dependent care account is \$5,000.

Retirement Information

Faculty and professional staff are eligible for membership in either the **Kentucky Teachers' Retirement System** or, if hired on or after July 1, 1996, the **Optional Retirement Program (ORP)** provided by TIAA-CREF, VALIC, and Aetna. KTRS is a defined benefit plan while the ORP is a defined contribution plan. Membership is mandatory for all persons occupying full-time positions which require either certification by the Department of Education or graduation from a four (4) year college or university as a condition of employment. For retirement purposes, full-time is defined as seven-tenths (7/10) of full-time service on a daily or weekly basis.

Retirement benefits under the Kentucky Teachers' Retirement System are calculated as follows: Average salary (5 highest years) x 2.0% x years of service. The employee must have five years of service to have a vested account. A member may retire (a) at any age with no reduction in benefits if the member has 27 or more years of service credit; (b) age 60 with five years of service; or (c) age 55 with a 5 percent reduction for each year less than 27 or for each year the member is under age 60, whichever is less. Medical insurance is available through KTRS at the time of retirement with a portion of the monthly premium paid by the retirement system. The amount of the premium is based on the number of years of service credit.

Participant accounts in the ORP are fully vested. Both university and employee contributions are portable and remain with the employee upon separation of employment.

Staff employees - Kentucky Employees Retirement System covers all regular, full-time and regular, part-time staff employees who work an average of 100 hours or more per month. Retirement benefits calculated as follows: Average salary (5 highest years) x 1.97% x years of service. The employee must have five years of service to have a vested account. Effective August 1, 1990, a member may retire at any age with no reduction in benefits if the member has 27 or more years of service credit. A member may retire after 25 years of service with a 5 percent reduction for each year less than 27 or for each year the member is under age 65, whichever is less. A member age 55 with at least five years of service, but less than 25 years of service, may retire early with a reduction in benefits.

Medical insurance is available at the time of retirement with a portion of the monthly premium paid by the retirement system. The amount of the premium is based on the number of years of service credit.

Social Security--All university employees are also covered by Social Security retirement.

Disability Insurance (Optional)

Murray State makes disability insurance coverage available to full-time employees. Employees may purchase short-term and/or long-term disability insurance.

Social Security

Each employee of the university, except a student employee employed in a student capacity, is covered by the Old-Age and Survivors Insurance section of the Social Security Program and, thus, is eligible for benefits in accordance with the laws governing this program.

Record Requirements - An employee must have or obtain a Social Security card and must supply a completed Treasury Form W-4 with the proper Social Security number and name as it appears on the Social Security card to Human Resources at the time of initial employment. If the employee changes his/her name, it is the employee's responsibility to obtain a new Social Security card reflecting the new name to ensure that future contributions are properly credited to the employee's account.

Payroll Deductions - The Social Security tax (FICA) is deducted from the pay of each employee until he/she reaches the maximum contribution during the calendar year. The Social Security tax is a designated percentage of all earnings to a maximum amount per year. These amounts change periodically according to published federal scale.

Workers' Compensation

Each university employee (including student employees) is covered under Workers' Compensation for injuries or occupational illnesses incurred while engaged in regularly assigned duties and university business away from his/her regular place of work. The university is mandated by the state of Kentucky to provide insurance coverage and participate in the state plan. Claims are processed in accordance with the Kentucky Workers' Compensation Statutes.

Accident Reporting Requirements - An employee must report all injuries to his/her supervisor immediately to assure proper handling of claims. Failure to report an injury immediately may result in loss of benefits. All injuries must be reported regardless of seriousness. A supervisor must complete an Initial Report of Accident promptly and forward through his/her department to Human Resources. In case of emergency, the employee may go to a hospital emergency room or any private physician for treatment.

Statutory Benefits Under the Law - Payment of medical and hospital care costs, compensation for permanent disability, compensation for lost time, and compensation in the event of death. Compensation for lost time begins on the eighth calendar day of disability; however, if disability continues for more than fourteen calendar days, compensation for the first seven days is payable.

Unemployment Compensation

In compliance with federal and state law, the university is liable for unemployment insurance benefits to its eligible, terminated employees who became unemployed through no fault of their own. A terminated employee is eligible for unemployment insurance benefits if the following criteria are met: (a) had worked for an employer covered by the Kentucky Unemployment Insurance Law from which he/she separated for a qualifying reason; (b) is out of work through no fault of his/her own; (c) is able and available for suitable employment; (d) is making a reasonable effort to find employment.

Disability Retirement Income

Both KERS and KTRS offer the benefit of total disability retirement to employees that are vested in either retirement system. Medical and life insurance coverage will be continued while the retirement system's decision on disability is pending.

Tax-Sheltered Annuities

Internal Revenue Code, Section 403 (b), permits employees of the university to purchase tax-sheltered annuities for the purpose of deferring federal and state income taxes until a later date. Under such a plan, a portion of an employee's annual salary is not taxed at the time the salary is earned. It is withheld from an employee's salary and paid to an approved company to be held until the employee wishes to withdraw the funds at which time taxes would be paid. The intent of such plans is to create a retirement fund and defer taxes until retirement when an employee would normally be in a lower tax bracket. Appropriate taxes must be paid at the time the funds are withdrawn. Murray State University will make payroll deductions from the salaries of employees signing tax-sheltered annuity contracts. State policy prohibits solicitation in state offices during office hours. This policy also applies to Murray State University.

Uniforms

The university provides uniforms and cleaning of uniforms for each employee of certain departments. These uniforms are to provide identification and recognition for an employee working across campus and in areas restricted to authorized employees only. The uniforms are the property of the rental company. The employee is responsible for the uniforms in his/her possession and will be charged for all uniforms not returned. When an employee who is furnished uniforms is granted a leave of absence, the university will request that the employee turn in his/her uniforms to prevent payment of uniform rental during the leave of absence. Upon return, the employee will be reissued his/her uniforms.

Education Tuition Waivers

Murray State Policy

Regular, full-time and regular, part-time employees currently working or on an approved leave of absence with or without pay, as well as retired employees, are entitled to a waiver of tuition. Eligible staff who have at least six months of continuous service may transfer any unused portion of the tuition waiver to eligible dependents.

Tuition may be waived for up to six (6) credit courses per twelve month fiscal year, not to exceed one (1) course offered during working hours in any given semester or session. A staff member with six months of continuous service may transfer any unused portion of the tuition waiver benefit to his/her lawful spouse and/or dependent child(ren). A child includes natural, adopted or stepchild or person for whom the employee has been given legal guardianship. A child is defined as a person under the age of 24 years at the beginning of the academic term during which the benefit is effective. The tuition waiver form must be completed at the time of registration or prior to the time of registration. The tuition waiver does not extend to correspondence study, life and learning courses, and overseas programs.

State of Kentucky Policy

Any regular full-time employee of a postsecondary public institution may, with prior administrative approval of the course offering institution, take a maximum of six (6) credit hours per term at any public postsecondary institution. The institution shall waive the tuition up to a maximum of six (6) credit hours per term. The tuition waiver may be used for undergraduate or graduate courses.

G.E.D. Examination Fee Waiver

The G. E. D. initial examination fee may be waived for regular, full-time and regular, part-time employees currently working, or on an approved leave of absence, and retired employees.

RIGHTS AND RESPONSIBILITIES

Staff Grievance

A grievance is a complaint by an employee relating to the employment relationship with Murray State University based on issues resulting from (a) the administration and/or application of policies, procedures, rules, or regulations; (b) alleged unfair or unequal treatment; (c) working conditions; and/or (d) disciplinary action not involving termination.

The following matters are not subject to grievance procedures under this policy, although there may be other grievance procedures available through other policies: (a) the content of policy, procedure, rules, or regulations; (b) the method, means, and work force necessary to carry on work activities; (c) performance evaluations; (d) discrimination based upon race, color, creed, religion, sex, age, national origin, disability, or veteran's status; and/or (e) any matter for which due process is available through other established channels.

A systematic procedure for handling grievances is stated below. Copies of all written grievances will be placed in a separate file and not be included in the employee's official personnel file. The action of filing a grievance shall not be cause for negative remarks being placed in the grievant's file. The grievant will not be criticized or mistreated for using the grievance procedure. A grievance must be specific in nature and must set forth the exact complaint. The grievant should suggest a satisfactory solution to his/her complaint.

Procedural steps

Step 1: The employee must discuss his/her grievance with his/her immediate supervisor. The notice must be specific with regard to the offense charged and the factual situation relating to the charge. This first step must be initiated within fourteen (14) days of the occurrence creating the grievance, including weekends.

If the employee believes his/her grievance has not been dealt with satisfactorily, he/she may proceed to each successive level of supervision below the administrative head of the department. The employee must not allow more than three (3) working days between a reply and his/her appeal to the next level. Each supervisor must reply within three (3) working days from the discussion with the employee. If the supervisor is the administrative head of the department, the written grievance procedure will begin at the next level. If the grievance is not resolved by the supervisor's response, the employee must provide a written statement to the administrative head of the department with a copy to the Associate Vice President for Human Resources. The administrative head must give a written decision within five (5) working days of receipt of the grievance. A copy should be sent to the Associate Vice President for Human Resources. The term "working days" excludes weekends and university holidays.

Step 2: If the employee's grievance still has not been resolved, he/she should contact the Associate Vice President for Human Resources within five (5) working days of the completion of Step 1, above. The Associate Vice President for Human Resources will attempt to resolve the grievance and respond in writing within five (5) working days.

Step 3: If the efforts of the administrative head and the Associate Vice President for Human Resources have not fully resolved the grievance, the employee may appeal to the Staff Congress. The employee must contact a Staff Congress member within five (5) working days of the completion of Step 2. The Staff Congress member will arrange for a review within five (5) working days. The Executive Committee of the Staff Congress will appoint a committee of five (5) members who will hear the grievance. No member of this committee may be employed in the same department as the grievant or in Human Resources. The Staff Congress Committee will make a written recommendation to the Vice President for Finance and Administrative Services within five (5) working days of the final review.

The Vice President for Finance and Administrative Services will send his/her written decision to the employee, the administrative head of the department, and the Associate Vice President for Human Resources within ten (10) working days after receiving the committee's recommendation.

Step 4: If the three preceding steps do not resolve the problem, the employee may present his/her grievance to the Office of the President. The employee must request an appointment with the President or his/her designate within five (5) working days of receipt of the response from the Vice President for Finance and Administrative Services.

If the employee allows a time limit between the above steps to elapse, it will be assumed that the last decision rendered has been accepted as the solution to the problem. If after an appeal, a reply is not provided within the time limit, the employee may appeal to the next level.

NOTE: In all cases where a response is required, the response shall be completed and forwarded within the stated time unless there is a reason beyond the supervisor or administrative head's control. In such circumstances, an estimate of the delay will be provided to the grievant.

Equal Opportunity Grievance Procedure

Murray State University commits itself to investigating and determining all claims or allegations of discrimination in the operation and administration of its programs, services, and employment practices. Step One does not envisage a formal hearing. The formal hearing is reserved for Step Two. Consequently, the parties will not necessarily be present in all stages in the process of gathering evidence.

Step One

(a) Any member of the university community adversely affected by a discriminatory act by an employee of Murray State University may complain. The aggrieved party must state his/her complaint in writing. (b) The complaint shall state the nature of the discrimination, the facts upon which the complaint is based, and the relief demanded. The complaint shall be filed with the university's Office of Equal Opportunity within 180 calendar days* after the alleged act(s). (c) The charged party(ies) may submit a written statement addressing the complaint to the Office of Equal Opportunity within 20 calendar days.* Three (3) days shall be added to the 20 days if the complaint is mailed. The Director of Equal Opportunity may extend the time for good cause showing.** If a written statement answering the charge is submitted, the Director of Equal Opportunity shall promptly send a copy to the aggrieved party. The

university's General Counsel Office will be promptly apprised of copies of documents pursuant to “a” through “c” above.

The Director of Equal Opportunity will promptly meet with the aggrieved party to gather investigatory information. The Director of Equal Opportunity will promptly meet with the charged party(ies) to gather investigatory information.

The investigation will continue. The Director of Equal Opportunity may discuss this complaint with whomever it is necessary. Members of the university community will cooperate in the investigation. All relevant files not privileged will be available to the Director of Equal Opportunity. A meeting will be held with both parties in an attempt to resolve the complaint in an informal manner. If the complaint was not resolved in the meeting, the Director of Equal Opportunity will make a formal, written decision within 30 calendar days.* The President may extend the time for good cause showing.** The formal decision may include corrective action which the Director of Equal Opportunity believes to be necessary and justified by the complaint. The decision shall be forwarded to the President of the university and to all interested parties.

Step Two

Either party adversely affected by the decision of the Director of Equal Opportunity shall have the right to an appeal. The appeal shall be filed with the Office of Equal Opportunity. The appeal shall be heard by a hearing body composed of three (3) members of the university community appointed by the President. The chair of the committee shall be designated by the President. The President shall appoint a committee within fourteen (14) calendar days* after receipt of the appeal. The President may extend the time for good cause showing.**

The committee shall develop its rules of procedure which will include as a minimum the following rights: Any hearing at this stage will be de novo. The appellant has thirty (30) calendar days* to appeal the written decision. The appellant shall set forth the grounds for the appeal in writing. Three (3) days shall be added to the thirty (30) days if the Director of Equal Opportunity mails the decision. The President may extend the time for good cause showing.** If the person adversely affected by the Director of Equal Opportunity's decision allows the time limit to elapse, the decision shall be final. The person charged shall submit a written response to the Office of Equal Opportunity within twenty (20) calendar days* after the charge is mailed to him/her. The chair of the committee may extend the time for good cause showing.** Each party shall have the right to be represented by counsel. Each party shall have the right to produce witnesses and to cross-examine witnesses presented against them. As a general practice, the committee will not be obligated to conform to technical rules of evidence. The burden of proof shall be on the appellant. A record of the proceedings shall be retained by electronic and/or stenographic recording. The decision shall include a brief statement of the factual situation, the question presented, and the decision of the hearing body. The rules of procedure which may be developed by the hearing body shall be consistent with due process under the circumstances of the case.

The decision of the hearing body shall be in the form of a recommendation to the President of the university. The President shall act upon the recommendation within thirty (30) calendar days.* The President may extend the time for good cause showing.** The decision of the President shall be made a part of the record. However, should the President believe it is necessary to request additional information, this may be done in whatever form the President seeks to adopt. For example, the President may give specific instructions to or ask specific questions of the hearing body or the Director of Equal Opportunity. These examples are not intended to be all inclusive. The decision of the President shall be final save and except as an appeal to the Board of Regents may be mandated by law.

This grievance procedure is designed for complaints with respect to discrimination and affirmative action. This procedure shall supersede any other grievance mechanism now having jurisdiction over discrimination and affirmative action, save and except as the question of discrimination and affirmative action may constitute a part, but only a part, of grievances or complaints filed before other hearing bodies within the university. In these latter cases, the proceedings before the hearing body shall be suspended until matters of discrimination and affirmative action have been decided in accordance with the procedure mandated by this statement.

This grievance procedure shall not be used for student versus student, non-employment relationships. A student versus student, non-employment grievance will be handled by other established mechanisms.

If the Director of Equal Opportunity is the person complained against, the President of the university will designate an individual to perform that Director's function as set out in Section XV of the Affirmative Action Plan. If the complaint is against the President, the Chairman of the Board of Regents will designate an individual to perform the function accorded to the President under Section XV of the Affirmative Action Plan.***

Retaliation against any individual making a complaint, inquiry, or report of a known violation under this policy is expressly prohibited.***

*The last day of the period so computed is to be included, unless it is a Saturday, a Sunday, or a Murray State University holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a Murray State University holiday.

**Good cause showing shall include, but not be limited to, such things as illness, death within the family, absence from the university or the Commonwealth, and any other circumstances which will constitute undue hardship upon that person who may want to respond or who is required to respond.

***This paragraph added to Policy VI B by Board of Regents action May 14, 1994. With the exception of the final two paragraphs, Policy VI B was approved by the Board of Regents February 2, 1991.

Employee Discipline

The following procedures for disciplinary action will be followed:

An Employee Disciplinary Report (EDR) must be prepared and presented to the employee explaining the offense(s) and notifying the employee of disciplinary action and possible future consequences. A written letter in lieu of the appropriate form may not be used for disciplinary purposes.

The report should be specific as to the offense charged and the factual situation relating to the charge. The employee must sign the EDR notice indicating that he/she has been presented with the notice. The employee's signature will not be construed as an agreement with the action taken. A copy of the signed, written report will be given to the employee. The original will be forwarded to Human Resources to be filed in the employee's personnel file.

Upon receipt of the EDR, the employee may request a hearing with his/her supervisor or the next level of supervision to discuss the offense. The employee and supervisor may each have an impartial observer of his/her choice present for the hearing. If the employee wishes to proceed past the informal resolution, he/she may file a formal grievance or termination appeal as appropriate.

The following examples of offenses and suggested disciplinary action are not intended to be all inclusive and, depending on the specific circumstances, may require action different from those listed below.

The gravity of the offense as measured by the nature and extent of the action complained of may be sufficient to cause a first offense to be treated as a second, third, or fourth offense in terms of the penalty imposed.

Offenses and Disciplinary Action

Offense	1st	2nd	3rd	4th
a. Deliberate falsification of application	T	-	-	-
b. Theft or destruction of university property	T	-	-	-
c. Immoral or indecent acts on university property	T	-	-	-
d. Overstaying leave of absence, without proper notification directly from the employee except in an emergency	T	-	-	-
e. Unexcused absence of three or more days	T	-	-	-
f. Absence from assigned work resulting from, or in support of, unauthorized work stoppage, illegal picketing, or striking activity directed toward the university*	T	-	-	-

Offense	1st	2nd	3rd	4th
g. Possession of firearms or explosives on university property (excluding Public Safety Officers)	T	-	-	-
h. Intentional falsifying of university records	5/S	T	-	-
i. Punching time card for another employee or having own card punched by another employee	5/S	T	-	-
j. Drinking alcoholic beverages or using drugs while on duty**	5/S	T	-	-
k. Provoking a fight on university premises	5/S	T	-	-
l. Reporting to work under the influence of alcohol or drugs**	W	5/S	T	-
m. Insubordination, restricting output	W	3/S	T	-
n. Willful violation of university rules, regulations, or policy	W	5/S	T	-
o. Unexcused absenteeism of less than three days	W	3/S	T	-
p. Sleeping on duty	W	5/S	T	-
q. Gambling on university premises	W	5/S	T	-
r. Making false or malicious statements detrimental to the university or to other employees	W	3/S	5/S	T
s. Tardiness – unexcused	W	3/S	5/S	T
t. Neglectful failure to punch own time card or leaving work place without permission	W	3/S	5/S	T
u. Loafing on university time	W	3/S	5/S	T
v. Carelessness affecting personal safety or safety of other employees, or neglect and mishandling of equipment	W	3/S	5/S	T
w. Malicious use of profane or abusive language	W	3/S	5/S	T

W - Written Warning T - Termination S - Suspension of up to either 3 or 5 days Without Pay

*The President is authorized to take whatever action he/she deems prudent and necessary to implement disciplinary action resulting from this offense.

**After the first offense the employee will be referred to the Counseling and Testing Center for counseling.

All written disciplinary reports will be maintained in the employee's personnel file for a minimum of five (5) years from the last offense.

Sexual Harassment

Murray State University is committed to eliminating illegal discrimination. Sexual harassment is in direct conflict with this commitment and will not be tolerated. The goals of this policy are both preventive and remedial. The accomplishment of these goals is the responsibility of the entire university community.

Sexual harassment is prohibited and defined by federal and state law, and university policy. Title VII of the Civil Rights Act of 1964 as amended defines sexual harassment in the context of employment as follows: "Unwelcome sexual advances, and/or requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting such individuals; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment." Title IX of the Higher Education Act of 1972, as interpreted by decisional law, extends the concept of sexual harassment in academia beyond employment, e.g., to the teacher/student relationship. Kentucky law adopts and incorporates certain protections accorded by federal law. See KRS 344.020 (a), (b); KRS 344.010 (1).

Murray State University further considers sexual harassment as: Offensive behavior which inappropriately asserts sexuality in any relationship within or affecting the university, including but not limited to relationships between teacher and student, employer and employee. Victims of sexual harassment are primarily, but not exclusively, women. Sexual harassment occurs primarily, but not exclusively, between members of opposite sexes. Evidences of sexual harassment take many forms, e.g., (1) Verbal: sexual innuendo, suggestive or demeaning comments, insults,

hostile remarks, humor and jokes about sex or gender specific traits, sexual propositions, requests or demands for sexual favors, threats. (2) Non-verbal: suggestive or insulting sounds, leering, whistling, obscene gestures. (3) Physical: touching, pinching, brushing the body, assault, coerced or non-consensual sexual intercourse. The existence of sexual harassment depends on the facts. A purely voluntary, personal, or social relationship without discriminatory effect is not sexual harassment.

The university Director of Equal Opportunity is designated by this policy to receive complaints of sexual harassment. The procedure to be followed is set forth as Personnel Policy Number VI B in the Murray State University Personnel Policies and Procedures Manual and under Section XV of the Murray State University Affirmative Action Plan, 1985, page 16. Copies of this section can be obtained in the Office of Equal Opportunity. If the Director of Equal Opportunity is the person complained against, the President of the university will designate an individual to perform that officer's function as set out in Section XV of the Affirmative Action Plan. If the complaint is against the President, the Chairman of the Board of Regents will designate an individual to perform the function accorded to the President under Section XV of the Affirmative Action Plan. Retaliation against any individual making a complaint, inquiry, or report of a known violation under this policy is expressly prohibited.

Any individual found to be in violation of the sexual harassment policy may be subject to penalties ranging from an official warning through and including termination. Frivolous or false accusations of sexual harassment have serious consequences on innocent individuals. The university cautions that such complaints may result in action being taken against the complainant. This policy is not to be construed as depriving any member of the university community of rights pursuant to state or federal law. Specifically, the sanctions for violation of this policy are subject to and should be construed in relationship to KRS 164.360 and 164.370 concerning suspension or termination.

Safety Compliance

It is the policy of Murray State University to provide a safe working environment for all employees. Every employee shall take an active role in ensuring a safe working environment. An employee shall report unsafe conditions to his/her supervisor immediately so that corrective measures can be taken. No employee shall knowingly or negligently violate these laws or regulations. Compliance with Murray State University, federal, and state of Kentucky safety and environmental health laws, rules, and regulations is a condition of employment for all employees. An employee may be issued safety equipment to be used in performing certain jobs. The employee is required to properly use this safety equipment when it is provided. Equipment must be used as directed by the federal government and/or the state of Kentucky. An employee who fails to properly use designated safety equipment when performing his/her job, or who causes unsafe working conditions for his/her fellow employees, may incur disciplinary action or discharge.

Personal Financial Responsibility

Personal financial affairs are a primary concern of each individual employee and should be managed in a manner which prevents involving the university in legal proceedings and unnecessary expense through garnishments, tax levies, and other collection devices.

Drug-Free Work Place

It is the policy of Murray State University that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited in buildings, facilities, grounds, or property controlled by the university, and/or while engaged in university business. It is also the policy of Murray State University to enforce Kentucky statutes concerning the possession, sale, or use of alcoholic beverages. In addition, Murray State University specifically prohibits the possession or use of alcohol in the residence halls. Any staff member found to be in violation of this policy shall be subject to disciplinary action in accordance with applicable policies of Murray State University up to and including suspension or termination. Satisfactory participation in certain drug abuse assistance or rehabilitation programs may be required in certain cases. Staff members are reminded that illegal manufacture, distribution, dispensing, possession, or use of controlled substances or illegal possession, sale, or use of alcohol may also subject individuals to criminal prosecution. In appropriate cases, referrals will be made to outside law

enforcement agencies. Murray State University reserves the right to pursue disciplinary action, however, independent of criminal disposition.

As a condition of employment, all employees of Murray State University shall abide by the terms of this policy statement and will notify Murray State University of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction. Murray State University will, in turn, notify as appropriate the applicable federal agency of the conviction within ten (10) days of its receipt of notification of the conviction. For purposes of this policy, "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

On-Campus Vehicle Parking

Parking permits are required for all faculty and staff who park vehicles on campus. Parking regulations are distributed by Public Safety, where details are provided concerning parking and payment options (cash, check, or payroll deduction).

University Governance System

Policies regarding university governance bodies, whether characterized as the power to propose, formulate, review, determine, or as otherwise stated, shall be considered as advisory in nature to the President of the university. In those cases where a component part of the governance structure is instructed herein to make recommendations to other individuals or groups, a copy of this recommendation shall be delivered to the President or to an appropriate vice president as the President may direct.

The Staff Congress is authorized by the Board of Regents to act for the university staff, with delegated authority to advise the President in matters involving the formulation and/or review of policies regarding staff concerns.

The Staff Congress shall consist of:

1. six staff representatives elected from each of the following employment categories, as defined by Human Resources:
 - Group A--Secretarial/Clerical
 - Group B--General
 - Group C--Facilities Management
 - Group D--Executive/Managerial/Professional
2. five at large staff representatives
3. one staff representative from the Breathitt Veterinary Center

To be eligible for election to Staff Congress, an employee must have one (1) or more years with the university. Other bylaws of the Staff Congress govern the election process.

The Staff Congress may:

1. study and determine those policies and objectives that the Staff Congress feels will best fulfill the needs, concerns, and interests of the staff;
2. promote better cooperation among the administration, faculty, students, and staff;
3. make recommendations to the university administration and to the Associate Vice President for Human Resources on matters affecting staff;
4. create a stronger bond within the staff by providing a means to solicit and express opinions; and
5. act as the official channel of staff opinion on all matters of staff concern.

The Staff Congress will formulate its own rules and procedures consistent with its constitution, the policies of the university, and the laws of the Commonwealth. All meetings of the Staff Congress shall be open, and the Staff Congress may request the opinion of any individual or group concerning any matter before the Congress provided that any individual or group may decline to give an opinion if to do so would constitute a conflict of interest, or pre-

empt orderly administrative procedures. Members of standing committees shall be selected in accordance with the bylaws of the Staff Congress.

Committee Meetings

Meetings of university committees will be held at times and locations selected by the individual committees unless otherwise mandated. Each committee should consider the hour, location, and schedule of meetings at the first meeting of each year and revise by vote of the committee as needed. A committee member is elected or appointed to represent a group of employees and should attend all meetings of the committee. A committee member must notify his/her supervisor in advance of committee meetings which he/she is obligated to attend. An employee must not leave his/her workstation without prior approval from his/her supervisor. A supervisor should release employees to attend committee meetings, if the employee is a member of the committee. If meetings are held after normal working hours or after a member's normal shift, the member will not be granted time off from work or be paid overtime due to the extra time spent in committee meetings. The employee must notify his/her supervisor of any tardiness due to committee meeting attendance. Committee meetings are open to all interested employees; however, employees who are not committee members will normally not be released from their normal duties to attend meetings. If such an employee wishes to attend a meeting for a justifiable reason, he/she must request permission from his/her supervisor in advance.

Outside Employment

The hours of the employee's outside employment shall not conflict with his/her university hours of scheduled work, including requested overtime by his/her department. Outside employment shall not conflict with the employee's university job responsibilities or affect the employee's ability to perform satisfactorily in his/her university position. Outside employment shall not cause the employee to arrive late for, or leave early from, his/her scheduled work shift or hours. An employee cannot directly or indirectly maintain an outside business or financial interest, or engage in any outside business or financial activity, which conflicts with the interests or principles of the university. Any employment or interest which a supervisor or department head feels is detrimental to the individual's job performance shall be discussed with the individual, and necessary action will be determined to remedy the situation.

SERVICES AND OPPORTUNITIES

Employee Assistance Program

If an employee senses that personal problems may be affecting job performance, he/she may take advantage of the Employee Assistance Program offered through the Counseling and Testing Center located in Ordway Hall. If a supervisor believes that an employee could benefit from this service, he/she may recommend that the employee avail himself/herself of this confidential service. While the Counseling and Testing Center may not be able to assist everyone who comes for help, they will attempt to assist, either directly or through referral to other services, as many employees as possible.

Health Services

Present university facilities do not permit general medical care of faculty, staff, or dependents. Health Services is pleased to extend to the faculty and staff the following courtesies at no charge: (1) treatment for minor injuries incurred on the job and (2) blood pressure screening.

Diagnostic and Remediation Services

The Diagnostic and Remediation Center offers free diagnostic services to all regular employees of the university and their dependents in the following areas: reading, speech, language and hearing; and basic skills remediation. Remedial services are offered to employees and their dependents on a sliding scale fee based on income.

Athletic Tickets

A regular, full-time or part-time faculty or staff member, retired employee, and surviving spouse may purchase season tickets within the following rules: (1) each eligible employee will be allowed to purchase a maximum of two

adult season tickets per sport at half price, and (2) children's tickets will be sold for one-half the full adult price for children 18 years of age and under on the family plan. For more information, contact the ticket office located in Stewart Stadium.

University Bookstore

Members of the faculty, staff, family members that are Murray State University students, and Murray State University retirees receive a ten percent (10%) courtesy discount on all items purchased at the University Bookstore except for the following items: cosmetics, over-the-counter medicines, candy, cigarettes, and sale items.

Recreational Facilities

Selected recreational activities and related facilities are available for use by university employees, spouses, and children eighteen years and under during scheduled hours. University classes or organized activities will have priority on facility usage. The recreational facilities include tennis courts, swimming pool and handball/racquetball courts in the Carr Health Building, jogging/walking tracts, and the Regional Special Events Center.

University employees and their spouses and children, 18 years and under, may be required to present a valid I. D. card to be admitted to the Carr Health Building. I. D. cards are available from the Cashiers' Office, Sparks Hall. Fees are charged in accordance with fee assessment policy.

Library Privileges

All current and retired employees are eligible to use the full services of the University Library. In order to check out books, the user must have a valid library card. Materials in the Waterfield book collection, government documents and media items, including videos, circulate to staff for a period of a few days up to 120 days. Reference materials, periodicals, items in the Overby Law Library and materials in Pogue Special Collections do not circulate. A credit course is offered in library orientation and information literacy. Individual and group tours are also available.

MISCELLANEOUS INFORMATION

Computer Loan

Full-time faculty and staff are eligible to apply for a 12-month, interest-free loan for the purchase of new microcomputer hardware. The Personal Computer Program will provide 80% of the cost of the computer hardware up to a maximum outstanding balance of \$3,000. Loans will be repaid through automatic payroll deduction in 12 equal monthly payments. Written requests including the anticipated total amount of purchase must be submitted to the Academic Affairs office. Participants in the program will be required to sign a security document and payroll deduction card. If the employee terminates employment with the university, the outstanding balance on the computer loan will be deducted from the last payroll check. If the last check is not sufficient to cover the remaining loan balance, the employee will be required to pay the balance prior to final clearance from the university.

Housing Discount

Each dependent of a Murray State University faculty and/or staff member is eligible to receive a \$100 discount on residential college room rent. To receive this discount, the employee must complete the required form (available on the Housing web page) and return the form to the Housing Office. The discount will be credited to the student's account. This discount is only available to children of current Murray State University faculty and/or full-time staff. Contact the Housing Office for more information concerning the discount.

City Sticker

City residents are required to purchase and display a sticker on each vehicle owned. Non-residents who work inside the city are required to purchase and display a sticker on the vehicle driven to work. City stickers may be purchased at the City Clerk's Office, Murray City Hall, 207 S. 5th Street.

Food Services

MSU Food Services provides meals at reasonable prices at seven on-campus locations for meals all through the work day. Contact the Food Services office for details.

Curris Center

The Curris Center houses meeting and banquet rooms, the Bookstore, the Post Office, Student Government Association and Campus Activities Board offices, Food Services, and Racer Card Office, Campus Recreation office, African-American Student Services and Ethnic Programs office, several Food Services outlets, and the MSU Fitness Center. The MSU Fitness Center is available to staff at no charge. The Curris Center meeting rooms and banquet rooms are available at no charge for university-sponsored programs or meetings.

Veterans Affairs

Veterans Affairs is located in Ordway Hall. The primary mission of the office is to assist the veteran student with the successful transition from military to university campus life. To ensure prompt payment of educational benefits, eligible candidates should contact the office immediately concerning general procedures and documents required to complete enrollment certification with the VA regional office.

Murray State University does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or marital status in admission to educational programs and activities, or employment practices in accordance with Title VI, Title VII, Title IX, Section 504, and ADA Act. For more information contact Annazette Fields, Director of Equal Opportunity, Murray State University, 319 Wells Hall, Murray, KY 42071-3318. Telephone (270) 762-3155 (Voice) and (270) 762-3361 (TDD).