



# EMPLOYEE HANDBOOK

# Trinity Washington University

## Employee Handbook

### Preface

Trinity Washington University (hereinafter “Trinity”) presents this *Employee Handbook* as a guide to the University’s employment policies and practices. Descriptions of benefits including retirement, insurance, leave time and other benefits are available in the annual Benefits Guide on the ADP portal for employees. As an academic institution with a religious foundation and a special mission to the education of women, Trinity seeks to ensure that the campus workplace mirrors the goals and values that the University embraces in its educational programs, within the framework of Trinity’s mission.

All personnel of Trinity should be familiar with Trinity’s Mission Statement (below) and [Strategic Plan](#), and the history, traditions and values of Trinity.

#### MISSION STATEMENT

Trinity Washington University is a comprehensive university offering a broad range of educational programs that prepare students across the lifespan for the intellectual, ethical and spiritual dimensions of contemporary work, civic and family life.

Trinity’s core mission values and characteristics emphasize:

**Commitment to the Education of Women** in a particular way through the design and pedagogy of the historic undergraduate women’s university, and by advancing principles of equity, justice and honor in the education of women and men in all other programs;

**Foundation for Learning in the Liberal Arts** through the curriculum design in all undergraduate degree programs and through emphasis on the knowledge, skills and values of liberal learning in all graduate and professional programs;

**Integration of Liberal Learning with Professional Preparation** through applied and experiential learning opportunities in all programs;

**Grounding in the mission of the Sisters of Notre Dame de Namur and the Catholic tradition**, welcoming persons of all faiths, in order to achieve the larger purposes of learning in the human search for meaning and fulfillment

## **Purpose and Scope of the Employee Handbook**

Trinity recognizes that all employees are part of the educational dynamic of the university. For that reason, Trinity seeks to promote among its staff the same kind of dedication to intellectual excellence and growth, respect for the truth and human dignity that are the hallmarks of a Trinity education. The policies stated in this *Employee Handbook* seek to emulate these values,

This manual is a working guide for supervisory and staff personnel in the day-to-day administration of the Trinity's Human Resources Program. Its purpose is to increase the understanding of policy and to ensure consistency in personnel policy administration. Every staff member is responsible for following these policies. Every supervisor of staff personnel is responsible for carrying out these policies in a consistent and impartial manner.

No *Handbook* can cover all employment situations, nor can policy statements substitute for good judgment and common sense. While these policies are consistent guidelines, they do not cover all situations and are not a substitute for detailed review of individual cases.

*Trinity reserves the right to interpret or change the policies stated in this Handbook as the need arises. This document is not a contract.*

## **Applicability of Handbook Provisions**

This Handbook contains policies, procedures and information for all staff personnel of Trinity, both full-time and part-time. Full-time faculty personnel have a separate *Faculty Handbook* detailing faculty rights and privileges, but faculty personnel also must abide by the general policies of this *Employee Handbook* particularly as the policies pertain to risk management, information privacy and security, sexual harassment and misconduct, discrimination, drug-free workplace rules and similar university-wide policies. Adjunct faculty have a union contract, but they, too must abide by the general university policies. In the same way the personnel of vendors --- personnel who work for outside companies on Trinity contracts --- are also expected to abide by Trinity policies.

Some staff personnel may have specific employment contracts, particularly executive personnel. The terms of contracts supercede provisions of this Handbook, but all contracts include the expectation that contractual personnel will also abide by all university-wide policies.

All staff employees (except those with employment contracts) are hired according to the general expectations of employment-at-will, which is a legal term that means that employment is for an indefinite term, and can end at any time at the discretion of Trinity

Note that new staff employees have a 90-day probationary period during which Trinity will conduct special assessments of their ability to fulfill the duties and responsibilities of the positions; supervisors are responsible for this assessment in cooperation with the Office of Human Resources.

## **Exempt and Non-exempt Classifications**

Like all employers governed by federal and state regulations, Trinity's employees are classified as either non-exempt or exempt under the Federal Wage-Hour law. These categories mean:

### **A. Exempt Employees:**

Employees in executive, managerial, administrative, and learned professional positions are exempt from overtime law provisions; exempt employees are paid an annual salary, rather than an hourly wage. Exempt employees are expected to work the number of hours necessary to complete responsibilities, assignments and objectives by their supervisor, and as necessary, this may mean that at times exempt employees work more hours than the standard 40-hour work week. Exempt employees are paid monthly.

### **B. Non-Exempt Employees:**

Non-exempt employees are entitled to overtime compensation under the provisions of the 1974 Federal Wage Hour Law. These employees are paid according to the number of hours worked per week and receive overtime pay at time and one-half for hours worked beyond a 40-hour week in accordance with the law. Non-exempt employees may not incur overtime without the specific permission of a supervisor, and supervisors must be able to give suitable justification for incurring such overtime charges to the Director of Human Resources and the Vice President for Financial Affairs. Trinity reserves the right to cancel overtime directions at any time in any department. Non-exempt employees are paid bi-weekly.

## **PROFESSIONAL NORMS**

All personnel of Trinity are professionals who accept responsibilities inherent in employment with a value-centered learning institution that has a distinctive mission and tradition. Trinity expects all employees to respect and uphold the mission and values of the University, and to refrain from any activity that would demean or harm Trinity.

The ethics of professionalism require loyalty to the institution and a willingness to participate in those tasks that advance the mission of the University and strengthen its ability to carry out that mission. Professional ethics also expect an employee to learn as much as possible about Trinity, to pay attention to news and information about Trinity, to respect and help the students and faculty of Trinity who are engaged in Trinity's core work of teaching and learning, and to embrace the principle of honor that is a central value of Trinity's existence.

### **A. Knowing and Upholding Trinity Policies**

All personnel are responsible to know and uphold the policies that Trinity has listed on the website and that may be promulgated from time to time. The Senior Executive Staff review these policies at least annually and all personnel are welcome to suggest changes. However, the extant policy must be followed unless/until another policy takes its place.

While the website list is comprehensive and all personnel should be familiar with all of the policies, staff and faculty should be especially conversant with these policies:

- Risk Management
- Harassment
- Title IX and Sexual Misconduct
- Emergency Management Plan and Emergency Communications Protocols
- Contracts, Regulations and Legal Authority
- Technology and Telecommunications
- Policy on Information Access and Security
- Protecting Student Privacy

The following sections augment these and other policies:

### **B. Confidentiality of Information**

Employees have a general obligation of confidentiality about the information they manage on Trinity's behalf. Those employees who have access to the internal business affairs of the University, including student records, financial information, payroll and personnel information, gift records, alumnae records and all other information about the people and business affairs of Trinity have an obligation to treat that information as confidential and limited to the purposes for which the information is generated. Any employee who discloses confidential information to any person who does not have a right to the information, including other employees or students, may incur disciplinary action including termination.

All Trinity personnel are responsible to adhere to the standards of FERPA, the Family Educational Rights and Privacy Act, that prohibits dissemination of information about a student without the express permission of the student.

Interface with Technology Policies: Trinity's general policies on the use of technology and telecommunications are embodied in that policy statement. Trinity recognizes that technology exposes information to access and dissemination in ways that may not be anticipated or controlled. If an employee finds that he or she has gained access to information that is not normally included in the scope of employment, that employee is expected to notify the appropriate supervisor and to take those steps that are appropriate to re-secure the information. Any misuse of information received by mistake, or any tampering with the computer and information system, falsification of passwords or other actions that obtain, or attempt to obtain, information without authorization will result in immediate termination.

The Office of Technology Services is responsible for the overall supervision of cybersecurity at Trinity, including the security of data and information maintained on Trinity's systems. All personnel are responsible to follow the directions of the Office of Technology Services on matters pertaining to information security and cybersecurity in general. All personnel are responsible to complete the annual cybersecurity training for email management.

### **C. Public Relations and Representation of Trinity**

The Office of Public Relations handles all media inquiries and other informational inquiries about Trinity. From time to time, other offices also must respond to external information requests, and these are generally reviewed by the appropriate senior staff member prior to the release of information. Only the president or her designee may speak to the press or release information about Trinity

Trinity encourages faculty and staff to participate in professional presentations and various forums in which their expertise manifests Trinity's work and excellence. While all personnel are free to participate in external events as they wish, professional courtesy suggests that they should notify their dean or supervisor of any public presentation that cites Trinity as their employer.

Additionally, since all information generated by Trinity personnel belongs to Trinity, faculty and staff who wish to make public presentations about Trinity's work should get permission to present Trinity's data and information publicly. Such permission usually may come through the dean or supervisor, who may also consult with the provost or president depending upon the nature of the material being presented.

No member of the faculty or staff may publicly disclose the names, identities, photos or other personal information about Trinity students without permission from the students affected and also permission from the president or her designee.

## **D. Work Products**

All materials that a staff employee writes or creates as part of his or her work at Trinity are the property of Trinity and may not be reproduced or otherwise distributed in an external public forum without Trinity's permission. In such cases, the staff member should also disclose any payment they will receive for sharing the material, and Trinity reserves the right to decline permission for the activity. "Materials" in this context includes print, video, audio, electronic and all other media through which work product is available to a public audience.

Members of the staff enrolled in master's, doctoral or other degree programs who have a valid research plan that might entail some data collection at Trinity must obtain the formal approval of the president to conduct any studies using Trinity personnel, students or resources. Any such studies must also conform to the Institutional Review Board policies and processes. Trinity reserves the right to deny, suspend or change any such studies conducted on its premises, to deny publication rights, and to receive copies of any such research conducted with its permission and using its personnel and resources.

Policies concerning faculty materials are contained in the Faculty Handbook and related policy statements issued through the Provost.

## **E. References and Other Information About Current and Former Employees**

The Office of Human Resources is the sole source of information or references for current or former employees. No employee may release information about another employee to a third party without the prior knowledge and approval of the director of Human Resources.

## **F. Outside Employment and Conflicts of Interest**

Full-time employees have a professional obligation to devote substantially all of their professional time to Trinity. Full-time employees with other jobs, businesses and consulting practices must disclose the nature of those activities to Trinity in writing. The Office of Human Resources will issue additional directions for such disclosures.

Employees must disclose any activity which conflicts with, or appears to conflict with, the interests of the University. The requirement of disclosure does not prohibit the activity, but Trinity reserves the right to instruct the employee to cease the activity if the University deems the conflict to be injurious to the University. The following list of examples of conflicts-of-interest is not exhaustive, and the University reserves the right to declare other activities to fall within the scope of this policy:

- Holding a position, whether compensated or voluntary, in an organization with which Trinity does business; similarly, if a member of the employee's immediate family holds a position in a company with which Trinity is doing business;
- Working for another university, whether full-time or part-time;

- Providing consulting services to external organizations or groups;
- Engaging in any activity that competes directly with Trinity's lines of business, including fund raising for other nonprofits or universities, student recruiting for other institutions, and related activities;
- Employing a relative in any position, including part-time and adjunct positions.

## **G. Prohibited Activities**

The following activities are generally prohibited activities that go beyond conflicts of interest to possible violation of ethical norms, and may be grounds for termination:

- Providing proprietary information about Trinity without authorization, to an outside company that may seek to do business with Trinity, or that is doing business with the University, in a way that may advantage or disadvantage the external company in bidding for Trinity's business;
- Receiving any form of compensation or gift from a company that does business with Trinity, including taking any fee for steering Trinity's business to the company;
- Seeking references for other employment from Trinity vendors while still employed at Trinity;
- Using Trinity equipment, for personal business, regardless of the profitability of the personal business;
- Promising a job or a contract, providing a premium of any variety, or extending any other form of incentive to a person or company outside of Trinity;
- Interfering with the privacy and security of other personnel on campus through misuse of Trinity identification or resources, proselytizing for religious or political purposes, intimidating or harassing other individuals on campus, or engaging in any activity that poses a threat of harm to members of the Trinity campus community;
- Driving students in a personal car to any event or other location without specific permission from a supervisor;
- Inviting Trinity students to events and activities in the employee's home;
- Providing alcohol or drugs to students including medications;
- Unless employed as a university staff counselor, providing personal counseling services to students;

- Engaging students to participate in religious, political or other activities of a personal nature and unrelated to Trinity (e.g., Campus Ministry may engage students who voluntarily participate in religious activities under Trinity's auspices, which is different from an individual employee asking students to join them in worship services at their personal church);
- Employing students (as paid employees, interns or volunteers) in the employee's personal work outside of Trinity or in any work at the home of the employee;
- Giving money as personal gifts to other employees; personnel who want to help a colleague out should consult with Human Resources about Trinity's support resources. Similarly, all staff, and especially supervisors, should refrain from giving expensive tangible gifts to other staff since this practice can raise issues of equity, discrimination, favoritism and undue pressure among personnel.

The list above provides examples; Trinity reserves the right to take action in any other circumstance of employee conduct that raises ethical or legal concerns.

#### **H. Political Activities**

All employees of the University may exercise their rights as American citizens to vote as they choose, to express their opinions as private citizens, and to join political organizations. Such political activity should occur off-campus on the employee's own time. No employee may use the resources of Trinity for any partisan political activity, including telephones, regular mail, email, space, mailing lists, photocopiers, etc. In compliance with federal lobbying regulations, employees of the University with responsibility for the administration of governmentally-funded programs or compliance with government regulations must be free from political influence in the impartial execution of laws and government programs.

Because Trinity is a public charity regulated under Section 501(c)(3) of the Internal Revenue Code, the University specifically prohibits lobbying or partisan political activity on the part of any administrator or employee who has any responsibility, part or full, in the administering of any federally program. Certain federal regulations extend this prohibition to activities that might take place off-campus and on personal time.

#### **J. Personal Use of University Services, Supplies, Equipment, or Facilities**

Employees may not use University supplies, equipment or facilities for personal use. Examples of items covered by this policy include, but are not limited to:

- Postal services (including postage), FedEx, UPS, couriers, and other forms of delivery using Trinity accounts;
- Office supplies, paper products (including food service paper products) and physical plant supplies;

- Office equipment including computers and printers;
- Use of Trinity technology, as specified in the Trinity Technology and Telecommunications Policy;
- Use of Trinity's facilities and vendors for private parties;
- Unauthorized use of Trinity's logo, images or related materials;
- Use of Trinity's accounts, credit capacity and credit cards for personal purchases.

Employees who are also students in Trinity's programs may not use office equipment to prepare papers or conduct research during business hours.

No employee may contract with another employee to do personal work of any variety. Such work might include preparing papers, providing home repair or cleaning services, or providing transportation services.

Trinity does not host private parties on its fields or in its facilities.

No employee may remove for personal purposes any items of tangible property belonging to Trinity, including property that appears to be damaged or discarded. All property, including discarded items, belong to Trinity, and removal of such items without permission constitutes theft and will incur personnel action, and possible legal action.

## **TRINITY WORK HOURS**

Trinity is officially open for general business from Monday through Friday, from 8 am to 6 pm and on Saturday from 8:00 am to 2:00 pm, except during periods when the University is not in session for classes or on official holidays published separately each year. However, beyond these "official business hours," Trinity conducts many programs that occur at other times during the day and evening, on weekends, and during the summer. Because of the nature of the work of the University, from time to time all personnel may be asked to adjust hours, to provide assistance during special events or functions like Commencement, or to respond to emergencies involving the campus community.

The nature of work in a university requires staff to be flexible and responsive to time demands that may not be foreseeable at the moment of hiring. The ability to adapt to changing schedule needs is an important consideration in accepting employment with Trinity. Events such as Commencement, Alumnae Reunion and other special programs are not "extra" or "volunteer" time, but rather, are integral to the nature of the work of Trinity.

Because Trinity includes a residential component, and because some of the work of the University occurs outside of the regular business hours, some staff may have job assignments that require them to work overnight, on weekends, to travel, to respond to campus emergencies, or to conduct University-related work in other unusual ways. Such an environment requires both

employees and supervisors to be flexible, to respect the weekly time-at-work expectations, and to be fair and honest in reporting actual hours worked, and in performing the duties of the position professionally at times when no supervisors are present.

Trinity's general policy is that all offices of the University should be open for business during the official business hours of the University. Supervisors should establish master schedules for each department in consultation with the supervising executive staff member or dean. Trinity reserves the right to review all departmental schedules periodically, and to make changes in this policy and its practice as the needs of the University dictate.

## **LEAVE TIME**

*Leave policies are set forth in the Employee Benefit Guide available on the ADP portal, see <https://workforcenow.adp.com/static/clients/content/2024-2025%20Trinity%20Benefits%20Brochure%20Final.pdf?1738355638690>*

## **EMPLOYEE ASSESSMENT**

All staff employees participate in annual assessments of their work performance. Supervisors who are responsible to conduct assessments with employees must participate in training sessions conducted by the Office of Human Resources on assessment practices.

The purpose of annual assessment is to give employees an opportunity to review the work they have accomplished; to identify and illuminate particularly successful activities, and to identify and define areas that need improvement. The ultimate end of the assessment process should be a set of goals that the supervisor and employee mutually agree upon for the subsequent period.

Different methods for conducting the annual assessment may occur from time to time, and so the specific assessment process is defined by the Office of Human Resources in an annual memorandum with instructions. The process must provide an opportunity for employees to participate in the process and to discuss discrepancies between the supervisor's judgment and employee's perspective.

## **HIRING PROCESS**

All employment positions at Trinity require formal approval before the hiring process begins. The approval process ensures that (a) every position fulfills specific professional needs at Trinity that are aligned with strategic and operational goals, (b) every position has an approved budget line, and (c) every search develops a talent pool that can satisfy the requirements of the position advertised and fulfill Trinity's expectations for diversity, equity and inclusion in all hiring initiatives.

This policy applies to hiring for new staff positions, vacancies that occur when someone leaves Trinity, and full-and-part-time staff positions. Faculty hiring is governed by the Faculty Handbook and SEIU contract for adjuncts, but the overall expectation of prior approval before a search commences remains consistent for all employment at Trinity.

Following is the hiring process for all staff positions at Trinity:

1. If the position is completely new, discuss the need for the position and its responsibilities with the dean or vice president responsible for your area of responsibility, or with the president if you are the dean or VP. From that conversation, develop a detailed position description spelling out the key components of work, duties and responsibilities and intended outcomes. Specify how this position aligns with fulfillment of strategic and operational goals for your unit.
2. If the position is a vacancy previously held by another employee, have the same discussion with your dean or VP (or president) and then review the existing position description, making revisions to update the position aligned with strategic and operational goals.
3. With the approval of your dean or VP (or president) for the position description, complete and submit the "Position Request Form." This form is essential to secure approval for the budget line for the position and the ability to proceed with the hiring process.
4. The Office of Human Resources will notify the hiring manager when the position is approved with a budget line. HR will then discuss with the hiring manager the process for developing and posting the position announcement and launching the search.
5. Hiring managers are responsible to review the applications in a timely way and to identify those that are likely candidates for an initial interview. HR will provide separate guidance on conducting effective screening and interviews.
6. Hiring managers work with HR to arrange the interview schedule including engagement of all colleagues necessary for the final decision.
7. Once a final candidate is identified, HR works with the CFO and president to confirm the salary offer and HR may make a preliminary offer subject to completion of the process.
8. HR also conducts reference checks and criminal background checks.
9. Once the reference checks are complete, the hiring manager should call the candidate with the final offer and confirm the start date.
10. Hiring managers work with HR to develop the onboarding agenda for the new colleague. The hiring manager is responsible for effective orientation of new colleagues to Trinity and their specific duties and responsibilities.

Note: Trinity reserves the right to hold positions open for a period of time, to stop searches or to decline to extend offers.

## GRIEVANCE PROCEDURES

Certain Trinity policy statements contain their own grievance and disciplinary procedures, and those are appropriate for those specific policies including Harassment and Title IX Sexual Misconduct claims.

A separate procedure for claims of employment discrimination follows this general section on grievance procedures.

In all other cases of complaints not otherwise addressed in specific policies, the procedures set forth below apply for employee grievances.

Supervisors and other persons about whom complaints are made should not take any action against the employees or other persons who make the complaints. Any retaliatory action, for whatever reason, is a separate offense and can result in termination. Accused persons who believe that the complaint is wrong may make their cases in the appropriate forum, described below.

All persons making complaints are expected to do so truthfully and with respect for the reputations of the persons involved. A complaint that is false may result in termination, and employees are also reminded that false complaints may incur legal actions for defamation of character.

### Stage One: Informal Dispute Resolution

When possible, informal dispute resolution is the preferred method for handling employment complaints of a minor nature. Following are suggested steps for informal dispute resolution:

1. If the complaint is about another employee who is not the immediate supervisor involved, then the employee with the complaint should speak directly with his or her supervisor about the problem.
  - a. If the complaint is about another employee in the same department, then the supervisor should take appropriate steps to address the issues with both parties, and the supervisor may consult with the director of Human Resources for guidance in managing the dispute resolution.
  - b. If the complaint is about an employee in another department, then the two supervisors should confer about the issues and determine an appropriate course of action. Here again, consultation with the director of Human Resources is an appropriate course of action.
  - c. If the complaint is about someone who is not the immediate supervisor but who is at the supervisory level or higher, then the supervisor who hears the complaint *must* consult with the director of Human Resources about the appropriate next steps.

2. If the complaint is about the immediate supervisor, then the employee should speak directly with the director of Human Resources, who will work with both parties to resolve the matter.
3. In all cases, the complaining employee has a right to know how the matter is being addressed, and open communication among the various supervisors and affected employees is essential.

## **Stage Two: Mediation**

Sometimes a complaint cannot be resolved informally, so a more formal mediation process is appropriate. The decision to move into a mediation mode shall be made by the director of Human Resources in consultation with all of the parties to the dispute. The director should make a file memo, copies to the parties, simply stating that a mediation process is underway, the nature of the complaint, the names of the parties, the mediator and timeline.

When the director has determined that mediation is necessary, she will appoint an independent party (an employee at the supervisory level or higher, or a member of the faculty if appropriate) to conduct the mediation process.

The process is not a legal proceeding, and every effort should be made to keep the process open, respectful and amicable. Written materials should be minimal.

The mediator should meet with all of the concerned parties individually and listen to all statements without prejudice. After hearing all points of view, if the mediator sees an avenue for resolution, the mediator should meet again with the parties to explore solutions. These meetings may occur individually or in a group at the mediator's discretion. The mediator is empowered to work with the parties to secure their mutual agreement to a solution. However, the mediator is not empowered to dictate a solution.

If, after the expiration of the original timeline no resolution is apparent, then the mediator and the director of Human Resources may agree to continue the mediation, to conclude it with no resolution and no further action, or to recommend to the complainant that the formal grievance process is available.

The director of Human Resources should make a file memo, copies to the parties, indicating the disposition of the case.

## **Stage Three: Formal Grievance Process**

Many of the most serious forms of misconduct (discrimination, sexual harassment) already have formal grievance procedures stated in those policies. For other situations in which an employee feels aggrieved by the conduct of another employee or supervisor, the formal grievance process may be the most appropriate step toward resolution but only after the complainant has first

exhausted the Stage One (Informal Dispute Resolution) and Stage Two (Mediation) processes described above.

*Time frames indicated in the following steps are recommended, but these may need to be adjusted based on the facts of each case.*

1. The employee who wishes to invoke the formal grievance process must do so in writing. Such a request should be addressed to the director of Human Resources, or, in the alternative, to the vice president for Financial Affairs.
  - a. The written request must state the reasons for invoking the formal grievance process.
  - b. The written request should be as accurate as possible in stating the names of the persons about whom the complaint is made, and the specific facts and circumstances that gave rise to the grievance.
2. The director (or vice president), upon receiving the written statement, should immediately write back to the party acknowledging receipt but making no further comment on the case.
3. Within five days of receiving the written complaint, the director should review the case to determine whether adequate grounds exist to proceed to a formal hearing. In making this determination, the director may consult with all appropriate persons, including the complainant and the person about whom the complaint is made. The director may decide to send the case to Stage 1 or Stage 2 dispute resolution before proceeding to a formal hearing, and if the director so decides, that decision is final.
4. If the director determines that a formal hearing is appropriate, then the director appoints an independent third party, at the supervisory level or higher, to serve as the hearing chair. The director then notifies the parties of the appointment of the chair and the timeline for the process. These steps should occur within ten days of the date of the complaint.
5. The chair immediately issues a formal notification to the person about whom the complaint is made (the respondent) and invites a written response. The respondent is entitled to a copy of the original complaint so that the respondent can make a complete answer. This part of the process may take up to thirty days.
6. After receiving the answer, the chair may determine
  - a. to interview each party separately,
  - b. to send the case back to the director with comments, or
  - c. to call the parties to a formal hearing.
7. If the case goes to a formal hearing, the procedure should be kept as simple as possible. This is not a legal proceeding; each party may bring one other person for support, such as

a member of the Trinity community, a friend or family member, but *not* legal counsel. The chair must also appoint a secretary to keep a record of the meeting, and the secretary should be independent of the parties. At this hearing, the chair should invite each party to make opening statements for a defined period of time. After hearing each statement, the chair may ask questions of each party. The parties may not argue to each other, but simply respond to the chair. The chair may ask for concluding statements.

8. After the hearing, within five days, the chair issues a written report and recommendation for action to the president. The recommendation may include:
  - a. a definitive action involving the parties to secure resolution;
  - b. disciplinary action against a party;
  - c. further investigation for cause;
  - d. closure of the case.
9. The president may accept the recommendation, ask for additional information, or return the case to the director of Human Resources for further processing.
10. Parties who are dissatisfied with the outcome of the case may make a written appeal directly to the president, who may invoke a new hearing, seek additional facts, interview the parties, or decide the case. The president's action is final.

## **Procedures for Discrimination Claims**

Any person who believes that he or she has been the victim of employment discrimination at Trinity under this section may make a formal or informal complaint according to the following procedures:

1. The complainant should meet with the Director of Human Resources to discuss the situation. Upon hearing the nature of the complaint, the Director may take one of the following actions:
  - a) Ask the complainant to write a formal written complaint; or
  - b) Ask the complainant if she or he is willing to participate in an informal discussion with the supervisor or other person who allegedly violated this section; or
  - c) Investigate further, including conducting a meeting with the accused party, before determining an appropriate course of action.
2. Whether or not the complainant makes a formal written complaint, the Director is responsible to maintain a record of the complaint and to inform the President of the University of the matter. The President may request additional investigation of the case, or direct an alternative process.

3. Upon receiving a formal written complaint, or based on the results of the initial investigation, the Director must provide a formal written notice to the accused person. This notice sets forth the nature of the charges and describes the likely disciplinary action. The notice asks for a written reply, and admonishes the accused party that he or she may not discuss this case with the complainant or take any action that might be construed as retaliation. The Director and the accused party may meet to discuss the expectations for the written reply.
4. If the accused party refuses to provide a written reply within the timeframe stated, or if the accused party engages in any act of retaliation or intimidation toward the complainant, the Director will notify the President of the University immediately, and the President will take disciplinary action which may include termination of the offending party.
5. Upon receiving a written reply from the accused party, the Director may choose a course of action depending upon the nature of the reply. The likely options include:
  - a) If the accused person denies the charges, then the Director will create a small committee, composed of two or three members of the staff or faculty, to conduct a further investigation of the case; upon receiving the report of the committee, the Director may determine appropriate disciplinary action as the findings warrant; the accused may appeal the findings and the action to the President, who may direct additional inquiry or who may take any other action appropriate to the circumstances of the case;
  - b) If the accused person admits the charges, then the Director will determine the appropriate disciplinary action;
  - c) If the reply provides sufficient evidence to dismiss the case, the Director may do so, in which case the Director must also provide a written reply to both parties explaining the reasons for the dismissal.

If the Director dismisses the complaint, the complainant may appeal the dismissal according to this procedure:

The complainant makes a formal request in writing to the President for a review of the case;

The President appoints a three person review panel, consisting of members of the staff and faculty who are not in the immediate department of either the complainant or the accused; the President designates the chair of the review panel;

The review panel may review all of the evidence, invite both parties to make oral or written statements, seek the testimony of other witnesses, review the report of the Director of Human Resources, and otherwise engage in inquiry activities reasonably designed to establish the facts and assess the issues in the case;

The review panel makes a formal written report to the President, along with a recommendation for the disposition of the case;

The President reviews the report and makes the final decision in the case.

### **3. Disciplinary Actions in Discrimination Cases**

Trinity may take disciplinary actions against employees and supervisors under this section according to the circumstances of the case. The range of actions includes, but is not limited to:

- a) Mandatory participation in education and training programs;
- b) Reduction in pay;
- c) Dismissal from supervisor position and re-employment in a non-supervisory position, but only as possible and appropriate;
- d) Administrative leave with pay;
- e) Administrative leave without pay;
- f) Termination.

## **DISCIPLINARY PROCEDURES**

Trinity expects the highest standards of conduct from all employees, and believes that with appropriate supervision, disciplinary actions against employees should not be necessary. However, on rare occasions, disciplinary actions are necessary for employees who repeatedly do not perform the duties of their positions with excellence, or who engage in misconduct.

*The following descriptions of possible disciplinary steps are not contractual rights; Trinity retains the right to take other actions as appropriate to the facts of each case.*

### **1. Work Performance: Corrective Coaching and Training**

Most often, situations involving inadequate work performance should receive corrective coaching and additional training. All employees should receive an adequate period of time and sufficient instruction to be able to correct performance problems that are skill-related.

If, after an appropriate period of training and counseling, the employee remains unable to perform the duties of the job at an acceptable level, then the employee may be terminated for inability to perform the functions of the position.

## **2. Behavioral Problems: Progressive Discipline**

Progressive discipline is an appropriate tool in situations in which an employee manifests repeated behavioral problems on the job, e.g., continued lateness, repeated disregard for the instructions of the supervisor, sloppy work product, a pattern of rude and unhelpful behavior exhibited toward students, faculty and other staff.

As a first step, the supervisor should meet with the employee to counsel him or her about the conduct, and to recommend a corrective course of action. This is the verbal warning stage of the process. The supervisor should make a brief written file memo stating that the meeting occurred and the outcomes agreed to.

If the problems continue, the supervisor must then make a written statement describing the problems and the expected course of remedial action. Prior to writing this document, the supervisor should meet with the director of Human Resources for guidance. The employee is entitled to see this document and to make a written statement in response. If the problems continue after the written warning, then Trinity may place the employee on probation, suspend or dismiss the employee.

## **3. Misconduct and Termination**

In rare instances, employee misconduct is so offensive that immediate termination must ensue. Examples of such misconduct include, but are not limited to:

- a) any deliberate act of physical or psychological intimidation or actual assault against any other employee, student, faculty member, visitor or guest of Trinity, whether the incident occurs on or off campus;
- b) violation of Trinity's policies on non-discrimination, sexual or racial harassment, technology, contracts, public representation of Trinity, and other policies that indicate dismissal as possible discipline;
- c) theft of Trinity's property or the property of other persons on Trinity's campus, including credit card fraud using Trinity's credit cards or other actions to secure personal financial gain at Trinity's expense;
- d) lying about credentials, plagiarism, fraud, or other forms of dishonesty;
- e) carrying or keeping a gun on campus regardless of any license for the firearm; guns are strictly prohibited from campus, including security personnel;
- f) carrying or keeping any knife or other weapon, explosive or hazardous material on campus, unless such instruments or materials are explicitly required for the work to be performed;
- g) engaging in any form of criminal conduct whether internal or external to Trinity.

## **Part XIII: SEPARATION**

Separation from employment at Trinity University occurs voluntarily and involuntarily. In all cases, Trinity University requires an employee to participate in an exit interview at the time of separation so that the details of benefits, compensation, and closure of work-related duties can be attended to in a timely and professional manner.

### **A. Voluntary Separation: Resignation**

An employee who decides to leave a position at Trinity has an obligation to the University to provide timely notice, and to fulfill the wrap-up of duties and responsibilities with professionalism.

For persons in positions of management responsibility, at least one month's notice is necessary, and for senior executive staff, notice of at least three months is appropriate.

For all other staff positions, at least two weeks' notice is required.

All employees who leave Trinity have an obligation to turn-in credit cards and keys, to leave files and papers in good order, and to ensure that all computer equipment, software and electronic files are accessible and ready for a successor.

### **B. Involuntary Separation: Termination**

All staff employees who do not have specific contracts are employed at-will, and Trinity may choose to terminate such positions at any time without cause.

New employees who are within the 90-day probationary period may be terminated without cause or notice.

Employees past the 90-day probationary period may be terminated without cause and Trinity will normally provide at least two weeks' notice. Trinity may provide additional time as circumstances warrant.

Employees may also be terminated "with cause," which are cases usually involving serious non-performance of duties, misconduct on the job, dishonest conduct, criminal conduct, or violations of Trinity's policies that include termination provisions. Employees terminated with cause may be asked to leave the premises immediately if necessary.

## **COMPLIANCE WITH PUBLIC LAWS AND POLICIES**

### **A. Equal Employment Opportunity, Affirmative Action and Non-Discrimination**

Trinity is committed to providing equal employment opportunity in the workplace without regard to race, color, sex, religion, national origin, age, and all other categories governed by the laws of the United States and the District of Columbia. Trinity does not engage in discrimination on the basis of any personal characteristics defined by law as prohibited classifications. All supervisors must adhere strictly to the policies and procedures that implement the non-discrimination, equal opportunity and affirmative action requirements.

#### **1. The Affirmative Action Plan**

To maintain the vitality of the commitment to equal opportunity, the University has prepared an Affirmative Action Plan designed to guarantee equal access to employment opportunities on the basis of individual merit and performance. Trinity embraces the goals of equal opportunity, and the specific goals of its Affirmative Action Plan, in its hiring and employment practices, including, but not limited to advertising, recruitment and employment, position upgrading, promotion, demotion or transfer, layoff, termination, compensation, training and apprenticeship.

Because of the importance of strict adherence to the expectations of the Affirmative Action Plan, all supervisors, including faculty personnel with hiring responsibilities, must work through the Office of Human Resources in all personnel searches and hiring.

Copies of the Affirmative Action Plan are available for review in the Office of Human Resources. The Director of Human Resources is also the Affirmative Action Officer.

### **B. Harassment, Sexual Misconduct and Title IX**

Trinity complies with Title IX, the federal law prohibiting sex discrimination in education. The law and regulations cover sexual misconduct as well as other forms of gender discrimination. Trinity's policy statement on [Sexual Misconduct \(Title IX\)](#) is on the website along with Trinity's general policy on Harassment.

### **C. Americans with Disabilities Act**

Trinity welcomes all people to study and work at the University who otherwise meet the requirements for admission to the University or for employment in the particular positions advertised.

In all aspects of its employment policies and practices, Trinity seeks to ensure that applicants for employment, as well as employees, are treated in compliance with the American with Disabilities Act (ADA). Trinity is committed to nondiscrimination in its hiring and employment practices, including but not limited to advertising, recruitment and employment, position

upgrading, promotion, demotion or transfer, layoff, termination, compensation, training, and apprenticeship.

The University provides prompt, fair and impartial consideration of all complaints of discrimination in employment or personnel practices. Complaints brought under the ADA should follow the same process as described above for complaints of discrimination.

#### **D. Drug-Free Workplace Act**

Trinity complies with the federal [Drug-Free Workplace Act](#) and also the [Drug-Free Schools and Communities Act](#). Please click on the links to see the full policy statements.