

Policy Manual Disclaimer

The policies included on this website are not legal documents. Every attempt has been made to accurately represent the policies and benefits programs. The plans and policies described here are based on plan documents and University policies that govern the operations of the plans. If there is a conflict between the information presented here and the information contained in the plan documents and University policies, the plan documents and University policies always govern and are the controlling legal documents. Policy and benefit descriptions are not terms of employment, nor is the language intended to establish a contract between the University and its faculty and staff members. Full policy descriptions are in the Human Resources Policy Manual or in the plan documents available for inspection in the Benefits Office. The University reserves the right to change, amend or terminate any of its human resources policies and/or benefits plans at any time for any reason.

The benefits and policies for University of Pennsylvania employees who work in locations outside of the Commonwealth of Pennsylvania may be different from the benefits and policies set forth in this website. Employees working outside the Commonwealth of Pennsylvania should contact their Human Resources representatives for more information.

POLICY NO: 001
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 2/1/1990

ADHERENCE TO UNIVERSITY POLICY

All employees of the University are expected to comply with all federal, state and local laws as well as the policies and procedures of the University of Pennsylvania. Any violation may result in disciplinary action up to and including termination of employment.

Applicability: All University Employees

POLICY NUMBER: 002
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 4/1/1995

SAFEGUARDING UNIVERSITY ASSETS

002.1 INTRODUCTION:

University and Health System management at all levels are responsible for safeguarding financial and physical assets and being alert to possible exposures, errors and irregularities. Management must be aware of internal control weaknesses which can lead to or permit misuse, misappropriation, or destruction of assets. The University policy regarding the safeguarding of assets and the investigating, processing, and reporting of suspected misappropriations and similar irregularities applies to all areas of the University and Health System. These include the schools, service and resource centers, central administrative departments, auxiliary enterprises, the Clinical Practices (CPUP), the Hospital (HUP), Clinical Care Associates (CCA), and any wholly-owned subsidiaries of the University.

002.2 OBJECTIVES:

a. To ensure the protection of University and Health System assets and to ensure that such assets are not misappropriated, misused, damaged, or destroyed. b. To provide a policy for the investigations of known or suspected misappropriations and other irregularities. c. The objectives of investigating suspected misappropriations and similar irregularities are to determine whether the suspected irregularity occurred; to ascertain the source and amount of funds involved; to identify the individuals responsible for the loss; to adequately document fraudulent activities; and to provide a sound basis for any subsequent corrective action.

002.3 RESPONSIBILITIES:

All supervisors and managers should be familiar with the types of irregularities involving misuses of University and Health System resources that might occur in their respective areas and be alert for symptoms that an impropriety is or was in existence in their respective areas. Any

individual who detects or suspects a misappropriation shall notify his/her supervisor immediately.

The Vice President for Audit and Compliance has the primary responsibility for the investigation of all cases of misappropriation, fraud, and other misuse of University and Health System assets. The Vice President is available and receptive to relevant information concerning suspected fraudulent activities on a confidential basis. All audits will be conducted in a thoroughly professional manner.

The Vice President for Audit and Compliance shall consult with and coordinate the investigative activities with other University and/or Health System offices as appropriate. All University and Health System employees shall cooperate fully with and provide support to the Vice President as requested during such investigations and reviews.

The Office of Audit and Compliance will be given free, unlimited, and unrestricted access to all books, records, files, property, and to all personnel of the University and Health System during such investigations. The Vice President for Audit and Compliance shall have the authority, after consultation with the Executive Vice President of the University, the Executive Vice President of the University for the Health System when applicable, and with the Provost when a member of the faculty is thought to be involved; and with other senior officials as appropriate to:

002.3 RESPONSIBILITIES: (continued)

- a. Take control of and/or gain full access to all University premises, whether owned or rented; and
- b. Examine, copy, and/or remove all or any portion of the contents, physical or electronic, of all files, desks, cabinets, and other storage facilities which are located on such premises without the prior knowledge or consent of any individual who may use or have custody of such premises or contents. When an auditor removes any files or materials from desks or offices, a record will be established and maintained. The record must be as complete as practicable; and a copy will be deposited with the Executive Vice President of the University and with the person from whose office the files or materials were removed.

The powers described in a. and b. will be exercised with due regard for privacy, property, and academic freedom of the occupant of the premises, or the owner of the materials being searched. The Vice President, moreover, will make every reasonable effort to confine the investigation to areas, files, and papers that seem likely to yield relevant evidence.

When a member of the faculty is thought to be involved the Provost: a) Will inform the Chair of the Faculty Senate, if the Chair is available, prior to the search being undertaken, and seek the Chair's opinion. b) Will report the completion of the search and the justification for that search as soon as practicable after the event to the Chair, the Past Chair, and the Chair-elect of the Faculty Senate.

002.4 REPORTING:

The results of investigations by the Office of Audit and Compliance will be disclosed only to those who have a legitimate need to know such results in order to perform their duties.

The Office of Audit and Compliance shall report the results of the investigation and/or audit to the General Counsel and the Executive Vice President of the University; the Executive Vice President of the University for the Health System when applicable, and to the Provost when a member of the faculty was involved. In addition, the Office of Audit and Compliance shall report the results as appropriate to the Executive Vice President, Health System, and to the Associate Vice President, Legal Affairs, Health System. The Executive Vice President shall report all cases of fraud to the President. Copies of all investigation and/or audit reports shall be sent concurrently to the senior official responsible for the area.

All documented cases of fraud shall be reported to the Board of Trustees' Committee on Audit by the Vice President for Audit and Compliance.

To meet requirements of granting agencies or other external funding sources, the Vice President for Audit and Compliance shall, as appropriate, report information concerning misappropriations to granting agencies or other external funding sources.

Information concerning misappropriations may be released to the news media only as authorized by the President of the University.

Approved: Trustee Committee on Audit March 13, 1995

POLICY NO: 003

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 02/01/90

USES OF UNIVERSITY RESOURCES

The following guidelines have been developed to regulate use of the University's name, assets, equipment, space and staff services.

University services and property, including the University's name, are to be used solely for the conduct of University business by faculty and staff and by officially recognized campus organizations.

Faculty and staff are responsible for assuring that University assets and resources, including but not limited to

- staff and staff time
- telephones
- duplicating services
- cash
- campus mail
- computing equipment and time

- other equipment
- supplies
- space
- vehicles,

are used solely for University business.

The University's name or logo must not be used in any announcement, advertising matter, publication, correspondence or report in connection with personal or unofficial activities of faculty members or staff. Further, the University's name or logo must not be used in any way that could be construed as implying endorsement of any project, product or service not officially sponsored by the University.

Applicability: All University Employees

Xref: [Policy 002](#)

POLICY NO: 004

SUPERSEDES POLICY NO: 004 (10/1/1973)

EFFECTIVE DATE: 7/1/2000

The Policy of Equal Opportunity, Affirmative Action and Nondiscrimination

The University of Pennsylvania's special character is reflected in the diversity of the Penn community. Men and women of different races, religions, nationalities and backgrounds are necessary to achieve the University's ultimate purpose: the improvement of the human condition through the pursuit of learning and the generation of knowledge. Diversity is prized at Penn because it helps to create the educational environment that best prepares students to contribute to an increasingly diverse and rapidly shrinking world. We must continue, therefore, to seek talented faculty, students and staff who will help constitute a community at Penn that is diverse in race, gender, ethnicity, interests and perspectives.

The foundation for achieving, valuing, and managing diversity at Penn is equal opportunity. We have a clear commitment to equal opportunity, non-discrimination, and affirmative action. This policy re-affirms our commitment in this regard. This policy of equal opportunity, affirmative action, and non-discrimination is fundamental to the effective functioning of the University as an institution of teaching, scholarship, and public service.

Penn adheres to a policy that prohibits discrimination against individuals because of: race; color; sex (except where sex is a bona fide occupational qualification); sexual orientation; gender identity; religion; creed; national or ethnic origin; citizenship status; age; disability (or association with an individual with a disability); and status as a special disabled, Vietnam era or other eligible veteran, or any other basis protected by law.

Our task is to eliminate any patterns of prohibited unequal treatment from a community that values diversity. We must monitor our policies, procedures, and practices for equal opportunity and access to the services, programs, and opportunities our community has to offer individuals.

Penn is committed to ensuring that academic programs (except where sex is a bona fide occupational qualification), including social and recreational programs and services are administered without regard to an individual's protected-class status.

Penn is also committed to ensuring that its personnel and other employment decisions are made without regard to an individual's protected-class status. Personnel and other employment decisions include, but may not be limited to; outreach and recruitment, application, selection, promotion and other transfers, compensation, benefits administration, layoffs and other personnel transitions, University-sponsored training and educational programs, and tuition assistance.

Penn is dedicated to an organizational strategy that supports the full realization of equal employment opportunity for all through affirmative action predicated on the following tenets:

- serious and imaginative outreach, recruitment, and advertising methods;
- periodic reviews of the personnel and other employment decisions made by hiring officers;
- thorough analysis of Penn's Faculty and Staff workforce composition to determine areas of underutilization for which concentrated or special effort is due;
- provision of professional and management development opportunities for faculty and staff that builds skills and knowledge around equal opportunity, as well as valuing and effectively managing Penn's diverse work environments;
- provision of skill development and enhancement opportunities for staff.
- provision of technical assistance on the implementation of this policy, as needed, to schools, departments, and centers.

As a federal contractor, Penn has a written Affirmative Action Plan to address the utilization of women and minorities and to address the inclusion of persons with disabilities, special disabled and Vietnam era veterans in Penn's workforce.

To comply with applicable laws ensuring equal employment opportunities to individuals with disabilities, the University will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship and/or a direct threat to the health and/or safety of the individual or others would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact their human resources representative and request such an accommodation. The individual with the disability should specify in writing what accommodation he or she needs to perform the job. The University will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The University will then identify possible accommodations, if any, that will help to eliminate the limitation or barrier. If the accommodation is reasonable and will not impose an undue hardship on the University and/or a direct threat to the health and/or safety of the individual or others, the University will make the accommodation. The University may also propose an alternative accommodation(s).

The University will also make reasonable accommodations for conditions related to pregnancy, childbirth or related medical conditions, if requested with the advice of the employee's health care provider, as required by law.

This policy also recognizes an individual's right to raise and pursue concerns of alleged discrimination to a University resource office or to an appropriate individual within a school, department, or center without adverse action or retaliation for doing so. The Affirmative Action Plan describes the University resources available to faculty, staff, students, and applicants for employment or admission to Penn who believe they have been discriminated against on the basis of their protected-class status.

Penn's non discrimination and affirmative action policies and programs are developed, administered, and monitored centrally through the Office of Affirmative Action and Equal Opportunity Programs in collaboration with the [Division of Human Resources](#) and the Office of the Associate Provost. The Office of Affirmative Action and Equal Opportunity Programs is located organizationally within the Office of the President. Questions or concerns regarding these policies and programs, and requests for educational programs on affirmative action, equal opportunity, and nondiscrimination, should be directed to the Executive Director, Office of Affirmative Action and Equal Opportunity Programs, Sansom Commons East, Suite 228, 3600 Chestnut Street, Philadelphia, PA 19104-6106, (215) 898-6993 (Voice) or (215) 898-7803 (TDD).

This policy covers faculty and staff, matriculated students, applicants for faculty and staff employment, and applicants to Penn's academic programs and other activities.

[This policy is available in alternate format upon request.](#)

University of Pennsylvania Nondiscrimination Statement

The University of Pennsylvania values diversity and seeks talented students, faculty and staff from diverse backgrounds. The University of Pennsylvania does not discriminate on the basis of race, sex, sexual orientation, gender identity, religion, color, national or ethnic origin, age, disability, or status as a Vietnam Era Veteran or disabled veteran, or any other basis protected by law in the administration of educational policies, programs or activities; admissions policies; scholarship and loan awards; athletic, or other University administered programs or employment. Questions or complaints regarding this policy should be directed to:

Executive Director, Office of Affirmative Action and Equal Opportunity Programs, Sansom Place East, 3600 Chestnut Street, Suite 228, Philadelphia, PA 19104-6106 or by phone at (215) 898-6993 (Voice) or (215) 898-7803 (TDD). **(keep the webpage listed)**

Applicability: All University Employees & Students

Xref:..[Policy 001](#), [Policy 101](#), [Policy 117](#), [Policy 703](#)

POLICY NO: 005

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 6/13/1986

CONFLICT OF INTEREST

This policy on conflict of interest is divided into two parts, the first dealing with faculty and the second dealing with other employees of the University.

005.1 FACULTY

Certain categories of potential conflict of interest as to faculty are addressed in existing University policies, including the Conflict of Interest Policy for Faculty Members adopted by the Faculty Senate on November 17, 1982, approved by the Provost on March 1, 1983 and printed in the 1983 Handbook for Faculty and Academic Administrators. University Council also recommended a Policy on Outside Financial Interests on September 24, 1969 which is as follows:

1. A member of the faculty may have a significant investment or interest, or hold an official position, in an outside firm or organization but has not undertaken to perform continuing work or services for it. Such an economic or official relationship is of concern if 1) the firm or organization is engaged in activities which parallel activities in which the University is currently or prospectively engaged and in which the faculty member plays (or might appropriately play) a role in an academic capacity; or 2) the firm or organization has a present or prospective relationship with the University, e.g., as a supplier of goods or services or as a party to a research contract, and the conduct of that relationship may involve the faculty member in his academic capacity. In either of these situations, the faculty member shall be required to report the facts and circumstances to the Department Chairman and the Academic Dean and/or Vice President or Director so that appropriate steps may be taken to avoid a conflict of interest.
2. These policies are recognized to govern those areas of potential conflict of particular concern to faculty.
3. A number of other existing University policies pertaining to conflict of interest apply to faculty members unless they are intended by their terms to apply only to other employees. These policies include but are not limited to policies on patent and copyright, purchasing, nepotism, and sexual harassment.

005.2 UNIVERSITY EMPLOYEES OTHER THAN FACULTY AND OFFICERS ("EMPLOYEES")

Employees of the University shall avoid any conflict between their personal interests and the interests of the University; furthermore, they shall avoid any situation where it would be reasonable for an objective observer to believe that the person's judgment or loyalty might be adversely affected. For purposes of Paragraphs III(a) and (b) below, reference to the University is intended to include also reference to all entities controlled or owned in substantial part by the University.

- (a) If an employee has any power of influence to approve or disapprove a transaction proposed to be entered into between the University and that person or between the University and any entity

or individual having a significant relationship to that person, he or she has a potential conflict of interest and may not participate in the process leading to the approval or disapproval of the transaction unless the underlying facts giving rise to the potential conflict of interest are disclosed and approval for participation is obtained pursuant to the procedures described below in paragraph (e).

(b) An employee also has a potential conflict of interest if that person, or any entity or individual having a significant relationship to that person may benefit from information considered by the University to be confidential and learned in his or her capacity as an employee of the University.

(c) A significant relationship exists as to an entity if a person is a director, trustee, officer, or employee of, a partner or member in, or has a material financial interest in, the entity in question.

(1) An entity is a corporation, partnership, unincorporated association, or any similar group.

(2) Determination of a material financial interest is a matter of personal judgment but, at a minimum, would be required for an aggregate interest for the person and for all entities or individuals having material relationships with the person of more than

- 1 percent of any class of the outstanding securities of a firm or corporation, or
- 10 percent interest in a partnership or association, or
- 5 percent of the total direct and beneficial assets or income of the person.

(d) A significant relationship exists as to an individual if that individual is in the immediate family of a person subject to this policy. The immediate family includes parents, siblings, spouse, domestic partners and offspring.

(e) An employee who has a potential conflict of interest covered by this policy shall immediately disclose the potential conflict in writing to a superior who in turn should inform the Secretary. The employee may continue participation in the transaction only on terms approved by the Secretary.

(f) A number of other University policies pertaining to conflict of interest remain in effect and may, depending on their terms, apply to employees of the University. These policies include but are not limited to policies on extramural consulting by administrative staff, purchasing, sponsored research, patent and copyright, nepotism, and sexual harassment.

Note: Contact the Office of the Secretary of the University Conflict of Interest Policy for Trustees and Officers of the University.

Applicability: All Faculty & Staff

Xref: [Policy 006](#)

POLICY NO: 006

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

GUIDELINES FOR EXTRAMURAL ACTIVITIES, ASSOCIATIONS AND INTEREST FOR STAFF

006.1 INTRODUCTION

The University of Pennsylvania recognizes that employees may have or acquire by virtue of their University positions knowledge and expertise that can be of value to extramural organizations, public or private, and to other departments within the University. Appropriate associations with government agencies, professional organizations and other extramural organizations can contribute to the development of the employee's professional capabilities and to the fulfillment of the University's public service responsibilities and may bring credit to the University. Appropriate associations with other University departments may also contribute to the "One University" concept and aid overall University communications, understanding and efficiency. Consequently, the University permits and encourages such associations, subject to constraints and limitations imposed by the need to avoid conflicts of interest. The purpose of this policy is to describe these constraints and limitations and to present guidelines and procedures by which conflict of interest is to be avoided.

006.2 DEFINITION AND GENERAL PRINCIPLES

- a. Extramural activities, associations or interests are those that extend outside the University and that can constitute real or apparent conflicts of interest.
- b. Extramural activities include:
 - i. Part-time engagements, with or without compensation, as a technical or professional consultant, practitioner or teacher in other firms or organizations,
 - ii. Significant stock holdings or other financial interests, and/or official positions in outside firms or organizations, regardless of work or services performed in those firms or organizations. Such relationships are of concern if either: (1) the firm or organization's activities parallel those in which the University is engaged and in which the administrator plays a role; or (2) the firm or organization has a present or prospective relationship with the University e.g., as a supplier of goods or services or as a party to a research contract that may involve the employee in his/her administrative or professional capacity.
- c. Intramural activities, associations or interests are those within the University but outside of the primary office or department of the employee. Intramural activities include consulting work or part-time teaching performed by a staff member for another University department either during the course of the normal work week or outside of normal working hours.
- d. A conflict of interest occurs when University resources including staff time, funds, University reputation or other University assets are diverted from, or made less effective in, their intended purposes by virtue of an individual's activities, associations or interest outside his/her primary University affiliation. Conflicts of interest include, for example:

i. Improprieties such as exploiting information or authority derived from one's official University capacity for the purpose of private gain;

ii. Engaging in outside activities to a degree that impairs one's commitment to and effectiveness at the University;

iii. Use of University resources, e.g., clerical, travel funds, supplies in extramural activities;

iv. Using the University name or affiliation for pursuit of personal financial or political gain, or for the purpose of enhancing the prestige of an extramural activity.

e. Conflict of interest is not a precise term, and it is subject to interpretation of degree. That is, an activity or interest may be deemed a conflict of interest when practiced with regularity and not so when practiced only rarely or in such a way as to constitute no possible diversion of resources or diminution of effort. Similarly, although activities such as teaching in the University without compensation or serving on national advisory panels can become "conflicts of interest" because of the diversion of time and effort, there will generally be a considerably greater tolerance for such extramural or intramural activities that do not bring direct private gain than for those that either do or might.

f. At the same time, most University officers encourage many of their administrative and professional staff to attend professional associations and to engage in the kinds of limited teaching and consulting arrangements that further develop the capabilities for which the staff members are employed, and it is not intended that these policies and procedures hinder such activities.

006.3 GENERAL POLICIES

a. All extramural and intramural activities should be cleared through the individual's immediate supervisor when these activities constitute a possible conflict of interest as defined in 006.2 and policy 005.

b. Extramural activities may not divert or diminish the work of a staff member, nor draw on University resources except incidentally and never to the detriment of the University. It is particularly important that extramural activities not use University supplies, telephone, postage, and the like, nor, except incidentally, space or clerical facilities unless full reimbursement is documented.

c. Intramural activity during a portion of the normal working day (for example, a regular part-time teaching assignment) may provide a source for part of the individual's compensation, but should not normally provide compensation at a rate in excess of the regular full-time compensatory rate. Exceptions to this policy must be approved by the provost or Dean and/or Vice President or by the appropriate vice president. In no case may an individual be paid from any University source without a Personnel Action Form being signed by his or her primary, immediate supervisor.

Applicability: All University Employees
Xref: [Policy 001](#), [Policy 002](#), [Policy 003](#), [Policy 005](#)

POLICY NO: 008
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 1/1/1993

CHECK CASHING POLICY

It is the University of Pennsylvania's policy that check cashing at a University facility is a privilege and not a right. An employee who has written a check that is returned by his/her bank is required to redeem the check and all related fees within 10 days of the date of receipt of written notice issued by the University.

An employee who abuses check cashing privileges is considered to have violated University work related conduct standards and may be subject to discipline under existing University policy. (See "Safeguarding University Assets" and "Fraud" policy statements in the Human Resources Policy Manual.)

Applicability: All University Employees
Xref: [Policy 002](#), [Policy 007](#)

POLICY NO: 009

Policy on Acceptable Use of Electronic Resources

Summary

This policy defines the boundaries of "acceptable use" of limited University electronic resources, including computers, networks, electronic mail services and electronic information sources, as detailed below. It includes by reference a self-contained compilation of specific rules that can be modified as the electronic information environment evolves.

The policy is based on the principle that the electronic information environment is provided to support University business and its mission of education, research and service. Other uses are secondary. Uses that threaten the integrity of the system; the function of non-University equipment that can be accessed through the system; the privacy or actual or perceived safety of others; or that are otherwise illegal are forbidden.

By using University electronic information systems you assume personal responsibility for their appropriate use and agree to comply with this policy and other applicable University policies, as well as City, State and Federal laws and regulations, as detailed below.

The policy defines penalties for infractions, up to and including loss of system access, employment termination or expulsion. In addition some activities may lead to risk of legal liability, both civil and criminal.

Users of electronic information systems are urged in their own interest to review and understand the contents of this policy.

Purposes

The University of Pennsylvania makes computing resources (including, but not limited to, computer facilities and services, computers, networks, electronic mail, electronic information and data, and video and voice services) available to faculty, students, staff, registered guests, and the general public to support the educational, research and service missions of the University.

When demand for computing resources may exceed available capacity, priorities for their use will be established and enforced. Authorized faculty and staff may set and alter priorities for exclusively local computing/networking resources. The priorities for use of University-wide computing resources are:

Highest: Uses that directly support the educational, research and service missions of the University.

Medium: Other uses that indirectly benefit the education, research and service missions of the University, as well as and including reasonable and limited personal communications.

Lowest: Recreation, including game playing.

Forbidden: All activities in violation of the General Standards or prohibited in the *Specific Rules* interpreting this policy.

The University may enforce these priorities by restricting or limiting usages of lower priority in circumstances where their demand and limitations of capacity impact or threaten to impact usages of higher priority.

Implied consent

Each person with access to the University's computing resources is responsible for their appropriate use and by their use agrees to comply with all applicable University, School, and departmental policies and regulations, and with applicable City, State and Federal laws and regulations, as well as with the acceptable use policies of affiliated networks and systems (See [Appendices](#) to *Specific Rules*).

Open Expression in the Electronic Information Environment: The rights to freedom of thought, inquiry and expression, as defined in the University's [Guidelines on Open Expression](#), are paramount values of the University community. The University's commitment to the principles of open expression extends to and includes the electronic information environment, and interference in the exercise of those rights is a violation of this policy and of the Guidelines on Open Expression. As provided in the Guidelines, in case of conflict between the principles of the

Guidelines on Open Expression and this or other University policies, the principles of the Guidelines take precedence.

General Standards for the Acceptable Use of Computer Resources: Failure to uphold the following General Standards for the Acceptable Use of Computer Resources constitutes a violation of this policy and may be subject to disciplinary action.

The General Standards for the Acceptable Use of Computer Resources require:

- Responsible behavior with respect to the electronic information environment at all times;
- Behavior consistent with the mission of the University and with authorized activities of the University or members of the University community;
- Respect for the principles of open expression;
- Compliance with all applicable laws, regulations, and University policies;
- Truthfulness and honesty in personal and computer identification;
- Respect for the rights and property of others, including intellectual property rights;
- Behavior consistent with the privacy and integrity of electronic networks, electronic data and information, and electronic infrastructure and systems; and
- Respect for the value and intended use of human and electronic resources.

Enforcement and Penalties for Violation: Any person who violates any provision of this policy, of the [Specific Rules](#) interpreting this policy, of other relevant University policies, or of applicable City, State, or Federal laws or regulations may face sanctions up to and including termination or expulsion. Depending on the nature and severity of the offense, violations can be subject to disciplinary action through the Student Disciplinary System or disciplinary procedures applicable to faculty and staff.

It may at times be necessary for authorized systems administrators to suspend someone's access to University computing resources immediately for violations of this policy, pending interim resolution of the situation (for example by securing a possibly compromised account and/or making the owner of an account aware in person that an activity constitutes a violation). In the case of egregious and continuing violations suspension of access may be extended until final resolution by the appropriate disciplinary body.

System owners, administrators or managers may be required to investigate violations of this policy and to ensure compliance.

Amendment

Formal amendment of the [General Standards of Acceptable Use of Computing Resources](#) or other aspects of this policy may be promulgated by the Provost following consultation with the University Council Committee on Communications, publication "For Comment" in *Almanac*, a reasonable waiting period, and publication "Of Record" in *Almanac*.

Interpreting this policy

As technology evolves, questions will arise about how to interpret the general standards expressed in this policy. The Vice President for Information Systems and Computing shall, after consultation with the University Council Committee on Communications, and subject to the same waiting period and publication provisions as above, publish specific rules interpreting this policy

Waiver

When restrictions in this policy interfere with the research, educational or service missions of the University, members of the University community may request a written waiver from the [Vice President for Information Systems and Computing](#) (or designee).

Further information

For further information about University computing regulations or Commonwealth of Pennsylvania and Federal computing laws, contact the University Information Security Officer at (215) 898-2172, or send e-mail to: <mailto:security@isc.upenn.edu>

Specific Rules Interpreting the Policy on Acceptable Use of Electronic Resources

The following specific rules apply to all uses of University computing resources. These rules are not an exhaustive list of proscribed behaviors, but are intended to implement and illustrate the [General Standards for the Acceptable Use of Computer Resources](#), other relevant University policies, and applicable laws and regulations. Additional specific rules may be promulgated for the acceptable use of individual computer systems or networks by individual Schools, departments, or system administrators.

Content of communications

Except as provided by applicable City, State, or Federal laws, regulations or other University policies, the content of electronic communications is not by itself a basis for disciplinary action.

Unlawful communications, including threats of violence, obscenity, child pornography, and harassing communications (as defined by law), are prohibited.

The use of University computer resources for private business or commercial activities (except where such activities are otherwise permitted or authorized under applicable University policies), fundraising or advertising on behalf of non-University organizations, or the reselling of University computer resources to non-University individuals or organizations, and the unauthorized use of the University's name, are prohibited. The Vice President for Information Systems (or designee) may specify rules and specific forums where limited use of University resources for non-recurring exchange and sale of personal items is permitted.

Identification of users

Anonymous and pseudonymous communications are permitted except when expressly prohibited by the operating guidelines or stated purposes of the electronic services to, from, or through which the communications are sent. However, when investigating alleged violations of the [Guidelines on Open Expression](#), the Committee on Open Expression may direct the University's Information Security Officer, or an authorized system administrator, to attempt to identify the originator of anonymous/pseudonymous messages, and may refer such matters to appropriate disciplinary bodies to prevent further distribution of messages from the same source.

The following activities and behaviors are prohibited:

- Misrepresentation (including forgery) of the identity of the sender or source of an electronic communication;
- Acquiring or attempting to acquire passwords of others;
- Using or attempting to use the computer accounts of others;
- Alteration of the content of a message originating from another person or computer with intent to deceive; and
- The unauthorized deletion of another person's news group postings.

Access to computer resources

The following activities and behaviors are prohibited:

- The use of restricted-access University computer resources or electronic information without or beyond one's level of authorization;
- The interception or attempted interception of communications by parties not explicitly intended to receive them;
- Making University computing resources available to individuals not affiliated with the University of Pennsylvania without approval of an authorized University official;
- Making available any materials the possession or distribution of which is illegal;
- The unauthorized copying or use of licensed computer software;
- Unauthorized access, possession, or distribution, by electronic or any other means, of electronic information or data that is confidential under the University's policies regarding privacy or the confidentiality of student, administrative, personnel, archival, or other records, or as defined by the cognizant Data Steward;
- Intentionally compromising the privacy or security of electronic information; and
- Intentionally infringing upon the intellectual property rights of others in computer programs or electronic information (including plagiarism and unauthorized use or reproduction).

Operational integrity

The following activities and behaviors are prohibited:

- Interference with or disruption of the computer or network accounts, services, or equipment of others, including, but not limited to, the propagation of computer "worms"

and "viruses", the sending of electronic chain mail, and the inappropriate sending of "broadcast" messages to large numbers of individuals or hosts;

- Failure to comply with requests from appropriate University officials to discontinue activities that threaten the operation or integrity of computers, systems or networks, or otherwise violate this policy;
- Revealing passwords or otherwise permitting the use by others (by intent or negligence) of personal accounts for computer and network access;
- Altering or attempting to alter files or systems without authorization;
- Unauthorized scanning of networks for security vulnerabilities;
- Attempting to alter any University computing or networking components (including, but not limited to, bridges, routers, and hubs) without authorization or beyond one's level of authorization;
- Unauthorized wiring, including attempts to create unauthorized network connections, or any unauthorized extension or re-transmission of any computer or network services;
- Intentionally damaging or destroying the integrity of electronic information;
- Intentionally disrupting the use of electronic networks or information systems;
- Intentionally wasting human or electronic resources; and
- Negligence leading to the damage of University electronic information, computing/networking equipment and resources.

Appendices

Relevant University policies

This Acceptable Use Policy incorporates and supersedes the earlier Policy on [Ethical Behavior with Respect to the Electronic Information Environment](#). The use of computing resources is also required to conform to the following University policies:

- [Code of Student Conduct](#)
- [Guidelines on Open Expression](#)

In addition, specific policies of the University's Schools, departments, computer systems and networks, and other general University policies and regulations are also applicable to the use of computer resources. These policies include, but are not limited to, the following:

- [Patent Policy](#)
- [Copyright Policy](#)
- [Computer Software Policy](#)
- [Policy on the Uses of University Resources](#)
- [Policy on Confidentiality of Student Records and Information](#)
- [Policy Regarding Faculty Misconduct in Research](#)
- [Policy on Privacy in the Electronic Environment](#)
- [Code of Academic Integrity](#)
- Protocols for human subjects research: any research involving human subjects must be approved by the Committee on Studies Involving Human Beings

- Acceptable Use Policies of individual Schools, departments, computer systems, and networks
- [Guidelines for Administrators of Penn E-mail Systems.](#)

Privacy

All computers and the data stored on them are and remain at all times the property of the University. As such, all messages created, sent or retrieved over the Internet or the University's electronic mail system are the property of the University, and should be considered public information. The University reserves the right to retrieve and read any message composed, sent, or received on the University's computer equipment and electronic mail system. Employees should be aware that, even when a message is deleted or erased, it is still possible to recreate the message; therefore, ultimate privacy of a message cannot be ensured to anyone. Accordingly, Internet and electronic mail messages are public communication and are not private. Furthermore, all communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Applicable laws

Computer and network use is also subject to Federal laws and regulations, as well as applicable state laws. Suspected violations of applicable law are subject to investigation by University and law enforcement officials. Applicable laws include, but are not limited to:

- *Federal Copyright Law:* U.S. copyright law grants authors certain exclusive rights of reproduction, adaptation, distribution, performance, display, attribution and integrity to their creations, including works of literature, photographs, music, software, film and video. Violations of copyright laws include, but are not limited to, the making of unauthorized copies of any copyrighted material (such as commercial software, text, graphic images, audio and video recordings) and distributing copyrighted materials over computer networks or through other means.
- *Federal Wire Fraud Law:* Federal law prohibits the use of interstate communications systems (phone, wire, radio, or television transmissions) to further an illegal scheme or to defraud.
- *Federal Computer Fraud and Abuse Law:* Federal law prohibits unauthorized access to, or modification of information in computers containing national defense, banking, or financial information.
- *Federal and Applicable State Child Pornography Laws:* Federal and applicable state laws prohibit the creation, possession, or distribution of graphic depictions of minors engaged in sexual activity, including computer graphics. Computers storing such information can be seized as evidence.
- *Pyramid schemes/Chain Letters:* It is a violation of the Federal Postal Lottery Statute to send chain letters which request sending money or something of value through the US mail. Solicitations through electronic messaging are also illegal, if they require use of US mail for sending money/something of value.

- *Defamation*: Someone may seek civil remedies if they can show that they were clearly identified as the subject of defamatory messages and suffered damages as a consequence. Truth is a defense against charges of defamation.
- *Common law actions for invasion of privacy*: Someone may take seek civil remedies for invasion of privacy on several grounds.
- *Public disclosure of private facts*: the widespread disclosure of facts about a person, even when true, may be deemed harmful enough to justify a lawsuit.
- *False light*: a person wrongfully attributes views or characteristics to another person in ways that damage that person's reputation.
- *Wrongful intrusion*: the law often protects those areas of a person's life in which they can reasonably expect they will not be intruded upon.

POLICY NO: 011

University of Pennsylvania Policy Prohibiting Workplace Violence

Effective: May 4, 2004

Our Commitment to Maintain a Safe Environment

The University is committed to maintaining an environment that supports the University's mission and promotes learning, productive employment, and safe experiences for all members of the University community including but not limited to faculty, staff, students, contracted employees, visitors and guests of the University.

Scope

This policy applies to all University employees including faculty, staff, temporary and occasional employees and student workers (with respect to conduct that arises from their employment status). In addition, the policy applies to individuals who the University contracts to do work on our behalf including, consultants, vendors, contractors and sub-contractors. University employees and those working on the behalf of the University are covered by this policy at all times, on or off-campus, when they are officially representing or acting on behalf of the University, conducting University business and/or attending University sponsored or financed activities. This policy covers activity at all University owned and operated properties and facilities and off-campus locations where University business is conducted.

Definition of Workplace Violence

Workplace violence is defined as any violent behavior or threat of violent behavior that would cause harm or reasonable fear of physical harm to a University employee, other member or guest of the University community, or anyone with whom the University is conducting business. Behaviors or conduct that are not tolerated include the following:

- Committing a violent felony, misdemeanor or summary offense as defined by applicable law against a person on University property, including but not limited to stalking, intimidation, coercion, harassment, and assault;

- Possession of weapons of any kind or dangerous articles in accordance with Human Resources Policy 706: Possession of Dangerous Articles;
- Willful or threatening destruction of University property or property of another University employee, other member or guest of the University community, or anyone with whom the University is conducting business;
- Threats, direct or implied; intimidation, aggressive or hostile behavior that creates a reasonable fear of injury to another.

Reporting

Maintaining a safe and secure environment is a shared responsibility. All University employees are strongly encouraged to report any work-related or University connected behavior that they regard as threatening or violent (in accordance with the above definition) to at least one of the University resources listed below.

All emergency situations should be immediately reported to Penn Police by calling 511 (from a campus phone) or (215) 573-3333 (from an off-campus phone) or picking up one of the blue light phones located throughout campus.

Individuals who apply for and/or obtain Protection From Abuse (PFA) orders are encouraged to provide their supervisors and the Penn Police with copies of the temporary or permanent order.

Employees should report workplace violence, as defined above, to their supervisor, manager, department chair or Dean and/or Vice President, whoever is deemed to be appropriate in the respective supervisory chain of command. Such reports can also be made, as appropriate, to Penn Police, the Division of Human Resources/Staff and Labor Relations, the Division of Public Safety/Special Services Department, the Office of Student Conduct, and/or the Office of the Deputy Provost.

A University official who receives a report of workplace violence should take the matter seriously and first take prompt steps to ensure the safety of the parties and/or University property involved. Reports of workplace violence must be investigated appropriately. Supervisors and managers should consult with the Division of Human Resources, Penn Police, the Division of Public Safety/Special Services Department, and/or any of the other investigatory/fact-finding resources mentioned herein, to receive assistance in investigating reports of workplace violence. Where faculty members are concerned, Dean and/or Vice Presidents and Chairs should consult with the Office of the Deputy Provost on the appropriate procedures to follow as outlined in the *Handbook for Faculty and Academic Administrators*. Workplace violence complaints against student workers should be referred to the Office of Student Conduct, the Office of the Provost, or their respective school office responsible for student conduct and discipline.

Non-Retaliation

Retaliatory action is prohibited against any persons who report, respond to, participate in an investigation of, are victims of, or use University resources to address workplace violence.

Persons found responsible for retaliatory actions will be subject to disciplinary actions up to and including termination of employment and/or student status.

Sanctions

Once the investigation, fact-finding or hearing is completed and recommended actions for redress are finalized, the University will take the appropriate steps to address the offensive behavior and restore and maintain safety in the community. Employees who violate the Policy Prohibiting Workplace Violence may be subject to disciplinary action up to and including, termination of employment and/or student status. Employees may also be subject to criminal prosecution.

Where appropriate, persons who have violated the Policy Prohibiting Workplace Violence may be required to undertake educational or training courses and/or perform community service to assist in correcting the offensive behavior.

University Resources

The University offers employees a variety of resources to address workplace violence. These resources provide services ranging from conducting investigations/fact-finding processes, providing security services, training, and counseling, to making referrals and mediating lower level conflicts. The following descriptions outline the University resources provided to address conflicts.

- *Counseling*--Personal and psychological counseling services are offered for individuals or groups.
- *Conflict Resolution*--Facilitation, mediation, and consultation services are available to assist individuals and groups to proactively resolve workplace issues and concerns.
- *Criminal Complaints*--The Penn Police process and investigate reports of criminal incidents.
- *Crisis Management*--These resources assist work groups/teams who have experienced a traumatic event or crisis situation, process and acknowledge their reactions, and identify strategies to cope with the aftermath of such incidents. The major goal is to help the affected group restore their productive work environment.
- *Education/Training*--Training and educational programs are available to the Penn community on various aspects of campus safety and security, crime prevention and/or workplace violence.
- *Investigatory*--These resources are charged with the responsibility of investigating, conducting fact-finding processes, hearings, or just cause proceedings regarding allegations of employee and/or student misconduct, including allegations of workplace violence.
- *Referrals*--Some resources will help affected employees identify appropriate University and external resources to assist them with workplace and/or personal concerns.
- *Security Services*--Walking and riding escort services are available to members of the Penn community.

Michelle – why can't we list the webpage for this policy?

Applicability: All University employees and individuals contracted to work on the University's behalf.

POLICY NO: 012

Employment At Will

Effective: [insert date]

Employment at the University is at will. This means that employment may be terminated for any or no reason, with or without cause or notice, at any time by you or the University. Nothing in this handbook or in any other document or oral statement shall limit the right to terminate employment at will.

POLICY NO: 101

SUPERSEDES POLICY NO: 101 (01/01/1993, 6/1/1998)

EFFECTIVE DATE: 11/18/03

STAFF REQUISITIONING, RECRUITMENT, SELECTION, REFERENCE CHECKS, EMPLOYMENT OFFER, AND OFFER LETTERS

The Recruitment and Staffing office of the Division of Human Resources provides recruitment, screening and counseling services for Hiring Officers of the University seeking candidates for posted, regular, non-academic positions. The University is committed to affirmative action/equal employment opportunity and to full compliance with federal, state and local regulations regarding employment.

101.1 REQUISITIONING

When a position is created or becomes vacant, a Request for Compensation-Employment Services (HR1) and a completed Position Information Questionnaire should be submitted to the Compensation office of the Division of Human Resources. The position will be reviewed to ensure proper classification.

The Hiring Officer should consult Compensation for advice on establishing the position and before completing the HR1 and PIQ under these circumstances:

- a. if the position is newly created;
- b. if the structure of the organization has changed; or,
- c. if the duties and/or the qualifications of the position have changed significantly

101.2 RECRUITMENT

Hiring Officers should consult with their Staff Recruiter to develop appropriate recruitment strategies once the position has been approved.

University staff members can apply directly to Hiring Officers. External applicants who meet the job qualifications will be referred to Hiring Officers by Recruitment and Staffing. Hiring Officers are encouraged to interview and consider qualified University staff members, especially those affected by position discontinuation or other restructuring efforts, to fill vacant positions.

101.3 SELECTION

Hiring Officers are responsible for interviewing, checking references and verifying application information of candidates for vacant positions. Hiring Officers are urged to seek assistance from Recruitment and Staffing when establishing the selection criteria for an opening.

A range of screening and testing services for office support services is available from Unique Advantage Partnership, Penn's sole-source temporary service provider, for applicants for skilled office support positions. Hiring Officers should contact Unique Advantage Partnership directly at (215) 222-2246.

101.4 REFERENCE CHECKS

Hiring officers are responsible for interviewing and verifying application information of candidates for vacant positions prior to making a job offer. As part of the verification process, in addition to reviewing the application for employment, hiring officers are required to:

1. Internal and external applicants: Obtain at a minimum two references from the applicant's current and previous direct supervisors. If the applicant is a finalist for the position one of the references must be from the applicant's current supervisor. These references, obtainable either in writing or via the telephone, must be completed on HR Form 211. (Form 211 is contained in the hiring officer packet and is available on Human Resource's website at www.hr.upenn.edu) Copies of these references must be sent to Recruitment and Staffing prior to receiving authorization to hire from Recruitment and Staffing.

Supervisors are advised to also request a copy of the applicant's most recent performance appraisal.

2. Former Penn staff members: In addition to the required two references, supervisors are advised that if an applicant was formerly employed by the University, they should contact the applicant's supervisor from that position. The records of former staff members who were terminated involuntarily may be subject to review by Human Resources in order to determine the circumstances of the termination.

101.5 EMPLOYMENT OFFER

To insure adherence to applicable University policies, salary practices and federal law, after the search has been completed, but before an offer is made, the Hiring Officer is required to consult with Recruitment and Staffing.

A signed employment application as well as authorization from the Affirmative Action Compliance Officer and Recruitment and Staffing are required before a Hiring Officer may make an offer to the successful candidate. Consequently, the Hiring Officer must complete the Affirmative Action Compliance Form and submit it to the appropriate Affirmative Action Compliance Officer for approval. After the Compliance Officer signs off on the hire, the Hiring Officer must consult with Recruitment and Staffing to determine the appropriate salary and obtain authorization to hire. Once approved, Recruitment and Staffing will forward an Authorization for Employment Action (HR2).

ANY SCHOOL/CENTER THAT MAKES AN UNAUTHORIZED OFFER OF EMPLOYMENT OR A SIGNIFICANT CHANGE IN CONDITIONS OF EMPLOYMENT OF AN EMPLOYEE ASSUMES RESPONSIBILITY FOR ANY PENALTIES, LIABILITIES AND EXPENSES WHICH MAY ARISE OUT OF THAT ACTION.

101.6 OFFER LETTERS

All offers of employment by University Hiring Officers must be confirmed in writing, using a standard format. The Offer Letter template is included in the hiring packets sent to Hiring Officers after a position has been posted and is also available on Human Resource's website at www.hr.upenn.edu. (Also see Appendix A) The offer letter reflects any of the contingencies upon which the offer is being extended. Those may include: the funding for the position, compliance with the federal Immigration and Control Act and continued work eligibility, review of records and references, compliance with performance expectations for the position.

Applicants accepting offers must sign a statement at the bottom of the offer letter, indicating acceptance and understanding of the conditions of the offer. A copy of the signed offer letter must be retained in the employee's official Human Resources personnel file.

The offer letter should be sent immediately to the prospective staff member following the oral acceptance of the offer and the salary for the position. The prospective staff member must sign the letter, and return it to the hiring officer. Copies of the signed offer letter should be forwarded to Recruitment and Staffing and also retained in the departmental employee file.

101.7 ESTABLISHING THE MINIMUM STAFF RECORD

To establish the minimum record for staff members, the following must be forwarded to HR/Records:

1. Signed offer letter
2. A completed W-4 form
3. An I-9 form (required by the Immigration Control Act of 1986), along with photocopies of the documents used for verification in section 2

Please use a sealed confidential envelope when sending these documents. While a signed copy of the offer letter may be maintained locally within the department/school/center, copies of the W-4 and I-9 *should not be maintained locally*.

In certain cases additional forms may be required. The following chart indicates which forms are necessary for each type of appointment:

TYPE OF APPOINTMENT	ADDITIONAL FORMS
Full-time academic staff	Faculty Data Form Personnel Record
Faculty support staff	Appointment Information Form
Regular administrative/Support staff	HR-2
Work-study student	Job Appointment Form
Age 17 or under (not a high school graduate)	Working papers
Foreign Nationals	Appointment Notice

In addition, any individual who does not have a social security number is required to submit a receipt for a social security application.

101.8 TEMPORARY STAFF MEMBERS

Departments that hire temporary staff members are to follow the following guidelines:

1. All applicants for temporary employment must complete an application for employment.
2. Prior to hiring a temporary staff member, supervisors should check the employment history and obtain at a minimum two references from the applicant's current and previous direct supervisors. It is recommended that HR Form 211 be used when obtaining the reference. (Form 211 is contained in the hiring officer packet and is available on Human Resource's website at www.hr.upenn.edu)
3. All offers of employment to temporary staff members must be confirmed in writing, using a standard format. The template is available on Human Resource's website at www.hr.upenn.edu. (Also see Appendix B) The offer letter reflects any of the contingencies upon which the offer is being extended. Those may include: the fact that the position is temporary and does not receive University benefits, the funding for the position, compliance with the federal Immigration and Control Act and continued work eligibility, review of records and references, compliance with performance expectations for the position.

In establishing the minimum record for temporary staff members the following must be forwarded to Records:

1. A completed W-4 form
2. An I-9 form (required by the Immigration Control Act of 1986)

Applicability: Staff Hires

Xref: [Policy 103](#), [Policy 104](#), [Policy 106](#), [Policy 108](#), [Policy 111](#), [Policy 114](#), [Policy 201](#), [Policy 618](#)

Appendix A:

[Click here](#) to download a sample offer letter for External candidates on grant funding

[Click here](#) to download a sample offer letter for External candidates not on grant funding

[Click here](#) to download a sample offer letter for Internal candidates on grant funding

[Click here](#) to download a sample offer letter for Internal candidates not on grant funding

Appendix B:

[Click here](#) to download a sample appointment letter for Temporary personnel

POLICY NO: 102

SUPERSEDES POLICY NO: 102 (09/01/91, 3/22/1994)

EFFECTIVE DATE: 11/18/2003

EMPLOYMENT ADVERTISING

Before an advertisement may be placed, the Hiring Officer must obtain approval to conduct a search for the position from the Division of Human Resources.

To ensure that staff position openings advertised in media outside the University are consistent, comply with University policy and with applicable federal, state, and local regulations, and are presented professionally, all advertising copy for authorized staff position openings must be approved by a Recruitment specialist in the Division of Human Resources.

All display ads for University openings must use approved graphics, copies of which are obtainable through Logan 4, Creative Communications. These graphics will help project a consistent image of the University within display ads. Display ads without these standardized graphics cannot be published.

Assistance with wording, format and media placement is available through the Division of Human Resources.

The cost of the advertisement is the responsibility of the department or administrative unit in which the position opening is located.

Applicability: Staff Hires

Xref: [Policy 101](#), [Policy 104](#)

POLICY NO: 103
SUPERSEDES POLICY NO: 106
EFFECTIVE DATE: 9/1/1991

SEARCH COMMITTEE

Individuals convening search committees are urged to seek advice from your human resources representative and or the Department of Human Resources/Employment with respect to University recruitment and selection procedures.

A member of the human resources staff will act as advisor to the principal Hiring Officer or to the chairperson of the search committee to insure compliance with University policies and procedures.

Procedures for the conduct of searches and consideration of candidates for certain specific positions are set forth in the Handbook for Faculty and Academic Administrators and The Bylaws of University Council. (Copies may be obtained from the Office of the Secretary of the University.)

In addition, consultative committees may be established at the discretion of the Hiring Officer to advise on the screening and hiring of candidates for any key position. A key position is one which has significant impact on various internal and external constituencies.

A Hiring Officer who establishes such an consultative committee should include members of affected constituencies.

Applicability: Staff Hires
Xref: [Policy 101](#), [Policy 102](#), [Policy 104](#)

POLICY NO: 104
SUPERSEDES POLICY NO: 104 (09/01/91)
EFFECTIVE DATE: 1/18/99

POSTING OF POSITION OPENINGS

The University of Pennsylvania requires posting of non-faculty position openings within the University for at least seven calendar days before hiring a candidate to fill the position. Announcements of position openings provide employees with information about opportunities for promotion and transfer. An announcement includes a brief description of the duties and qualifications required. Employees interested in promotion are encouraged to read these announcements regularly and to contact the Division of Human Resources/Recruiting and Staffing.

104.1 POSTING LOCATIONS AND JOB INFORMATION

Job openings are posted daily on the Penn Web site: www.hr.upenn.edu, and in the Job Application Center, 3550 Market Street, Suite 110, Philadelphia, PA 19104, from 7:30 AM to 6:00 PM, Monday through Friday.

Penn employees may apply directly to hiring officers, and can E-mail askhr@hr.upenn.edu, or call 898-7284 to obtain the name and address of the hiring officer. Internal applicants who are interested in applying for all jobs of a certain classification, i.e. all coordinator postings, are encouraged to submit their resumes online at www.hr.upenn.edu/jobs. External applicants should apply online at www.hr.upenn.edu/jobs.

Applicability: Staff Hires

XRef: [Policy 101](#), [Policy 102](#), [Policy 105](#)

POLICY NO: 105

SUPERSEDES POLICY NO: 103.1 - 103.4

EFFECTIVE DATE: 09/01/91

EXEMPTIONS FROM POSTING

Exemptions from posting (waivers) may be granted in certain situations (see below). All requests for exemptions from posting must be in writing and submitted with the Request for Compensation-Employment Services (HR1). The Office of Affirmative Action in conjunction with Department of Human Resources/Employment will review all requests for exemptions from posting.

105.1 EXEMPTION: ASSIMILATION INTO THE UNIVERSITY

In general, when an external unit from another institution is assimilated into the University, the University will not intervene in the selection of the employees of that unit if selection occurs prior to affiliation with the University.

Before individuals covered by these conditions can be placed on the University payroll, consultation with the Office of Human Resources is required. The Department of Human Resources/Compensation staff will review the existing jobs to ensure that all titles and salaries fit into the compensation system in effect for the University.

In addition, the head of the unit being assimilated into the University will be apprised of his or her responsibilities under the University's Affirmative Action Program and will be informed of all procedures to be followed.

Vacancies which occur after formal affiliation with the University will be treated as all other University positions, and all procedures for posting and selection will apply.

105.2 EXEMPTION: CANDIDATE POOL FROM RECENT SEARCH

Under this exemption, candidates who are considered may only be those who are drawn from pools which (1) have been developed as a result of prior advertisements, posting and prescreening, and (2) contain a reasonable number of protected class candidates.

The candidate who is selected to fill the current vacancy may be selected only from among the candidates in the pool, and it must be shown that the regular posting and search procedure would create undue delays and financial hardship for the hiring department.

A request for Compensation and Employment Services (HR1) is submitted to the Affirmative Action Compliance Officer of the school or unit with an accompanying explanation of the reasons for requesting exemption from posting. The Compliance Officer forwards the HR1 to Department of Human Resources/Compensation with a recommendation.

After Department of Human Resources/Compensation has reviewed and classified the position, the HR1 is forwarded to Department of Human Resources /Employment. Waiver of Posting requests are then forwarded to the Office of Affirmative Action which may grant the waiver or deny the request and require posting. The Hiring Officer will be notified by the Office of Affirmative Action of its decision.

105.3 EXEMPTION: CHANGE IN SOURCE OF FUNDING

When budgetary considerations make it necessary to move an individual from one budget to another with no change in pay or responsibilities, the position on the new budget is not considered to be a new position and is exempted from the posting requirement.

105.4 EXEMPTION: TEMPORARY APPOINTMENT

A position vacancy which is to be filled on a temporary basis need not be posted.

Temporary positions are full-time or part-time for a specified term not to exceed 999 hours in a fiscal year (July 1 through June 30).

Posting is required when a position changes from temporary to regular, even if the person holding the temporary appointment will be considered for the regular position.

Applicability: Staff Hires

Xref: [Policy 101](#), [Policy 104](#), [Policy 114](#)

POLICY NO: 106

SUPERSEDES POLICY NO: 107

EFFECTIVE DATE: 09/01/91

APPLICANT TESTING

All applicant testing for staff positions is administered by Department of Human Resources /Employment. Any test (oral, written or physical) used for the screening and selection of

applicants for staff positions at the University will be administered in accordance with the terms of the University's Affirmative Action Program. Any screening tests administered will comply with legal standards for job-relatedness, statistical reliability and validity. All tests must be approved by the Vice President of the Office of Human Resources (or designee) and the Director of Affirmative Action.

Test results may be discussed with Hiring Officers as a part of a candidate's qualifications for the position.

106.1 WAIVER OF TESTING

In the event that the Hiring Officer elects to waive the test for one applicant, it will be therefore waived for all applicants.

Applicability: Staff Hires

Xref: [Policy 101](#)

POLICY NO: 107

SUPERSEDES POLICY NO: 111

EFFECTIVE DATE: 09/01/91

EMPLOYMENT OF MINORS

Employees under 18 years of age are prohibited by law from performing certain types of work such as machine operation, or any other activities which might expose them to conditions defined by the regulations as hazardous to minors. The exception is a 17-year-old who has either graduated from high school or been legally dropped from the school rolls.

Additional limitations apply to employment of persons under the age of 16. In no case may minors under the age of 14 be employed at the University.

To insure compliance with the law for the appointment of minors, the following steps must be taken:

- a. Obtain the appropriate certifications from the State of California and/or the minor's school.
- b. The Hiring Officer / Supervisor completes the necessary forms or certificates.
- c. Return the forms and/or certificates. In approximately two weeks the Employment Certificate (working papers) will be mailed directly to the Hiring Officer/Supervisor.
- d. Send a copy of each minor's Employment Certificate to the Office of Human Resources/Information Management upon appointment or reappointment. The original certificate should remain in the Hiring Officer's departmental file and must be returned by the hiring department to the Vocational Guidance Service upon completion of employment. Appointments of minors will not be accepted without working papers.

e. In order to comply with the Immigration Reform and Control Act of 1986, an I-9 form must be completed and forwarded to Department of Human Resources /Information Management upon appointment of a minor. There is an expanded list of employment authorization documents approved by the Immigration and Naturalization Service available from Department of Human Resources /Employment.

If there are any questions, please contact Department of Human Resources /Employment at extension 8-7287.

Applicability: Staff Hires

POLICY NO: 108

SUPERSEDES POLICY NO: 110

EFFECTIVE DATE: 09/01/91

EMPLOYMENT OF NON-U.S. CITIZENS

This policy has been designed to assure compliance with the laws, regulations and procedures governing the employment of individuals who are not United States citizens.

With authorization from Department of Human Resources /Employment, individuals who are not United States citizens or immigrants with permanent resident status are permitted to work as staff members at the University provided that there is compliance with applicable laws, regulations and procedures.

Immigration and Naturalization Service regulations require that non-citizens apply for and obtain the appropriate visa and required endorsement before they can be lawfully employed. This process often takes several months and may be delayed even longer by diplomatic complications. Therefore, it is important to advise non-citizen applicants that they begin the process well in advance of the date they expect to work.

Foreign nationals who have permanent resident status in the United States can be employed under the same conditions as United States citizens. All new employees, regardless of citizenship, are required to provide at the time of hiring appropriate documentation establishing identity and employment eligibility.

108.1 OFFICE OF INTERNATIONAL PROGRAMS

Departments contemplating inviting a foreign scholar to the University should check with the Office of International Programs. It offers a full range of services on immigration and can provide advice on regulations, housing and insurance as well as assistance with the Immigration and Naturalization Service.

Any cases which result in termination of the appointments of faculty or staff who are not United States citizens by the University must come to the notice of the International Programs Office and the Office of Staff Relations.

Applicability: All Faculty & Staff

Xref: [Policy 101](#), [Policy 104](#), [Policy 105](#), [Policy 119](#)

POLICY NO: 109

SUPERSEDES POLICY NO: 116,109 (Effective 9/01/91)

EFFECTIVE DATE: 10/01/02

EMPLOYMENT OF UNIVERSITY STUDENTS

The University encourages employment of students to fill temporary or part-time positions. Students are available throughout the school year and often during vacation periods; many have special skills and training that may be useful on the job.

To fill a temporary or part-time position with a student, consult Student Employment Office.

Policies in addition to those below may be promulgated under the direction of the Provost.

Administrators are advised to consult the Student Employment Office regarding student employment policy matters.

109.1 LIMITATIONS

A full-time student (one who is enrolled in three or more courses) may not be employed in a full-time position with the University. A student's primary responsibility is his/her academic achievement and work cannot be a priority for a student. The Student Employment Office advises that twenty hours of employment per week is the maximum for undergraduates and graduates, both work-study students and student workers.

109.2 RATES OF PAY

Students are entitled to the legal hourly minimum wage. The Student Employment Management System (SEMS) is the mode by which faculty and staff can create a work-study job on-line. The job level and wage rate is also determined by using SEMS.

Applicability: Student Hires

Xref: [Policy 108](#), [Policy 114](#), [Policy 301](#)

POLICY NO: 110

SUPERSEDES POLICY NO: 108

EFFECTIVE DATE: 02/01/90

EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

University policy permits the employment of more than one member of a family (including parents, siblings, spouse and children), whether or not the persons concerned are in the same

academic or administrative department. The University's sole concern, in such appointments as in all others, is that faculty or staff members are the best candidates with respect to the requisite academic or administrative qualifications for employment. However, the University recognizes that the appointment of two or more family members, especially within the same department, can lead to abuses and generate pressures and prejudice among colleagues. To guard against such conflicts, the following practices should be observed:

110.1 HIRING PRACTICES

Faculty and staff are welcome to refer relatives who are interested in working at the University to Human Resources/Employment.

Employment decisions are based on each applicant's qualifications and work history.

University policies and procedures governing hiring practices must be followed.

110.2 RESTRICTIONS

Faculty and Staff members are not permitted to participate or influence in any way hiring, promotion, termination, salary, performance evaluations or vital decisions concerning the employment of a member of his/her family.

Any individual who makes an unauthorized offer of employment or a significant change in conditions of employment involving family members assumes responsibility for any penalties, liabilities and expenses which may arise out of that action.

110.3 EXCEPTIONS

A person under consideration for employment who has a relative employed by the University in the same department, or in a department for which the relative has direct or indirect administrative responsibility, may be employed if there is a compelling reason. In such cases written permission must be obtained from the Dean of the School or Vice President of the area.

While general responsibility for assuring adherence to this policy must rest with those responsible for appointments and assignments, a particular responsibility for sensitivity to the potential conflicts falls on the family members.

110.4 UNION EMPLOYEES

University employees who are covered by a collective bargaining agreement should refer to the appropriate contract article, not to this policy.

Applicability: All Faculty & Staff

Xref: [Policy 101](#), [Policy 104](#), [Policy 108](#)

POLICY NO: 111
SUPERSEDES POLICY NO: 105
EFFECTIVE DATE: 09/01/91

OUTSIDE AGENCY REFERRAL

A Hiring Officer may decide to supplement the University's regular recruitment process with the services of a commercial search and placement agency. The cost for such services is charged directly to the hiring department.

Use of outside agencies should be limited. Permission to use the University's name in the advertising must be obtained from the Manager of Department of Human Resources/Employment. In instances where an outside agency is being used to recruit academic administrators, permission must also be obtained from the Provost.

Applicability: All Faculty & Staff
Xref: [Policy 101](#), [Policy 104](#)

POLICY NO: 112
SUPERSEDES POLICY NO: 117 & 117.1
EFFECTIVE DATE: 02/01/90

USING TEMPORARY AGENCIES

When substitute or additional help is needed and the employment of students is impractical or inappropriate, administrators may request help from an agency outside the University. Department of Human Resources/Employment can be contacted for a listing of recommended agencies and their rates. Administrators who need temporary service personnel may call the local offices directly.

Temporary service personnel are not employees of the University and are not eligible for compensation or benefits through the University.

112.1 EMPLOYMENT OFFER

If a department head wishes to offer regular employment in a University position to an employee from an agency which provides temporary substitute or additional help, prior approval of Department of Human Resources/Employment is required.

Applicability: All Faculty & Staff
Xref: [Policy 101](#), [Policy 104](#)

POLICY NO: 113
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 02/01/90

VOLUNTEERS

Individuals 18 years of age or older who volunteer their services and donate their time for University activities are not considered employees for any purpose. Volunteers are not eligible for University benefits or Workers' Compensation.

Volunteer status may not be used as a way to avoid or defer compliance with the employment eligibility certification requirements of the Immigration Reform and Control Act of 1986.

Applicability: Persons Age 18 or Over

Xref: [Policy 108](#)

POLICY NO: 114

SUPERSEDES POLICY NO: 114 (2/1/90)

EFFECTIVE DATE: June 1, 1998

TEMPORARY EXTRA PERSONS

The University employs individuals in a variety of salary categories to support and enhance the academic and research missions of the University. One of the categories provided is "Temporary Extra Persons," a salary status which allows a department to meet specific increased staffing needs for a limited period of time. If an area is considering the use of a Temporary Extra Person, certain Federal regulations and corresponding University policies apply.

Questions concerning the use of Temporary Extra Persons should be addressed to Human Resources/Staff & Labor Relations, 898-6093.

Temporary Extra Persons must be supervised by a regular University employee at all times.

114.1 DEFINITION

Temporary Extra Persons receive salary, but no benefits, enabling departments to augment staff for a predetermined specific period of time. A Temporary Extra Person cannot work more than 999 hours in any one fiscal year (July 1 - June 30).

114.2 INFORMING APPLICANT OF SALARY STATUS

Job applicants must be clearly informed that, if hired, their status will be "temporary"; that is, they may not work more than 999 hours in a fiscal year and they are not eligible for University benefits.

114.3 EXCEEDING THE 999 HOUR LIMIT

Any person who works more than 999 hours in a fiscal year must be credited with pension benefits for one complete year. University policy mandates that when persons work more than

999 hours in a fiscal year the full employee benefit rate automatically be charged against the employing departmental budget.

114.4 PAYING THE TEMPORARY EXTRA PERSON

Before a Temporary Extra Person will receive a paycheck from the University, all applicable forms must be completed and forwarded with forms W4 and I9 to the Human Resources/Records.

Applicability: All Temporary Staff Members

XRef: [Policy 101](#), [Policy 108](#), [Policy 205](#)

POLICY NO: 115

SUPERSEDES POLICY NO: 115 (02/01/90, 04/01/98, 07/01/00)

EFFECTIVE DATE: 12/14/2004

LIMITED SERVICE STAFF MEMBERS

115.1 DEFINITION

A Limited Service staff member is a staff member who works full-time (35 - 40 hours per week) for 9 or 10 months of the fiscal year and whose appointment is on-going. The months worked need not be consecutive.

115.2 SALARY

Limited Service staff members receive a fraction of the full-time annual salary for their positions in direct proportion to the fraction of the year in which they actively work. Calculations are based on a monthly basis for exempt staff members and on a fifty-two week basis for non-exempt staff members.

115.3 BENEFITS

Limited Service staff members are eligible for the benefits available to full-time staff members with limitations on paid time off and no paid leave for military duty. Information concerning specific benefits follows.

115.3a Health

Limited Service staff members are eligible for the University contribution toward the monthly premium cost upon appointment. Staff member contributions are made through payroll deduction--monthly for exempt staff, weekly for non-exempt staff.

115.3b Dental

Eligibility for University contribution toward the monthly premium cost of single coverage begins upon appointment. Staff member's contributions are made through payroll deduction.

115.3c Vision

Limited Service staff members are eligible for University group rates. The entire premium is paid by the staff member through payroll deduction.

115.3d Life Insurance

Coverage begins upon appointment and premiums are paid for the basic level of coverage by the University.

115.3e Pre-Tax Expense Accounts

Limited Service staff members are eligible to contribute to the Health Care and Dependent Care Pre-Tax Expense Accounts upon appointment.

115.3f Long Term Care Insurance

Limited Service staff members are eligible for University group rates. The entire premium is paid by the staff member.

115.3g Sick Leave/Short Term Disability

Accrual of sick leave is the same as for full-time staff members. There is no sick leave accrual for the months the staff member is not working at Penn.

115.3h Long Term Disability

Participation is the same as for full time staff. Senior administrative officers are eligible upon appointment.

115.3i Retirement

Limited Service staff members are eligible for the Tax-Deferred Retirement Plan (TDR). Participation is subject to the terms and conditions of the plan. Limited Service staff members may also participate in the Voluntary Supplemental Retirement Annuity (SRA).

115.3j Faculty/Staff Scholarship Program

Eligibility for Faculty/Staff Scholarships is under the same terms and conditions as for regular full-time staff members.

115.3k Paid Time off

Four (4) days of paid time off are given each July 1 for use only in that fiscal year. Paid time off days may not be carried over into the next fiscal year. Any unused paid time off days will be paid out to Limited Service staff members at the end of the fiscal year.

Limited Service staff members who are hired prior to January 1 will receive four (4) days of paid time off. Limited Service staff members who are hired after January 1 will receive two (2) days of paid time off to be used in the remainder of that fiscal year.

Limited Service staff members terminating employment will be paid for any unused paid time off remaining for that fiscal year.

115.3l Holidays

Time off with regular pay is granted in accordance with University policy for all holidays, including the special vacation days between Christmas and New Year's Day, which fall within the scheduled period of active work. No additional payment is made for holidays which fall outside scheduled working periods.

115.3m Leaves with Pay

Eligibility for paid leave for jury duty and death in the family is the same as for regular full-time staff members.

115.3n Leaves without Pay

University policy is the same as for regular full time staff members.

115.4 USE OF FACILITIES

Limited Service staff members are eligible for the use of University facilities (libraries, recreational programs, Faculty Club, etc.) in accordance with University policies for staff members.

Applicability: All Limited Service Staff Members

XRef: [Policy 101](#), [Policy 302](#), [Policy 401](#), [Policy 402](#), [Policy 403](#), [Policy 404](#), [Policy 405](#), [Policy 406](#), [Policy 407](#), [Policy 408](#), [Policy 409](#), [Policy 410](#), [Policy 411](#), [Policy 412](#), [Policy 604](#), [Policy 605](#), [Policy 606](#), [Policy 607](#), [Policy 608](#), [Policy 609](#), [Policy 610](#), [Policy 611](#), [Policy 612](#), [Policy 613](#), [Policy 614](#), [Policy 615](#), [Policy 616](#)

POLICY NO: 116

SUPERSEDES POLICY NO: 116 (02/01/90)

EFFECTIVE DATE: 07/01/99

REGULAR PART-TIME STAFF MEMBERS

116.1 DEFINITION

A Regular Part-time staff member is defined as a person who works between 910 and 1456 hours a year (17.5 - 28 hours per week). The employee fills an ongoing, budgeted position approved by Human Resources/Compensation.

116.2 SALARY DETERMINATION

The salary is based on the full-time position that corresponds to the part-time position being filled. The part-time position is then assigned the grade level of the full-time position and the staff member is paid the hourly rate of the comparable full-time position.

116.3 BENEFITS

116.3a. Health

Regular Part-time employees are eligible for University group rates. The entire premium is paid by the staff member.

116.3b Dental

Not eligible.

116.3c Vision

Regular Part-time employees are eligible for University group rates. The entire premium is paid by the staff member.

116.3d Life Insurance

Regular Part-time employees are eligible for University group rates. The entire premium is paid by the staff member. Regular Part-time employees are eligible for coverage equal to twice their annual salary.

116.3e Pre-Tax Expense Accounts

Regular Part-time employees are eligible to contribute up to \$1,000 per year to the Health Care Pre-Tax Expense Account after two years of continuous service. Regular Part-time employees are eligible to contribute up to \$5,000 per year to the Dependent Care Pre-Tax Expense Account upon appointment.

116.3f Long Term Care Insurance

Regular Part-time employees are eligible for University group rates. The entire premium is paid by the staff member.

116.3g Sick Leave

Part-time employees are eligible on a pro-rata basis.

116.3h Long Term Disability

Not eligible

116.3i Retirement

Regular Part-time staff members who work 1000 or more hours per year are eligible for retirement credit under the Retirement Allowance Plan (RAP) for that year. Exempt Regular Part-time staff members who opted to participate in the University's matching plan prior to September 1, 1989 remain eligible for that plan. Full-time staff members who change to a Part-time status will be covered under the RAP as of the date of their status change. All Regular Part-time staff members are also eligible to contribute to the Supplemental Retirement Annuity (SRA) plan.

116.3j Faculty/Staff Scholarship Program

Not eligible.

116.3k Vacation

Regular Part-time staff members are eligible on a pro-rata basis.

116.3l Holidays

Regular Part-time staff members are eligible for time off with pro-rata pay for all holidays, including the special vacation days between Christmas and New Year's Day, which fall on one of the staff member's regularly scheduled workdays.

116.3m Leaves with Pay

Eligible on a pro-rata basis.

116.3n Leaves without Pay

University policy is the same as for regular full-time staff members.

116.4 USE OF FACILITIES

Part-time staff members are eligible for the use of University facilities (libraries, recreational programs, Faculty Club, etc.) in accordance with University policies for administrative/professional and support staff members.

Applicability: All regular Part-time employees

Xref: [Policy 101](#), [Policy 303](#), Policies 401-412, Policies 604-617

POLICY NO: 119

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 02/01/90

UNIVERSITY SPONSORSHIP FOR U.S. PERMANENT RESIDENCE STATUS FOR STAFF POSITIONS

119.1

The University of Pennsylvania has occasionally sponsored individuals for permanent residence where the staff position is a "professional" one and where the department has substantiated that the position is of a regular nature and verified that there are no available U.S. workers available for the position. In recognition that this verification is a difficult claim, at best, given the nature of staff positions at the University of Pennsylvania and given the potential for quality candidate pool of available U.S. workers for any staff position advertised, it therefore shall be the policy that the University will not sponsor persons for permanent residence status where it is supported by a regular A-1, A-3, or A-4 position.

119.2 EXCEPTIONS

To the degree that an exception to this policy is warranted, the written request for exception must be compelling and must be approved by the Vice President, Human Resources, prior to initiation of sponsorship activity.

Applicability: All Non-U.S. Citizens

Xref: [Policy 101](#)

POLICY NO: 201
SUPERSEDES POLICY NO: 101
EFFECTIVE DATE: 9/1/1991

CONFIDENTIALITY OF RECORDS

201.1 CONFIDENTIALITY

To insure confidentiality, uniformity, and accuracy of personnel information, it is the responsibility of Office of Human Resources/Information Management/Records (DHR/IM/Records) to handle all inquiries, other than subpoenas, which require reference to documentary records concerning past and present staff of the University. Responses to the subpoenas are handled by the Office of the General Counsel. Inquiries received by other offices should be referred to DHR/IM/Records. All subpoenas and inquiries from lawyers should be referred to the Office of General Counsel, pursuant to Policy #203.

Personnel records, including those established in connection with the selection process, are University property and are afforded confidential treatment at all times.

Individually identifiable personal information contained in computerized data bases, whether maintained centrally or by schools, departments or other units, is afforded the same confidential treatment that applies to written records.

The Provost (or designee) shall administer this policy with respect to the records of faculty members. The Vice President for Human Resources (or designee) shall administer the policy with respect to the records of staff members. Dean and/or Vice Presidents and Directors shall notify the Provost or the Vice President for Human Resources, as appropriate, of the name of the individual who shall serve as custodian for personnel records maintained in their areas of responsibility and who shall implement this policy as to those records.

A. Exceptions

This policy does not cover disclosures of information which are made on the basis of personal knowledge or recollection.

This policy does not apply to applicants for employment unless they are subsequently hired.

201.2 ACCESS TO RECORDS

Both active and retired members of the faculty and staff have the right of access to their records as described in this policy.

Individuals who are on leave of absence or whose employment has been terminated for reasons other than retirement with reemployment rights have the right of access.

Legal representatives of deceased faculty and staff members shall have the right of access for five (5) years after the death of the individual.

Note: Exceptions to the above may be granted by the Provost or the Vice President for Human Resources.

201.3 REVIEW OF RECORDS

- A. An individual may review his or her records by making an appointment with the Department of Human Resources/IM/Records during regular business hours. DHR/IM/Records will assure that references to others which may be contained in the file are deleted for the purpose of the review. For exceptions please refer to LIMITATIONS ON REVIEW OF RECORDS.
- B. The review will take place in the office where the records are maintained and in the presence of a designated staff member of DHR/IM/Records.
- C. The individual will sign a log indicating the date of the inspection of the records.
- D. If necessary, an individual may request copies of his/her records. There is no charge for copies of records referred to in the Occupational Health and Safety Act (OSHA) standards for access to medical records; for other records a reasonable charge may be made for reproduction costs.

201.4 CORRECTION OF RECORDS

If an individual considers a record is misleading, contains a statement of fact which can be shown to be erroneous, or contains information which is not relevant, a correction may be requested.

The request must be submitted in writing to DHR/IM/Records.

A request for correction of information such as date of birth must be accompanied by supporting documentation, for example, birth certificate or passport.

The designated custodian of the records may consult the Provost (or designee) or the Vice President for Human Resources (or designee), as appropriate. On the basis of this consultation, the custodian either makes the correction or indicates the reason why the request is denied.

If a correction is sought on an appropriate ground but is denied, the individual involved may submit for inclusion in the file a short statement explaining the grounds for the request and the correction sought. The Provost or the Vice President for Human Resources may submit a counterstatement, a copy of which is sent to the affected individual. Both statement and counterstatement shall be placed in the Personnel Record.

201.5 LIMITATIONS ON REVIEW OF RECORDS

To protect against inappropriate disclosure of confidential information, certain records including those containing confidential information about more than one individual and medical records

are not open to review by an individual who is a subject of the record. These records are maintained separately from other benefit records and may be available under separate policies or practices applicable to all recipients of care at the Hospital of the University of Pennsylvania or elsewhere at the University.

Individuals may not review the following:

- records which contain confidential information about other people;
- all letters of recommendation relating to the consideration of a faculty member or a staff member for appointment, re-appointment, promotion or tenure unless released by written consent of the author;
- documents including records concerning benefits which are being developed or prepared for use in civil, criminal or grievance procedures;
- records relating to the investigation of a possible criminal offense;
- medical and hospital records.

201.6 RECORDS WHICH MAY BE DISCLOSED TO THIRD PARTIES

Information contained in personnel records may be disclosed by the University without the written consent of the subject of the record when the Provost or Vice President for Human Resources concludes that a constructive purpose would be served or when required by law in the judgment of the Office of General Counsel.

Unless specifically excepted in this policy, the content of personnel records may not be disclosed to third parties without the express written permission of the individual who is the subject of the record. The written permission must describe specifically the records to be disclosed and the persons to whom they are to be disclosed.

Except for disclosures of directory information and as required by law, the University shall notify any third party to whom disclosures are made that disclosures are made under the condition that the party shall not make any redisclosure of the information without the written consent of the subject of the record.

Information on the procedure, forms and circumstances specified below may be disclosed to third parties.

- A. Directory Information: name, title, department, employment date, and termination date may be disclosed unless expressly prohibited by the subject of the record.
- B. Authorized Individuals: personnel records may be disclosed to University officials, and authorized individuals performing work for the University who require the information for the performance of their duties.
- C. Legal Requirements: the University may release personnel records in response to a lawful subpoena, warrant, or court order or if, in the opinion of the Office of General Counsel, such records could be required by law to be produced for any reason, including disclosure to a government agency. Whenever possible, notice of disclosure shall be given in

advance through the Almanac for general categories of personnel records or by mail for individual records.

- D. Protection of University Interests: the University may disclose information contained in records to protect its legal interest when it believes the actions of an individual violate or have violated his/her conditions of employment or threaten injury to people or property.
- E. Collective Bargaining Agreements: information may be disclosed as required under the terms of a collective bargaining agreement.
- F. Emergencies: information may be disclosed if, in the judgment of the designated custodian of DHR/IM/Records, such disclosure is necessary to protect the health, safety or property of any person.

201.7 EXEMPTIONS TO THIRD PARTY DISCLOSURE POLICY

The Office of Affirmative Action, Office of Human Resources and Office of General Counsel are exempted from policy 201.6.

201.8 RECORD RETENTION REQUIREMENTS

Records shall be maintained for the period specified by state or federal law, or longer at the direction of the Provost, the Vice President for Human Resources, the University Archivist or the General Counsel.

- Records will be retained according to the following schedule:
- Affirmative Action records 7 years
- Information Management / Records 5 years after death Files
- Medical records relating to 30 years beyond job qualification termination date
- Records relating to faculty 5 years appointment or promotion after death
- Grievance records 5 years after death
- Public Safety records 5 years after death
- *Payroll 7 years
- *Occupational Safety and Health Act (OSHA) records of exposure to toxic substances 30 years
- *Applications (unsuccessful 2 year candidates)

*Payroll, OSHA records and applications are retained according to this schedule and are not dependent on employment status.

The Department of Public Safety and the Hospital of the University of Pennsylvania shall develop their own record retention policies for security records and medical records.

Faculty grievance records are retained permanently.

Applicability: All University Employees

Xref: [Policy 001](#)

POLICY NO: 202
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 2/1/1990

VERIFICATION OF EMPLOYMENT

The Division of Human Resources/Information Management/Records uses "The Work Number for Everyone" to verify the employment of individuals by the University, for faculty and staff who may be establishing credit or applying for employment. The employee is responsible for authorizing the release of this information to the verifier. To find out how to do this, click on [The Work Number for Everyone](#), or call 1-800-996-7566.

Applicability: All Faculty & Staff
Xref: [Policy 201](#)

POLICY NO: 203
SUPERSEDES POLICY NO:
EFFECTIVE DATE: 2/1/1990

SUBPOENA

The response to any subpoena having to do with University records or any other aspect of University affairs will be formulated by the Office of the General Counsel.

Anyone receiving a subpoena concerning University business must contact the Office of the General Counsel immediately

Requests for written or oral information from attorneys or external agencies or courts should be directed to the Office of General Counsel. No University employee should speak to an outside attorney, except on his or her personal business, without the express consent of the Office of General Counsel.

Applicability: All Faculty & Staff
Xref: [Policy 610](#)

POLICY NO: 204
SUPERSEDES POLICY NO: 119; 204 (eff.2/1/90)
EFFECTIVE DATE: 7/12/2002

IDENTIFICATION CARDS

Each faculty and regular staff member will be issued a photo identification card (PENNcard) while a member of the University community. The PENNcard is the property of the University of Pennsylvania and is not transferable. It should be carried at all times and presented upon the request of any University official.

The PENNcard shows the individual's name, photograph, signature, and Penn ID number; there is also magnetically encoded identification on the card.

204.1 OBTAINING A PENNcard

Each faculty or regular staff member can obtain a PENNcard at the faculty/staff PENNcard center located at 150 Franklin Building, 3451 Walnut Street. A separate student PENNcard is maintained for those whose primary affiliation with the University is as a student, even though many of these individuals may also receive pay from the University. For example, a Teaching Fellow would obtain a student identification card.

Staff members whose appointments are processed through Human Resources do not need to show evidence of their status as University employees to obtain a PENNcard. Faculty will present a form signed by their department business administrator as evidence of University status.

There is no charge for the initial card. There is a charge for replacement of a card unless the replacement is necessitated by change of name or change of identification.

The loss or theft of a PENNcard should be reported promptly to the issuing PENNcard center.

An employee changing from weekly-paid to monthly-paid status, or changing home departments, need not obtain a new card.

204.2 SEPARATION FROM THE UNIVERSITY

A faculty or regular staff member who terminates employment with the University for any reason other than retirement must return his/her identification card to the department business administrator at the time of separation.

An individual who retires retains his/her PENNcard as evidence of continued affiliation with the University.

Applicability: All University Employees

Xref: [Policy 205](#)

POLICY NO: 205

SUPERSEDES POLICY NO:(eff. 2/1/1990, 7/12/2002)

EFFECTIVE DATE: 2/24/2003

TEMPORARY IDENTIFICATION CARDS

A temporary staff member who is not a student and who is expected to work more than two weeks may, at the request of the hiring department, obtain a special photo identification card.

Temporary identification cards show the individual's name, photograph, signature, social security number and the card's expiration date.

205.1 OBTAINING A PENNCARD

A newly hired temporary staff member can obtain a special identification card from the PENNcard ID Center upon presentation of a form signed by the appropriate department business administrator.

There is no charge to the staff member for the initial card. There is a charge for replacement of a card unless the replacement is necessitated by change of name or change of identification (social security) number. The loss or theft of a special identification card should be reported promptly to the PENNcard ID Center.

205.2 SEPARATION FROM THE UNIVERSITY

A temporary employee whose employment is terminated with the University for any reason must return his/her identification card to the department business administrator at the time of separation.

Applicability: All Temporary University Employees

Xref: [Policy 114](#), [Policy 624](#)

POLICY NO: 206

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 10/29/1991

GUIDELINES ON COOPERATIVE EXCHANGES OF CERTAIN UNIVERSITY INFORMATION

These Guidelines apply to University information pertaining to tuition (including fees for room and board), financial aid and salary levels for faculty and administrative personnel.

- A. University officials may disclose policies and information to the public and may communicate to others policies and information once they have been made public. However, no University official shall communicate to an official of another school any plans or projections, including budget assumptions, regarding tuition and fees or general faculty salary levels prior to their final approval by the administration or the Trustees, as appropriate.
- B. University officials must not participate in one-on-one or round table discussions with representatives of other institutions about projected or anticipated levels of tuition, fees, and salaries, or budget assumptions, and if such discussions occur, University officials must excuse themselves.

- C. Decisions by the University relating to the setting of tuition, fees and salaries or the awarding of financial aid must not be based upon or refer to projections of tuition, fees, and salaries or financial aid by other educational institutions. University officials cannot solicit information concerning projected levels of tuition, fees and salaries or the methodology for awarding financial aid at other educational institutions.
- D. No University official may request from, communicate to or exchange with any college or University confidential financial aid information. For purposes of this policy, confidential financial aid information includes but is not limited to the application of a Needs Analysis Formula to, or how family or parental contribution will be calculated for, a specific applicant; the University's plans or projections regarding summer savings requirements or self-help; the aid awarded or proposed to be awarded any applicant except as required by federal law.
- E. In general, current and historical data relating to tuition, fees and salaries may be discussed and exchanged with representatives of other institutions, unless such disclosure is proscribed (for reasons other than the antitrust laws) by University or legal regulations. (For example, the University generally will not disclose the salary of any identified individual without his or her consent.) Thus, University officials may release to representatives of other institutions and to the press information relating to current or past levels of tuition, fees and aggregate salaries, and may participate in discussions with representatives of other institutions about such current or past information. However, University officials cannot disclose budget assumptions about future tuition, fees and salaries, or suggest that the University will maintain current levels of tuition, fees and salaries or will modify them in any particular way (e.g., to agree that tuition and fees will rise by a specified percentage).
- F. Any University official who learns of a violation of these Guidelines or of Section IV of the Final Judgment, must report it to the Antitrust Compliance Officer.

Questions about these guidelines should be directed to the Office of the General Counsel.

Applicability: All University Employees

Xref: [Policy 001](#), [Policy 201](#)

POLICY NO: 301
SUPERSEDES POLICY NO: 204
EFFECTIVE DATE: 2/1/1990

MINIMUM WAGE

The minimum hourly wage paid to all staff, including part time, temporary, and limited service employees, is regulated by the U.S. Department of Labor federal minimum wage or the applicable state minimum wage established by the state where the employee works, whichever is higher.

Applicability: All University Employees
Xref: [Policy 101](#), [Policy 302](#)

POLICY NO: 302
SUPERSEDES POLICY NO: 302 (04/01/98)
EFFECTIVE DATE: 11/1/1999

OVERTIME COMPENSATION AND/OR COMPENSATORY TIME

(Weekly and Hourly-Paid Staff Members Only)

This policy applies to all non-exempt weekly and hourly-paid staff members whose employment status is regular full-time, regular part-time, limited service, or temporary. All non-exempt staff members are subject to the overtime pay provisions of the Fair Labor Standards Act, as well as applicable state law, and must be compensated for all hours worked. They cannot donate their services to any entity under the direction of the Trustees of the University of Pennsylvania and are not permitted to work in excess of their regularly scheduled work hours without prior supervisory approval.

302.1 OVERTIME

According to applicable law, a non-exempt weekly or hourly-paid staff member, who works more than eight (8) hours in a day or 40 hours in a workweek, must be paid an overtime rate of one and one-half times his/her regular hourly rate of pay for all time actually worked in excess of eight hours per day or 40 hours in the workweek. The University's standard workweek for pay computation purposes is 12:01 a.m. Monday through 12:00 midnight Sunday.

A staff member may not receive compensatory time off for any of the time worked in a workweek in which he/she works in excess of 8 hours per day or 40 hours per workweek. The staff member's regular hourly rate must be paid for all time actually worked in a workweek in excess of his/her regular schedule (more than 8 hours per day or 40 hours per workweek). The overtime rate of one and one-half times his/her regular hourly rate must be paid for all time worked in excess of 8 hours per day or 40 hours in a workweek. Non-exempt staff members

cannot receive a combination of compensatory time and premium overtime pay for actual time worked in the same pay period.

When calculating overtime at one and one-half times the regular rate of pay for time worked in excess of 8 hours per day or 40 hours in a given workweek, only actual time worked is used. Time charged to sick, paid time off and other paid leave balances must not be included in this calculation.

302.2 SUPERCEDED

302.3 TIMESHEETS FOR WEEKLY AND HOURLY-PAID STAFF MEMBERS

All weekly and hourly-paid staff members should complete and sign a weekly timesheet reflecting actual time worked. The staff member's supervisor must sign the timesheet and is responsible for verifying the actual time worked (See Appendix A for a sample timesheet).

302.4 ADMINISTRATION

The supervisor must maintain the appropriate records which track the actual days and time worked and straight-time and overtime worked. Records should include weekly timesheets signed by the staff member and the supervisor and Time Report Forms. All time and pay-related records must be kept for at least three years.

302.5 UNIONIZED STAFF MEMBERS

University employees covered by Collective bargaining agreements should refer to the appropriate article in their contracts.

Applicability: All non-exempt, non-unionized staff members

Xref: [Policy 114](#), [Policy 115](#), [Policy 116](#)

Frequently Asked Question

[Click here to view the Frequently Asked Questions \(FAQ\) of this policy.](#)

Appendix A

**University of Pennsylvania Timesheet
Weekly & Hourly Paid Staff**

[Click here to download Appendix A in Microsoft Word 97 Format.](#)

Appendix B

University of Pennsylvania Overtime Authorization Form

[Click here to download Appendix B in Microsoft Word 97 Format.](#)

The benefits and policies for University of Pennsylvania employees who work in locations outside of the Commonwealth of Pennsylvania may be different from the benefits and policies set forth in this website. Employees working outside the Commonwealth of Pennsylvania should contact their Human Resources representatives for more information.

POLICY NO: 303
SUPERSEDES POLICY NO: 303 (9/1/1992)
EFFECTIVE DATE: 04/01/01

CLASSIFICATION AND SALARY OF STAFF POSITIONS (formerly Salary and Classification)

The University of Pennsylvania's philosophy regarding position classification and salary is to maintain position classifications and salary levels that are internally consistent and responsive to changes in economic indices.

Each school and center is guided by the University's over-all salary policies of appropriate pay geared to the work performed, incentive for personal achievement and growth, and flexibility to meet the challenge of a dynamic job market. Managers and supervisors are encouraged to promote a consistent and equitable pay program for their staffs.

The Dean and/or Vice President, Administrative Unit Head and/or Resource Center Director has the primary responsibility to implement University salary policies and is accountable for job content and structure, incumbent assignment, and salary administration. The schools and centers will consult with Division of Human Resources (DHR)/Compensation in the administration of the pay program.

303.1 POSITION EVALUATION AND CLASSIFICATION

All regular staff positions are evaluated on the basis of job descriptions utilizing a factor comparison approach to position evaluation. The system is based on the compensable factors as detailed in the Position Information Questionnaire (PIQ) (<http://www.hr.upenn.edu/compensation/forms.asp>) and principles established by DHR/Compensation. The results of position evaluation establish position classifications and salary ranges for each job.

Each position is assigned a specific job title and grade based on the evaluation of job content and the compensable factors, as outlined above. Currently, there are twelve (12) grades for all staff positions (exempt and non-exempt) (<http://www.hr.upenn.edu/compensation/salary.htm>) and eight bands for designated Information Technology positions (<http://www.hr.upenn.edu/compensation/itsalary.htm>). A number of senior level administrative positions are assigned to a non-numerical grade category, known as "ungraded" (UNG). Two other categories, "medical" (MED) and "research" (RES), are graded into a "market grade" and apply to a very limited group of positions.

303.2 INITIAL SALARY REVIEW

Upon initial hire, placement within a salary range should reflect consideration for level of qualifications and experience of the individual relative to the position's requirements. Staff will not be paid below the minimum or above the maximum of their salary range. Initial salaries should be discussed with DHR/Staffing and Recruitment. ([See Policy #101 -- http://www.hr.upenn.edu/policy/policies/101.htm](http://www.hr.upenn.edu/policy/policies/101.htm)).

303.3 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All Regular Staff Members

Xref: [Policy 001](#), [Policy 004](#), [Policy 301](#), [Policy 304](#)

POLICY NO: 304

SUPERSEDES POLICY NO: 304 (9/1/92)

EFFECTIVE DATE: 04/01/01

POSITION RECLASSIFICATION AND SALARY ADJUSTMENTS (formerly Position Reclassifications)

[*Frequently Asked Question and Answers on Position Reclassification and Salary Adjustments*](#)

A position reclassification is the assignment of a new job title and/or grade to an existing position, either filled or vacant. The Division of Human Resources (DHR)/Compensation bases this change on an evaluation of the duties, responsibilities, and minimum qualifications of the position. The evaluation may result in an upward or downward move or no change in the salary grade of the position.

304.1 RECLASSIFICATION OF VACANT POSITIONS

If a supervisor feels that the vacant position did not previously fill the departmental needs or that significant changes in job responsibility are needed, he/she is responsible for reviewing and revising the job duties before a Request for Employment Form (HR-1/2) is submitted. He/she may request the assistance of DHR/Compensation

(<http://www.hr.upenn.edu/compensation/compstaff.asp>) in conducting a job design study.

If a job redesign study is requested, a Compensation Specialist will meet with the supervisor (and others in the department and/or school/center if necessary) to discuss departmental needs and goals as they pertain to the position in question. The supervisor then completes a Position Information Questionnaire (PIQ)

(<http://www.hr.upenn.edu/compensation/forms.asp>), with input from the Compensation Specialist, to describe the redesigned job. The reclassification review will result in the assignment of an appropriate title and grade.

A HR-1/2 must be completed and forwarded to DHR/Staffing and Recruitment for every position to be filled. On the top of the HR-1/2, the supervisor should indicate if the position should be reviewed for reclassification by checking the "reclassify" box. A completed PIQ, as well as any other relevant information, must be attached so that DHR/Compensation can appropriately classify the position. (See Policy #101 -- <http://www.hr.upenn.edu/policy/policies/101.asp>.)

304.2 RECLASSIFICATION OF CURRENT STAFF MEMBERS

A staff member must have at least six (6) months of continuous University service in his/her current position to be eligible for a reclassification review. A staff member, who currently is on a performance improvement plan, is not eligible for a reclassification review. It is the responsibility of the supervisor to identify significant changes in job responsibility and initiate a reclassification review.

When a supervisor requests a reclassification, he/she needs to submit to DHR/Compensation: (1) a memo stating the reasons for the request and other relevant information regarding the position, (2) an updated PIQ (<http://www.hr.upenn.edu/compensation/forms.asp>) with appropriate signatures, (3) an organizational chart (if available), and (4) a current resume for the staff member.

DHR/Compensation will analyze the position and determine an appropriate job title, grade and/or salary adjustment. DHR/Compensation may set up a job audit with the incumbent and/or his/her supervisor if more information is needed. DHR/Compensation works directly with the supervisor in this review process.

The review process will result in one or more of the following actions: title and/or grade change; salary adjustment; or no change.

A request for reclassification should be submitted to DHR/Compensation when a current staff member retains the same duties but changes status from "full time" to "part time" or "part time" to "full time."

If it is not possible for the department to give a salary increase at the time one is recommended, e.g. due to budget constraints, a plan to meet the recommendation in a reasonable amount of time should be submitted to DHR/Compensation.

The time needed to complete a review varies, depending upon the complexity of the situation, and is usually from six (6) to eight (8) weeks.

If a staff member and his/her supervisor disagree regarding the need to review a position, the staff member may contact DHR/Staff and Labor Relations (<http://www.hr.upenn.edu/staffrelations/contactlist.asp>). DHR/Staff and Labor Relations may mediate between management and staff to effect a resolution.

304.3 SALARY ADJUSTMENT

If a supervisor believes that the current salary of a staff member needs to be reviewed due to pay compression, market factors, or increase of duties, the supervisor may submit a request to review the salary your human resources representative. The request should include the reasons for the review and a current resume for the staff member. A staff member must have at least six (6) months of continuous University service in his/her current position to be eligible for a salary adjustment review. A staff member, who currently is on a performance improvement plan, is not eligible for a salary adjustment. Individual salary changes will be recommended on the basis of performance, qualifications, internal and external market factors, and position in the salary range. Length of service alone is not considered a valid reason for an increase.

A request for salary adjustment should be submitted to your human resources representative when a full-time non-exempt staff member changes hours, i.e. 35 hours/week to 40 hours/week.

304.4 EFFECTIVE DATE FOR RECLASSIFICATIONS /SALARY ADJUSTMENTS

Reclassifications and/or salary adjustments are not retroactive before the date the request was received by your human resources representative. The effective date for the implementation of a reclassification and/or salary adjustment is based on when the request is received in DHR/Compensation as follows:

FOR EXEMPT POSITIONS

Reclassifications and/or salary adjustment requests received on or before the 15th of the month may become effective on the first day of the month received. Requests received after the 15th may become effective on the first day of the month following the month received. Effective dates may be later at the request of the department.

FOR NON-EXEMPT POSITIONS

Reclassifications and/or salary adjustment requests received on or before the 15th of the month may become effective on the first Monday of the month received. Requests received after the 15th may become effective on the third Monday of the month received. Effective dates may be later at the request of the department.

304.5 ADMINISTRATIVE PROCESS

Reclassification and salary adjustment recommendations, which are not understood or accepted by the requesting department and/or the affected individual, are normally resolved by the Director of Compensation and the DHR/Compensation staff by using information provided from appropriate parties to clarify the issues. Issues not resolved at this level are forwarded to the Vice President of Human Resources for further review and discussion. The Vice President may get advice on the matter from senior administrators that review compensation policies and salary

administration documentation. Review and decision at this level could also include the senior business official of the affected school or center and/or the Dean and/or Vice President.

303.10 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All Regular Staff Members

Xref: [Policy 001](#), [Policy 004](#), [Policy 301](#), [Policy 303](#)

POLICY NO: 305

SUPERSEDES POLICY NO: 305 (9/1/92)

EFFECTIVE DATE: 4/1/01

EXTRA COMPENSATION

Extra Compensation includes bonuses, payment of acting rates, on-call pay, and lump-sum payments. Each school or center may elect to utilize any or all of the available extra compensation programs, balancing their ability to fund the programs with their need to ensure that staff members are equitably rewarded and to recognize productive employee behaviors. Certain extra compensation arrangements require consultation with your human resources representative and the Division of Human Resources (DHR)/Compensation, as defined below. All extra compensation payments for staff require sign-off by your human resources representative and (DHR)/Compensation. Extra compensation is not part of the staff member's base rate of pay; it is a supplement to the base pay, and is not eligible for inclusion in the Tax Deferred Retirement Plan (TDR). Extra compensation pay must meet the criteria outlined below.

305.1 BONUSES

Bonuses are special one-time, lump-sum payments made to staff members. Sign-off by your human resources representative and DHR/ Compensation is required. They are processed on a “**Performance Bonus Pay Form**”

<http://www.finance.upenn.edu/comptroller/Forms/bonuspay.pdf>. The form requires the signature of the Dean, Vice President, Director, Administrative Unit Head, or designee, as defined in the financial approval process of the school or center.

PERFORMANCE BONUS (BNS) - A performance bonus may be used to reward a staff member's special efforts and high performance on projects or special assignments. This type of bonus payment is used at the discretion of management to recognize high performance, which results in significant and documented cost reductions, savings or income to the school or center. It may be used to recognize unexpected, self-starting, extraordinary individual accomplishments in support of organizational performance effectiveness occurring outside the boundaries of the expected performance of the staff member's job. In some cases a bonus may be used to entice a key player to stay through a particular work-cycle or project and may be paid incrementally.

INCENTIVE BONUS (ICV) – An incentive bonus is reserved for bonuses established as part of a formal, documented and approved Incentive Bonus Plan. These plans must be developed in consultation with your human resources representative and DHR/Compensation. Payments of these bonuses are based on performance measured against the goals and objectives of the Plan.

MERIT BONUS (SAL) – The Annual Merit Increase Program typically allows for a one-time, non-recurring merit payment of up to 5% of base pay to be awarded to a limited number of exceptional performers. These payments should be awarded judiciously and reserved for the most productive and meritorious performance. The decision to include a merit bonus in the annual program is reviewed each year and is subject to change.

NOTE: The department and/or school center is responsible for ensuring and verifying that any staff member recommended for a Performance, Incentive, or Merit Bonus has a current performance appraisal or performance letter/memorandum on file with the department or school/center. The performance appraisal or performance letter/memorandum must document the performance and contributions that warrant the bonus. The “Performance Bonus Pay Form” requires a signature verifying the performance documentation. DHR/Compensation will not process any “Performance Bonus Pay Form” without the appropriate signature verifying the performance documentation.

HIRING INCENTIVES (BNS) - A bonus arrangement may be appropriate in special hiring situations that are highly competitive or market-driven. Payment of these bonuses, also referred to as "sign-on bonuses", requires consultation and agreement by the hiring manager, your human resources representative, and DHR/ Compensation. Sign-on bonuses may be broken out into initial hire and post-introductory period payments.

Exceptional performance demonstrated by a staff member in the completion of regularly assigned job responsibilities is normally recognized through the annual merit increase program (SALINC).

Requests for payment of bonuses are to be submitted to DHR/Compensation using the "**Performance Bonus Form**" <http://www.finance.upenn.edu/comptroller/Forms/bonuspay.pdf>. The form must include a detailed explanation of the nature and purpose of the payment, as well as all required levels of approval (including the signature of the Dean and/or Vice President or designee). The forms must be provided to DHR/Compensation at least one week prior to the Payroll Department cutoff date. The form will be reviewed by DHR/Compensation and forwarded to the Payroll Department for payment. Bonuses should not be discussed with the intended recipients until all approvals have been obtained.

305.2 EXTRA PAY (ES1 & ES2)

Extra Pay may also be awarded for completion of special assignments or projects which are completely outside the scope of the staff member's job classification, and typically are not performed on a continuing basis, during the regular work schedule of the staff member, or for the staff member's supervisor. These payments are processed on an "**Additional Pay Form**". <http://www.finance.upenn.edu/comptroller/Forms/apf.pdf>

305.3 ON-CALL PAY (ES1 & ES2)

On-Call Pay is considered extra compensation. On-call pay is available for schools/centers that need to ensure staff members are equitably rewarded in response to competitive conditions. On-call pay refers to extra compensation for staff members who are required to be available for emergencies and must respond at unusual hours. All on-call pay plan designs must be reviewed by DHR/Compensation in advance of implementation. These payments are processed on an **"Additional Pay Form"**. <http://www.finance.upenn.edu/comptroller/Forms/apf.pdf>

305.4 ACTING RATES

Acting Rates represent extra compensation for a staff member who has temporarily assumed major responsibility for, and performance of, a higher level job. Such assumed responsibility is usually in addition to his/her primary job responsibilities. Acting rates must have a specified beginning and ending date, which should not extend beyond the end of the current fiscal year. Requests for extension of payment of acting rates into successive fiscal years must be reviewed and approved by your human resources representative and DHR/ Compensation. Acting rates are negotiated between a manager and a staff member, in consultation with DHR/Compensation. All acting rates require the approval of the Dean and/or Vice President, Resource Center Director, Administrative Unit Head, or designee and DHR/Compensation.

Acting rates for exempt (monthly-paid) positions are entered directly to the on-line Personnel/Payroll System using a separate job number assignment and the acting rate job class code. Entering the information to the system is the responsibility of the school/center. Acting rates for non-exempt (weekly-paid) positions must be paid via the **"Additional Pay Form"** using code ES1 <http://www.finance.upenn.edu/comptroller/Forms/apf.pdf> .

305.5 LUMP-SUM PAYMENTS

Lump-sum payments are one-time payments for the retroactive portion of a salary increase resulting from either a position reclassification or salary equity adjustment. They must be authorized in writing via the standard Reclassification/Salary Adjustment Notification Letter issued by DHR/Compensation. This authorization must precede the discussion with or payment to the recipient. Actual payments are made by completion of a **"Late Pay Form"**, which must be signed by the school/center/department representative and forwarded directly to the Payroll Department.

305.6 OVERTIME COMPENSATION

Extra compensation programs cannot be used to compensate non-exempt, weekly-paid employees in lieu of overtime pay, i.e. hours worked in excess of eight hours per day or forty hours per week. Non-exempt employees are covered by the Fair Labor Standards Act (FLSA) and applicable state law.

Exempt employees are not entitled to overtime compensation.

305.7 FACULTY AND WORK-STUDY STUDENTS

"Additional Pay Forms" for faculty and college work-study students should not be submitted to DHR/ Compensation. They should be processed and forwarded directly to the Payroll Department as follows:

FACULTY

Extra payments of \$250.00 or greater require the approval of the Provost's Office; payments of less than \$250.00 require approval by the Dean and/or Vice President or Director's Office.

WORK-STUDY STUDENTS

"Additional Pay Forms" in the amount of \$200.00 or greater require approval by the supervisor, the Business Administrator, and the Dean or Director's Office; payments of less than \$200.00 require approval by the supervisor and the Business Administrator.

305.8 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All Regular Staff Members

Xref: [Policy 001](#), [Policy 004](#), [Policy 301](#), [Policy 302](#)

POLICY NO: 306

SUPERSEDES POLICY NO:

EFFECTIVE DATE: 09/01/92

WORK DAY PAY DIFFERENTIAL

306.1 POLICY

Work day pay differential refers to the extra compensation an employee receives for hours worked as part of the regular work week that are not Monday through Friday, 8 a.m. - 5 p.m. The hours worked will be part of the regularly scheduled shifts assigned by management. The Administrative Unit Head or designee will recommend the utilization of the work day pay differential, which must be equitably applied throughout the school/center or department.

A letter must be submitted to Human Resources/Compensation in order to establish and request any change to the work day pay differential.

A typical work day differential schedule would begin after 5 p.m. and end before 8 a.m. If six of the eight scheduled hours occur between 5 p.m. and 8 a.m., an employee qualifies for the differential; less than six hours, the employee does not qualify. Weekend hours worked between 8 a.m. and 5 p.m. are not treated as differential hours. Weekend hours that are part of the regular work week and are scheduled to begin between 5 p.m. and 8 a.m. are also subject to differential.

The work day pay differential is typically 10% of the regular hourly rate.

306.2 PROCEDURE

In accordance with current industry standards, the monthly paid (exempt) employees in specified job families eligible for work day pay differential are security, data processing operations, and nursing, etc.

The supervisor maintains appropriate records, which track schedules that are eligible for work day pay differential.

The Time Report Form is used to process a pay differential for regular weekly paid (non-exempt) and part-time employees. The Additional Pay Form is used to process pay differential for monthly paid (exempt) employees. Both forms must be signed by the supervisor and Administrative Unit Head or designee.

306.3 UNIVERSITY STAFF WHO ARE UNIONIZED

University employees covered by Collective bargaining agreements should refer to the appropriate article in their contracts.

Applicability: All Regular Non-Exempt Staff

Xref: [Policy 001](#), [Policy 004](#)

POLICY NO: 307

EFFECTIVE DATE: 2/2/2005

PAY PRACTICES AND PROCEDURES: Prohibiting Improper Pay Deductions and Overpayments/Complaint Procedure

The University's pay practices and procedures are governed by the Federal Fair Labor Standards Act (FLSA), its amendments, and its regulations, as well as by applicable state law and regulations. The University is committed to paying its employees in accordance with the requirements of the FLSA, relevant state and local laws, and University policy. Under the applicable law, positions may be classified as either "non-exempt" or "exempt." Non-exempt positions are not exempt from the overtime provisions of the FLSA and/or applicable state law. Exempt positions are exempt from the overtime provisions, although covered by other provisions of the FLSA and applicable state law. A position's classification is determined based on its specific job duties and salary in accordance with FLSA and applicable state law exemption criteria.

307.1 NON-EXEMPT

Employees in positions classified as non-exempt are paid either weekly or hourly and are compensated at the rate of time and one-half of their regular rate of pay for hours worked over eight in a day or forty in a workweek. For the purposes of calculating overtime, hours worked do not include vacation, sick, holiday or other paid or unpaid time off (see [Policy 302](#)).

307.2 EXEMPT

Employees in positions classified as exempt are not required by law to receive overtime pay for hours worked in excess of eight hours per day or forty hours in a workweek, and receive a predetermined amount of compensation each month on a "salary basis." The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. However, an employee does not need to be paid for any full workweek in which he/she performs no work, unless the cause is an operating requirement of the business. If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

307.3 CIRCUMSTANCES IN WHICH THE UNIVERSITY MAY TAKE PAY DEDUCTIONS FROM EMPLOYEES IN EXEMPT POSITIONS

Full day deductions from pay are permissible when an exempt employee has exhausted his/her Paid Time Off (vacation) balance and: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with the University's sick policies (see Policies [612](#), [613](#) and [404](#)); for absences of one or more full days due to a court appearance for personal reasons (see Policy [610](#)), or for absences of one or more full days due to military leave (see Policy [611](#)). Also, the University is not required to pay the full salary in the initial or terminal week of employment or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (see Policy [631](#)). In these circumstances, either partial day or full day deductions may be made.

307. 4 UNIVERSITY POLICY

The University strives to ensure that its positions are classified correctly and that those who are eligible for overtime compensation receive such compensation pursuant to the FLSA, applicable state wage and hour law, and University policy. It is also University policy to comply with the salary basis requirements of the FLSA and applicable state law. Therefore, supervisors are prohibited from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the University does not allow deductions that violate the FLSA or applicable state law.

307.5 WHAT TO DO IF AN IMPROPER DEDUCTION OR OVERPAYMENT OCCURS

All employees should routinely examine every paycheck or advice received in a timely manner to ensure that no improper deductions or improper overpayments have been made. If an employee feels that an improper deduction or overpayment has been made, he/she should immediately contact his/her supervisor, department chair, or business administrator. If the problem is not appropriately addressed at this level, the employee should contact the Division of Human Resources, Office of Compensation (215-898-1317) to report his/her concerns. If the University determines that it made an improper deduction from a paycheck, it will reimburse for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future. In cases of improper overpayments, employees are expected to

promptly repay the University in the amount of the overpayment. These arrangements can be made through the employee's supervisor and/or business administrator.

307.6 NO RETALIATION

Retaliation directed against anyone merely because he/she has have lodged a complaint under this policy is strictly prohibited and will be grounds for disciplinary action, up to and including termination of employment. Any employee who feels he/she has been subjected to retaliation in violation of this policy should immediately contact his/her supervisor, department chair, or business administrator. If the problem is not appropriately addressed at this level, the employee should contact the Division of Human Resources, Office of Compensation (215-898-1317) to report his/her concerns.

307.7 UNIONIZED STAFF MEMBERS

University staff members covered by collective bargaining agreements should refer to the appropriate articles in their contracts regarding overtime pay, deductions and/or overpayments, if applicable.

Applicability: All University Employees Xref: Policies: [302](#), [303](#), [404](#), [601](#), [610](#), [611](#), [612](#), [613](#), [631](#)

POLICY NO: 401
SUPERCEDES POLICY NO:

DENTAL PLANS

DENTAL PLANS policies are described in the University's [Summary Plan Descriptions](#). These summaries provide general information regarding the benefit plans. Plan documents govern the provisions of the benefit plans. Specific information about each plan is available in the plan booklets for each plan provider. All of these informational pieces are available from the:

Benefits Office
527A, 3401 Walnut St.
898-7281 Additional information is available at <http://www.hr.upenn.edu/benefits/dental>.

POLICY NO: 402
SUPERCEDES POLICY NO:

MEDICAL PLANS

MEDICAL PLANS policies are described in the University's [Summary Plan Descriptions](#). These summaries provide general information regarding the benefit plans. Plan documents govern the provisions of the benefit plans. Specific information about each plan is available in the plan booklets for each plan provider. All of these informational pieces are available from the:

Benefits Office
527A, 3401 Walnut St.
898-7281

Additional information is available at <http://www.hr.upenn.edu/benefits/medical>.

POLICY NO: 403
SUPERCEDES POLICY NO:

GROUP LIFE INSURANCE

GROUP LIFE INSURANCE policies are described in the University's [Summary Plan Descriptions](#). These summaries provide general information regarding the benefit plans. Plan documents govern the provisions of the benefit plans. Specific information about each plan is available in the plan booklets for each plan provider. All of these informational pieces are available from the:

Benefits Office
527A, 3401 Walnut St.
898-7281

Additional information is available at <http://www.hr.upenn.edu/benefits/insurance>.

POLICY NO: 404

SUPERCEDES POLICY NO. 404 (8/1/84)

EFFECTIVE DATE: 6/1/1998

SHORT TERM DISABILITY

The accumulation of short term disability allows continuation of full base pay when an eligible staff member is required to be absent from work because of extended illness or medical conditions.

404.1 ELIGIBILITY

Regular full-time staff through position grade 28 are eligible.

404.2 ACCRUAL

At the beginning of each fiscal year (July 1), for every two (2) unused sick days accrued during the prior twelve (12) month period, the University will add one (1) day to the staff member's short term disability balance, up to a maximum of six (6) days a year. An initial short term disability reserve of twenty-two days is established for monthly-paid staff members hired under this policy. The maximum short term disability accumulation is forty-two (42) work days.

404.3 APPLICATION PROCESS

When it appears likely that sick leave and paid time off will be exhausted and short term disability may be needed, the supervisor or the Benefits Office will require the staff member to have their health care provider complete a Physician Certification form and return the form to the Benefits Office. When such a request is made, the certification must be provided within twenty (20) calendar days of the request. Additionally, the staff member must complete and forward a Short Term Disability/Family Medical Leave Application form to Benefits.

The University reserves the right to require that the individual submit to independent medical examinations by a health care provider of the University's choosing for continuation of payments under this policy.

404.4 USAGE

Accumulated short term disability may be utilized provided the duration of the illness has been ten (10) or more work days and all available sick leave and paid time off have been exhausted. The maximum number of days in pay status for any one illness will not exceed six (6) months or one hundred thirty-two (132) consecutive work days including sick leave, paid time off and short term disability, in that order. Disability resulting from pregnancy is treated like other disabilities

with respect to paid leave time; the normal period of disability from the date of delivery is a maximum of eight (8) weeks.

A staff member is not eligible for holidays or special vacation periods which may occur while he/she is receiving short term disability payments.

Additional sick leave and paid time off are not accrued during periods of short term disability.

Staff members that use short term disability may be required to concurrently use benefits under the Family Medical Leave policy.

404.5 JOB SECURITY

Upon recovery, a staff member receiving pay continuation under the provisions of this policy is entitled to return to a similar or equivalent position without a reduction in salary or loss of service credit. A physician's statement certifying the staff member's fitness to return to work may be required before he/she returns.

Staff members who have illnesses which are expected to continue beyond the short term disability period, may be eligible for benefits under the University's Long Term Disability policy.

404.6 SHORT TERM DISABILITY FOR PERSONS HIRED PRIOR TO AUGUST 1, 1984

Regular full-time support staff and professional/administrative staff through grade PA8 (hired before August 1, 1984) entered the short term disability program with the amount of days provided under the extended sick leave policy with the following provisions:

404.6a Weekly-paid staff members entered with one (1) week or five (5) days for every completed year of service (as of August 1, 1984). This conversion for existing staff members may initially exceed the maximum of 42 working days stated in the revised policy; however, no additional accumulations will occur unless the short-term disability balance is less than forty-two (42) days.

404.6b Monthly-paid staff members entered with forty-two (42) working days. This balance plus the sick leave balance equals the maximum of six (6) months (132 working days) provided in both the old and new policies.

404.7 UNIONIZED STAFF MEMBERS

University staff members who are covered by collective bargaining agreements should refer to the appropriate contract article.

Applicability: All regular full-time staff through position grade 28

Xref: [Policy 405](#), [Policy 412](#), [Policy 607](#), [Policy 612](#), [Policy 614](#), [Policy 615](#), [Policy 631](#)

POLICY NO: 405**SUPERCEDES POLICY NO:*****LONG TERM TOTAL DISABILITY***

LONG TERM TOTAL DISABILITY policies are described in the University's [Summary Plan Descriptions](#). These summaries provide general information regarding the benefit plans. Plan documents govern the provisions of the benefit plans. Specific information about each plan is available in the plan booklets for each plan provider. All of these informational pieces are available from the:

Benefits Office
527A, 3401 Walnut St.
898-7281

POLICY NO: 406**SUPERSEDES POLICY NO: 406 (08/15/95,7/01/97)****EFFECTIVE DATE: 7/1/2004*****TUITION ASSISTANCE FOR FACULTY AND STAFF***

This special policy has been developed in response to the issue that faculty, full time staff and limited service staff in California are prevented from accessing tuition benefits at Penn because the location of the work site prohibits access to the University's educational opportunities. This policy is intended to provide a benefit of equal value to that available to campus faculty and staff but does not attempt to provide an identical benefit.

406.1 ELIGIBILITY

California full-time faculty, regular full-time staff and limited service employees, are eligible for tuition assistance benefits at a participating California higher education institution. .

Employees hired before the mid-point of the semester are eligible to receive the benefit for the semester in which they were hired. Employees hired after the mid-point of the semester are not eligible to receive the benefit until the following semester. The mid-point of the term is determined by the administrator at the start of each semester and is based on Penn's academic calendar. This applies whether the student is attending a school on a semester or trimester calendar. Dependent children and spouses/registered domestic partners of eligible faculty and staff are covered under the university's standard tuition policy. Employees electing the alternative tuition option for a semester are not eligible to receive the standard tuition benefits offered to faculty and staff on the main campus for the same time period. Tuition assistance benefits are administered by DHR/Benefits. The Director of HR/Benefits makes final administrative determinations if any questions arise concerning an individual's employment relationship with the University and eligibility for scholarship assistance under the program.

A visiting member of the instructional staff is eligible for tuition assistance only if specified in the minutes of the Provost's Staff Conference.

The cut off dates are:

Fall semester	October 15
Spring semester	February 28
Summer Session 1	May 31
Summer Session 2	July 15

All staff members affected by position discontinuation and eligible for benefits in accordance with Policy 628 who were participating in the tuition assistance for faculty and staff benefit at the time of notice of position discontinuation, will receive tuition benefits through the end of the semester in which notice of separation was given.

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406.2 TERMINATION

Eligible faculty and staff who terminate employment prior to the mid-point of the term are not eligible to receive tuition benefits for the term in which they terminate employment. Faculty and staff who terminate prior to the mid-point of the term who have been awarded a scholarship are responsible for reimbursing the (full) scholarship amount to the University of Pennsylvania.

RETIREMENT

Faculty and staff who retire from any of the above noted locations and who have met the requirements for the receipt of tuition benefits in retirement are not eligible for tuition benefits under this special policy. Benefits are extended under the standard tuition policy for courses taken at Penn. (See Penn's standard tuition policy.)

406.3 APPROVED SCHOOLS

In order to receive the benefit, eligible faculty and staff must attend one of the approved accredited college or universities for their employment location. Check with your human resources representative for a list of approved colleges and universities.

406.4 TUITION BENEFIT AMOUNT

The program pays tuition charges only. All other fees and expenses are the responsibility of the faculty or staff member. If the student attends a college or university on a semester system, the benefit pays tuition for two courses in the Fall and Spring semesters and two courses over the summer sessions for a total of six courses over the academic year. If an eligible faculty or staff member is attending a college or university with a trimester system, the benefit will cover tuition for two courses in the Fall, Winter and Spring terms for a total of six courses in an academic

year. While there is a semester and yearly limit on the number of courses the tuition benefit will cover, there is no limit on the total number of courses or semesters the benefit will cover over the duration of employment of an eligible faculty or staff member.

Applicants file for the benefit by submitting to the Benefits Office a completed [Educational Assistance Program Application](#) for Faculty and Staff Tuition Benefits. Tuition assistance benefits are contingent upon timely filing of applications. Benefits are not provided retroactively to cover school terms which ended prior to the date on which the application is filed.

406.5 TYPES OF COURSES COVERED UNDER THIS BENEFIT

The tuition benefit for California pays for undergraduate courses offered for credit. It also pays tuition for work-related training courses such as computer training seminars on software packages used by the employee in their course of work. In order to receive the tuition benefit the courses must be taken at an approved college or university. Graduate courses are not covered under this benefit.

406.6 JOB RESPONSIBILITY

Faculty and staff who elect to take courses and receive tuition benefits under this program must continue to meet the full responsibilities of their University position. Employees may attend classes during their normal working hours provided they have received prior approval from their immediate supervisor and have arranged to make up the work and any time away from regular hours of business. Supervisor approval must be obtained prior to class registration. A supervisor may deny an employee's request to attend classes during normal working hours, if the supervisor determines the employee's presence during those hours is essential to the job or the needs of the department.

406.7 TAX LIABILITY

Employees are fully responsible for any tax liability incurred as a result of these benefits being treated as taxable income to the employee at any time. The University may report the benefit amount as income to any taxing authority and withhold taxes from such benefit amounts or from the employee's other salary income. Under current law, graduate tuition benefits for faculty and staff are subject to Federal Income tax, FICA (Social Security Tax) and Medicare tax.

The above taxes are withheld directly from the benefit and the net amount is awarded to the student as the scholarship. The gross tuition amount subject to taxes and taxes withheld are reported to the IRS as a part of the faculty or staff member's earnings. The taxpayer is responsible for making appropriate payroll withholding adjustments, if desired. The taxpayer is also responsible for settling his/her tax liability on year-end tax filing.

406.8 RESTRICTIONS

A scholarship check will not be issued without a bill. In situations where payment is due upon registration or any other situation in which a billing statement is not issued until after payment, the University of Pennsylvania will issue a promissory letter stating the amount and terms of payment. If the school does not accept a promissory note, the student is responsible for payment. The scholarship will be issued upon receipt of the bill. After payment of the scholarship, the student may contact their school for reimbursement of their payment.

NOTE – promissory letters may only be issued by the tuition administrator and/or his/her designated agent. Promissory letters issued by any other individual will not be honored by the University of Pennsylvania. The University reserves the right to take disciplinary action up to and including termination against any unauthorized individual/s issuing promissory letters on behalf of the University.

POLICY NO: 407

SUPERSEDES POLICY NO: 407 (08/15/95)

EFFECTIVE DATE: 7/1/1997

SCHOLARSHIP FOR DEPENDENT CHILDREN ATTENDING THE UNIVERSITY OF PENNSYLVANIA

This benefit has been designed to assist faculty and staff in meeting the cost of tuition for their dependent children. Scholarships for Dependent Children are administered by Human Resources/Benefits. [Application forms](#) may be obtained from and submitted to HR/Benefits for validation and processing.

407.1 ELIGIBILITY

Full-time faculty, regular full-time staff and limited service employees who have completed three (3) years of full-time service at the University are eligible to receive tuition assistance at the University of Pennsylvania for dependent children who are qualified students under this plan. A qualified student is one who is enrolled at the University of Pennsylvania as a degree candidate, is in good academic standing, and meets the University's definition of a dependent child under the tuition benefit program.

Employees with a three year anniversary date prior to the cut off date of a given academic term are eligible to receive scholarships for their dependent children during the term in which the anniversary occurs. Scholarships are awarded on or after the employee's three year anniversary date. Employees with a three year anniversary date after the cut off date of a given academic term are not eligible to receive tuition benefits for their dependent children until the first academic term following the term in which the three year anniversary occurs.

If an employee terminates prior to the cut off date of a semester, the University reserves the right to revoke or not award the dependent child's scholarship. If an employee terminates after the cut off date of a semester, the dependent child's scholarship will continue through that semester.

The cut off dates are:

Fall semester	October 15
Spring semester	February 28
Summer Session 1	May 31
Summer Session 2	July 15

All staff members affected by position discontinuation and eligible for benefits in accordance with Policy 628 whose dependent children were receiving a scholarship in accordance with this policy at the time of notice of position discontinuation, will receive tuition benefits through the end of the semester in which notice of separation was given.

A child of a deceased member of the faculty or regular full-time or limited service staff is eligible for this scholarship, provided the parent was full-time on the date of death and had been so for at least seven (7) years. A dependent child of a retired University of Pennsylvania faculty or regular full-time or limited service staff member is eligible for this scholarship provided the parent meets University eligibility requirements and retirement criteria. The Director of HR/Benefits makes final administrative determinations if any questions arise concerning a staff member's employment relationship with the University and eligibility for scholarship assistance under the program. Undergraduate scholarships are limited to eight (8) semesters.

407.2 FILING OF APPLICATIONS

Applicants are encouraged to file for the Tuition Assistance benefit upon acceptance into a school's program.

Applications will be accepted no later than the end of the school term to which the scholarship will apply.

Tuition Assistance benefits are contingent upon timely filing of applications. Benefits are not provided retroactively to cover school terms which ended prior to the date on which the application is filed.

407.3 TUITION AMOUNT

a. Full time faculty in a benefits eligible title appointed on or after July 1, 1997 and regular full time and limited service staff members hired on or after July 1, 1997 are eligible to receive undergraduate tuition benefits only. The amount of the tuition benefit is 75% of the tuition and technology fees for credit courses at the University of Pennsylvania.

b. Full time faculty in a benefits eligible title appointed on or before June 30, 1997 and regular full time and limited service staff members hired on or before June 30, 1997 are eligible for undergraduate and graduate tuition benefits as follows:

1. Faculty and staff who made a onetime irrevocable election of the OLD PLAN effective July 1, 1983, are eligible for 100% of a dependent child's tuition and technology fees.

2. Faculty and staff who are in the NEW PLAN are eligible for 100% of a dependent child's undergraduate and graduate tuition benefits for those dependent children who matriculated before September 1, 1983.

3. Under the NEW PLAN, for those matriculating on or after September 1, 1983, tuition benefits are as follows:

75%	Undergraduate tuition and technology fees;
75%	Tuition and technology fees for Medical School, Dental School, Veterinary School, Law School & Wharton MBA;
100%	Tuition and technology fees for all other graduate schools.

c. If both parents are employed at the University of Pennsylvania, Tuition Assistance is limited to the benefit that would be provided to one employee.

407.4 TAX LIABILITY

Employees are fully responsible for any tax liability incurred as a result of these benefits being treated as taxable income to the employee at any time. The University may report the benefit amount as income to any taxing authority and withhold taxes from such benefit amounts or from the employee's other salary income.

Under current law, graduate tuition benefits for dependent children of faculty and staff are subject to Federal Income tax, FICA (Social Security Tax) and Medicare tax. Undergraduate and graduate tuition benefits for the children of a same-sex domestic partner who do not meet the University's definition of a dependent child of the employee are subject to Federal Income tax, FICA (Social Security Tax) and Medicare tax. The benefit is considered taxable income and treated as such.

The above taxes are withheld directly from the benefit and the net amount is awarded to the student as the scholarship. The gross tuition amount and taxes withheld are reported to the IRS as a part of the faculty or staff member's earnings. The taxpayer is responsible for making appropriate payroll withholding adjustments, if desired. The taxpayer is also responsible for settling his/her tax liability on year-end tax filing.

Applicability: Full-time Faculty; Regular Full-time and Limited Service Staff

Xref.: [Policy 406](#), [Policy 408](#), [Policy 409](#), [Policy 628](#)

POLICY NO: 408

SUPERSEDES POLICY NO: 408 (08/15/95)

EFFECTIVE DATE: 7/1/1997

SCHOLARSHIP FOR DEPENDENT CHILDREN ATTENDING OTHER COLLEGES AND UNIVERSITIES (DIRECT GRANTS)

The Direct Grant Program for dependent children assists faculty and staff in meeting the cost of college tuition for their children who attend undergraduate programs at accredited colleges or universities other than the University of Pennsylvania. Note that trade and technical schools are not covered.

408.1 ELIGIBILITY

Full-time faculty, regular full-time and limited service staff who have completed at least three (3) years of full-time service at the University are eligible to receive tuition assistance for a dependent child enrolled as an undergraduate degree candidate at a Penn approved, accredited college or university other than the University of Pennsylvania (trade and technical schools are not covered). A qualified student under this plan is one who is enrolled as a degree candidate, is in good academic standing and meets the University's definition of a dependent child under the University's tuition benefit program.

Employees with a three year anniversary date prior to the cut off date of a given academic term are eligible to receive scholarships for their dependent children during the term in which the anniversary occurs. Scholarships are awarded on or after the employee's three year anniversary date. Employees with a three year anniversary date after the cut off date of a given academic term are not eligible to receive tuition benefits for their dependent children until the first academic term following the term in which the three year anniversary occurs.

If an employee terminates prior to the cut off date of a semester, the University reserves the right to revoke or not award the dependent child's scholarship. If an employee terminates after the cut off date of a semester, the dependent child's scholarship will continue through that semester.

The cut off dates are:

Fall semester	October 15
Spring semester	February 28
Summer Session 1	May 31
Summer Session 2	July 15

If a staff member affected by a position discontinuation, is eligible for benefits in accordance with Policy 628, and has a dependent child who is receiving a scholarship in accordance with this policy at the time of notice of position discontinuation, the dependent child scholarship will continue through the end of the semester in which notice of separation was given.

A child of a deceased member of the faculty or regular full-time or limited service staff is eligible for this scholarship, provided that the parent was full-time on the date of death and had been so for at least seven (7) years.

A dependent child of a retired University of Pennsylvania faculty or regular full-time or limited service staff member is eligible for this scholarship provided the parent meets University eligibility requirements and retirement criteria.

The Director of HR/Benefits makes final administrative determinations if any questions arise concerning a staff member's employment relationship with the University and eligibility for scholarship assistance under the program.

408.2 FILING OF APPLICATION

Applicants for Direct Grant scholarships are encouraged to file for the grant as soon as the student is accepted by the school at which he/she will enroll and have received an itemized tuition bill.

Before the Direct Grant scholarship application is processed, verification of the school's tuition amount is required. Such verification can be in the form of a tuition bill or letter from the school that contains the student's name and social security number.

Applications will be accepted no later than the end of the school term (semester or trimester) for which the Direct Grant is requested.

Tuition remission benefits are contingent upon timely filing of applications. Direct Grant scholarships are not provided retroactively to cover school terms which ended prior to the date on which the application is filed.

The Direct Grant Scholarship program is administered by HR/Benefits. Application forms may be obtained from and submitted to HR/Benefits for validation and processing. Checks are made payable to the college or university in care of the student and mailed directly to the appropriate office at the student's college or university.

408.3 TUITION AMOUNT

The University of Pennsylvania will pay either the school's tuition or 40% of Penn's undergraduate tuition per academic year, whichever is less.

Children of faculty and staff who made a onetime, irrevocable, election of the OLD PLAN, effective July 1, 1983, receive Direct Grant scholarships in amounts not to exceed \$900 per year.

The University's Direct Grant scholarship is limited to four (4) academic years (defined as eight (8) semesters or twelve (12) trimesters).

If both parents are employed at the University of Pennsylvania, the Direct Grant benefit is limited to the benefit that would be provided to one employee.

408.4 TAX LIABILITY

Employees are fully responsible for any tax liability incurred as a result of these benefits being treated as taxable income to the employee at any time. The University may report the benefit amount as income to any taxing authority and withhold taxes from such benefit amounts or from the employee's other salary income.

Under current law, undergraduate tuition benefits for the children of a same-sex domestic partner who do not meet the University's definition of a dependent child of the employee are subject to Federal Income Tax, FICA (Social Security tax) and Medicare tax. The benefit is considered taxable income and treated as such.

Applicability: Full-time Faculty; Regular Full-time and Limited Service Staff

Xref: [Policy 406](#), [Policy 407](#), [Policy 409](#), [Policy 628](#)

POLICY NO: 409

SUPERSEDES POLICY NO: 409 (01/01/93)

EFFECTIVE DATE: 7/1/1997

SCHOLARSHIP FOR SPOUSES/REGISTERED DOMESTIC PARTNERS ATTENDING THE UNIVERSITY OF PENNSYLVANIA

To recognize the University's commitment to higher education and to assist faculty and staff in meeting the cost of tuition for spouses/registered domestic partners, the University has developed the following policy.

409.1 ELIGIBILITY

Full-time faculty, regular full-time and limited service staff who have completed three (3) years of full-time service at the University are eligible to receive one-half (1/2) tuition assistance at the University for a spouse/registered domestic partner who takes credit courses during any session of the school calendar. Renewal of half tuition awards is contingent upon the student's remaining in good academic standing, continuation of the spousal/registered domestic partner relationship and the continued eligibility of the faculty or staff member.

Employees with a three year anniversary date prior to the cut off date of a given academic term are eligible to receive scholarships for their spouse/registered domestic partner during the term in which the anniversary occurs. Scholarships are awarded on or after the employee's three year anniversary date. Employees with a three year anniversary date after the cut off date of a given academic term are not eligible to receive tuition benefits for their spouse/registered domestic partner until the first academic term following the term in which the three year anniversary occurs.

If an employee terminates prior to the cut off date of a semester, the University reserves the right to revoke or not award the spouse/registered domestic partner's scholarship. If an employee terminates after the cut off date of a semester, the spouse/registered domestic partner's scholarship will continue through that semester.

The cut off dates are:

Fall semester	October 15
Spring semester	February 28
Summer Session 1	May 31
Summer Session 2	July 15

If an employee is affected by a position discontinuation, is eligible for benefits in accordance with Policy 628, and has a spouse/registered domestic partner who is receiving a scholarship in accordance with this policy at the time of notice of position discontinuation, the spouse/registered domestic partner scholarship will continue through the end of the semester in which notice of separation was given.

Undergraduate scholarships are limited to eight (8) semesters or the number of credit courses required for attainment of an undergraduate degree at the University.

The surviving spouse/registered domestic partner of a deceased member of the faculty or regular full-time or limited service staff is eligible for this scholarship, provided the deceased member was full-time on the date of death and had been so for at least seven (7) years previously.

The spouse/registered domestic partner of a retired University of Pennsylvania faculty or regular full-time or limited service staff member is eligible for this scholarship provided the spouse/registered domestic partner meets University eligibility requirements and retirement criteria.

The Director of HR/Benefits makes final administrative determinations if any questions arise concerning an individual's employment relationship with the University and eligibility for scholarship assistance under the program.

409.2 FILING OF APPLICATIONS

Applicants are encouraged to file for the benefit upon acceptance of their spouse/registered domestic partner into a school's program or upon registration for one (1) or more courses. Applications will be accepted no later than the end of the school term to which the scholarship will apply.

Tuition Assistance benefits are contingent upon timely filing of applications. Benefits are not provided retroactively to cover school terms which ended prior to the date on which the application is filed.

409.3 TUITION AMOUNT

Full time faculty in a benefits eligible title appointed on or after July 1, 1997 and regular full time and limited service staff members hired on or after July 1, 1997 are eligible to receive spouse/registered domestic partner for undergraduate tuition benefits only. The amount of the

tuition benefit is 50% of the tuition and technology fees for credit courses at the University of Pennsylvania.

Full time faculty in a benefits eligible title appointed on or before June 30, 1997 and regular full time and limited service staff members hired on or before June 30, 1997 are eligible for spouse/registered domestic partner undergraduate and graduate tuition benefits. The amount of the benefit is 50% of the tuition and technology fees for credit courses at the University of Pennsylvania.

Scholarships for spouses/registered domestic partners are administered by HR/Benefits. Application forms may be obtained from and submitted to HR/Benefits for validation and processing.

409.4 TAX LIABILITY

Employees are fully responsible for any tax liability incurred as a result of these benefits being treated as taxable income to the employee at any time. The University may report the benefit amount as income to any taxing authority and withhold taxes from such benefit amounts or from the employee's other salary income.

Under current law, graduate tuition benefits for spouses/registered domestic partners and undergraduate tuition benefits for registered domestic partners are subject to Federal Income tax, FICA (Social Security Tax) and Medicare tax. The Benefit is considered taxable income and treated as such.

The above taxes are withheld directly from the benefit and the net amount is awarded to the student as the scholarship. The gross tuition amount and taxes withheld are reported to the IRS as a part of the faculty or staff member's earnings. The taxpayer is responsible for making appropriate payroll withholding adjustments, if desired. The taxpayer is also responsible for settling his/her tax liability on year-end tax filing.

Applicability: Full-time Faculty; Regular Full-time and Limited Service Staff
Xref: [Policy 406](#), [Policy 407](#), [Policy 408](#), [Policy 628](#)

POLICY NO: 410
SUPERCEDES POLICY NO: 410 (6/22/98)
EFFECTIVE DATE: 7/6/1999

BRIDGING OF SERVICE PERIODS

The length of time a staff member or faculty member has been in active University service is a determinant of eligibility for participation in the Faculty Staff Scholarship and the accrual rate of paid time off for staff.

A person's University service is the length of time, beginning with the date of hire, that the individual has been continuously employed by the University on a full-time basis or as a Limited

Service Employee, including periods of authorized leaves of absence. University service ends with termination of employment.

Periods of University service may be joined together (or "bridged") under the following conditions with the corresponding results:

- I. an individual with one or more years of regular full time service terminates University employment and then returns to service in a regular full-time position within a period of ninety calendar days. Any benefits eligibility in effect at the time of termination is immediately reinstated.
- II. an individual with one or more years of regular full-time service terminates University employment and then returns to service in a regular full-time position after more than ninety calendar days. Credit for periods of service prior to the termination will be given upon completion of one additional year of continuous service.

Persons should contact the Human Resources/Benefits Office to reestablish full service credit.

The bridging of service credit under this policy only affects a staff member's years of service for benefits specifically stated in this policy. Staff members affected by position discontinuation will have years of service counted from their last date of hire.

Service credit of faculty members who have had breaks in service is subject to review by the Provost's Staff Conference upon the recommendation of the appropriate Dean and/or Vice President.

Computation of service for unionized staff members is governed by the terms of their respective collective bargaining agreements.

Applicability: All Faculty & Staff

Xref.: [Policy 411](#), [Policy 607](#), [Policy 618](#), [Policy 628](#)

POLICY NO: 411

SUPERCEDES POLICY NOS: 402 (2/1/78), 615 (7/1/89), 411 (2/1/90)

EFFECTIVE DATE: April 15, 2004

RECIPROCAL CREDIT FOR SERVICE

The University maintains a reciprocal agreement with the Hospital of the University of Pennsylvania (HUP) under which regular, full-time service at this institution is counted as University service for an employee who transfers from HUP to the University. Conversely, HUP gives service credit for time as a regular, full-time University employee when it accepts a University employee who transfers. Credit for prior service is granted as outlined in this policy below. The Vice President of Human Resources for the University of Pennsylvania, in consultation with the Provost, must approve any additional entities to this policy.

411.1 Prior Service

Credit for prior service is granted where an individual with one or more years of regular full time service terminates employment at an approved entity and then is employed at the University in a regular full time position within a period of ninety (90) calendar days.

411.2 Introductory Period

Employees who transfer to the University are subject to an Introductory Period consistent with Policy 618.

411.3 Sick Leave

When the employee transfers to the University within ninety (90) calendar days of termination of employment from an approved entity, up to ninety (90) days or 720 hours of accrued sick leave transfers with the employee and is credited to their sick leave balance at the University. Sick leave also transfers when an employee leaves the University of Pennsylvania to begin employment at HUP.

411.4 Paid Time Off

Prior service credit is recognized for calculation of the appropriate Paid Time Off accrual rate for the transferring employee. No paid time off or vacation balances transfer with the employee to the University. the employee will receive a pay out for any paid time off or vacation balance the employee has upon transfer.

411.5 Tuition

Employees whose service is bridged under this policy are eligible for tuition benefits for themselves and their eligible dependents consistent with the policies for tuition assistance policies for University staff and faculty members and scholarship policies for dependent children and spouse/registered domestic partners.

411.6 Tax-Deferred Retirement Plan Benefit

The University provides retirement benefits for all eligible employees. For employees eligible to participate in the Tax-Deferred Retirement Plan, any service with an approved entity counts toward the plan's one-year waiting period (<http://www.hr.upenn.edu/benefits/retirement/eligibility.asp>).

411.7 Continuous Service

Certain benefits are based on continuous University service. Continuous service is defined as non-interrupted service with the University. Service at an approved entity will not be counted towards the continuous service requirement. Benefits that are based on continuous service include but are not limited to Retiree Medical and the calculation of pay continuation under the Position Discontinuation and Staff Transition Program.

Example: Employee A resigned from HUP after working six years as a regular full time employee. The employee was hired at the University two months after leaving HUP. The date of service that the University would use for the calculation of benefits based on continuous service would be the date the employee began work with the University.

411.8 University Staff Who Are Covered By Collective Bargaining Agreements

University staff covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All Regular Full-Time Staff

Xref: [Policy 404](#), [Policy 406](#), [Policy 407](#), [Policy 408](#), [Policy 409](#), [Policy 410](#), [Policy 607](#), [Policy 612](#), [Policy 613](#), [Policy 618](#), [Policy 628](#)

POLICY NO: 412

SUPERCEDES POLICY NO 412(02/01/90)

EFFECTIVE DATE: 6/1/04

PREGNANCY DISABILITY/MATERNITY/CHILDREARING LEAVES

The inability of a female staff member to carry out her normal University duties because of pregnancy, complications resulting from pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any related medical conditions is considered a temporary medical condition. If an employee is disabled due to pregnancy, childbirth, or related medical condition, the employee may take up to a maximum of four months leave. As an alternative, the University may transfer the employee to a less strenuous or hazardous position if the employee so requests, with the advice of her physician, and if the transfer can be reasonably accommodated. Leave taken as pregnancy disability runs concurrently with family and medical leave under federal law, but not with family and medical leave under California law. If an employee needs to take a pregnancy disability leave, the employee must provide the University with 30 days' advance notice if the need for the leave is foreseeable. If the leave is not foreseeable, the employee must provide advance notice as soon as practicable. In addition, the employee must provide the University with a health-care provider's statement certifying the last day the employee can work and the expected date of return.

Pregnancy disability leaves are without pay. However, employees must take sick leave and any available short term disability available to them while on this leave. Employees may also take accrued vacation time during the leave. All such payments will be integrated with any state disability or other wage reimbursement benefits that employees may receive. At no time will an employee receive a greater total payment than the employee's regular compensation.

If an employee is eligible for family medical leave, the University will maintain, for up to a maximum of 12 workweeks per 12-month period, any benefit coverage that the employee would be provided while on a family medical leave and on the same terms as if the employee had continued to work. In some instances, the University may recover premiums it paid to maintain health coverage if the employee fails to return to work following the pregnancy disability leave. If the employee is not eligible for family medical leave, then the employee will receive continued paid coverage on the same basis as employees taking other leaves. If the employee is not entitled to continued paid benefits coverage, the employee may continue coverage through the University in conjunction with federal COBRA guidelines.

In most circumstances, upon submitting an acceptable health-care provider release to return to

work, the employee will be offered the same position held at the time of the leave or an equivalent position. However, the employee will not be entitled to any greater right to reinstatement than if the employee had been employed continuously rather than on leave. For example, if the employee would have been laid off if she had not gone on leave, and there is no equivalent position available, then she will not be entitled to reinstatement. Similarly, if the employee's position is filled during the leave in order to avoid undermining the University's ability to operate safely and efficiently, and there is no equivalent position available, then reinstatement will be denied.

Non-medically related postnatal leave without pay for child rearing may be made available to either parent under the provisions of the University's policies on Leave of Absence Without Pay and/or Family Medical Leave. In cases of adoption, employees should refer to the University's policies on Leave of Absence Without Pay and/or Family Medical Leave. Staff members on sick leave, paid time off, short term disability or leave without pay are entitled to return to an equivalent or similar position without reduction in salary or loss of service credit.

412.1 UNIONIZED STAFF MEMBERS

University staff members in collective bargaining units are governed by the terms and conditions of their respective collective bargaining agreements.

Applicability: All Regular Staff Members

Xref: [Policy 404](#), [Policy 607](#), [Policy 612](#), [Policy 613](#), [Policy 616](#), [Policy 631](#)

POLICY NO: 413

TIME OFF FOR VOLUNTEER FIREFIGHTERS, RESERVE PEACE OFFICERS OR EMERGENCY RESCUE PERSONNEL

EFFECTIVE DATE: [INSERT DATE]

If you are a registered volunteer firefighter, reserve peace officer, or emergency rescue personnel who intends to perform emergency duty during work hours, please alert a representative of the University so that we are aware of the fact that you may have to take time off to perform emergency duty. In the event you need to take time off for this type of emergency duty, please alert your supervisor before leaving the University's premises. All time off for these purposes is unpaid.

POLICY NO: 414

TIME OFF FOR CRIME VICTIMS AND FAMILY MEMBERS OF CRIME VICTIMS

EFFECTIVE DATE: [INSERT DATE]

The University prohibits discrimination against an employee who wishes to take time off from work for the purpose of attending judicial proceedings related to certain crimes committed against the employee, the employee's immediate family member, the employee's registered domestic partner, or the domestic partner of the child's parent. Employees are eligible to take time off for crimes including: a violent felony, as defined in subdivision (c) of Section 667.5 of

the Penal Code; a serious felony, as defined in subdivision (c) of Section 1192.7 of the Penal Code; and a felony provision of law proscribing theft or embezzlement.

Before an employee may be absent from work for this purpose, the employee must provide his or her supervisor with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible. In the event that an unscheduled judicial proceeding occurs, which requires your immediate absence, please alert your supervisor before leaving the University's premises. The University may require that the employee provide verification that the absence from work was due to attendance at the unscheduled judicial proceeding. The types of verification the University may require include documentation evidencing the judicial proceeding from any of the following entities: the court or government agency setting the hearing; the district attorney or prosecuting attorney's office; or the victim/witness office that is advocating on behalf of the victim. Confidentiality of the situation, including the employee's request for the time off, will be maintained to the greatest extent possible if an employee requests time off for these reasons.

Employees may use accrued benefits, such as existing vacation time/paid time off, compensatory time off, personal leave time or other accrued paid time off, in order to receive compensation during the time taken off from work. Under this policy, "immediate family member" is defined as an employee's spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

POLICY NO: 501

LEARNING AND EDUCATION PROGRAMS DURING WORKING HOURS

Attendance in workshops or training programs during working hours requires appropriate prior approval by the supervisor or department head.

Attendance at workshops and training programs, when approved and required by the department head or designee, will be considered part of the regular work schedule. When workshops and training programs are scheduled outside the regular work time, compensatory time or overtime pay will be granted for non-exempt staff.

Applicability: All Regular Staff Members

POLICY NO: 601

SUPERCEDES POLICY NO: 601 (2/1/90)

EFFECTIVE DATE: 6/24/1999

WORK SCHEDULES

The University's standard work week for pay computation purposes is 12:01 a.m. Monday through 12:00 midnight Sunday.

The normal business hours of the University are 9:00 a.m.-5:00 p.m. Monday through Friday. The operational needs of some units may require variations to these hours.

The normal weekly work schedule for staff members is 35 hours per week made up of five (5) 8-hour work days each including one unpaid hour for lunch. Lunch hours are normally scheduled between 11:30 a.m. and 2:00 p.m.

It is the responsibility of the supervisor to establish work schedules to meet the operating needs of the unit, advise staff members of the daily and weekly work schedules of their positions when hired, and advise staff members of changes in working hours as far in advance as possible.

The regular work schedule for a position is designated by the supervisor on the Request for Compensation/Employment Services (HR1) at the time the form is submitted.

It is recognized that circumstances may arise in which a staff member is required to work overtime with little or no advance notice.

An increase or decrease in the regular work schedule of a weekly-paid staff member (e.g., from 35 to 37.5 hours) requires approval by your human resources representative and the Division of Human Resources/Compensation if the change is expected to continue for more than four (4) consecutive weeks. Such a change requires a letter of justification addressed to your human resources representative and signed by the head of the responsibility center.

601.1 UNION EMPLOYEES

University employees covered by Collective bargaining agreements should refer to the appropriate article in their contracts.

Applicability: All Staff Members

Xref: [Policy 302](#)

POLICY NO: 602
SUPERCEDES POLICY NO:
EFFECTIVE DATE: 2/1/1990

TIME AWAY FROM WORK

Departments are responsible for maintaining accurate leave records for monthly-paid staff and for reporting accurate leave time to Payroll for weekly-paid staff. The "Request for Time Off" form is a convenient device for recording all absences. Contact DHR/Staff Relations for a supply of "Request for Time Off" forms.

602.1 TYPES OF PAID LEAVE

Death in the Family, ,Jury Duty, Military Leave with Pay, Personal Days, Sick Leave, University Recognized Holidays, Vacation

602.2 TYPES OF UNPAID LEAVE

Leave of Absence without Pay, Military Leave without Pay

Applicability: All Staff Members

Xref: [Policy 601](#), [Policy 603](#), [Policy 604](#), [Policy 605](#), [Policy 606](#), [Policy 607](#), [Policy 609](#), [Policy 610](#), [Policy 611](#), [Policy 612](#), [Policy 613](#), [Policy 616](#)

POLICY NO: 603

SUPERCEDES POLICY NO: 603 (Effective 2/01/90), 603 (11/01/98)

EFFECTIVE DATE: 12/11/2001

ATTENDANCE

This policy has been designed to provide attendance standards for all staff and outline the appropriate procedures to follow for scheduled and unscheduled absences.

603.1 DEFINITIONS

Scheduled absences:

Time away from work which is scheduled and approved in advance by the staff member's supervisor. This includes paid time off, jury duty, military leave, death in the family and sick time used for health care provider appointments.

Unscheduled absences:

Time away from work which is not scheduled in advance or approved by the staff member's supervisor. This includes unscheduled sick time and/or leaving the workplace before the end of the scheduled work hours.

Lateness:

Not being in the workplace and ready to work by the start of the staff member's regularly scheduled work day.

603.2 REPORTING TO WORK

Staff members are expected to be in the workplace and ready to work at the start of their scheduled work day. If a staff member is unable to report to work by the designated time, the staff member must contact the supervisor prior to the start of the scheduled workday.

603.3 REQUESTS FOR TIME OFF

All requests for time off must be made in advance to the supervisor. Staff members who wish to take time off must submit their written requests to their immediate supervisor for approval at least * days in advance.

In emergency situations shorter notice may be accepted with the supervisor's approval.

*The supervisor should determine and communicate how much advance notice s/he requires.

603.4 SICK LEAVE

Sick leave is to be used only in accordance with the University Sick Leave, Short Term Disability and Family and Medical Leave policies. Sick leave may be used for illness of the staff member, for illness of an employee's child, parent, spouse or registered domestic partner (up to six (6) for grade 28 and below and 11 for grade 29 and above per fiscal year), and for health care provider appointments when it is not possible to schedule them during non-working hours. Sick time used for health care provider appointments, which are not medically urgent, must be scheduled in advance and approved by the supervisor.

If a staff member is unable to work due to illness, s/he should notify his/her supervisor as soon as possible, but no later than the starting time of the staff member's day. A staff member must notify his/her supervisor on each day of absence unless other arrangements have been made.

Note: Paid Time Off cannot be used for sick time except prior to using short term disability or family and medical leave as documented in the Short Term Disability and Family and Medical Leave policies.

603.5 UNIONIZED STAFF MEMBERS

Staff members covered by collective bargaining agreements should refer to the appropriate contract article.

Applicability: All Staff Members

Xref. [Policy 601](#), [Policy 602](#), [Policy 604](#), [Policy 607](#), [Policy 609](#), [Policy 610](#), [Policy 611](#), [Policy 612](#), [Policy 613](#)

POLICY NO: 605

SUPERSEDES POLICY NO: 507 (11/77); 605 (9/01/91); 605 (4/25/00)

EFFECTIVE DATE: 11/06/2001

HOLIDAYS [*\(FY2005 Recognized Holidays\)*](#)

The University observes the following holidays:

New Year's Day
Martin Luther King Day
Memorial Day*
Independence Day
Labor Day
Thanksgiving Day

Friday following Thanksgiving Day
Christmas Day

* Some classes may be scheduled on Memorial Day (e.g. Summer Session classes).

Each year the Vice President for Human Resources (or designee) announces the dates on which the holidays are observed. When a holiday falls on a Saturday, the preceding Friday is observed as the holiday. When a holiday falls on a Sunday, the holiday is observed the following Monday.

Regular staff members are immediately eligible for University-recognized holidays as they occur

605.1 PAY PRACTICES FOR HOLIDAYS

Regular full-time staff members are paid at their regular rate for time not worked on the holidays identified above.

If a holiday falls on a day that a regular part-time staff member is scheduled to work, the staff member is paid at his/her regular rate for the hours not worked.

Weekly-paid staff members who are required to work on a holiday should receive their regular pay for the holiday plus a premium equal to one-and-one-half times their regular hourly rate for all hours worked on the holiday.

University holidays occurring during a previously scheduled paid time off period are not charged to an individual's paid time off allowance.

Staff members who are absent from work either the workday before, the workday after a holiday or both days, will receive holiday pay provided that absence is charged to pre-approved paid time off, or to sick days substantiated by a written note from the employee's physician.

Terminating individuals will not receive holiday pay unless they work the day after the holiday.

605.2 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All Regular Staff Members

Xref: [Policy 302](#)

POLICY NO: 607

SUPERSEDES POLICY NO: 607 (1/12/99), 607 (07/01/97) 606 (09/01/91) 508 (09/75)

EFFECTIVE DATE: 12/22/2004

PAID TIME OFF

Frequently Asked Question and Answers on The Paid Time Off Policy

Note: This policy reflects the new accrual schedule for Paid Time Off. This policy supersedes the vacation, personal day and floating day policies. The vacation, personal and floating day policies have been combined into this revised policy.

Paid Time Off is provided for the purpose of rest, relaxation and a planned interruption from the workplace or to attend to personal affairs. Paid Time Off is to be taken within the year accrued in order to receive the personal replenishment value intended. Supervisors and staff have the responsibility to plan schedules that meet operating requirements of departments and time off needs of staff. In order to balance and meet service and staffing requirements, staff members and supervisors should plan time off schedules well in advance.

607.1 ELIGIBILITY

All regular part and full time staff members whose salaries are based on service for twelve months are eligible to request the use of accrued Paid Time Off upon the completion of the Introductory Period.

607.2 ACCRUAL

Staff members accrue Paid Time Off based on their years of service in regular University positions and the date when they began continuous employment with the University. Time served in temporary or occasional positions is not counted in calculating a staff member's Paid Time Off accrual rate.

(A) ACCRUAL OF PAID TIME OFF:

All regular staff members who have completed the Introductory Period and whose salaries are based on service for twelve months hired on or after July 1, 1997* accrue Paid Time Off in accordance with the following:

<i>Years of Service</i>	<i>Monthly Accrual Rate</i>
Less than 2 years of service	1.250
At least 2 years of service	1.417
At least 3 years of service	1.583
At least 4 years of service	1.750
At least 5 years of service	2.000

Paid Time Off is accrued monthly and is available for use by the staff member the month following the month of accrual.

Years of service are accrued from the staff member's most recent employment date in a regular University position. If the anniversary date is on or before the 15th of the month, the staff member will accrue at the new rate for the month. If the anniversary date is on or after the 16th of the month, the staff member will accrue at the new rate the following month.

When hired on or before or terminated on or after the 15th of the month, a full month's accrual will be credited.

*Regular full-time exempt and non-exempt monthly and weekly paid staff members whose salaries are based on service for twelve months and were hired on or before June 30, 1997 are now accruing at two (2) days per month.

(B) MAXIMUM BALANCE

During the first year of this policy, staff members will continue to accrue Paid Time Off without a maximum balance being applied. Effective July 1, 1998 (fiscal year 1999), a staff member may not have a balance of more than twenty-four (24) Paid Time Off days at any time. If a staff member's balance is at twenty-four (24) days, the staff member will not accrue any additional days. Days will not be retroactively accrued and credited to the staff member's Paid Time Off balance.

(C) INTRODUCTORY PERIOD

During the Introductory Period staff members accrue Paid Time Off. However, staff members are not allowed to use Paid Time Off during the Introductory Period. Upon completion of the Introductory Period, a staff member may request Paid Time Off. A staff member whose employment is terminated during the Introductory Period will receive payment for Paid Time Off days accrued.

607.3 PART TIME STAFF MEMBERS

Regular part time staff members accrue Paid Time Off based on the percentage of a full time schedule worked. Paid Time Off is calculated by determining the number of days which such a staff member would be eligible if the staff member were full-time. That number is divided by the number of hours per week established for the full-time positions in the same department and multiplied by the number of hours the part-time staff member works per week.

607.4 USE OF PAID TIME OFF

Staff members and supervisors should plan and schedule each fiscal year to allow the staff member to take Paid Time Off. Arrangements for Paid Time Off should be requested and approved in advance by a staff member's immediate supervisor. The staff member's immediate supervisor maintains the discretion to grant Paid Time Off without advance notice. In such cases, the supervisor may or may not grant Paid Time Off based on the business and operational needs of the unit.

607.5 PAYMENT OF UNUSED PAID TIME OFF

Upon the voluntary or involuntary termination of employment, all regular staff members must be paid for their accrued and unused Paid Time Off based on the date of separation.

607.6 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University staff members covered by collective bargaining agreements should refer to the appropriate article in their contract.

*For staff using Flexible Work Options, Paid Time Off usage will be governed by the Flexible Work Options Guidelines.

Applicability: All Regular Staff Members

Xref: [Policy 116](#), [Policy 602](#), [Policy 603](#), [Policy 604](#), [Policy 606](#), [Policy 618](#), [Policy 629](#)

POLICY NO: 608

SUPERCEDES POLICY NO: 507, 608 (2/1/90), 608 (12/15/00)

EFFECTIVE DATE: 12/11/2001

SPECIAL WINTER VACATION

The weekdays between the Christmas Day and New Year's Day holidays are designated as special winter vacation days, created to allow regular University staff members time off with pay between the fall and spring semesters. These days are not holidays for pay computation purposes.

Each year the Vice President for Human Resources announces the dates on which the special winter vacation is observed.

Except for those departments, laboratories, libraries and offices which must remain open to maintain services during this period, the University is closed.

Staff members who are required to work during this period receive equivalent time off with pay which must be taken within ninety (90) days.

Regular full-time staff members are paid for time not worked during the entire vacation period.

Staff members who are absent from work either the workday before, the workday after the Special Winter Vacation or both days, will receive pay for the Special Winter Vacation provided that absence is charged to pre-approved paid time off, or to sick days substantiated by a written note from the employee's health care provider.

The special winter vacation days are not cumulative and are not counted in computing terminal vacation pay.

608.1 PART-TIME STAFF MEMBERS

If a special vacation day falls on a day that a regular, part-time staff members is scheduled to work, the employee is paid at his/her normal rate and does not work.

608.2 UNIVERSITY EMPLOYEES WORKING AT HUP, CHOP AND WISTAR

Vacations, special vacations and holidays for University Employees working at HUP, CHOP and Wistar Institute are governed by the terms of HUP, CHOP and Wistar policies.

608.3 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

608.4 EMPLOYEES SEPARATING FROM THE UNIVERSITY

Employees separating from the University do not receive pay for special vacation unless they work the next scheduled work day after the special vacation.

Applicability: All Regular Staff Members

Xref: [Policy 302](#), [Policy 607](#), [Policy 612](#), [Policy 613](#), [Policy 629](#)

POLICY NO: 609

SUPERCEDES POLICY NO: 508, 609 (9/1/1991)

EFFECTIVE DATE: 10/14/2002

BEREAVEMENT POLICY (FORMERLY KNOWN AS TIME OFF WITH PAY FOR DEATH IN THE FAMILY)

Regular staff members are provided with paid time off for making arrangements, settling family affairs, bereavement, and/or attending the funeral or memorial service of a member of the immediate family. The University reserves the right to require documentation of the death (e.g., death certificate, obituary, documentation from funeral home).

Time off for death in the family is arranged by notifying the staff member's immediate supervisor or department head.

Questions on this policy should be referred to the Division of Human Resources/Staff and Labor Relations.

609.1 TIME ALLOWANCES

A maximum of five (5) days off with pay is permitted upon the death of a regular staff member's:

- spouse or University registered domestic partner (in accordance with Policy 716)*
- child
- brother or sister
- parent or guardian
- son or daughter-in-law
- mother or father-in-law
- brother or sister-in-law

*This five (5) day allowance also applies to the above-listed relatives of the staff member's University registered same sex domestic partner.

Direct step relations are included in this category.

A maximum of three (3) days off with pay is permitted upon the death of a regular staff member's directly related:

- grandparent
- grandchild
- aunt or uncle

One (1) day off with pay is permitted upon the death of a regular staff member's directly related:

- first cousin
- nephew or niece

The allotted days off with pay do not have to be consecutive. However, the allotted time off should be used within a year of the death of the family member.

A staff member may make a request to his/her supervisor to use Paid Time Off for death of family members or friends not covered by this policy or if the staff member needs additional days off in excess of the time allowances outlined in Section 609.1 due to the death of a family member covered by this policy.

609.2 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by Collective Bargaining Agreements should refer to the appropriate article in their contract.

Applicability: All Regular Staff Members

Xref: [Policy 602](#), [Policy 607](#), [Policy 716](#)

POLICY NO: 610
SUPERCEDES POLICY NO: 508
EFFECTIVE DATE: 10/1/1990

TIME OFF FOR JURY DUTY AND COURT APPEARANCE WITH PAY

Employees are encouraged to serve on jury duty and fulfill their court-related, civic obligations. The University provides the faculty or staff member paid time off to do so without change in status or loss of pay.

Individuals appearing in court on their own behalf are required to use personal or vacation days.

The faculty or staff member should notify his/her supervisor or department head upon receipt of a summons or subpoena.

Individuals summoned for jury duty or appearing as subpoenaed witnesses are expected to work during normal working hours whenever court is not in session or when their presence in court is not required.

610.1 UNIVERSITY PAY AND COURT REIMBURSEMENTS

A faculty or staff member called for jury duty, subpoenaed or requested by University attorneys to appear in court as a witness to testify when the testimony covers his/her job duties will be paid his/her regular rate of pay upon submission of the summons/subpoena from the court, if applicable.

The faculty or staff member may keep any expense monies or statutory witness fee allotted to him/her for such court service.

Applicability: All faculty and staff
Xref: [Policy 203](#), [Policy 602](#)

POLICY NO: 611
SUPERCEDES POLICY NO: 611 (2/01/90), 617 (2/01/90), 611 (6/01/98),
(7/01/2000), (9/24/01), (2/01/02), (1/27/03), (2/25/03), (1/14/04)
EFFECTIVE DATE: 11/19/2004

MILITARY LEAVE

Extension of Temporary Enhancement to Military Leave Policy (through February 28, 2010)

To continue our support of Penn faculty and staff who may be called or volunteer to serve on active military duty, the University will again extend the temporary enhancement to the Military Leave Policy to February 28, 2010. Eligible faculty and staff members who commence military

leave between February 25, 2003 and February 28, 2010 will be provided up to 90 calendar days of military pay and benefits during the temporary military pay enhancement period in accordance with the University's Military Leave Policy and the guidelines outlined below.

Summarized below are the provisions of the temporary enhancement of the University's military leave pay and benefits and the University's Military Leave Policy.

The University grants up to five (5) cumulative years of time off without pay for faculty and regular staff members (including staff covered by collective bargaining agreements*) who are called to or volunteer for active military duty in accordance with Federal guidelines. The employee's University department is committed to return the faculty or staff member to active University status in the same or comparable position, pay grade and salary within the department at the end of the military leave if the employee meets certain conditions as outlined in the University's Military Leave Policy.

Temporary Enhanced Military Pay and Benefits

For all eligible faculty and staff members who commence leave for active military duty or training between February 25, 2003 and February 28, 2010, the University will extend the military pay period from 10 workdays per fiscal year to a maximum of 90 calendar days during the temporary military pay enhancement period. If the faculty or staff member's documented military pay is less than his/her University base pay, the employee's home department will pay the difference for up to 90 calendar days while the employee is engaged in military training and/or on active duty. If the employee's military pay is more than or equal to his/her University base pay, the home department will not provide any differential pay. Military pay consists of base pay, plus allowance for longevity, subsistence, quarters and dependents, plus pay for sea, flight, foreign and hazardous duty. Military pay does not include reimbursement for travel expenses. After the maximum 90 calendar days of Penn military pay is exhausted, the employee may choose to either use Paid Time Off (vacation) during military leave or elect to take an unpaid leave of absence.

During the temporary enhanced paid military leave period (up to 90 calendar days), the faculty or staff member's medical, dental, vision, basic group life, supplemental group life and dependent life insurance will continue in effect on the same basis as an active employee. Per the University's Military Leave Policy, accidental death and dismemberment insurance will not be continuable or payable during military duty. Employees who continue military duty after the paid military leave period (up to 90 calendar days) may elect to continue their University medical, dental, vision, and life insurance benefits. Employees should contact the Penn Benefits Center (1-888-736-6236) prior to departure regarding benefits continuation.

During the paid military leave period, the employee will continue to accrue Paid Time Off (vacation) and sick days in accordance with the relevant University policies. Other benefits will remain the same, in accordance with the University's Military Leave Policy and Federal and State guidelines.

This temporary enhancement of military pay and benefits (up to 90 calendar days) only applies to employees who commence military leave between February 25, 2003 and February 28, 2010. This provision will not be applied retroactively. The University reserves the right to amend this temporary provision at any time.

For more information on the University's Military Leave Policy, scroll down to refer to the Military Leave Policy or contact the Division of Human Resources, Staff and Labor Relations at (215) 898-6093.

*University staff members who are covered by collective bargaining agreements should refer to the appropriate contract article for leaves without pay.

[*Instructions for Faculty or Regular Staff Members Called To or Volunteering for Active Military Duty*](#)

[*Instructions for Supervisors or Department Heads*](#)

[*Instructions for Business Administrators and Staff Responsible for Changes to the Personnel Payroll System*](#)

611.1 PURPOSE OF POLICY

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) protects job rights and benefits for veterans and members of the reserves. USERRA, and various state laws, apply to all employers doing business in this country regardless of size. The law protects all persons serving in the Army, Navy, Marine Corps, Air Force, Coast Guard, Public Health Service commissioned corps, and the reserve components of these services and the National Guard.

611.2 TIME OFF WITH PAY FOR MILITARY RESERVE DUTY

All faculty and regular staff (hereinafter "Employee") who are members of the National Guard or a reserve component of the United States Armed Forces, including the Coast Guard and Public Health Service Commission Corps, will be granted time off with pay for annual military duty provided the duty is obligatory to maintain military status.

The maximum paid time allowed for annual duty is ten (10) work days per fiscal year (July 1 to June 30). Any period of time spent on military duty in excess of the maximum paid time allowed may be taken as Paid Time Off (PTO) or a leave without pay.

A request for time off for annual military duty should be made to the Employee's immediate supervisor or department head at least two (2) weeks in advance of the duty. The request should include the dates of departure and return, and should be accompanied by a copy of the official orders, if possible. The Employee will be asked to provide a copy of official orders for leaves exceeding thirty (30) days in duration.

611.3 RECEIVING COMPENSATION FOR ANNUAL MILITARY RESERVE DUTY

During the ten (10) day military pay period, if military pay is less than University pay, the University pays the difference for the maximum paid time allowed for annual duty (ten (10) work days). Military pay consists of base pay, plus allowance for longevity, subsistence, quarters and dependents, plus pay for sea, flight, foreign, and hazardous duty. Military pay does not include reimbursement for travel expense.

To receive pay from the University during the ten (10) day military pay period, the Employee must

A. Furnish a certified statement of the military pay and allowances for the time off;

B. Endorse the military paycheck to the Trustees of the University of Pennsylvania and give the endorsed check to the department business administrator, who will forward the endorsed check to the Manager of Payroll.

After the annual maximum paid time for duty of ten (10) days is exhausted, employees, may choose to either use accrued but unused PTO during military leave, or they may elect to take an unpaid leave of absence during the period of military leave. If the Employee does not turn in the military pay, he/she will have the option of being charged PTO days equal to the time away for training or of taking the time as unpaid time off.

611.4 TIME OFF WITHOUT PAY FOR ACTIVE MILITARY DUTY

A. DESCRIPTION

Leave will be granted for voluntary or involuntary service in the uniformed services, provided the cumulative length of the absence from work and all previous absences from work by reason of service in the uniformed services from the University does not exceed five (5) years, unless an additional period of service is required by the Federal or State government. The five-year cumulative total does not include inactive duty training (drills), annual training, involuntary recall or retention on voluntary or involuntary active duty in support of war, national emergency, or certain operational missions or training or retraining requirements.

Employees who are granted military leave for voluntary or involuntary service in the uniformed services, will receive ten (10) paid days for military duty unless they have already exhausted the maximum ten (10) paid days for military duty granted per fiscal year (July 1 to June 30) as described in Section 611.2. Employees will receive time off without pay for the remainder of the military leave.

B. NOTICE

Unless precluded by military necessity or circumstances under which the giving of notice is otherwise impracticable or unreasonable, the Employee (or an appropriate officer of the

uniformed service in which the Employee is to serve) must give as much advance written or oral notice as possible of the need for military leave.

C. REEMPLOYMENT

The University is committed to reinstating returning Employees to active status in the same or comparable position, pay grade, and salary at the end of the leave if they meet the following criteria:

- 1) The Employee had been employed in a regular staff position and would not have been subject to position discontinuation if employment had not been interrupted by military service;
- 2) The Employee gave notice to the University prior to leaving, unless precluded by military necessity or to do so would have been impracticable or impossible;
- 3) The cumulative period of active service did not exceed five (5) years, excluding certain services required by, among other things, a declared war or national emergency;
- 4) The Employee was not discharged from the military under other than honorable terms;
- 5) The Employee reported back to the civilian job in a timely manner.
 - a. Application for reinstatement must be submitted not later than 90 days after completion of military duty. The deadline for reinstatement may be extended up to two (2) years for Employees who are disabled or convalescing due to an injury incurred or aggravated as a result of military duty; and
- 6) Circumstances have not so changed as to make such reemployment impossible or unreasonable and does not impose an undue hardship on the University.

The University may request that the Employee present a certificate of discharge or release from active duty under honorable conditions.

D. REPLACEMENT HIRE FOR EMPLOYEE ON LEAVE

The University may hire a replacement while an Employee is on military leave. The replacement is a term appointment and the offer letter from the hiring officer must clearly state the term of the appointment. The replacement worker may be eligible for benefits depending on the type and length of the assignment. However, in no case, will a replacement worker be eligible for benefits provided under the Position Discontinuation and Staff Transition policy. The offer letter must clearly state the terms and conditions of employment and that the position will end upon the return of the Employee on leave. Upon return of the Employee from military leave, the replacement worker's employment with the University will cease.

Special arrangements for faculty members are handled by the Provost's Staff Conference.

611.5 BENEFITS

A. Time Accrual

1. During the leave without pay, there is no accrual of sick days or paid time off days. Military time will be counted toward any benefit where length of service is considered determining time off benefits.
2. Time while on leave is counted as service credit in determining eligibility for those benefits that are dependent upon length of service.

B. Health and Other Benefits:

1. The University provides you with limited health coverage during your military leave. Medical, dental and vision insurance shall continue in effect for the first thirty (30) days of military duty on the same basis as an active Employee. Those on duty for thirty-one (31) or more days may elect to continue employer-sponsored health care for up to eighteen (18) months, or longer under certain circumstances, in accordance with controlling law. The University may require Employees electing coverage to pay the full cost to the University. For health plans, this would be the COBRA rate without the two (2) percent administrative charge. You should check with appropriate military personnel to determine what medical benefits, if any, are available to you and your dependants while you are on active duty.

Unless circumstances do not permit, the Employee must contact the Penn Benefits Center at 1-888-736-6236 to arrange for payment of benefits if he/she wishes to continue participation in the University medical, dental, and vision benefits after the first thirty (30) days of military duty. If an Employee elects to continue participation in these benefits, he/she will be billed directly for the benefits. If an Employee does not choose continuation of coverage, benefits will be reinstated, with no waiting period, immediately upon a timely return to work.

2. Basic group life insurance coverage may be continued for eighteen (18) months by paying the same rate paid by the University. Supplemental group life insurance and dependent life insurance, which are employee-pay-all programs, may also be continued for eighteen (18) months by paying the same rates as active employees. Unless circumstances do not permit, the Employee must contact the Penn Benefits Center at the number above to arrange for payment of these benefits if he/she wishes to continue participation in the University life insurance benefits. Note that the policy covers death while serving in the military.

3. Accidental death and dismemberment insurance is a supplemental part of the group life policy and is not continuable or payable during military duty.

4. Employees participating in the pre-tax accounts may continue to submit claims against balances accumulated in their accounts through the duration of the plan year and/or relevant filing period.

5. Tuition benefits for Employees and/or eligible dependents will be continued during the military leave.

C. Retirement Benefits

1. Under the Retirement Allowance Plan, time spent on leave without pay counts toward the plan's eligibility service, vesting service and benefit accrual. Upon reemployment, the Employee will be treated as if he or she had been actively employed during the military leave for pension accrual purposes.

2. Employees participating in the Tax-Deferred Retirement (TDR) Plan may make up for missed contributions from the leave period upon return to work. Employees should contact the Division of Human Resources Benefits Office at 215-898-3539 for information on this process. University basic contributions will automatically be made to the Employee upon his or her timely return to employment, but University matching contributions will not be made until the Employee makes up his/her contributions as described in the next paragraph.

Missed Employee contributions must be made after reemployment and before the earlier of: 1) five years, or 2) three times the length of the period of military services. Certain contribution limits may apply. The missed contributions can be made on a pre-tax or post-tax basis. The requirements for making missed contributions are under controlling law. You will be advised of your rights and obligations upon your reemployment.

3. Employees who are on military leave for longer than 30 days and have outstanding retirement plan loans if permitted under the applicable plan may request a suspension of loan payments while on military leave. If the loan payments are suspended, interest on the unpaid loan balance would continue to accrue at a rate of 6% during the length of the military leave. Upon the Employee's return from active duty, the interest rate will revert back to the original rate and the Employee must resume loan payments to the plan, but the amount of the loan payments will be recalculated to include the interest that accrued during the military leave. The period for paying off the outstanding balance of the loan (plus the accrued interest) will be extended by the period of the Employee's military leave. To request a suspension of payments or to get more information regarding loan repayments, Employees should contact the Benefits Office at (215) 898-3539.

Many issues may arise concerning your rights during military leave. This policy does not, and cannot, address all such issues. If issues arise that are not addressed in this policy, the University will abide by USERRA and any controlling state laws. Should you have any questions or require further information, please consult the Division of Human Resources/Staff and Labor Relations at 215-898-6093.

611.6 UNIVERSITY EMPLOYEES WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

Leaves without pay for University Employees who are covered by collective bargaining agreements should refer to the appropriate contract article insofar as it is consistent with the

applicable law. To the extent that applicable law requires more generous protections and benefits, the applicable law controls.

Applicability: Faculty & Regular Staff Members

Xref: Policy 101, Policy 114, Policy 602, Policy 603, Policy 607, Policy 616, Policy 623, Policy 628

POLICY NO: 612

SUPERSEDES POLICY NO: 612 (11/01/98), 612 (1/12/99)

EFFECTIVE DATE: 12/11/2001

SICK LEAVE

The Sick Leave policy is designed to provide position and salary continuation in the event of illness and to promote sick leave conservation for extended protection.

Regular full-time, part-time and limited service staff members through position grade 28 are eligible.

The accumulation of sick leave allows continuation of full base pay plus benefits when an eligible staff member is required to be absent from work because of illness or medical conditions.

612.1 ACCRUAL

Sick leave is accrued based on a staff member's regularly scheduled hours of work. A full-time or limited service staff member accrues sick leave at the rate of one day per completed month of service up to twelve days in each fiscal year (July 1-June 30). A regular, part-time staff member accrues sick leave on a pro-rata basis. The maximum sick leave accumulation is ninety (90) work days.

612.2 NOTIFICATION

A staff member or his/her designee should notify his/her supervisor as soon as he/she knows that he/she will be unable to work, but no later than the starting time of the staff member's work day. A staff member must notify his/her supervisor on each day of absence unless other arrangements have been made.

612.3 HEALTH CARE PROVIDER CERTIFICATION

When a staff member has been out on sick leave for more than three (3) consecutive work days, he/she is required to submit documentation from a health care provider to their supervisor certifying the medical necessity for the absence and expected date of return to work. Additionally, where a staff member has been out on sick leave for more than three (3) consecutive work days, the supervisor is expected to notify the staff member that the University

is provisionally designating the use of that sick leave as Family Medical Leave in addition to sick leave.

For any absence due to illness, a supervisor may request a written statement from the staff member's health care provider, certifying the medical necessity for an absence.

The University reserves the right to require that the staff member submit to examinations by a health care provider of the University's choosing for continuation of payments under this policy.

612.4 USAGE

Sick leave may be used for illness of the staff member, for illness of a child, parent, spouse, or registered domestic partner (up to six (6) days per fiscal year) and for doctor/dentist appointments when it is not possible to schedule them during non-working hours. Sick time used for health care provider appointments, which are not medically urgent, must be scheduled in advance and approved by the supervisor.

Sick leave is provided for the reasons stated in this policy and may not be used for other purposes. Sick leave may not be advanced.

Staff members who use sick leave may be required to concurrently use benefits under the Family Medical Leave policy.

612.5 POSITION/SALARY CONTINUATION

A staff member who properly uses the provisions of this policy is entitled to return to a similar or equivalent position without reduction in salary or loss of service credit. However, if a staff member has exhausted all available sick leave, his/her employment may be subject to termination unless he/she qualifies for and receives short term disability, Family Medical Leave or other leave benefits.

In case of illness which is expected to continue beyond sick leave accrual, the Short Term Disability and /or Family Medical Leave policies may be applicable.

612.6 SICK LEAVE FOR STAFF MEMBERS HIRED PRIOR TO AUGUST 1, 1984

Regular full- and part-time support and professional/administrative staff through grade PA8 (hired before August 1, 1984) entered the sick leave program with all sick leave that they had accumulated under the old policy:

- A. Weekly-paid staff members entered with their current unused accumulation plus a prorated amount from their anniversary date to the conversion date, up to a maximum of fifty-four (54) days.
- B. Monthly-paid staff members entered with ninety (90) working days of sick leave credit.

612.7 UNIONIZED STAFF MEMBERS

University staff members in collective bargaining units are governed by the terms and conditions of their respective collective bargaining agreements.

*For staff using Flexible Work Options, Paid Time Off usage will be governed by the Flexible Work Options Guidelines.

Applicability: Regular Staff at or Below Grade 28

Xref: [Policy 404](#), [Policy 405](#), [Policy 603](#), [Policy 607](#), [Policy 629](#), [Policy 631](#)

I don't think we should list these documents. The Physician's certification form is different for CA. The letters may be incorrect for CA.

The benefits and policies for University of Pennsylvania employees who work in locations outside of the Commonwealth of Pennsylvania may be different from the benefits and policies set forth in this website. Employees working outside the Commonwealth of Pennsylvania should contact their Human Resources representatives for more information.

POLICY NO: 613

SUPERSEDES POLICY NO: 613 (06/01/98, 1/12/1999)

EFFECTIVE DATE: 8/18/04

SICK LEAVE AND SHORT TERM DISABILITY FOR EMPLOYEES AT OR ABOVE POSITION GRADE 29 OR IN GRADES E, F, G, H

Full-time faculty as defined by the Faculty Handbook and regular full-time exempt staff members who are classified as position grade 29 or higher or position grades E, F, G, H are eligible for sick leave and short term disability benefits described in this policy.

Not more than one (1) month of sick leave and five (5) months of combined available paid time off and short term disability may be used during a period of twelve (12) consecutive months. Holidays or special vacation periods which may occur during a period of short term disability are not added to the short term disability period.

613.1 SICK LEAVE

Sick pay is full base salary and benefits. Eligible employees who must be absent because of illness are entitled to salary continuation for any days of illness up to a cumulative total equal to one month in each benefit year. For purposes of this benefit, one (1) month is twenty-two (22) working days, and the benefit year is the period from July 1 through June 30. Up to eleven (11) days of sick leave may be used to care for an ill child, parent, spouse or registered domestic partner.

Sick leave is provided for the reasons stated in this policy and may not be used for other purposes. Sick leave may not be advanced.

613.2 SHORT TERM DISABILITY

Short term disability is continuation of full base salary and benefits after sick leave benefits and available paid time off have been exhausted and may only be used for an employee's own illness or health condition.

613.3 ADMINISTRATION

A. Sick Leave

When an employee has been out on sick leave for more than three (3) consecutive work days, he/she is required to submit documentation from a health care provider to their supervisor certifying the medical necessity for the absence and expected date of return to work.

Additionally, where an employee has been out on sick leave for more than three (3) consecutive work days, the supervisor is required to notify his/her human resources representative, The human resources representative will notify the employee that the University is provisionally designating the use of that sick leave as Family Medical Leave in addition to sick leave.

An employee who claims sick leave benefits may be required by his/her immediate supervisor to present a health care provider's statement certifying the medical necessity for an absence.

B. Short Term Disability

Whenever it appears likely that the one (1) month sick leave benefit may be exceeded, the employee's supervisor or department head completes a Short Term Disability Application (for extended absences for an employee's own illness or medical condition) specifying the last day of active service and the day on which the current period of salary continuation will end. The current period of salary continuation includes all remaining days of sick leave, unused paid time off, and, if approved, short term disability. The application is forwarded to the human resources representative. The employee also must furnish the human resources representative with a health care provider's statement indicating the need for the time off from work and the expected duration of the absence. When such a request is made, the certification must be provided within twenty (20) calendar days of the request.

The application for short term disability is forwarded to Benefits. Benefits will respond with an approval or denial and include either the time period allowed or the reason for denial. The University reserves the right to require that the employee submit to examinations by a health care provider of the University's choosing for continuation of payments or as a condition of receiving these benefits under this policy.

C. Other

Employees absent from work on sick leave, paid time off, short term disability, or leave without pay are entitled to return to an equivalent or similar position without reduction in salary or loss of service credit.

Disability resulting from pregnancy is covered by the University's pregnancy disability policy.

Employees that use short term disability may be required to concurrently use benefits under the Family Medical Leave policy. Employees who have illnesses which are expected to continue beyond the short term disability period, may be eligible for benefits under the University's Long Term Disability policy.

*For staff using Flexible Work Options, Paid Time Off usage will be governed by the Flexible Work Options Guidelines.

Applicability: Faculty members and regular exempt staff at or above position grade 29 and regular exempt staff in grades E, F, G, H

Xref: [Policy 404](#), [Policy 405](#), [Policy 412](#), [Policy 603](#), [Policy 607](#), [Policy 629](#), [Policy 631](#)

Same as above.

POLICY NO: 614

SUPERCEDES POLICY NO: 115 (02/01/90)

EFFECTIVE DATE: 4/1/1998

***SICK LEAVE AND PAID TIME OFF CREDIT FOR TRANSFERRED STAFF
AND/OR STAFF WHOSE POSITION CLASSIFICATION CHANGES***

This policy provides the mechanism for a staff member whose position classification changes (non-exempt/exempt) or who is transferred within the University to carry forward all sick leave and paid time off credit.

The staff member will retain all sick leave and paid time off previously earned when there is a change in position classification (non-exempt/exempt) and/or the staff member is transferred either within the same department or from one University department to another.

614.1 SHORT-TERM DISABILITY CREDIT

.1a TRANSFER

All accumulated sick leave and short term disability transfers with the staff member.

**.1b CHANGE IN POSITION CLASSIFICATION FROM NON-EXEMPT TO EXEMPT
POSITION**

When a non-exempt staff member's position changes to exempt and the staff member has a Short Term Disability total balance of less than twenty-two (22) days, the number of days needed for the total to equal twenty-two (22) days will be added. If the Short Term Disability total balance is more than twenty-two (22) days, that balance will be carried forward.

614.2 PAID TIME OFF CREDIT

.2a TRANSFER

Staff members who transfer from one University department to another maintain all unused paid time off (PTO) days. The receiving department is responsible for granting future use of any PTO to which the staff member is entitled as of the date of the transfer.

As of July 1, 1998, the maximum balance of PTO days is 24. (See Human Resources Policy 607) In the event the staff member has a high PTO balance at the time of transfer, the receiving department, the releasing department and the staff member are encouraged to work cooperatively to arrange for the staff member to use PTO days prior to the actual date of the transfer. In such a circumstance it may be reasonable for the receiving department to delay the start date for the new position and for the releasing department to grant PTO days to be used prior to the transfer, while the staff member is still on the releasing department's payroll.

.2b CHANGE IN POSITION CLASSIFICATION

When a staff member's position classification (exempt/non-exempt) changes, PTO must be calculated to the effective date of the change. For staff hired on/before June 30, 1997, the accrual rate for PTO is to be calculated using accrual rates for staff members hired on/before June 30, 1997.

614.3 COMPENSATORY TIME

If a non-exempt staff member is due any compensatory time for extra hours worked or for work on holidays, the releasing department provides either pay or compensatory time off to settle the obligation prior to the change of the position classification and/or transfer. In all instances this is the obligation of the releasing department.

Applicability: All Staff who transfer or change position classification (non-exempt/exempt)
Xref: [Policy 117](#), [Policy 302](#), [Policy 303](#), [Policy 404](#), [Policy 607](#), [Policy 612](#), [Policy 613](#)

POLICY NO: 615
SUPERCEDES POLICY NO:
EFFECTIVE DATE: 7/1/1989

RECIPROCAL SICK LEAVE AGREEMENT

When Hospital of University of Pennsylvania employees transfer to the University, accrued sick leave earned transfers with the employee. Sick leave also transfers when an employee leaves the University of Pennsylvania to begin employment at the Hospital.

Applicability: All Regular Staff Members
Xref: [Policy 404](#), [Policy 410](#), [Policy 411](#), [Policy 612](#), [Policy 613](#)

POLICY NO: 616

SUPERSEDES POLICY NO: 616 (06/01/98), 616 (11/23/98), 616 (7/01/00)

EFFECTIVE DATE: 02/01/02

LEAVE OF ABSENCE WITHOUT PAY

A leave of absence without pay may be granted to staff members for periods up to one (1) year for personal reasons, such as attending to family matters, child rearing or performing community service without loss of University service credit and position.

Before approving or denying a leave request, the department head considers the department's operating needs and the staff member's needs, job performance and length of service.

When a request for leave is endorsed, the school/center will usually return the staff member to active status in a similar or equivalent position, pay grade and salary within the school/center at the end of the leave. The University reserves the right to terminate a leave of absence or deny reinstatement at the end of a leave of absence. A staff member has no greater right to conditions of employment than if the staff member had been continuously in the workplace. For example, the position of a staff member on an approved leave of absence may be subject to position discontinuation in accordance with the University's Position Discontinuation and Staff Transition Policy (No. 628).

An early termination of a leave of absence or denial of reinstatement must be reviewed by the Division of Human Resources/Staff and Labor Relations prior to any action by the department.

616.1 PROCESSING THE LEAVE REQUEST

.1a The request is submitted in writing to the immediate supervisor or the department head and specifies the length of the leave, not to exceed one (1) year, the dates and the reason for the proposed leave.

.1b The department head must forward copies of the endorsed leave request and departmental approval to Staff and Labor Relations and Benefits.

Questions concerning the handling of requests for leave should be referred to Staff and Labor Relations at 215-898-6093.

616.2 BENEFITS CONTINUATION

During personal leaves without pay, there is no accrual of sick days or paid time off days. Time while on leave is counted as service credit in determining eligibility for those benefits that are dependent upon length of service.

The staff member's current coverage will automatically continue for Medical, Dental, Vision, Life, and Long Term Care benefits during the leave unless the individual contacts the Penn Benefits Center within 30 days of when the leave begins. If the coverage continues, the staff

member will be billed directly, at full cost, on an after-tax basis for these benefits. Any other health and welfare benefits in which the staff member participates (Accidental Death and Dismemberment Insurance, and Health Care and Dependent Care Pre-Tax Expense Accounts) will automatically be discontinued. However, the staff member may continue to contribute to the Health Care Pre-Tax Expense Account at the current annual coverage level through COBRA. If the staff member is interested in continuing participation in the health care expense account, the staff member must contact the Penn Benefits Center.

Once the staff member's Business Administrator has updated the payroll system to reflect the change in status to Leave of Absence Without Pay, the Penn Benefits Center will mail a personalized notice explaining the benefits continuation process. The staff member is responsible for paying the full cost of any benefits continued during the unpaid leave, and will be billed directly from SysDyn, Inc., the University's third party administrator (exception: billing for the continuation of Long Term Care insurance comes directly from CNA Insurance Company). Benefits are billed and paid monthly.

It is the staff member's responsibility to contact his/her Business Administrator when s/he will be returning to work. Once the Business Administrator has updated the payroll system to reflect the change back to active status, the Penn Benefits Center will automatically reinstate all benefits that were in effect prior to the unpaid leave*. Coverage will be reinstated as of the first of the month following the month in which the individual returns from leave. Please note: if the staff member returns to work in a different plan year, they will be given the opportunity to enroll in the benefits again. If the staff member wishes to make changes to his/her reinstated elections, s/he must contact the Penn Benefits Center within 30 days of his/her return.

If the University contribution is to be paid by the department, the department must supply Benefits Accounting (215-898-7282) with a budget number to charge; otherwise, the staff member must pay the full amount.

Questions concerning benefit continuation while on leave of absence should be referred to the Penn Benefits Center at 1-888-PENNBEN (1-888-736-6236).

Staff members eligible for the Tax-Deferred Retirement Plan (TDR) prior to their leave may continue to make TDR contributions (up to 5% of their pre-leave base salary) on an after-tax basis. The University will match these contributions (as long as the staff member has completed the 1-year waiting period or has had this waiting period waived due to prior service credit), but will not provide the TDR Basic Plan contribution during the leave. To make these after-tax contributions, the staff member must complete an After-Tax Election Form, and return this form along with a check for the first month's contribution to the Benefits Office by the 15th of the month for which the contribution is intended. After-Tax Election Forms can be obtained from the Benefits Office. Contributions for subsequent months should be made by sending a check to the Benefits Office by the 15th of each month.

**The long-term care insurance also will be reinstated upon the staff member's return. If the staff member waived long-term care insurance during his/her leave, s/he will have to reapply and supply evidence of insurability for this benefit before it goes into effect. Acceptance is not*

guaranteed, and the staff member may pay a higher premium based upon his/her age at the time of the reapplication. Also, note that any changes to the staff member's long-term care insurance will need to be coordinated through CNA Insurance Company.

616.3 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract. However, employees covered by collective bargaining agreements must contact the Penn Benefits Center to avoid termination of benefits.

Applicability: All Regular Full and Part-Time Staff Xref: Policy 114, Policy 602, Policy 607, Policy 631

POLICY NO: 618
SUPERSEDES POLICY NO: 618 (07/01/97)
EFFECTIVE DATE: 1/1/2000

INTRODUCTORY PERIOD

For all new regular staff members, the Introductory Period consists of the first four months of employment at the University. This period may be extended with prior approval from Staff and Labor Relations. It is used to determine if performance meets the expectations of the position and if continued employment is warranted. Staff members who terminate University employment must complete an Introductory Period upon their reemployment with the University.

New staff members must be informed of the existence and length of the Introductory Period at the time the offer of employment is made. The Introductory Period should be outlined in the offer letter.

Upon hire and/or within the first week of employment the supervisor is expected to do the following:

- a. provide the staff member with a copy of his/her position description;
- b. establish written performance expectations for goals/responsibilities that the staff member will be evaluated on. Document expectations on the Introductory Performance Plan form or alternative form of documentation (e.g. letter, memo);
- c. meet with the new staff member to discuss the job responsibilities, practices, performance expectations, policies and procedures and the process of review during the Introductory Period. The supervisor and staff member should date and initial the Introductory Period Performance Plan form;
- d. give a copy of the Introductory Period Performance Plan, with the completed performance expectations to the staff member;
- e. ensure that the new staff member receives the appropriate orientation to the University, school/center and department.

Throughout the introductory period review process, the supervisor should:

- a. meet with the staff member regularly to discuss performance and provide constructive feedback as to whether s/he is meeting the expectations for the position, determine if staff member needs additional training and, if necessary, provide staff member with a plan for improvement;
- b. complete the Introductory Period Performance Plan and discuss staff member's progress and obtain staff member's comments;
- c. determine whether the staff member meets the required performance expectations for continued employment.

618.1 EXTENSION OF THE INTRODUCTORY PERIOD REVIEW PROCESS

If a new staff member is not meeting the required performance expectations of the position within the first four months of hire, the supervisor should review the situation with a representative of HR/Staff & Labor Relations. If additional time is needed to make a determination, the Introductory Period may be extended by a maximum of eight (8) months, after consultation with HR/Staff & Labor Relations. Only one extension may be requested and must be made prior to the end of the initial Introductory Period. (Please note, that the introductory period cannot go beyond twelve (12) months from the initial hire date.) The staff member must receive a letter outlining the extended time period and areas that need improvement.

618.2 EXCEPTION TO THE NORMAL INTRODUCTORY PERIOD TIME FRAME

If the initial four months Introductory Period is not an adequate time frame to evaluate the staff member's performance due to the nature of job responsibilities of the position, work cycle, and/or business and operational needs of the department/school/center, an extended period up to a year from the date of hire may be granted after consultation with HR/Staff & Labor Relations. The supervisor must submit a written request to HR/Staff & Labor Relations outlining the business rationale supporting the extended time frame. The request for an extension must be reviewed with HR/Staff & Labor Relations prior to the employment offer. If the extension is granted, the time frame must be outlined in the employment offer letter.

618.3 PAID TIME OFF ACCRUAL

During the Introductory Period, staff members accrue paid time off (vacation). However, staff members are not allowed to use this paid time off during the introductory period. A staff member whose employment is terminated during this period will receive payment for paid time off days accrued. Upon completion of the Introductory Period, staff members may use their accrued paid time off (vacation).

618.4 TERMINATION

At any time during the Introductory Period, after consultation with HR/Staff & Labor Relations, a staff member may be terminated from employment with the University of Pennsylvania. The staff member should be notified in writing of the effective date of termination.

The staff member will be given at least one (1) week's notice or one (1) week's pay in lieu of notice. Termination during the introductory period is not subject to the guidelines of the University's termination policy or the Staff Grievance Procedure.

618.5 UNIONIZED STAFF MEMBERS

University staff members who are covered by collective bargaining agreements should refer to the appropriate contract article.

Applicability: All Regular Staff Members

Xref: [Policy 101](#), [Policy 117](#), [Policy 607](#), [Policy 627](#), [Policy 628](#), [Policy 629](#)

POLICY NO: 619

SUPERCEDES POLICY NO: 619 (03/15/99), (03/01/00)

EFFECTIVE DATE: 5/22/2003

PERFORMANCE AND STAFF DEVELOPMENT PROGRAM

[Frequently Asked Questions and Answers on the Performance and Staff Development Program](#)

619.1 PROGRAM

The Performance and Staff Development Program provides for periodic appraisal of staff. The appraisal process is designed to encourage constructive dialogue between staff members and their supervisors, to enhance the staff member's professional development, to clarify job responsibilities and performance goals/expectations, to enhance the staff's member's professional development, to assure that job performance and accomplishment information is recorded in each staff member's University employment history, and to provide a basis for decisions on compensation.

The formal Performance and Staff Development Plan (Performance Plan) is conducted once a year usually by the staff member's immediate supervisor. After the Performance and Staff Development Plan is completed, the Performance Plan is discussed with the staff member and signed by the reviewer(s) and the staff member. The staff member's signature indicates that the Performance Plan has been reviewed with the staff member and does not necessarily indicate the staff member's agreement with the assessment of performance. The second level supervisor reviews and signs the form, as well. The signature of the Senior Business Officer is required for staff members in all levels of the following job titles: Financial Coordinator, Business Administrator, Business Manager, and Manager of Administration and Finance. Performance Plans become part of the staff member's personnel record and are afforded confidential treatment in accordance with University policy.

The basis for an objective Performance Plan is a clear understanding of the job assignment. It is the responsibility of each supervisor to specify the duties the staff member is expected to perform and the expectations for performing these duties at the outset of that staff member's assumption of duties. As the first step in this process, the supervisor and staff member should

review their understanding of the duties, goals and performance expectations of the job. The review should also include future performance planning. This step should occur at the beginning of the period of performance to be assessed.

The supervisor must describe performance areas that need improvement and expected results for any staff member whose overall performance rating is unacceptable or meets some but not all goals. This information should be articulated in the Goals for Next Appraisal Cycle Section of the Performance and Staff Development Plan. The supervisor should also indicate in the Performance Plan when a follow-up appraisal will be scheduled. Normally, this should occur within three to six months of the appraisal.

A staff member who supervises other staff will be appraised in part on the basis of completion of Performance Plans for staff persons within the unit of his/her responsibility.

619.2 ADMINISTRATION

Performance Plans and Self-Appraisal Worksheets will be distributed annually to departments by Human Resources. Completed forms with proper signatures affixed should be returned to Human Resources at times determined by Human Resources. In lieu of completing the Performance and Staff Development Plan, a supervisor may use a short form, letter or memorandum to document annual performance feedback. Human Resources is available to assist both staff members and supervisors in addressing issues relating to the performance appraisal and planning process and administrative review. For further information on how to complete a Performance Plan, supervisors should contact Human Resources.

619.3 ADMINISTRATIVE REVIEW

A staff member may ask for administrative review of the Performance Plan according to the rules below when the staff member's overall performance is described as "Unacceptable." This review is not available for individual assessments in specific sections of the Performance Plan. Staff members may not file a grievance regarding a Performance Plan under Human Resource Policy 620, "Staff Grievance Procedure."

1. After a staff member has signed and returned his/her Performance Plan, with or without comment, he/she may elect to meet with the immediate supervisor to discuss the Performance Plan where the overall performance is described as "Unacceptable."

The staff member must contact his/her immediate supervisor within 10 work days of receipt of the Performance Plan to schedule the meeting to discuss the Performance Plan. At least 2 work days prior to that meeting the staff member must provide to the immediate supervisor in writing the specific reason(s) for requesting the administrative review.

Within 10 work days after the meeting with the staff member, the supervisor

should provide the staff member with a written response addressing the issues raised by the staff member.

2. If the staff member is not satisfied with his/her immediate supervisor's response or a response is not provided, the staff member may elect to meet with the second level supervisor. The staff member must provide in writing the specific concerns to be addressed by the second level supervisor within 10 work days of receipt of the first level supervisor's response. Within 10 work days after the meeting with the staff member, the second level supervisor should provide the staff member with a written response, which normally concludes the administrative review.
3. At any time during the administrative review, a staff member who believes that procedures used in the performance process were inconsistent with the policy may request that Human Resources review the procedure. The review will be limited to issues related to a determination of whether the policy on performance and staff development was followed. On the basis of the findings, Human Resources may request appropriate corrective action.
4. At all stages of administrative review, the staff member has the responsibility to show that the Performance Plan is inaccurate or that the Performance and Staff Development Policy was not followed.
5. Only staff members will be permitted to attend meetings with supervisors regarding Performance Plans. However, at the concurrence of both the supervisor and the staff member, a representative of Human Resources may assist in facilitating the meeting(s) between a staff member and supervisor.

619.4 University Staff Who Are Covered By Collective Bargaining Agreements

University employees covered by collective bargaining agreements should refer to the appropriate article in their contract.

POLICY NO. 621

SUPERCEDES POLICY NO. 621(02/01/90)

EFFECTIVE DATE: 5/17/1999

PERFORMANCE IMPROVEMENT/DISCIPLINE

[Frequently Asked Questions and Answers on the Performance Improvement/Discipline](#)

This policy on discipline has been created to encourage the use of informal counseling and progressive disciplinary measures to correct unsatisfactory job performance or misconduct. The policy applies to all regular staff members at the University. Staff members are expected to consistently meet and maintain the established performance expectations for the position.

Nothing contained in this policy is intended to alter the at-will employment relationship between the University and its employees or to create legally enforceable contractual rights.

Disciplinary or corrective action for unsatisfactory job performance or misconduct is normally imposed on a progressive basis and in consultation with a human resources representative. Steps may be omitted or repeated depending on the frequency, severity and/or nature of performance or misconduct exhibited. Progressive discipline or corrective action may not be imposed in situations involving serious misconduct. Cases of serious misconduct could result in termination of employment.

The normal procedure to follow when disciplining an employee is outlined below.

621.1 ORAL WARNING

The initial step in the application of progressive discipline is the oral warning and discussion. The supervisor must meet with the staff member to discuss the unsatisfactory performance or misconduct, and outline the appropriate corrective action. The staff member should be informed that this is the first step in the disciplinary process and that failure to correct the performance or misconduct may result in further disciplinary action. The supervisor should keep a written record that an oral warning has been given and what corrective action was discussed with the staff member. A copy of this document should be shared with the staff member.

621.2 WRITTEN WARNING

The second step in the disciplinary process is the written warning and discussion. The supervisor, in consultation with a human resources representative, initiates a written warning and discussion. The written warning document to the staff member specifies:

(a) the unsatisfactory performance or misconduct; (b) the corrective action to be taken by the staff member; (c) notice that continued unsatisfactory performance or misconduct may result in further disciplinary action, including termination of employment.

When the staff member is given the written warning, the supervisor should discuss the problem with the staff member. A copy of the warning is forwarded to the human resources representative and Staff and Labor Relations for inclusion in the staff member's official personnel record and the staff member is so advised.

The staff member should be advised that he/she may request counseling with a human resources representative and/or Staff Relations Specialist concerning the problems with performance or conduct.

621.3 PROBATION

If unacceptable performance or misconduct continues or recurs, the supervisor, in consultation with a human resources representative, may place the staff member on probation. The supervisor should give the staff member a document which outlines:

(a) the unsatisfactory performance or misconduct; (b) the corrective action to be taken by the staff member; (c) the period of time in which to demonstrate acceptable performance (see below); (d) the date of the follow-up review; (e) notice that continued unsatisfactory performance or misconduct may result in termination of employment; (f) the name and telephone number of the Staff Relations Specialist assigned to that unit or school.

Note: The length of the probation period should be determined in consultation with a human resources representative.

When the staff member is given the probationary letter, the supervisor should discuss the problem with the staff member. A copy of the probationary letter is forwarded to the human resources representative and Staff and Labor Relations for inclusion in the staff member's official personnel record and the staff member is so advised.

During the probationary period, the supervisor should make every effort to assist the staff member in attaining the desired level of performance or conduct.

621.4 TERMINATION

If during, at the conclusion of, or subsequent to the probationary period, the staff member's performance or conduct is still unacceptable, the supervisor, in consultation with a human resources representative, will determine if termination is appropriate. The decision to terminate will be based on a review of the facts and circumstances, the documentation and whether or not University policy has been followed. If the decision is made to terminate, the supervisor should give the staff member a letter outlining the reason for the termination and the effective date of the termination.

This policy does not apply in situations involving serious misconduct, including, but not limited to, criminal behavior, assault, insubordination, misappropriation of funds, harassment, discrimination, etc. It is imperative that a human resources representative and/or Staff and Labor Relations or the Vice President for Human Resources (or designee) is contacted in such cases.

621.5 UNIONIZED EMPLOYEES

University employees who are covered by collective bargaining agreements should refer to the appropriate contract article.

Applicability: All Regular Staff Members

Xref: [Policy 001](#), [Policy 002](#), [Policy 003](#), [Policy 622](#), [Policy 623](#), [Policy 629](#), [Policy 701](#), [Policy 705](#), [Policy 706](#), [Policy 714](#)

POLICY NO: 622

SUPERCEDES POLICY NO: 705

EFFECTIVE DATE: 2/1/1990

SUSPENSION

Suspension provides a mechanism for temporarily removing a staff member from the workplace for serious misconduct pending further investigation of the situation.

Before a staff member is suspended, the supervisor should consult with a human resources representative to discuss the circumstances.

When there is reason to believe that a staff member has engaged in serious misconduct including but not limited to misuse of resources, engaging in conduct that disrupts operations or threatens his/her own safety or the safety of others, harassment, discrimination, insubordination, or criminal behavior, the staff member may be suspended immediately with or without pay depending on the circumstances.

The human resources representative will review the facts and circumstances with a Staff Relations Specialist, and advise whether termination is warranted after consultation with appropriate University offices. If termination is not warranted, the employee will be reinstated. Pay or benefits lost as a result of the suspension may be restored depending on the circumstances.

Supervisors are cautioned that this policy is only for serious misconduct in circumstances requiring further investigation or review and is to be read in conjunction with the PERFORMANCE IMPROVEMENT/DISCIPLINE policy.

622.1 UNION EMPLOYEES

University employees who are covered by collective bargaining agreements should refer to the appropriate contract article.

Applicability: All Staff Members

Xref: [Policy 001](#), [Policy 002](#), [Policy 003](#), [Policy 621](#), [Policy 623](#), [Policy 629](#), [Policy 701](#), [Policy 705](#), [Policy 706](#), [Policy 714](#)

POLICY NO: 623

SUPERCEDES POLICY NO: 708

EFFECTIVE DATE: 9/1/1991

SEPARATION

The University has specific responsibilities under federal, state and local laws which regulate the conditions under which employees' jobs may be terminated. These responsibilities must be met by the University regardless of the source of funds from which individual salaries are paid. Any individual who disregards this policy and terminates the employment of an employee improperly assumes responsibility for any penalties, liabilities and expenses which may arise out of that action and may be subject to discipline up to and including discharge.

Nothing contained in this policy is intended to create legally enforceable contractual rights.

623.1 VOLUNTARY VERSUS INVOLUNTARY SEPARATION

Separations may be either voluntary or involuntary. Voluntary separations include resignations, quit without notice, medical necessity, and retirement. Involuntary separations include staff reductions due to lack of funds or lack of work, completion of contract, discharge for unsatisfactory job performance, and misconduct or serious misconduct.

When a staff member is separated from the University, it is the responsibility of the home department to document the termination, stop payroll and stop benefit premium payments. Any costs for benefits premiums that arise from incorrect entry into the Personnel Payroll System are the responsibility of the department and may be charged to the department. In addition, the former staff member's University identification card (except those of retiring employees), keys, all library books and other University property must be returned to the University.

623.2 CODES FOR USE WITH THE PERSONNEL PAYROLL SYSTEM

Departments should use the following codes to insure accurate personnel records and to permit proper determination of eligibility for unemployment compensation:

*These codes require supporting documentation and approval by DHR / Staff & Labor Relations.

Staff Reduction	
*01	Position discontinued
*03	Lack of funding
04	Completion of contract
06	End of appointment
Termination for Cause	
*20	Not qualified
*21	Excessive unexcused absence or lateness
*22	Unsatisfactory performance
*23	Misconduct, violation of rules, or serious misconduct
*24	Other
Resignation	
40	Accepted new job (academic)
41	Accepted new job (non-academic)
42	Marriage or domestic obligations
43	Dissatisfied with pay
*44	Personal reasons
*45	Quit without notice
46	Relocation
47	Returned to school
*48	Dissatisfied with working conditions
49	Student job ended

Retirement	
30	Normal Retirement
31	Early Retirement
Other Types of Separation	
60	Medical necessity
80	Death

Applicability: All Regular Staff Members

Xref: [Policy 001](#), [Policy 621](#), [Policy 624](#), [Policy 626](#), [Policy 627](#), [Policy 628](#), [Policy 629](#), [Policy 630](#)

POLICY NO: 624

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

RETURN OF UNIVERSITY PROPERTY

An individual separating from the University is responsible for returning library materials to the library, settling any personal accounts with the University and for returning keys, research notes, identification card and other University property to his/her business administrator or immediate supervisor. Exceptions may apply to retiring employees.

It is the responsibility of the supervisor/business administrator to destroy the returned identification card.

Applicability: All Faculty & Staff

Xref: [Policy 201](#), [Policy 204](#), [Policy 623](#), [Policy 626](#), [Policy 627](#), [Policy 628](#), [Policy 629](#), [Policy 630](#)

POLICY NO: 626

SUPERCEDES POLICY NO: 626(09/01/91)

EFFECTIVE DATE: 5/17/1999

RESIGNATION

Resignation is a voluntary separation from the University with notice on the part of the staff member.

A staff member paid on a weekly or hourly basis is expected to give at least two (2) weeks notice and a staff member paid on a monthly basis is expected to give at least four (4) weeks notice. Notice should be in writing.

A staff member who resigns is entitled to payment for any accrued but unused paid time off. There is no pay continuation or payment for unused sick days. If the effective date of resignation

is a University holiday or falls during the special winter break, the staff member is not eligible for payment for the holiday or special winter break unless the staff member works the workday following the holiday or special winter break.

It is good practice for the supervisor to acknowledge the resignation in writing and the supervisor should assure that the resignation is properly documented in the Personnel/Payroll System. To record a resignation properly, the supervisor should enter the resignation into the Personnel/Payroll System indicating the reason for the staff member's termination by using the appropriate code. If there is a question concerning which code should be used, the supervisor should contact their human resources representative.

626.1 BENEFITS CONTINUATION

The University complies with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) by extending to eligible staff and their eligible dependents the right to continue benefit coverage under the medical, dental and vision plans if coverage would be lost by reason of a qualifying event. Coverage is available for the period prescribed by law (18 or 36 months) at the individual's expense, including an administrative charge. Eligible staff members are those eligible to enroll in one or more of these plans when a qualifying event occurs. Eligible dependents are spouses, domestic partners and dependent children, i.e. children up to 19 years of age or 23 years of age if a full-time student. Qualifying events include voluntary or involuntary termination, other than for reasons of gross or serious misconduct; voluntary or involuntary reduction of hours of work; death; divorce; a dependent child's loss of dependent status; and an employee's election of Medicare benefits as his or her primary coverage.

Applicability: All Regular Staff Members

Xref: [Policy 623](#), [Policy 624](#), [Policy 627](#)

POLICY NO: 627

SUPERCEDES POLICY No. 627 (07/01/89)

EFFECTIVE DATE: 5/17/1999

QUIT WITHOUT NOTICE

A staff member who fails to give proper notice of resignation or leaves the job indicating an intention not to return to work has quit without notice. Proper notice is defined in the Resignation Policy. In addition, a staff member who is absent from work is required to notify his/her supervisor. The staff member should notify his/her supervisor or established designee about the absence by the start of his/her regular work schedule. A staff member who is absent for three (3) consecutive work days without notice is deemed to have quit. This quit without notice is considered a voluntary resignation.

627.1 STEPS FOR THE SUPERVISOR TO FOLLOW

The supervisor should consult immediately with their human resources representative when a staff member fails to come to work and does not contact the department. After consultation with

Human Resources and after the staff member has been absent without notice for three consecutive work days, the supervisor or the human resources representative should send a letter with assured delivery, such as Federal Express or certified mail, to the absent staff member at the last address of record. A copy of the letter should also be sent to the absent staff member via regular mail.

The letter should advise the staff member that his/her employment with the University has been terminated in accordance with the Quit Without Notice Policy and that the termination will be recorded as a quit without notice.

A staff member who quits without notice is entitled to payment for accrued but unused paid time off. There is no pay continuation or payment for sick leave.

When a staff member quits without notice, the home department is responsible for entering the separation into the Personnel/Payroll System using the appropriate separation code (quit without notice) to document the termination, stop payroll and stop benefit premium payments. In addition, the terminating staff member's University identification card, keys, library books and other University property must be returned to the University.

Applicability: All Staff Members

Xref: [Policy 623](#), [Policy 624](#), [Policy 626](#), [Policy 629](#)

POLICY NO: 628

SUPERSEDES POLICY NO: 628 (10/17/97, 6/1/1998 , 9/12/2003 , 9/15/2004)

EFFECTIVE DATE: 12/16/2004

POSITION DISCONTINUATION AND STAFF TRANSITION

To maintain its integrity as a steward of public and private resources, the University of Pennsylvania must ensure that its administrative functions and academic programs are fiscally sound and maximally efficient. Increasingly in the competitive, resource-constrained environment of higher education, the University must make difficult choices. Thus, from time to time, in order to respond readily to changing demands, new opportunities for improvements, and increased need to enhance the quality and efficiency of its programs, some staff positions must be discontinued or transformed. This policy is designed to provide for the orderly redeployment, when practical, of staff whose positions are affected by such decisions to other available University positions for which they are qualified, and for fair and consistent treatment of those for whom replacement positions within the University cannot be found.

This policy allows for the discontinuation of staff positions resulting from a management decision that a reduction in the work force is necessary or that work functions should be eliminated or changed. Discontinuation under this policy does not include situations of voluntary separation, including resignation, quit without notice, medical necessity, and retirement. This policy should not be used solely to address issues of unacceptable performance or misconduct. These issues are covered under policies of the Division of Human Resources regarding performance, conduct, and attendance.

This policy applies to regular full-time, regular part-time staff members, and to staff members who are in appointments finalized before January 1, 1996, which were made subject to continuation of funding from external sources. This policy does not apply to staff members on term appointments or to staff members who are still in their introductory period. It does not apply to staff members in collective bargaining units for whom terms of employment are governed by collective bargaining agreements, or to staff designated Temporary Extra Person under Human Resources Policy No. 114. It does not apply to a staff member with an appointment, finalized January 1, 1996, or later, which is made specifically (in writing) subject to continuation of funding from external sources unless the staff member has ten years of continuous service on the date of notice. Other important eligibility exclusions are outlined in the Summary Plan Description.

Nothing contained in this policy is intended to alter the at-will employment relationship between the University and its staff employees or to create legally enforceable contractual rights.

I. Responsibilities of Releasing Unit

The releasing unit is the organizational entity which makes a decision under this policy to reduce the size of the staff work force. The releasing unit includes not only the individual unit which is discontinuing one or more staff positions, but also includes other areas reporting to the same dean, vice president, or vice provost.

A. Transition Activities

Before a decision is made to eliminate a position, the releasing unit should carefully assess its work and staffing needs and, in consultation with their human resources representative should develop a schedule of activities aimed at providing a smooth transition both for staff members whose positions are discontinued and for those in the unit whose jobs are affected by that change.

B. Selection of Positions for Discontinuation

Determination of positions to be discontinued will be made by management of the releasing unit. When skills, abilities, performance, and competence of staff members necessary to meet the current and prospective operations requirements are deemed by the management to be substantially equal, then length of continuous employment of staff members with the University and the University's commitment to diversity among its work force will be considered among the factors in selecting positions for discontinuation.

C. Notice

Written notice will be provided to the staff member whose position is to be discontinued at least 30 calendar days prior to the expected separation date. In consultation with the human resources representative, management of the releasing unit should prepare a notice letter, a copy of this policy, the Summary Plan Description: Position Discontinuation and Staff Transition, and the agreement described in Section IV.A. The supervisor or another member of management of the

releasing unit should meet with the staff member whose position is to be discontinued to advise him/her of the decision and to respond to questions and concerns.

The period of notice will be no less than 30 calendar days, such period beginning with the date of delivery of the written notice to the staff member and ending with the staff member's last day of work.

D. Initiatives for Redeployment

The releasing unit, the Division of Human Resources and the staff member whose position is being discontinued should try to identify current and/or expected openings within the releasing unit. Under the following circumstances, an open position within the releasing unit may be made available as a transfer job opportunity without a competing process: (1) the staff member whose position has been discontinued is substantially qualified for the new position as determined by the hiring officer and the Division of Human Resources; (2) in the judgment of the hiring officer and the Division of Human Resources the new position warrants a salary offer that is within 5% above or below the staff member's salary at the time of notice; (3) the new position and discontinued position are in the same exempt or non-exempt category as defined by the Fair Labor Standards Act; and (4) the Affirmative Action Office approves the offer.

The releasing unit should cooperate with the staff member in providing reasonable release time to compete for position openings in other units of the University.

If a transferred employee's performance does not meet departmental standards during the first 90 calendar days in the new position, the staff member may be placed on probation in accord with the final remedial step of Human Resources Policy No. 621 (Performance Improvement/Discipline Policy).

The releasing unit should provide to the staff member access to career transition services consistent with guidelines established by the Division of Human Resources.

E. Financial Responsibilities of Releasing Unit

The releasing unit is responsible for payments to the staff member through the periods of notice and pay continuation. Payments shall include the following: (1) salary at the normal rate throughout the period of notice, (2) compensation for unused paid time off, (3) pay continuation (where appropriate).

In those cases where the staff member receives and accepts a job offer from an area outside the releasing unit, the releasing unit will continue to be responsible for payments during the normal period of pay continuation; however, during any part of the normal period of pay continuation when the staff member is on the payroll of the receiving unit, the releasing unit will pay any unpaid pay continuation, in accordance with Section IV.A., to the receiving unit instead of to the staff member. The releasing unit will pay the cost of career transition services, if any are provided.

All funds used for pay continuation and other eligible costs associated with the position discontinuation should be dispersed in accordance with all applicable University and/or sponsored program stewardship guidelines and regulations. If, per stewardship guidelines and regulations, it is not permissible to use the funding source (e.g. grant funds) that supported the discontinued position for position discontinuation costs, the releasing unit should work with the head of the unit or designee to identify an appropriate budget source to fund the requisite costs.

For staff members whose positions are supported by sponsored funds, pay continuation and other eligible costs associated with the position discontinuation can only be paid from the sponsored funds if the staff member whose position is discontinued does not remain at the University and is not reemployed by the University during the pay continuation period. If the staff member whose position is discontinued receives pay continuation from a sponsored project and is subsequently reemployed by the University in a position outside the releasing unit during the pay continuation period, any unpaid pay continuation that is transferred to the receiving unit, in accordance with Section IV.A., cannot be paid by sponsored funds. In this instance any unpaid pay continuation must be paid from unrestricted funds.

The amount of position discontinuation expenses charged to any sponsored project must be in direct proportion to the actual pay the staff member received from the project(s). For example, the position discontinuation costs must be allocated to each sponsored project or account that benefited from the staff member's service if adequate funds are no longer available in the sponsored projects, the releasing department must cover the position discontinuation expenses using unrestricted funds.

II. Responsibilities of Receiving Unit

The receiving unit is an organizational entity reporting to a dean, vice president, or vice provost, different from that of the releasing unit, which accepts into a position a staff member whose previous position has been discontinued.

The receiving unit should work with the releasing unit and the Division of Human Resources to provide a smooth transition for the redeployed staff member. In some cases, the receiving unit will receive into its own budget from the releasing unit some or all of the pay continuation payments that would have been paid to the staff member (see Section I.E). These payments may be used to offset salary and/or training expense.

III. Responsibilities of Division of Human Resources

The Division of Human Resources is available for consultation with the releasing unit during planning for transition and preparation for notifying individuals of the discontinuation of their positions. Human Resources will coordinate the provision of Career Transition Services to staff affected by this policy and the University's relationship with external providers of Career Transition Services.

IV. Benefits of Staff Members Whose Positions Are Discontinued

A staff member whose position is being discontinued may receive the following benefits under this policy:

A. Pay Continuation

After a staff member whose position is to be discontinued executes an agreement in a form satisfactory to the University releasing the University, its officers, and employees for all claims arising from his/her employment by the University or the separation from his/her employment, the University will provide pay continuation payments according to the following schedule:

Length of Service*	<u>Pay Continuation</u>
During Introductory Period	None
End of Introductory Period Up to Two Years	4 weeks' pay
Over 2 years	Non-exempt (A-3) and exempt (A-1) staff in grades 21 through 28 are eligible for 4 weeks' pay plus 1 week pay for each full year of full-time service or equivalent in excess of two years, except that total pay continuation will be no more than 52 weeks. Exempt (A-1) staff in grades 29 through 32 and ungraded are eligible for 4 weeks' pay plus 2 weeks pay for each full year of full-time service or equivalent in excess of two years, except that total pay continuation will be no more than 52 weeks.

* Length of service is counted from the last date of hire until separation date.

Pay continuation will begin on the date of the revocation period for a valid release or the separation date, whichever is later.

B. Benefits Continuation

Consistent with rules of eligibility and laws governing the University's benefits programs, staff members are subject to the following rules regarding benefits continuation:

A staff member who is notified of a discontinuation will receive full benefits until the date of separation.

By executing the appropriate release, a former staff member who has been separated under this policy without a transfer job opportunity and is receiving pay continuation payments is eligible for benefits continuation during the period of pay continuation, as described in Section IV.A., for the following benefits: medical, dental, and tuition assistance* with continuation by the University of its normal share of the cost. All other benefits, including disability, life insurance, and retirement, will be discontinued on the date of separation. (*Tuition assistance is available only to a staff member who is participating in the tuition scholarship or direct grant program at the time of notice of discontinuation. Such assistance terminates as of the end of the semester in which notice of separation is given.)

Upon separation and within prescribed time periods afterwards, the former staff member may be allowed to continue benefits at his/her expense under federal regulations implementing the

Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Such coverage may be available for eligible dependents, as well.

C. Career Transition Services

An eligible staff member who has received notice of discontinuation should be offered career transition services consistent with guidelines established by the Division of Human Resources during the period of notice and pay continuation. Career transition services are intended to facilitate the transition of staff members to other suitable positions either at the University or another organization. Career transition services are not available to a staff member who has rejected a transfer job opportunity, as defined in Section I.D.

V. Rehire of Former Staff Member

A staff member who has not found employment at the University by the date of separation will be considered in the future for new employment opportunities at the University or any of its subsidiaries or components, including any component or affiliate of the University of Pennsylvania Health System, in the same manner as any other external applicant. A former staff member who is rehired must complete a new introductory period for the new position.

If a former staff member is rehired by the University the rehire date will be the first day of reemployment. (Bridging of service periods may occur in accord with Human Resources Policy No. 410.) Any pay continuation to the staff member will cease as of the first day worked in the new position at the University or any of its subsidiaries or components, including any component or affiliate of the University of Pennsylvania Health System.

VI. Grievability of Provisions of This Policy

Administration of this policy, including a decision by the releasing unit to reduce the size of the work force, selection of particular positions for discontinuation, and the designation of individuals for separation from the unit or redeployment, are not matters subject to a grievance.

VII. Other

This policy provides guidelines for administration of PDST. The policy in some places discusses benefits more fully described in the Position Discontinuation and Staff Transition Plan (the Plan) and Summary Plan Description (SPD). If there is any conflict between this policy, the Plan or SPD, the Plan shall control.

POLICY NO: 629

SUPERSEDES POLICY NO:701, 629 (08/15/95, 7/12/99)

EFFECTIVE DATE: 7/12/1999

TERMINATION

This policy has been designed to assure that the University meets its responsibilities and complies with its internal guidelines in making termination decisions. These responsibilities must be met regardless of the source of funds from which individual salaries are paid. HUP employees are not covered by this policy. Nothing contained in this policy is intended to create legally enforceable contractual rights.

The employment of a staff member may not be terminated involuntarily for any reason without prior review by Division of Human Resources (DHR)/Staff and Labor Relations.

When a staff member is separated from the University, it is the responsibility of the home department to document the termination and terminate the employee from the payroll system (which will stop benefit premiums). Any costs for benefits premiums that arise from incorrect and/or late entry into the Personnel/Payroll System are the responsibility of the department and may be charged to the department. The department is also responsible for paying out all unused and accrued paid time off days to all staff members who have successfully completed their Introductory Period and have voluntarily or involuntarily terminated employment.

In addition, the terminating staff member's University identification card, keys, all library books and other University property must be returned to the University. Further, it is the responsibility of the home department to take reasonable steps to inventory and remove (or request removal of) the terminated employee's access privileges to University, departmental, School and other information systems containing personal or proprietary data.

629.1 BENEFIT CONTINUATION

The University complies with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) by extending to eligible staff and their eligible dependents the right to continue benefit coverage under the medical and dental plans if coverage would be lost by reason of a qualifying event. Coverage is available for the period prescribed by law (18 or 36 months), at the individual's expense including an administrative charge. Eligible staff are those eligible to enroll in one or more of these plans when a qualifying event occurs. Eligible dependents are spouses and dependent children, i.e. children up to 19 years of age, or 23 years of age if a full time student. Qualifying events include voluntary or involuntary termination, other than for reasons of gross misconduct; voluntary or involuntary reduction of hours of work; death; divorce; a dependent child's loss of dependent status; and an employee's election of Medicare benefits as his or her primary coverage.

Applicability: All staff members

Xref: [Policy 001](#), [Policy 607](#), [Policy 621](#), [Policy 622](#), [Policy 623](#), [Policy 624](#), [Policy 630](#)

POLICY NO: 630

SUPERCEDES POLICY NO: 630 (2/1/90)

EFFECTIVE DATE: 3/26/01

TERMINATION OR SUSPENSION OF EMPLOYMENT OF UNIVERSITY OFFICERS (formerly Termination or Suspension of High Ranking Administrators)

University officers are those positions outlined in Article 3 of the Statutes of the Trustees of the University of Pennsylvania. The positions subject to this policy include the Provost, the Vice Presidents (including the Executive Vice President), the Secretary, the Treasurer, the Comptroller, and the General Counsel. The President of the University is not subject to this policy.

Termination and/or suspension of the employment of University Officers shall be governed by the provisions of Article 3 of the Statutes of the Trustees of the University of Pennsylvania.

The following Human Resources policies do not apply to University officers: Introductory Period, Performance Improvement/Discipline, Termination, Suspension, Position Discontinuation and Staff Transition, and Staff Grievance Procedure.

Nothing in this policy is intended to create legally enforceable contractual rights.

Applicability: University Officers (except the President)

Xref: [Policy 001](#), [Policy 618](#), [Policy 620](#), [Policy 621](#), [Policy 622](#), [Policy 624](#), [Policy 628](#), [Policy 629](#)

POLICY NO: 631

SUPERSEDES POLICY NO: 631(2/01/98); 11/1/98

EFFECTIVE DATE: 2/20/2002

FAMILY AND MEDICAL LEAVE (FMLA)

[Frequently Asked Question and Answers on The Family and Medical Leave Policy](#)

Eligible employees may be entitled to unpaid leave under the federal Family and Medical Leave Act (FMLA) and/or state equivalent leave laws for specified family and medical reasons. The University may require employees to use accrued paid leave or paid time off benefits to cover some or all of the family and medical leave. The following is the University's FMLA policy. Please contact the Division of Human Resources if you have any questions.

ELIGIBILITY

To be eligible for FMLA benefits, an employee must have been employed by the University for at least twelve (12) months and have worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave. Applicable law requires that an employee must also be employed at a worksite of the University where 50 or more employees are employed by the University within 75 miles of that worksite. In California, the University does not currently employ enough individuals to meet this requirement. Nevertheless, the University provides family and medical leaves to its California employees so long as they meet the hours and length of service requirements.

QUALIFIED LEAVE REASONS

The University will grant FMLA leave to eligible employees for the following reasons:

- a. The employee's serious health condition;
- b. The birth and care of the employee's child;
- c. Placement with the employee of a child for adoption or foster care; and
- d. Care of the employee's spouse, domestic partner, child, or parent with a serious health condition.

Leave for the birth and care, or placement and care of a child must conclude within 12 months of the birth or placement of the child. FMLA applies equally to male and female employees.

DEFINITIONS

a. Employee means Faculty or staff member employed by the University on a full time, part time or temporary basis.

b. Serious Health Condition means an illness, injury, impairment, or physical or mental condition that involves either:

- 1) inpatient care in a hospital, hospice or residential medical care facility, or
- 2) continuing treatment or continuing supervision by a health care provider.

c. Continuing treatment means, in broad terms:

1) A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment thereof, or recovery there from) of more than three consecutive calendar days (and any subsequent treatment or period of incapacity involving the same condition) involving treatment two or more times by a health care provider or treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the health care provider's supervision.

2) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition that requires periodic visits for treatment by a health care provider; continues over an extended period of time; and may cause episodic rather than continuing incapacity (e.g., asthma, diabetes, epilepsy, etc.).

3) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, severe stroke, terminal stages of a disease).

4) Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., chemotherapy for cancer, physical therapy for severe arthritis, or dialysis for kidney disease).

d. Parent means the biological, foster, or adoptive parent, stepparent, or legal guardian of an employee or an individual who stands or stood in the place of a parent to an employee when the employee was a child.

e. Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability.

f. Health Care Provider means a physician, dentist, podiatrist, clinical psychologist, or optometrist who is authorized to practice medicine or surgery in the state in which the individual practices his/her profession. In cases limited to treatment consisting of manual manipulation of the spine to correct a subluxation, medical certification may be provided by a chiropractor.

NOTICE REQUIREMENT

Employees seeking FMLA leave are required to provide their supervisors and the University's Division of Human Resources at least 30 days prior written notice of the proposed leave when the leave is foreseeable. Where advance notice is not possible, such as in the event of a medical emergency, notice should be given as soon as practicable. Failure to give advance notice where foreseeable may delay or postpone the commencement of the leave. Please contact the Division of Human Resources for the applicable forms.

NOTICE TO STAFF MEMBER

When a staff member has proposed a leave, the supervisor is expected to notify the staff member, in writing, that the University is provisionally designating the leave as Family Medical Leave.

CERTIFICATION OF A SERIOUS HEALTH CONDITION

If FMLA leave is based on a serious health condition, whether it involves the employee or a family member (parent, spouse, domestic partner or child), medical certification from a health care provider will be required. Failure to provide such certification may result in a delay of the employee's leave. Where the University requires an employee to provide a medical certification, that certification must be provided within twenty (20) calendar days of the University's request. In addition, when returning to work from a leave taken because of the employee's own serious health condition, the employee will be required to provide medical certification that the employee is fit to return to work and may also be required to submit for a fitness-for-duty test. Please contact your supervisor or the Division of Human Resources for available medical certifications forms. Employees should be aware that the University may, under certain circumstances, require recertification of a medical condition. In addition, employees may be required to report on their intent to return to work. Whenever an employee learns of a change in the anticipated length of a FMLA leave, the employee must notify the University within two (2) business days of learning of such a change.

LENGTH OF LEAVE

Eligible employees may receive up to the total maximum leave allowed under state or federal law during a 12-month period. In most circumstances, the maximum amount of leave to which an employee will be entitled is up to twelve (12) weeks of unpaid leave during any 12-month period (which period is measured backward from the date an employee uses any FMLA leave). Each time an employee takes FMLA leave, the remaining leave entitlement equals the balance of the time allotted as required by law that has not been used during the immediately preceding 12

months.

Where both spouses or domestic partners are employed by the University, they are each entitled to 12 weeks of FMLA leave for the birth and care of their newborn child, or for the care and placement with them of a child for adoption or foster care.

In certain circumstances, employees may take intermittent leave or leave on a reduced leave schedule. Intermittent leave or leave on a reduced schedule for the birth and care or placement and care of a child for adoption or foster care will be allowed only with the University's prior written approval. Intermittent leave or leave on a reduced schedule may be taken whenever medically necessary to care for a seriously ill family member or because of the employee's own serious health condition.

SUBSTITUTING PAID LEAVE

Where an employee takes FMLA leave because of the employee's own serious medical condition, the employee must use any unused paid time off, sick leave or short term disability leave to cover any (otherwise) unpaid FMLA leave.

In all other cases, the employee may use accrued sick leave for any (otherwise) unpaid FMLA leave if sick leave is permitted under the University's Sick Leave Policy. See Sick Leave policies (Human Resource Policies 612 and 613). Where an employee has unused paid time off, the employee must use that paid time off for all or part of any (otherwise) unpaid FMLA relating to birth of a child or placement of a child for adoption for foster care, or care for a spouse, child or parent who has a serious health condition.

The University will designate an employee's use of paid leave as FMLA leave based on the information provided by the employee. Paid leave that is used during an unpaid FMLA leave will be counted toward the maximum amount of time provided under applicable law for FMLA leave. Additionally, an employee may also be eligible to receive Paid Family Leave benefits from the State of California. Please contact the Division of Human Resources for further information and/or California's EDD for applicable forms. The use of any paid time off or Paid Family Leave benefits will not extend the length of a family and medical leave.

BENEFITS DURING LEAVE

During any FMLA leave, the University will maintain the employee's medical, dental, life and disability insurance coverage on the same conditions that coverage would have been provided if the employee had been continuously employed during the entire leave period. The University and the employee will each continue to pay their portion of the benefit costs. In some instances, the University may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave on a prorated basis.

During a FMLA leave, sick leave and paid time off will continue to accrue only during that portion of the leave which is paid by using sick or paid time off days. During any unpaid FMLA leave sick leave and paid time off will not accrue. For those persons returning from any unpaid FMLA leave, accrual of paid time off and sick leave will resume the first of the month which follows or coincides with the date the individual returns to active work. Where the FMLA leave

is taken on an intermittent basis or as a reduced-schedule, sick leave and paid time off will continue to accrue during the leave on a pro rata basis.

RETURN FROM LEAVE

Employees returning from leave will be reinstated to the same or equivalent position, with equivalent pay, benefits, and other terms and conditions of employment. Failure to return to work may result in termination of employment.

Employees returning from a leave for a serious health condition must also provide supervisors with a certification from a health care provider documenting their fitness to return to work. Employees who are unable to return to work at the end of the leave should notify their supervisor in writing at least two weeks in advance. Supervisors should contact Human Resources/Staff & Labor Relations to discuss alternatives prior to taking any action if an employee is unable to return to work.

In addition, except as provided in this policy, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned before using FMLA leave. Use of FMLA leave will not be counted against the employee under a "no fault" attendance policy.

An employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee would have been laid off had the employee not gone on leave, or if the employee's position has been eliminated during the leave, then the employee will not be entitled to reinstatement.

OTHER LEAVE ARRANGEMENTS

If an employee is ineligible for leave under FMLA, the employee may be entitled to a leave of absence under the University's established policies addressing leaves of absence. The determination of whether an employee qualifies for FMLA leave will be made at the time leave is requested.

FMLA benefits may run concurrently with benefits provided by Worker's Compensation.

FOR MORE INFORMATION

Information can be obtained by contacting the Division of Human Resources. Employees of temporary staffing agencies should contact their agency directly for information regarding their rights under the FMLA (see Policy No. 112, Using Temporary Agencies). Questions of interpretation under this policy will be resolved by reference to the FMLA and regulations issued by the United States Department of Labor, as well as any applicable state laws or regulations. Employee's rights under this policy shall in no case be less than those afforded by the FMLA and/or applicable state law.

Applicability: All Faculty & Staff

Xref: [Policy 001](#), [Policy 112](#), [Policy 404](#), [Policy 412](#), [Policy 604](#), [Policy 607](#), [Policy 612](#), [Policy 613](#), [Policy 616](#), [Policy 714](#)

Including the Physician's Certification Form and the Short Term Disability & Family Medical Leave Request Form

The benefits and policies for University of Pennsylvania employees who work in locations outside of the Commonwealth of Pennsylvania may be different from the benefits and policies set forth in this website. Employees working outside the Commonwealth of Pennsylvania should contact their Human Resources representatives for more information.

POLICY NO.: 701**SUPERSEDES POLICY NO. 701 (Eff. 9/15/98, 2/1/2000)****EFFECTIVE DATE: 9/22/2003*****SERVICE RECOGNITION PROGRAM***

The University of Pennsylvania Service Recognition Program recognizes and shows appreciation for long-term full and part-time employment with the University of Pennsylvania. Faculty or staff with ten or more years of service are recognized at five year service milestones. Recognition occurs during the calendar year in which the milestone occurs.

These service milestones are recognized by presentation of a gift in a manner determined by the respective school or center in which the faculty or staff member works. In the case of the School of Medicine, the recognition process is a department determination.

701.1 ELIGIBILITY

This policy applies to all full-time and part-time faculty and staff members of the University. The service recognition milestone must occur between January 1 and December 31 of the subject year, based on the employment date in the UMIS payroll system. The eligible member must be in active service on their service milestone date in order to receive this award. Members in leave of absence status will receive their awards upon their return.

701.2 PROCEDURE**A. SERVICE RECOGNITION**

During the calendar year of the faculty or staff member's 10th, 15th, 20th, 25th, 30th, 35th, 40th, 45th, and 50th year service milestone, s/he will receive a gift based on the number of years of service as follows:

Year	Item Description
10	Silver photo album, 4" x 6"
15	Silver picture frame, 5" x 7"
20	Glass and aluminum desk clock, 6.5"
25	Pewter Paul Revere Bowl, 8" diameter
30	Aluminum bookends, 5.75"
35	Pewter Vase, 8"
40	Pewter Newport Lamp, 14.75"
45	Silver Champagne Cooler w/goblets
50	Two-tone watch w/ medallion

These gifts were selected by a campus-wide task force facilitated by Human Resources, based on their reflection of the traditional character of the University. These awards are not redeemable for cash, nor may they be exchanged.

B. ADMINISTRATION

The Division of Human Resources will be responsible for providing the gifts to be awarded, and for generating the lists of faculty and staff eligible for service recognition. Human Resources will forward the following to the designated contact in each area.:

1. A printout of names of all faculty/staff eligible for recognition verification.
2. Instructions outlining the ordering of service recognition gifts
3. Sample congratulatory letter to be signed by the Dean, Vice President or Director and presented with the award
4. Helpful hints regarding presentation options

Discrepancies in eligibility information are to be reported to the human resources representative for further research and determination.

Applicability: Full-time and part-time Faculty and Staff Members and Limited Service employees

POLICY NO: 703

SUPERCEDES POLICY NO: 703 (12/06/1988, 11/07/1995)

EFFECTIVE DATE: 02/03/2004

SEXUAL HARASSMENT POLICY

I. Conduct

Our community depends on trust and civility. A willingness to recognize the dignity and worth of each person at the University is essential to our mission.

It is the responsibility of each person on campus to respect the personal dignity of others. We expect members of our University community to demonstrate a basic generosity of spirit that precludes expressions of bigotry.

Penn properly celebrates the diversity of its community. We come to Penn from many different backgrounds and include different races, religions, sexual orientations, and ethnic ancestries. Learning to understand the differences among us, as well as the similarities, is an important dimension of education, one that continues for a lifetime. Tolerance alone, however, is not enough. Respect and understanding also are needed. We should delight in our differences, and should seek to appreciate the richness and personal growth which our diversity provides to us as members of this community.

The University is committed to freedom of thought, discourse and speech, and the attainment of the highest quality of academic and educational pursuits and daily work. Policies and regulations

implementing this commitment include the Statement on Academic Freedom and Responsibility, the Guidelines on Open Expression, and the Code of Academic Integrity.

The University also has established policies on behaviors that interfere with these freedoms. Foremost among these policies is the University's Statement on Non-Discrimination, which prohibits discrimination on the basis of race, color, sex, sexual preference, religion, national or ethnic origin, handicap or disability, or any other basis protected by law.

The University also has adopted the following policy concerning sexual harassment.

II. Purposes and Definitions

A. Purposes

For many years the University has stressed that sexual harassment is not tolerated at Penn. As an employer and as an educational institution, the University is committed to eradicating sexual harassment.

Sexual harassment in any context is reprehensible and is a matter of particular concern to an academic community in which students, faculty, and staff must rely on strong bonds of intellectual trust and dependence.

B. Definitions

Federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; or (2) submission to or rejection of such conduct is used as basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

For the purposes of University policy, the term "sexual harassment" also refers to any unwanted sexual attention that: (1) Involves a stated or implicit threat to the victim's academic status; (2) Has the purpose or effect of interfering with an individual's academic performance; and/or; (3) Creates an intimidating or offensive academic, living, or work environment.

California law defines sexual harassment as unwanted sexual advances or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior. The following is a partial list:

- Unwanted sexual advances.
- Offering employment (or academic) benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, e-mails, websites or posters.

- Verbal and written conduct: making or using derogatory comments, e-mails, letters, epithets, slurs, sexually explicit jokes, comments about an employee's body or dress.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assaulting, impeding or blocking movements.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

The University regards such behavior, whether verbal or physical, as a violation of the standards of conduct required of all persons associated with the institution. Accordingly, those inflicting such behavior on others are subject to the full range of internal institutional disciplinary actions, including separation from the University. Likewise, acts of retaliation will be subject to the same range of disciplinary actions.

As noted in the *Handbook for Faculty and Academic Administrators, Policies and Procedures*, the *Academic Bulletin*, and other University publications, persons engaged in such harassment within the University setting are subject to the full range of internal institutional disciplinary actions, including separation from the institution.

Not every act that might be offensive to an individual or a group necessarily will be considered as harassment and/or a violation of the University's standard of conduct. In determining whether an act constitutes harassment, the totality of the circumstances that pertain to any given incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom and advocacy.

III. Resources

School and administrative units should make known to all of their members the available resources and the informal and formal procedures for resolving complaints of sexual harassment within the unit or at the University level. These resources include the following:

A. Information, Counseling, and Support

The following University resources are available to members of the University community who seek information and counseling about University policies on sexual harassment, standards of behavior, informal and formal mechanisms for resolving complaints and resources for complainants and respondents.

Dean and/or Vice Presidents and directors may also make referrals to these resource offices:

- Office of Affirmative Action and Equal Opportunity Programs
- African American Resource Center
- PBH Employee Assistance Program

- Lesbian Gay Bisexual Transgender Center
- Office of Labor Relations
- Office of the Ombudsman
- Office of Staff Relations
- Division of Public Safety, Special Services
- Penn Women's Center
- Student Health Services
- Counseling and Psychological Services
- Office of the Vice Provost for University Life
- School/Center Human Resources Representative

B. Informal Mechanisms for Mediation and Resolution

The Ombudsman, the Office of Affirmative Action, the Penn Women's Center, all other offices named as resource offices in this policy, the Office of Student Conduct, the Office of Residential Living, department chairs, Dean and/or Vice Presidents and administrative directors, the provost, and the vice presidents are available to assist in the informal resolution of complaints.

C. Formal Mechanisms for Resolution and Adjudication

When informal resolution is not chosen or is unsatisfactory, complainants are urged to use appropriate formal mechanisms described below:

1. Complaints of sexual harassment against a faculty member, instructor, or teaching assistant may be brought by a student, staff, or faculty member to the department chair or dean of the faculty member. The report of harassment should include details of the incident(s), the names of individuals involved, the names of any witnesses, direct quotes when relevant, and any documentary evidence (notes, pictures, cartoons, etc.). The department chair or Dean and/or Vice President who receives a complaint is then charged with pursuing the matter. While the process depends on the particulars of the complaint, normally the department chair or Dean and/or Vice President interviews the faculty member. If the matter is not resolved informally, the department chair or Dean and/or Vice President either conducts a further investigation or requests that the Ombudsman, the Office of Affirmative Action, the Office of Staff Relations, or the Office of Labor Relations do so. The University will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible consistent with a thorough investigation. If the results of the investigation persuade the Dean and/or Vice President or department chair that sanctions are warranted, he/she consults with faculty members--without disclosing the identity of the individuals involved--to aid in determining an appropriate sanction, including whether there is substantial reason to believe that just cause exists for suspension or termination. If it is determined that action should be taken to suspend or terminate, the Dean and/or Vice President should follow the procedures set out in Section II. E.16 of the *Handbook for Faculty and Academic Administrators* (see www.upenn.edu/assoc-provost/handbook/ii_e_16.html).

2. Complaints of sexual harassment against a staff member may be brought by a student, staff member or faculty member to the supervisor of the person complained against. The report of harassment should include details of the incident(s), the names of individuals involved, the names

of any witnesses, direct quotes when relevant, and any documentary evidence (notes, pictures, cartoons, etc.). The supervisor who receives the complaint is then charged with pursuing the matter. While the process will depend on the particulars of the complaint, normally the supervisor interviews the staff member. If the matter is not resolved informally, the supervisor either conducts a further investigation or requests that the Ombudsman, the Office of Affirmative Action, the Office of Staff Relations, or the Office of Labor Relations do so. The University will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible consistent with a thorough investigation. If the result of the investigation persuades the supervisor that sanctions are warranted, he or she consults with his or her colleagues or supervisor--without disclosing the identity of the individual(s) involved to aid in determining an appropriate sanction. A staff member who believes that his or her rights have been violated directly by another staff member or administrator may file a grievance by contacting the Office of Staff Relations within the Office of Human Resources under the University of Pennsylvania Staff Grievance Procedure.

3. Complaints by students of sexual harassment may be made to the Office of the Vice Provost for University Life. Grievances associated with sexual harassment in student employment may also fall within the purview of the Vice Provost for University Life.

4. A complaint of sexual harassment may be brought against a student by filing a complaint under the Charter of the University Student Judicial System, or, if the respondent is a graduate or professional student enrolled in a school which has established a hearing board or other decision-making body, with that body.

5. A tenured or untenured faculty member, whether full or part time, who believes she or he has been subjected to sexual harassment by a faculty member or by an academic administrator may file a grievance under the Faculty Grievance Procedure, *Handbook for Faculty and Academic Administrators*, part II E. 12, (see www.upenn.edu/assoc-provost/handbook/ii_e_12.html) provided the complaint constitutes a grievance as defined in Section I of the Procedure. This procedure is administered by the Faculty Grievance Commission. The panel makes its recommendations to the provost. In cases that involve reappointment, promotion or tenure, and in which the provost has declined or failed to implement the recommendations of the panel to the satisfaction of the grievant, the grievant may obtain a hearing before the Senate Committee on Academic Freedom and Responsibility on the actions of the provost.

6. If the matter has not previously been referred to a different panel or committee, a student or staff member who believes that she or he has been subjected to sexual harassment by a faculty member, and whose complaint has not been resolved through the mechanisms listed above, may bring the matter to the Faculty Senate Committee on Conduct. This committee is a standing committee of the Faculty Senate. At meetings with the Committee, the student or staff member may be accompanied by an advisor who is a member of the University community (student, faculty or staff). The findings and recommendations of the Committee shall be advisory and shall be submitted to the provost for her or his decision and implementation.

D. Central Reporting of Sexual Harassment

1. The University's decentralized system of resources is designed to encourage the reporting and resolution of complaints of sexual harassment. However, in order to enable the Administration to identify patterns of sexual harassment in a particular location and the increased frequency of such incidents in a given area of the University, the Executive Director of the Office of Affirmative Action and Equal Opportunity Programs shall, on a semiannual basis, convene a meeting of representatives from the offices and centers listed in paragraph (A) of this section to review and report on sexual harassment across the University based upon the reports or complaints of sexual harassment that they have handled formally or informally within their area. Such information can then be transmitted to the appropriate Dean and/or Vice Presidents or administrative supervisors as appropriate. Any reports will protect the privacy of the complainants and responsible parties involved in each reported case of sexual harassment.

2. Based on the information shared at the semi-annual meetings discussed above, and any reports to Dean and/or Vice Presidents or other administrative supervisors during the previous year, the Executive Director shall annually submit to the President, by September 15 of the academic year, a summary report describing the incidence of sexual harassment. This report may include recommendations based on the information as warranted. At the discretion of the President, the report may be shared with the University community early in the semester.

E. Education and Prevention

The prevention of sexual harassment and the establishment of effective procedures with due concern for all parties require a thoughtful educational program.

1. University resource offices will provide to the community information on: (a) available mediation and resolution resources; and (b) sources of support and information for victims and respondents.

2. Dean and/or Vice Presidents and heads of major administrative units are encouraged to discuss this policy and issues of sexual harassment at meetings of faculty and staff.

3. Training programs for residential advisors, senior administrative fellows, those who meet students in crisis situations and others serving in an advisory capacity to students will include training about referrals, resources, and methods for handling instances of sexual harassment.

4. An overall educational program for students that addresses issues of peer sexual harassment and also provides information, definition, support, and the identification of sexual harassment resources has been developed by the Office of the Vice Provost for University Life, the Office of Affirmative Action, and the Penn Women's Center in conjunction with the Office of Residential Living, the Council of College House Masters, and the Council of Senior Faculty Residents involved with the Freshman Year Program. Such an educational program is directed toward new undergraduate and graduate and professional students.

5. The University will publish annually the operative portions of this policy statement, including information about the resources available to advise, counsel, and assist in the mediation of sexual harassment allegations. Information will explain how and where to contact University-wide and school-specific resources and will be posted in conspicuous locations. All members of the University should feel a responsibility to try to prevent sexual harassment whenever they observe it. Community members should report sexual harassment to appropriate University resources promptly for appropriate action.

F. Exit Interviews

Dean and/or Vice Presidents and administrative directors will periodically survey departing students, faculty and staff to measure the existence and frequency of reports of sexual harassment. Based on the data yielded by these surveys and the annual reports of the Executive Director of Affirmative Action and Equal Opportunity Programs, the University administration will determine, in consultation with the University Council, whether there is a need for further efforts to be taken on the issue of sexual harassment.

G. Implementation

Dean and/or Vice Presidents and administrative directors will be responsible for the implementation of this policy. The Provost and President will oversee the performance of Dean and/or Vice Presidents and directors in the implementation of this policy.

Protection Against Retaliation

Applicable law also prohibits retaliation against any employee by another employee or by the University for reporting, filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the University or a federal or state enforcement agency. Please report any retaliation to the Ombudsman, the Office of Affirmative Action, the Office of Staff Relations, or the Office of Labor Relations. Any report of retaliatory conduct will be objectively, timely and thoroughly investigated in accordance with the University's investigation procedure outlined above. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

If the University determines that retaliation has occurred, remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future retaliation. The University will not retaliate against anyone for filing a complaint and will not knowingly permit retaliation by others associated with the University.

Additional Enforcement Information

In addition to the University's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and state equivalent agencies (such as the California Department of Fair Employment and Housing (DFEH)) investigate and prosecute complaints of harassment or discrimination in employment. Employees who believe that they have been harassed or discriminated against may file a complaint with either of these

agencies. Both the EEOC and the DFEH serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

The nearest offices of the EEOC or DFEH are listed in the telephone directory.

Applicability: All University Employees

Xref: [Policy 001](#), [Policy 004](#)

POLICY NO: 705

SUPERCEDES POLICY NO: 705 (3/1/1989)

EFFECTIVE DATE: 8/7/2002

DRUG-FREE WORKPLACE

705.1 PROHIBITED DRUG ACTIVITY

The University of Pennsylvania prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any drug by its employees in its workplace. Each University employee agrees as a condition of employment to abide by this policy, and to notify his/her supervisor no later than five (5) days after any conviction under a criminal drug statute for a violation that occurred in the workplace.

705.2 SANCTIONS

Any University employee who violates the University's policy or who is convicted under a criminal drug statute for a violation occurring in the workplace will be subject to the University's disciplinary procedures up to and including dismissal and may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.

705.3 DRUG-FREE WORKPLACE PROGRAM

.3a The University of Pennsylvania has established a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace through such activities as "Drug Awareness Week" and training programs for supervisors;
2. The University's policy of maintaining a drug-free workplace through distribution of the policy to all employees;
3. Available drug counseling, rehabilitation and employee assistance programs such as those provided through the Employee Assistance Program and Worklife Benefits; and
4. The penalties that may be imposed upon employees for drug abuse violations in the workplace.

.3b Each University employee will be given a copy of the University's Drug-Free Workplace Policy

.3c Each employee, as a condition of employment must agree to abide by the University's Drug-Free Workplace Policy and to notify his/her supervisor no later than five (5) days after any conviction under a criminal drug statute for a violation that occurred in the workplace. When a supervisor is notified by an employee of such a conviction, he/she shall immediately notify the Vice President for Human Resources (or designee) and, if the employee is paid in whole or part from a federal grant, contract or cooperative agreement, the Executive Director for Sponsored Programs. The Executive Director for Sponsored Programs will notify the appropriate federal agency within ten (10) days of receiving notice of such conviction.

.3d An employee who violates the University policy or who is convicted under a criminal drug statute for a violation occurring in the workplace will be subject to the University's disciplinary procedures up to and including dismissal, and may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.

.3e The University will make a good faith effort to continue to maintain a drug-free workplace through implementation of the above program.

Applicability: All University Employees

Xref: [Policy 001](#), [Policy 621](#), [Policy 622](#), [Policy 629](#), [Policy 630](#)

POLICY NO: 706

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 9/1/1991

POSSESSION OF DANGEROUS ARTICLES

Irrespective of any license or authority, University faculty, students, staff, whether working or not, and visitors and members of the University community, may not possess or use air rifles, pistols, firearms, weapons, ammunition, gunpowder, fireworks, explosives, gasoline and other dangerous articles and substances in University buildings or on University property. Normal laboratory materials are excluded from this policy when used in a laboratory setting.

Possession and distribution of items mentioned above may be governed by specific federal, state and local regulations.

An individual who violates this policy should be reported to the University Of Pennsylvania Police Department immediately. Violators of this policy may be subject to disciplinary action under University policy and/or civil or criminal action.

706.1 UNIVERSITY OF PENNSYLVANIA POLICE OFFICERS

Certain individuals employed by the University of Pennsylvania Police Department may be given authorization to carry, keep and handle pistols, firearms and ammunition.

706.2 OTHER UNIVERSITY EMPLOYEES

Specific classifications of employees may be required to utilize dangerous articles or hazardous materials on campus to carry out their job duties. Each school or department is responsible for monitoring the use of dangerous articles or hazardous materials in its areas.

Applicability: All University Employees, Students & Visitors

POLICY NUMBER: 707

SUPERSEDES POLICY NO: 707 (12/06/94, 12/05/95, 10/7/97, 10/19/00, 10/11/01, 12/04/03)

EFFECTIVE DATE: 11/02/2004

EMERGENCY CLOSING

Under normal circumstances, the University of Pennsylvania never stops operating. The University recognizes that there are times, due to emergencies such as severe conditions, when classes may be canceled and/or schools/centers may be closed, except for those offices, such as but not limited to Public Safety, Dining Services, Facilities Services, which provide essential services. In an effort to insure the safety of faculty, staff and students, timely decisions to modify work schedules will be made.

Modifications of work schedules may take the form of either a partial or a full closing of the University's operations. In either situation, staff members working in positions which are designated as "essential" are expected to remain at work if the closing occurs during their regular work schedule, or to report to work if the closing announcement is made before their regular work schedule begins.

Normally a supervisor should communicate with a staff member in advance (e.g., at appointment) regarding the "essential" status of his/her position. However, based on business necessity and/or extenuating circumstances such designation and communication to the staff member may be done with shorter notice.

707.1 COMMUNICATING MODIFICATIONS OF WORK SCHEDULES

The University will announce a closing or other modification of work schedules through the following means:

the University's emergency information number: 215-898-6358 (215-898-MELT);

through communications from the Division of Public Safety;

email notification from a human resources representative

a phone tree to be established by the office manager or director

707.2 TYPES OF WORK SCHEDULE MODIFICATIONS

Please note that decisions affecting work schedules and cancellation of classes are made by the Executive Vice President, Vice President or Dean in consultation with the Provost. These decisions will be communicated through the channels listed above. Schools/centers may not deviate from the University decision without the prior approval of the Executive Vice President.

A. Full Closing: A full closing occurs when conditions warrant cancellation of classes and closing of schools/centers, except those providing essential services.

B. Partial Closing: A partial closing occurs when circumstances warrant the cancellation of classes while schools/centers remain open, or vice versa.

C. Delayed Opening: Occasionally, circumstances will warrant a delay in the opening time of schools/centers.

D. Close Before the End of the Normal Work Day: When there is a closing of schools/centers before the end of the work day, the Division of Public Safety, the Dean and/or Vice President will contact the Human Resources representative. The Human Resources representative will contact the appropriate office manager or director so that they may release staff members in their respective areas. Individual schools/centers should remain in operation until such an announcement is received.

707.3 RECORDING ABSENCE DUE TO EMERGENCY CLOSING

The following practices should be followed by supervisors to record time lost when a staff member is absent due to emergency conditions:

1. If the University is closed after the start of the workday, staff members who reported to work are compensated and the time lost during the period of closing is considered time worked. For staff members who did not report to work their time should be charged to their paid time off balance [refer to the [Paid Time Off Policy # 607](#)]. If the staff member does not have any paid time off days available, the time lost should be considered time off without pay, if appropriate.
2. If the University is closed before the start of the scheduled work day, staff members are compensated for the entire scheduled work day and the time lost is considered administrative leave with pay. The time off should not be charged to their paid time off balances.
3. If the University is not closed, staff members who do not report to work will be charged paid time off, provided the absence is approved by the supervisor. If the staff member does not have any paid time off available, the staff member may not be compensated for that day, if appropriate. Sick leave may not be charged unless the staff member was out on sick leave before the emergency conditions arose.
4. If the University is not closed, and the staff member requests permission to be released before the end of his/her scheduled work day, the time lost should be charged to the staff member's paid

time off balance. If the staff member does not have any paid time off available, the hours not worked should be considered without pay, if appropriate. If a closing announcement is made after the staff member's request to leave early was approved, the lost time should be recorded as time worked from the time of the announced closing.

5. If the University is not closed and a staff member arrives late due to emergency conditions affecting transportation, the supervisor may excuse the lateness and consider it as time worked. Late arrival beyond reason should be charged to staff members' paid time off balance.

Staff members who work in positions designated as "essential," and who work when the University is closed, will be paid at their regular rate of pay and will receive compensatory time equal to the time worked after the closing. Overtime compensation should be computed as normal.

707.4 UNIVERSITY STAFF WHO ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS

University staff members covered by collective bargaining agreements should refer to the appropriate article in their contract.

Applicability: All University Employees & Students

Xref: [Policy 607](#), [Policy 612](#), [Policy 613](#)

POLICY NO: 708
SUPERCEDES POLICY NO:
EFFECTIVE DATE: 2/1/1990

FIRE AND OCCUPATIONAL SAFETY

The University of Pennsylvania conducts fire drills two (2) times a year in all nonresidential type buildings and two (2) times per semester in all residential type buildings. Satellite offices will conduct fire and/or earthquake drills at least once a year. In addition:

- a. A record of all drills, including the results of a critique, shall be kept by the building management and shall be available to the Department of Licenses and Inspection on demand.
- b. Drills must include the actual transmission of a fire alarm signal. Regulations further require the establishment of a formal evacuation procedure and an organizational structure within the building including a designated chief, floor captains and monitors.

Contact the Office of Safety Manager, 8-6921, regarding questions and/or assistance in complying with this policy.

708.1 EVACUATION DRILL ORGANIZATION

Scheduling, conducting and ensuring an orderly evacuation shall be the responsibility of the Building Administrator or his/her designate who will serve as Chief of Exit Drills.

The extent of the actual drill will be at the discretion of the building management who, , will determine if total or partial evacuation will be performed. This decision will be based on the importance of programs and/or projects which would be adversely affected by interruption, such as research projects, experiments in progress, etc.

Back-up personnel for each building administrator position will be selected to ensure fixed responsibility in the event a regularly assigned person is not available.

708.2 RESPONSIBILITY

Chief of Exit Drills will:

Floor Captains will:

Have immediate charge of all occupants on his/her floor in all matters pertaining to exit drills, be responsible for the enforcement of rules and regulations.

Select and designate the exits to be used by the occupants during an alarm and appoint a sufficient number of monitors and alternates to adequately supervise each exit.

See that the evacuation from rooms and exiting into stairways is orderly, without crowding, and at uniform speed.

Appoint a responsible person who will see that exit doors are promptly opened, kept open until all persons have left the floor, and then closed.

Check all rooms to assure complete evacuation of the floor.

Monitors will:

Come under the direct control of the Floor Captain and have charge of leading people into the assigned exit in a safe and orderly manner.

Be aware of handicapped persons and provide for their evacuation to an area of safety until the arrival of the Fire Department.

Report alarm bells that are not operational to the Floor Captain.

Inform personnel on their respective floors as to location, purpose and use of fire related equipment.

Make sure that the people that have evacuated the building move away from the exit to allow firefighters unobstructed access to the building.

Assemble in a predetermined location to receive instructions on notifying and assisting people reentering the building.

708.3 EMERGENCY PROCEDURES

All personnel should be familiar with the location, purpose and use of the building fire alarm system and fire suppression equipment.

IN THE EVENT OF AN EMERGENCY NOTIFY THE BUILDING SECURITY OR CALL 911.

708.4 DISCOVERY OF AN EMERGENCY SITUATION

Dial Building Security or 911. State your name and the location and extent of the emergency . If applicable, state the nature of any handicap you or someone else may have, or of the need for an ambulance.

Sound the nearest fire alarm.

Evacuate the building, calmly, by following EXIT signs to fire exits. DO NOT USE ELEVATORS. People with handicaps and in wheelchairs should remain in fire towers until help arrives.

Remain on the scene, but at a safe distance, to receive and direct fire fighters when they arrive.

708.5 FIRE ALARM ISOLATION/NOTIFICATION REQUIREMENTS

TOTAL DEACTIVATION OF AN ENTIRE BUILDING ALARM SYSTEM, INCLUDING MANUAL STATIONS, IS PROHIBITED UNLESS APPROVAL IS GRANTED BY THE BUILDING MANAGEMENT.

Applicability: All University Employees

Xref: [Policy 001](#)

POLICY NO: 709

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

709 GIFTS

Personal gifts of significant value (e.g., any item that would retail for over \$25.00) cannot be accepted by University employees from vendors, clients, etc. These gifts must be returned to the donor. If the value of a gift is uncertain, the gift should be returned.

This policy does not include gifts to the University.

Applicability: All Faculty & Staff

Xref: [Policy 001](#), [Policy 005](#)

POLICY NO: 710

SUPERCEDES POLICY NO: 902

EFFECTIVE DATE: 2/1/1990

SOLICITATION AND DISTRIBUTION

In order to protect faculty and staff members from solicitation or interruptions in the performance of their daily routines in the workplace, solicitation of a faculty or staff member by another is prohibited while either is on work time. Selling, as well as distributing advertising material, handbills or printed or written literature of any kind is prohibited in working areas.

Applicability: All University Employees & Visitors

Xref: [Policy 001](#)

POLICY NO: 711

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

VENDING

The use of the University's indoor and outdoor facilities for the purposes of selling a product or service is strictly regulated. Accordingly, the following guidelines have been established:

711.1 INDOOR VENDING

Machine vending inside University buildings falls under the jurisdiction of the Director of Hospitality Services and those to whom that authority has been given. Any other vending is not permitted in accordance with the University's SOLICITATION policy.

711.2 PENN STUDENT AGENCIES

The Director of Student Employment or designee oversees the vending activities of Penn Student Agencies.

711.3 OUTDOOR VENDING

Apart from approved truck vendors, outdoor sales are generally restricted to registered student organizations and University departments who wish to fundraise for their own benefit. Approval for such activities must be obtained from the Office of the Director of Student Activities and

Student Life Facilities. Outside groups or corporations, however, will not normally be permitted to conduct sales on University property under the sponsorship of University groups.

Because the profits raised by Penn Student Agencies are transferred into the University's funds for student financial aid and other services, Penn Student Agencies should be given exclusive rights or preferential treatment in the selling of certain products or services in the outdoor area of campus. Responsibility for such decisions rests with the Director of Student Activities and Student Life Facilities, and at the beginning of each academic year, PSA shall provide the director of Student Activities and Student Life Facilities or designee with a list of those products or services it wishes to sell. The Director of Student Activities and Student Life Facilities will share that information with any other student organizations that may be interested in selling similar products or services.

711.4 VENDING PERMITS

Vending permits are required for all organizations or departments wishing to sell items in outdoor campus areas. Permits must be signed by the appropriate University employee. Current, approved street vendors must apply for permits through Business Services. Potential vendors who wish to sell items on city-owned sidewalks must obtain a permit from the appropriate city agency. All other vending activities in the outdoor areas of the University require permits from the Office of the Director of Student Activities and Student Life Facilities. Permits must be shown to any University official on request. Failure to obtain a vending permit will result in the vendor's eviction from campus property and may result in a loss of future privileges.

Applicability: All Vendors, Employees & Students

Xref: [Policy 001](#)

POLICY NO: 712

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

ADMINISTRATIVE GUIDELINES RELATED TO IMMUNODEFICIENCY VIRUS

The University of Pennsylvania recognizes the impact of the Human Immunodeficiency Virus (HIV, or AIDS virus) on staff employees, both as regards the safety of the work environment and in terms of potential infection. The University recognizes its responsibility to establish guidelines, based upon prevailing medical and legal information, for employment activities within the Institution.

712.1 GUIDELINES

1a Employees with HIV infection AIDS, or a positive HIV antibody test, whether symptomatic or not, will be allowed unrestricted employment activities as long as they are mentally and physically able to perform their job duties in a manner that does not pose a health or safety risk to themselves or to others. When action is necessary the Supervisor will attempt reasonable accommodation of such employees and will consult with the Staff Relations area of Human

Resources and, when appropriate, the University's Affirmative Action Office. Every attempt will be made to render a well-informed judgment grounded in a careful and open-minded weighing of all available alternatives.

1b The University does not require any mandatory testing of an employee for the HIV antibody. Employees with HIV infection will not be restricted from access to instructional, recreational, dining, or other common areas, facilities or equipment.

1c The presence of HIV infection will not alter the employment decision for anyone applying to work at the University except for those jobs for which available medical evidence indicates health risk to the public.

1d If an employee develops HIV infection, the University will permit the employee to continue to work so long as such employee is able to perform his or her job, except for those jobs for which available medical evidence indicates a health risk to the public. Each case will be considered on an individual basis. The University will extend the same sick leave and benefits as may be applicable under the relevant University policies.

1e The University encourages regular medical follow-up for HIV infected employees. Any employee may obtain medical evaluation, counseling and testing at the Immunodeficiency Program offered at the Hospital of the University of Pennsylvania by the Clinical Practices of the University of Pennsylvania (by appointment).

1f University Administrators, Supervisors and other employees shall conduct themselves with compassion and understanding in making work-related decisions regarding an employee with HIV infection.

1g The number of persons in the University who are aware of the existence and/or identity of HIV-infected employees should be kept to a minimum to protect the confidentiality and the right to privacy of the infected person and to avoid unnecessary fear and anxiety within the work environment.

1h The University recognizes that there are medical reasons to advise employees when a co-worker has HIV infection. No employee is authorized, therefore, to reveal that a co-worker has HIV infection. Issues of a safe work environment will be dealt with by cooperative educational training programs, the dates of which will be published in the Training Calendar.

1i No employee who actually has or is suspected of having HIV infection, shall be subjected to emotional, verbal and/or physical abuse by another employee. Any such action is condemned as a matter of policy, will not be tolerated, and is grounds for discipline.

1j The presence of an individual who has HIV infection in a department or work area, standing alone, shall not be the basis for the reassignment of any other employee.

712.2 REPORTING REQUIREMENTS

The University will observe any public health reporting requirements for HIV infection.

Applicability: All University Employees

Xref: [Policy 001](#), [Policy 004](#), [Policy 201](#)

POLICY NO: 714

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 2/1/1990

OCCUPATIONAL INJURY OR ILLNESS

For the policy on Occupational Injury or Illness, refer to Financial Policy 2608: Occupational Injury or Illness. You can access this policy at:

<http://www.finance.upenn.edu/vpfinance/fpm/2600/2608.shtml>

POLICY NO: 715

SUPERCEDES POLICY NO:

EFFECTIVE DATE: 10/29/1991

ACQUAINTANCE RAPE AND SEXUAL VIOLENCE POLICY

715.1 INTRODUCTION

The University of Pennsylvania seeks a safe and healthy environment for all community members and visitors. Thus, Penn has developed the following policy on acquaintance rape/sexual violence to set forth definitions, to reaffirm Penn's commitment to providing resources and processes for prevention, education, support, reporting, adjudication, protection from retaliation, and to identify the range of sanctions. The University will also provide multiple access points for collection of information about incidents and a clear process for dissemination of acquaintance rape/sexual violence statistics to the community.

The University needs a specific policy on rape and sexual violence because the prevalence of rape and sexual violence on college campuses is alarming.

Statistics compel universities throughout the country to acknowledge that significant numbers of their members have been raped or will be raped. Given Penn's history of providing national leadership with respect to rape and sexual assault education and counseling, it is timely for Penn to continue this role by adopting a specific policy on acquaintance rape and sexual violence. The personal trauma experienced by the victims/survivors and the nature and consequences of this crime undermine the trust essential to the process of education and the mission of the University. This crime also conflicts with our very basic standards of behavior. Indeed, this form of sexual violence is particularly damaging to our community because victims/survivors often are acquainted with and must continue to interact with their assailants. Moreover, for many men and women it is difficult to define this behavior as rape.

715.2 DEFINITION

Acquaintance rape is a form of sexual violence. For the purpose of this policy, acquaintance rape/sexual violence is defined as any act in which a member of the university community forces another with whom he or she is acquainted to engage in sexual activity against her or his will or without her or his consent. Assent shall not constitute consent if it is given by a person who because of youth, mental disability or intoxication is unable to make a reasonable judgment concerning the nature of or harmfulness of the activity. This policy applies to groups as well as individuals.

715.3 INTERVENTION

The University of Pennsylvania will provide resources to support victims/survivors, will utilize University fact-finding and disciplinary procedures with appropriate jurisdiction, will publish annual statistics on incidents of acquaintance rape and other forms of sexual violence, and will provide comprehensive education for the prevention of sexual violence including acquaintance rape at the University of Pennsylvania. Incidents reported to the appropriate departments will be addressed promptly and will be treated confidentially. In addition, the University will, as appropriate, inform members of the Penn community when an incident has been so reported. The procedures which implement this policy will take into account the need to investigate charges which may be filed and the right to confidentiality of all involved parties. When appropriate, after an incident occurs, outreach and support to faculty, students and staff affected by the particular incident will be part of Penn's response. This support may include release time, leaves, or other accommodations.

715.4 SANCTIONS

University sanctions will be imposed in accordance with appropriate University processes upon persons found to have violated this policy. These sanctions can include but are not limited to suspension, expulsion, and/or separation from the University. In addition, an individual charged may be subject to prosecution by the Office of the District Attorney under Pennsylvania Criminal Statutes.

In a study of 32 colleges and universities, one in four college women reported being a victim of rape or attempted rape during the preceding year. Eight-four percent of these victims/survivors were acquainted with their assailants.

Applicability: All members of the University community

Xref: [Policy 001](#)

POLICY NO: 716

SUPERCEDES POLICY NO:716 (07/29/96)

EFFECTIVE DATE: 7/1/1999

REGISTRATION AND TERMINATION OF A SAME-SEX DOMESTIC PARTNERSHIP

A. REGISTRATION OF A SAME-SEX DOMESTIC PARTNERSHIP

The University of Pennsylvania extends same-sex domestic partner benefits to staff in a University recognized same-sex domestic partnership. Same-sex domestic partner benefits are equivalent to spousal and dependent benefits. Refer to individual benefits policies for eligibility information and benefit descriptions.

A same-sex domestic partnership is recognized by the university when: 1) the relationship meets the definition of a same-sex domestic partnership and 2) the staff member and the same-sex partner have completed the University's central registration process for a same-sex domestic partnership.

B. DEFINITION OF A SAME-SEX DOMESTIC PARTNERSHIP

The University defines a domestic partnership as two individuals of the same gender who have a committed relationship of indefinite duration with mutual obligations akin to those of marriage which include financial responsibility for each other. The partners must reside together and intend to do so for an indefinite period of time. Both partners must be at least 18 years of age and not related by blood to a degree that would bar marriage in their state of residence. Neither partner may be married and each must be the sole domestic partner of the other.

C. CENTRAL REGISTRATION PROCESS

1. The staff member and his/her same-sex domestic partner complete and sign an Affidavit of Domestic Partnership in the presence of a University benefits specialist or a notary public.
2. The staff member must provide the benefits specialist with documents from the State of California demonstrating a registered domestic partnership through the State of California and three of the following documents demonstrating the staff member's and partner's joint responsibility and shared financial obligations. Original documents must be submitted:
 - a. Joint mortgage or lease (Original documents submitted for review will be returned)
 - b. Designation of domestic partner as primary beneficiary for life insurance
 - c. Designation of domestic partner as primary beneficiary for retirement contract
 - d. Designation of domestic partner as primary beneficiary in staff member's will (Subject to review by University legal counsel)
 - e. Durable property and health care powers of attorney (Subject to review by University legal counsel)
 - f. Joint ownership of an automobile, joint bank account, or joint credit account (Original documents submitted for review and will be returned)
3. The Benefits Specialist reviews documents to determine adherence to criteria stated above. If the Benefits Specialist determines that the documents meet the above criteria, the Benefits Specialist signs the affidavit registering the partnership with the University.

4. Copies of the submitted documents are made and maintained with the Affidavit of Domestic Partnership. A copy of the affidavit of domestic partnership is given to the staff member.

5. The Benefits Specialist gives a domestic partner approval form to the employee. The form allows the same-sex domestic partner to confidentially obtain a spouse/same-sex domestic partner guest card from the Penn I.D. Center.

Note: The spouse/same-sex domestic partner Penn Guest Card provides access to benefits such as recreation and library facilities. These benefits are not administered through the Division of Human Resources, contact the appropriate offices for more information.

D. TERMINATION OF A UNIVERSITY REGISTERED SAME-SEX DOMESTIC PARTNERSHIP

1. A same-sex domestic partnership terminates when:

- a. The staff member and or same-sex domestic partner decide to terminate the relationship, or
- b. There is a change in the relationship such that it no longer meets the University's definition of a same-sex domestic partnership. A relationship no longer meets University's definition of a same-sex domestic partnership when the relationship fails to meet one or more of the criteria stated in the definition.

Example of a Relationship that no Longer Meets the University Definition of a Same-Sex Domestic Partnership: The staff member and his/her partner remain each other's sole domestic partner; remain in a committed relationship etc.; however, they no longer reside together in the same residence and/or no longer share joint financial obligations.

2. The staff member is responsible for notifying the Benefits Office by completing a Statement of Termination of Domestic Partnership within 30 days of the termination of a University registered same-sex domestic partnership. The notification must conform to the following guidelines to be considered a valid notification by the University.

- a. The staff member submits a completed and signed University Statement of Termination of Domestic Partnership to the Benefits Office within thirty (30) days of the termination of the partnership. (The forms may be obtained from the Benefits Office.)
- b. The staff member provides a copy of the statement to his/her same-sex domestic partner within the same thirty (30) day period.

3. Failure of the staff member to notify the Benefits Office of the termination of a same-sex domestic partnership in accordance with the above noted guidelines is a violation of University policy #007 Fraud. The University reserves the right to take action against a staff member in violation of University policy #007 Fraud up to and including termination of employment.

Applicability: All University Staff & Faculty

Xref: [Policy 007](#)

POLICY NO: 717
SUPERCEDES POLICY NO:
EFFECTIVE DATE: 1/1/1996

POLICY FOR DRUG & ALCOHOL TESTING OF COMMERCIAL MOTOR VEHICLE DRIVERS

PURPOSE

This policy is intended to comply with the Omnibus Transportation Employee Testing Act of 1991. The federal law and this resulting University policy are designed to prohibit a commercial motor vehicle (CMV) driver from performing safety sensitive functions with a breath-alcohol concentration of 0.02 or greater or while under the influence of legal or illegal drugs. The drug testing will be for marijuana (THC), cocaine, opiates, phencyclidine (PCP), amphetamines and any other controlled substances specified by federal regulation. Possession or use of alcohol or drugs while performing safety sensitive functions is prohibited. The law also prohibits the consumption of alcohol by CMV drivers 4 hours prior to performing safety sensitive functions.

SCOPE

All employees who function as drivers of vehicles having a gross weight exceeding 26,001 pounds; or intended to carry 16 or more passengers (including the driver); or carry hazardous materials have A safety sensitive functions, and are covered by the drug and alcohol testing requirements of the law.

TYPES of TESTING

Any staff member hired to be a CMV driver or who would have occasion to be a CMV driver is subject to pre-employment (drug testing only), post-accident, random and reasonable suspicion drug and alcohol testing as prescribed by the federal law.

Pre- Employment Testing

Once a staff member has been deemed qualified for a position as a CMV driver, he/she will be tested for drug use within 5 days of the offer of employment. Failure to take tests will disqualify the employee from further employment with the University. Any person testing positive for the use of an illegal controlled substance will be terminated immediately. Candidates who were CMV drivers in a 2 year period prior to being hired at the University as CMV drivers are required to sign the necessary waiver(s) so as to allow the collection of information on positive drug tests, alcohol tests of 0.04 or greater, or the refusal to submit to such tests from prior employers.

Post-Accident Testing

After an accident which has resulted in a loss of life or the CMV driver/employee has received a citation for a moving violation, the CMV driver must submit to testing within eight (8) hours of the accident. Failure to submit to testing under these circumstances will result in the termination of employment. CMV drivers are prohibited from using alcohol for 8 hours after an accident or

until a test is given, whichever is sooner. Post-accident tests conducted by federal, state or local authorities can be a substitute for the University's post-accident testing. Drivers involved in accident which did not result in a loss of life or were not given a moving citation may still be tested under the terms of Reasonable Suspicion.

Random Testing

Each year at least 25% of the CMV drivers will be tested for alcohol and 50% for drug use on an unannounced basis spread throughout the calendar year. Since the selection process will be completely random, some drivers may be tested more than once in a given year while others may go untested under this program.

Reasonable Suspicion

Testing Specifically trained supervisors of CMV drivers who reasonably suspect violations of this policy are permitted to require a driver to submit to the necessary tests within eight (8) hours of the observation. The supervisor must immediately remove the driver/employee from performing any safety sensitive functions. The supervisor can require the testing after making specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or odor of the driver just before, during or after performing safety-sensitive functions.

CONSEQUENCES of DRUG and ALCOHOL TESTS

Under this policy and the new federal regulations, a CMV driver who tests positive for drugs or has a breath-alcohol concentration of 0.04 or greater will be subject to the following requirements:

- The CMV driver must be immediately removed from the safety-sensitive functions. This action must be taken even if the positive test result is from the use of prescribed medication.
- The driver's supervisor or the Medical Review Officer (MRO) will advise the driver to go to the Faculty/Staff Assistance Plan Office (F/SAP) to seek any available treatment programs for substance abuse if the positive test not a result of a prescribed medication.
- The MRO will evaluate all positive tests for accuracy.
- A substance abuse professional (ASAP) designated by F/SAP will review the case and make recommendations as to rehabilitation if thought to be necessary.
- Upon completion of any recommended substance abuse treatment plan, the SAP must re-evaluate and release for duty the CMV driver to ensure successful completion of the recommended course of treatment.
- In order to return to safety-sensitive functions following removal for a positive test result, the driver must pass a return to duty test- a negative drug test or less than 0.02 breath-alcohol concentration.
- Once returned to duty, the CMV driver will be subject to a minimum of 6 follow-up tests over a 12 month period.
- Drivers who have breath-alcohol concentrations in the range of 0.02 to 0.39 are to be relieved of their safety sensitive assignments for a minimum of 24 hours or until the breath -alcohol concentration drops below the 0.02 level.

Failure to submit to testing will be considered grounds for termination. Employees who fail to comply with a supervisors request to test; fail to provide adequate samples for testing without valid medical explanation; or obstruct the testing process in any way can be terminated.

TESTING PROCEDURES

Drivers will be in pay status while at, and traveling to-and-from, the testing site as designated by the University. Transportation to the site will be provided if it is located beyond the general boundaries of the campus. All samples will be split and kept for a minimum of 30 days to permit retesting if the results of the initial test are appealed. All results will be reviewed by a MRO. The MRO will inform the tested drivers of any positive test results. A fully certified laboratory facility will be used to conduct all tests. Collection of specimens will be done in such a way as to protect the privacy and dignity of those being tested. The University will bear the cost of all testing except in those cases when the testing is being conducted based on a driver's appeal to prior positive test results.

NOTIFICATION of STAFF

A copy of this policy will be published in the Almanac and included in the Human Resources Policy and Procedures Manual. All CMV drivers will be handed a copy of the policy and verbally informed of its contents by their supervisors. The drivers will all be given literature outlining the effects of alcohol and drugs on their general health, and their impact on the performance of safety sensitive assignments. A written acknowledgment of the receipt of this informational material will be placed in the drivers' testing files held in the Staff and Labor Relations Area.

RECORD KEEPING and CONFIDENTIALLY

All matters relating to test results and the drivers involved are highly confidential. All records relating to this policy and the CMV drivers involved will be kept in the Division of Human Resources, Staff and Labor Relations apart from the drivers' regular personnel files.

ADDITIONAL INFORMATION and QUESTIONS

Questions or requests for additional information should be directed to the CMV Driver Testing Coordinator at 215- 898-6019 located in the Division of Human Resources, Staff and Labor Relations, Suite 527A, 3401 Walnut St.

POLICY NO. 718

SUPERCEDES POLICY NO: 713 (7/12/94) 713 (8/11/98)

EFFECTIVE DATE; 9/01/99

The University Alcohol and Drug Policy

This policy statement is maintained by the Office of the Vice Provost for University Life. Please click here to retrieve the University Alcohol and Drug Policy or visit www.hr.upenn.edu/policy/policies/713.asp.

ACKNOWLEDGMENT AND AGREEMENT

This is to acknowledge that I have received and read a copy of the University's Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities and obligations of employment with the University. I understand and agree to abide by and be bound by the rules, policies and standards set forth in the Employee Handbook.

I also acknowledge that my employment with the University is not for a specified period of time and can be terminated at any time for any or no reason, with or without cause or notice, by me or by the University. I acknowledge that no statements or representations regarding my employment can alter the foregoing. As to the circumstances in which employment may be terminated, this is the entire agreement between me and the University; there are no oral or collateral agreements of any kind. I also acknowledge that no supervisor or employee has the authority to enter into an employment agreement—express or implied—providing for employment other than at will.

I also acknowledge that, except for the policy of at-will employment, the University reserves the right to revise, delete, and add to the provisions of this Employee Handbook. No oral statements or representations can change the provisions of this Employee Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the University may be modified at the sole discretion of the University with or without cause or notice at any time. No implied contract concerning any employment-related decision or term and condition of employment can be established by any other statement, conduct, policy, or practice.

I understand that the foregoing agreement concerning my employment-at-will status and the University's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and the University concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representations concerning my employment with the University.

Employee signature

Employee's name [Printed]

Date

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