8.1 Employee Relations

8.2 Recognition and Awards

8.2.1 General - A key resource of the University is the experience, expertise, and service of its employees. To help recognize and reward this dedicated service, the University has the Employee Recognition and the Spirit of Excellence award program. These programs are administered with the help of the Employee Recognition Advisory Committee.

8.2.2 Employee Recognition Advisory Committee - This committee is composed of nine University employees from a variety of campus areas and activities. The Director of Employee Relations is an ex-officio committee member and serves as its coordinator. Each member is appointed by the Assistant Vice President of the Department of Human Resources with recommendations from the two employees’ governance groups. Each member of the committee serves for three years. The committee's objectives are to assist the program coordinator in planning for each year's Employee Recognition Program; review all nominations for the Spirit of Excellence Award and select four employees to receive this award each month and four employees for the annual Employee of the Year Award. The committee also provides assistance for any other recognition programs that might be planned for any particular year.

8.2.3 Spirit of Excellence Award - This award program recognizes a special group of employees for excellent service to Auburn University and is given each month to an employee from each of the following groups:

   a) Service/Maintenance

   b) Secretarial/Clerical

   c) Technical/Paraprofessional

   d) Administrative/Professional

8.1.3.1 To be eligible for a Spirit of Excellence Award winner, an employee must

   a) Be a regular Auburn University employee (excludes temporary employees, graduate student employees, county agents and extension specialists, and tenure track and non-tenure track faculty).

   b) Have at least one year continuous employment with Auburn University.
c) Have a satisfactory performance evaluation rating at the time of nomination.

8.1.3.2 Employees may be nominated for these awards by any regular Auburn University employee, including University faculty and are not limited to an employee's area of employment. In order to nominate an employee, a nomination form must be completed and sent to the Employee Recognition Advisory Committee, c/o the Department of Human Resources. Nominations must be received by the 15th of each month.

8.1.3.3 The Employee Recognition Committee will select an employee from each of the four employee groups based on the employee meeting one or more of these criteria:

a) Performs "beyond the call of duty" to improve service, quality, and the department's or the unit's image.

b) Exemplifies professionalism and dedication to excellent service by putting forth extra effort.

c) Makes outstanding contributions of significance to the University or department's effort to fulfill its mission.

d) Specific or sustained accomplishments that exceed normal expectations.

e) Outstanding business contributions of significance based on initiative, cooperation, and the ability to bring a job to a successful conclusion.

8.1.3.4 An employee selected as a Spirit of Excellence Award winner cannot be nominated again prior to the annual University-wide Employee Recognition Award ceremony. Each monthly winner of the Spirit of Excellence Award will be eligible to receive the Employee of the Year Award. The honorees will be announced and recognized at the annual Employee Recognition Award ceremony held in the spring of each year.

8.1.4 Employee Recognition Award Program - This award program recognizes employees for years of service to the University. Employees receive these awards based on years of service:

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8.1.4.1 In order to receive an award in any particular year, the employee must have completed the appropriate years of service by December 31, of the year prior to the award ceremony. Honorees will be recognized for total years of service. Time worked before a break in service will be counted toward the total. Employees receive these awards for the years of service indicated.
8.1.4.2 Retirees will also be recognized during the award ceremony. Eligible retirees are those employees who qualify for retirement from Auburn University having ten or more years of creditable service and having reached 60 years of age. There are no restrictions on age of retirement for employees who are retiring with 25 or more years of creditable service.

8.2 Employee Assistance Program (EAP)

8.2.1 **Introduction** - Auburn University's largest investment and most valuable resources are its people. The goal of our Employee Assistance Program is to preserve and protect this valuable resource. A wide range of personal problems, not directly associated with one's position of responsibility, can adversely affect an employee's job performance. In most instances, the employee will overcome such personal problems independently, and the effect on job performance will be minimal. In other instances, normal supervisory assistance will serve either as motivation or guidance to resolve such problems, and the employee's job performance will return to an acceptable level. Sometimes, however, neither the employee nor the supervisor can resolve the employee's problem, and unsatisfactory performance exists.

8.2.2 **Purpose** - Auburn University recognizes that most human problems can be successfully treated or resolved, if identified early, and appropriate action or care provided. Such is the case whether the problem is emotional, marital or family, legal, financial, alcohol or drug related, or any other undetected behavioral/medical problem. The purpose of the Employee Assistance Program is to assure employees that if such personal problems are the cause of deteriorating job performance, the employees will receive an offer of assistance to help resolve such problems in an effective and confidential manner.

8.2.2.1 An important concern of the Employee Assistance Program is to help the employee with alcohol and drug-related problems. Auburn University recognizes alcoholism and drug abuse as illnesses which can be successfully treated. Thus, employees with these illnesses can expect to receive the same consideration and opportunities for treatment that are extended to employees with any other illness or health problem.

8.2.3 **Guidelines** - Auburn University believes that one of the basic functions at all levels of supervision is to identify below standard job performance and take the necessary steps to help the employee improve his or her performance. All supervisors are responsible for the effective adoption and implementation of this policy in their departments or units. In such situations the proper supervisory action is to refer the troubled employee, on the basis of deteriorating job performance only, to the EAP Coordinator who will, if necessary, refer the employee for appropriate consultation. However, the cause of below standard job performance may well be outside the realm of job responsibilities when the employee is unable or unwilling to correct the situation on his or her own or with normal supervisory assistance.

8.2.3.1 Auburn University becomes involved with an employee's behavioral, medical, and other personal problems only when the problems affect job performance, attendance, safety, conduct, and productivity. There is no wish or intent to intrude upon the private or personal life of an employee but rather to provide assistance where needed for his or her success.
8.2.3.2 Some employees may have problems that have not yet progressed to the point of seriously affecting job performance. Any employee who recognizes such problems may voluntarily contact the EAP Coordinator for confidential help.

8.2.3.3 An employee's job performance may be affected when a family member is troubled. For this reason, Auburn University extends the same offer of assistance, through the employee, to immediate family members.

8.2.3.4 Participation in Auburn University's EAP is voluntary to the extent that the employee will not be forced to participate in or accept recommended treatment. Refusing an offer to participate in the Employee Assistance Program will not be a basis for disciplinary actions and will not, in itself, be used against the employee. If the employee fails to follow recommendations, normal existing disciplinary action based on documented job performance will be taken.

8.2.3.5 Employees are responsible for the costs involved in resolving or treating any personal problem just as they are presently responsible for any costs for hospitalization or medical services. Auburn University's group health and hospital insurance coverage may cover all or a percentage of the cost of services of health care professional (including alcoholism and drug abuse treatment) to whom employees and their eligible dependents may be referred for assistance.

8.2.3.6 If the problem is not covered by health insurance, the EAP Coordinator will inform the employee in advance and work with the employee to locate other resources to provide assistance if needed.

8.2.3.7 Confidentiality - Referral for evaluation or acceptance of suggested treatment will in no way jeopardize an employee's job security or promotion opportunities. An individual's participation in the program will remain totally confidential and will not be made part of his or her personnel records. Medical and insurance records, if any, will be preserved in the same confidential manner as all other medical records. Program participation records will be maintained separately and independently of any other files, for the program staff's use only.

8.3 Employee Conduct and Job Rules

https://sites.auburn.edu/admin/universitypolicies/Policies/PolicyonEmployeeConductandProgressiveDisciplinePolicy.pdf

8.4 Reduction in Force/Layoff Policy

https://sites.auburn.edu/admin/universitypolicies/Policies/ReductionInForceLayoffPolicy.pdf

8.5 Administrative & Professional and University Staff Grievance Procedures

8.5.1 Purpose: To set forth a procedure for the resolution of grievances for University Staff and Administrative & Professional employees at Auburn University.

8.5.2 Definitions

Employee: Refers to a non-faculty individual (exempt or non-exempt) currently employed by the
University who has completed his/her probationary period.

**Grievance:** A grievance is an allegation by an employee that there has been a violation, misinterpretation, misapplication, or unreasonable application of a University policy, procedure, rule, or regulation regarding the employee’s employment conditions.

**Grievance Committee:** A committee of the employee’s peers formed to assist employees in the resolution of employment related conflicts.

**Grievance Hearing Panel:** A subset of the Grievance Committee selected to review and make recommendations for the resolution of a specific employee grievance.

### 8.5.3 General Policy

A staff, administrative, or professional employee who is seeking a solution concerning a disagreement, constituting a grievance, as defined in paragraph 8.6.2 above, may seek such a resolution using this policy.

Employees who feel they are being discriminated against because of race, color, sex, national origin, religion, age, veteran’s status, or disability should immediately and directly take the issue to the Office of Affirmative Action/EEO which can be reached at (334) 844-4794 or via the web at [http://www.auburn.edu/administration/aaeeo/](http://www.auburn.edu/administration/aaeeo/)

While the University recognizes the employee’s right to file a grievance, the employee must discuss his/her concerns with the immediate supervisor and/or department head before filing a grievance. If the immediate supervisor is alleged cause of the grievance, the grievant will take the concern to the next level of management. Experience shows that most concerns can be resolved informally at the supervisory level without the need for a formal grievance. The Human Resources Office provides mediation services to assist an employee in resolution of a problem or conflict.

Grievances based upon the termination of a non-probationary employee or the significant or continued reduction of pay as a result of disciplinary action qualify automatically for a hearing if a timely request is made by the grievant.

The grievance process is not a formal court proceeding, but is a peer review process for employees to resolve grievances.

### 8.5.4 Pre-grievance Mediation

Disputes between employees and supervision that are not settled through discussions between management or the Human Resources Department can be submitted to mediation. Management or the employee can request mediation. Either party can request mediation by notifying the Human Resources Department of their willingness to mediate. Mediation is a less formal means of settling disputes and is strongly encouraged as an alternative to filing a grievance. Both parties must agree to mediate, otherwise the process cannot proceed. Either party must notify the Human Resources Department within fifteen working days from the occurrence of the dispute of their intent to mediate. Human Resources will provide access to trained mediators available to facilitate the process. If you need assistance, please contact Human Resources at 844-4145.
8.5.5 Form

Copies of the official Auburn University Grievance Form are available from the Human Resources Office or via the web. The form is to be used by all employees seeking resolution of a grievance under the grievance procedure. The Grievance Committee should not consider a grievance unless it is properly submitted on the official grievance form. The completed form shall be submitted to the Human Resources Office, which will be responsible for forwarding copies to the appropriate individuals.

8.5.6 Time Limits

The time limits prescribed in paragraph 8.6.12 below must be strictly followed unless they are extended by mutual written agreement. Failure of the employee to adhere to the time limits shall result in his/her waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure of the person(s) against whom the grievance is filed to adhere to the time limits will authorize the employee to move to the next step of the grievance procedure. An exception to this rule may be made in cases when the Grievance Committee Chair requires additional time to research the issues stated in the grievance.

8.5.7 Examples of Actions Which Are Not Grievable

- Salaries
  - Hiring salaries
  - General salary adjustments
  - Promotional salary adjustments
  - Other salary adjustments
- Performance reviews
- Verbal counseling
- Voluntary resignations
- Position elimination due to restructuring and/or layoffs
- Position classification/reclassification decisions
- Hiring and promotion decisions
- Actions that fall within the purview of the AA/EEO Office
- Termination from employment during initial probationary period.
- Termination from employment based on felony conviction or unavailable for work due to incarceration
- Termination form employment while in a temporary employment status
- Any action that cannot be substantiated with facts (i.e., Employee cannot bring forth a grievance based on assumptions, rumors, innuendo or gossip)
- Matters that are already under review or for which a decision has been rendered under another process

8.5.8 Employee Advisor

Employees shall have the right to have one advisor of their choice present at each step of the grievance procedure. Such advisor may observe all proceedings and may only confer with the
employee. The advisor has no formal voice in the process. The advisor, if also a University employee, shall, at such times as approved by the advisor’s supervisor, be granted the necessary time off during working hours to attend formal proceedings without loss of pay and without charge to annual or compensatory pay. The time needed to prepare grievance materials should be done on the employee’s time off.

The advisor may also be an individual selected from outside the University. However, if the advisor selected by either party is an attorney, notice must be provided to the remaining party through the Grievance Committee. In cases where a grievance is filed by a subordinate against a supervisor, a supervisor may not select an attorney as an advisor unless the grievant has chosen an attorney as his or her advisor. Attorneys must follow the same guidelines as other advisors with regard to participation in the grievance process.

8.5.9 Witnesses

Employees shall have the right to submit a list of potential witnesses to support their allegations. The Grievance Hearing Panel will make the determination as to which witnesses will be called to testify. In the event that a witness is unable to attend the formal grievance proceedings, and the Hearing Panel has determined the witness has relevant information, an affidavit may be submitted.

Witnesses will not be required to testify under oath. However, each witness who is an employee of the University should be aware that any deliberate falsehood can result in a disciplinary action against the witness.

The Grievance Hearing Panel may grant adjournments of reasonable length to enable either party to investigate evidence if the Hearing Panel believes a valid claim of surprise is made concerning that evidence.

Grievance Hearings shall be closed. No witness (except the parties themselves) will be allowed to hear the testimony of any other witness.

8.5.10 Retaliation

No employee or faculty member is to take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any employee or faculty member violating this prohibition against retaliation may be subject to disciplinary action, up to and including, termination. Additionally, no employee or faculty member is to use an official position to attempt to improperly influence the grievance process.

8.5.11 Withdrawal of a Grievance

In certain instances, a grievance may be dismissed. All parties to a dismissal will be notified in writing. Examples of dismissals are withdrawal by the grievant, determination by the Hearing Panel, or voluntary resignation of the grievant. A voluntary resignation of employment from Auburn University by the grievant will automatically terminate the process of the Formal Grievance Hearing.

8.5.12 Steps in the Grievance Procedure
**Step 1:**

An employee is expected to file a grievance form, along with additional supporting documents as they deem necessary, to the Human Resources Office within forty-five (45) calendar days of the alleged occurrence. Once the grievance has been filed, the Human Resources Office will forward a copy to the appropriate Chair of the Grievance Committee.

**Step 2:**

The Grievance Committee Chair has five (5) working days to make a determination as to whether or not the issue is grievable with assistance from Human Resources in an advisory role. If the Grievance Committee Chair determines that the issue is not grievable, he/she will mark the appropriate box, state the reason the issue is not grievable, sign the form and return to the Human Resources Office. If the Grievance Committee Chair determines that the issue is grievable he/she will mark the appropriate box, sign the form and then proceed to Step 3.

**Step 3:**

Once an issue is determined to be grievable, the Human Resources Office will forward a copy of the grievance form and statement to the person(s) against whom the grievance has been filed. He/she has ten (10) working days to provide a rebuttal statement upon receipt of the documents. When the person against whom the grievance has been filed has completed his rebuttal statement, it should be forwarded, along with all supporting documents, to Human Resources and the appropriate Grievance Committee Chair.

During the same ten (10) working day period, the appropriate Grievance Committee Chair will work with the grievant and the person(s) against whom the grievance has been filed to select a Grievance Hearing Panel from the Grievance Committee(s).

The Grievance Committee will consist of fifteen members appointed at-large from their respective governance group. A minimum of one member from each of the major vice presidential representative’s categories will be maintained on the committee at all times. The chair will be elected from within the Grievance Committee and will serve for a one year term.

The Hearing Panel will consist of three (3) individuals. It will be the responsibility of the Grievance Committee Chair to determine who is available to serve on the Hearing Panel. Refusals should be based on strong reasons such as recent service on a large number of hearings, prior commitments that make service difficult to arrange, or knowledge of the parties or issues that makes it difficult to be impartial. The Grievance Committee Chair may, at his or her discretion, request a replacement panel member if extended illness or other circumstances prevent discharge of the Hearing Panel member’s responsibility.

A list of all eligible committee members who have not been recused will be supplied to both parties of the grievance by the Grievance Committee Chair. The grievant and the person(s) against whom the grievance is filed will each select one member from their respective Grievance Committee Groups. Each party will have two (2) working days to make their choice. In the event that both parties choose the same person, the grievant will have an additional two (2) working days to choose a second member. The third participant in the Hearing Panel will be selected by the two (2) members of the
newly appointed Panel from the Grievance Committee Groups. It is the responsibility of the Hearing Panel to select its Hearing Panel Chair.

Once the Hearing Panel has been selected, the Grievance Committee Chair will distribute all statements and will contact all parties to establish a hearing date and location.

**Step 4:**

The Hearing Panel will be an informal proceeding. The Hearing Panel may admit any evidence that it considers to be of value in determining the issues subject to the Hearing Panel’s judgment as to the relevance, credibility, and weight of the evidence. The Hearing Panel may ask the parties to produce evidence of specific issues, may examine witnesses, and may call and examine its own selection of witnesses. Both parties and the Human Resources Office will cooperate with the Hearing Panel in obtaining witnesses and making documents and other evidence available as needed by the parties or the Hearing Panel unless it is determined by the Vice President or President that the information sought is confidential and not subject to release. Each member of the Hearing Panel shall avoid any discussions of the case with the parties or their advisors before the hearing.

During the hearing, each party will have the right to ask questions of all witnesses appearing at the hearing and may rebut any evidence heard by the Hearing Panel.

An official record (tape recorded or otherwise) of the hearing will be made by the Hearing Panel. A copy may be made available to each party upon request.

The Hearing Panel will base its findings and recommendations solely on relevant facts surrounding the issues and material presented during the hearing. The Hearing Panel will render a consensus opinion. The Hearing Panel’s findings and statements of recommendations shall be prepared in writing and submitted to the grievant, the person(s) against whom the grievance was filed, the appropriate Grievance Committee Chair(s) and Human Resources Office within fifteen (15) working days of the Hearing.

Human Resources Office will report the Hearing Panel findings and recommendations to the appropriate Vice President. If the Vice President was a party to the original grievance or the direct supervisor of the employee, then the findings and recommendations shall go to the President.

Upon receipt of the Hearing Panel’s recommendation, the Vice President will have thirty (30) calendar days to note his/her response on the Grievance Form, sign and forward to the Human Resources Office. The Human Resources Office will then notify all parties of the University’s final disposition of the grievance.

No employee will be entitled to more than one formal hearing on the same complaint.

Retention of all records, tapes, and committee notes will be returned to the Grievance Committee Chair who will submit them to the Human Resources Office for final retention.