Marshall University Research Corporation

Human Resources

Policies and Procedures



Preface

This handbook is designed to acquaint you with Marshall University Research Corporation and the terms and conditions of your employment. It is NOT an employment contract or promise of specific treatment. It is a reference to inform and assist with general policies.

Consult the Marshall University Research Corporation Human Resources Department for interpretations of the provisions stated in this handbook. These provisions are subject to change as deemed necessary by the Vice President for Research, the MURC Board of Directors and Marshall University Human Resource Services.

This handbook supersedes any previous handbooks provided by Marshall University Research Corporation.

Thank you.

Marshall University Research Corporation
One John Marshall Drive
Huntington, WV 25755
www.marshall.edu/murc

Greeting



Dear Colleagues,

Marshall University has a strong and diverse collection of research activities, and the Marshall University Research Corporation is pleased to provide the institution's research community with services to support those activities. It is a role that we are proud to fulfill.

Our staff is dedicated to delivering the highest standard of human resource services and support. From hiring and equity services to payroll and benefits, and everything in between, the MURC Human Resources Department is here to offer professional guidance and to help you ensure integrity in all employment matters.

Your projects help educate students, result in life-changing discoveries and innovations, and are a catalyst for economic development to improve the quality of life for all of us. The people you employ are an essential component of that success.

This manual has been prepared to supply guidance about when and how to contact us to help you effectively lead and manage the people on your projects. I trust you will find this information helpful, and that you will be able to make use of the manual and links available here.

Please do not hesitate to contact us with questions or concerns.

We look forward to working with you!

Sincerely,

Coria Kent
Director, MURC Human Resources

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EMPLOYMENT

Nature of MURC Employment - 1

Employment at the Marshall University Research Corporation (MURC) is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, MURC may terminate the employment relationship at will at any time, with or without cause, so long as there is no violation of applicable federal or state law.

Equal Opportunity/Affirmative Action Policy – MURC-005

It is the policy of the Marshall University Research Corporation to provide equal employment opportunities for prospective and current members of its staff on the basis of individual qualifications and merit.

In order to ensure genuine equal opportunities for all:

(1) The Marshall University Research Corporation prohibits discrimination based on race, color, sex, sexual orientation, religion, age, national origin, veteran status or disabilities.
(2) The Marshall University Research Corporation will, whenever appropriate, take affirmative actions to employ, advance in employment and otherwise treat without discrimination qualified women, minorities, individuals with disabilities, disabled veterans and veterans of the Vietnam era.
(3) The Marshall University Research Corporation will not affiliate with nor grant recognition to any individual, group or organization having policies or practices that discriminate on the basis of race, color, sex, sexual orientation, religion, age, national origin, veteran status or disabilities.

All employees and contractors of the Marshall University Research Corporation are required to comply with this policy in the exercise of their functions. Anyone who believes that s/he has been denied the benefits of this policy should contact the Marshall University Office of Equity Programs for appropriate action.

Arriving Employee Procedure - 20

Arriving Employee Procedure refers to a set of steps and activities that are required for or associated with the beginning of a person's employment at Marshall University Research Corporation (MURC). Some items in the arriving employee information list are done by the new employee. Other things are done for him/her by others. Employees of MURC are geographically dispersed. Some elements of employment in-processing may be accomplished at the unit to which assigned. In other situations, new employees may need to visit MURC headquarters in Huntington, West Virginia, for employment in-processing.

The list below can be followed in order to properly complete the necessary steps for beginning employment and may be printed as needed for a handy reference. Brackets are provided to check off applicable items as those are completed. The newly arriving employee's supervisor can assist the employee in determining which of the items are applicable to him/her. For any questions related to the arriving employee process, please contact the MURC Human Resources Department. This form does not need to be turned in at the conclusion of the arriving employee process.

THINGS TO DO BEFORE ARRIVAL AT MURC (For the Employee)*:*

[ ] FOR YOUR CONVENIENCE YOU MAY OPTIONALLY WRITE IN THE BLANK SPACES:

THE DAY/DATE YOU ARE ASKED TO REPORT TO WORK:

_____

THE LOCATION TO WHICH YOU ARE ASKED TO REPORT FOR WORK:

_____

THE NAME, TELEPHONE NUMBER, AND/OR E-MAIL OF THE PERSON WHO WILL BE YOUR SUPERVISOR:

_____

[ ] LOCATE SOCIAL SECURITY CARD: The MURC Human Resources Department will need to see and verify your Social Security card. A copy of the card is not acceptable. It must be the original Social Security card. A federal requirement exists to provide pay to employees exactly as they are named on their Social Security cards. Also, it is necessary for tax withholding purposes to ensure that your Social Security number is recorded properly. Your Social Security number will not be published or inappropriately divulged by the Marshall University Human Resource Services provider or by MURC. The requirement to review the Social Security card exists even if the arriving employee uses documents other than the Social Security card to verify eligibility for employment through the USCIS Form I-9 (see below).

[ ] LOCATE DOCUMENT(S) FOR THE USCIS FORM I-9: (*See item below about completion of USCIS Form I-9.*) When you begin employment at MURC, you will have to complete USCIS Form I-9, a federal form that establishes eligibility for employment. Arriving employees have to provide for review and return certain document(s) acceptable to prove eligibility for employment. Please locate the document(s) that you wish to offer to prove eligibility for employment and have those with you when you reach the MURC offices or complete your USCIS Form I-9 if not done earlier. The list of acceptable

documents appears on the USCIS Form I-9. The list can be viewed at this link: http://www.marshall.edu/murc/forms.

MURC cannot dictate which document(s) are offered for review. This is up to the arriving employee so long as the document(s) offered satisfy the requirements on the Form I-9. The most typical combination of documents offered is (1) a state driver's license with a photo and (2) a Social Security card. See MURC HR Policy and Procedure 24, USCIS Form I-9 for further information.

Arriving employees are further reminded that if they offer a birth certificate as proof of eligibility for employment it cannot be a hospital birth certificate but must be a birth certificate from the vital records department and must carry the official seal of the certifying organization.

[ ] SELECT BENEFICIARIES AND GATHER NECESSARY INFORMATION: Benefits-eligible employees (Full-Time and Part-Time A) will be able to select primary and/or contingent beneficiaries for such benefit components as life insurance and the retirement program. (See MURC HR Policy and Procedure 3, Employment Categories, for information on the employment categories.) Arriving employees are invited to decide who they wish to designate as primary and contingent beneficiaries and are asked to bring with them information including the complete name, address, Social Security number, and relationship to the employee of the persons selected as beneficiaries.

[ ] GATHER CHECKING ACCOUNT OR SAVINGS ACCOUNT INFORMATION FOR DIRECT DEPOSIT: Direct Deposit is the default method for the provision of pay. See item below titled *SIGN UP FOR DIRECT DEPOSIT*. Arriving employees should locate and bring with them a check from their checking account or shares draft account or a deposit ticket from their savings account, across which they have prominently and indelibly written the word "VOID." The routing number and the account number from these are necessary to set up Direct Deposit. If you set up a new checking account or savings account at a local institution as a result of moving to the area for MURC employment, the Direct Deposit can be easily changed to a new banking institution. The MURC Human Resources Department or Payroll Office will assist you.

[ ] FOREIGN NATIONALS: If you are not a U.S. citizen and if you are not a Permanent Resident Alien of the United States, you must be in a valid visa status before commencing employment at MURC. The Center for International Programs at Marshall University assists MURC with services and issues related to the employment of foreign nationals. Foreign nationals are asked to contact Center for International Programs, Marshall University, 304.696.6265, as soon as it appears that MURC has expressed interest in interviewing you or possibly contemplates offering you employment. Foreign nationals who do not have a valid visa cannot be employed by and cannot be paid by MURC. The visa process can be lengthy and complex. Therefore, assistance with the

process should be requested at the earliest possible moment if being considered for employment.

THINGS TO DO BEFORE ARRIVAL AT MURC (For the Employing Department)

[ ] FOREIGN NATIONALS: The Center for International Programs at Marshall University provides services to MURC in support of foreign national employment. If a MURC department contemplates the employment of an individual who is not a U.S. citizen or who is not a Permanent Resident Alien of the United States and who would be employed under the provisions of a non-immigrant visa such as an H-1 visa, it is critically important the prospective employing department contact Marshall University Center for International Programs at 304.696.6265 immediately for information and assistance with visa procedures. No foreign national will be employed by MURC until and unless all necessary visa procedures are resolved satisfactorily and not before the prospective employee is in possession of documentation that creates eligibility for U.S. employment. Such procedures may be lengthy and complex. Prospective employing departments are, therefore, encouraged to see to these matters, as applicable, as soon as possible. Employment of foreign nationals by MURC is processed through the MURC Human Resources Department or Payroll Office.

THINGS TO DO ON OR BEFORE ARRIVAL AT MURC (For the Employee)*:*

[ ] COMPLETE USCIS FORM I-9: Each new employee of MURC must complete USCIS Form I-9 that establishes eligibility to be employed. It is necessary that a MURC or Marshall University Human Resource Services or Marshall University representative (acting in behalf of MURC) examine documentation offered by the new employee that vouches for eligibility for employment. There are various combinations of documents that can suffice for this purpose. MURC cannot direct which documents to provide for review. The list of acceptable documents appears on the Form I-9 itself. A copy of the document list is available on the MURC website at http://www.marshall.edu/murc/forms. Scroll down and click "USCIS Form I-9 (Employment Eligibility Verification Form) - List of Acceptable Documents." Arriving employees are reminded that they must bring the necessary documents with them and complete the USCIS Form I-9 either prior to starting work or within 72 hours of beginning work. Arriving employees are further reminded that if they offer a birth certificate as proof of eligibility for employment it cannot be a hospital birth certificate but must be a birth certificate from the vital records department and must carry the official seal of the certifying organization.

THINGS TO DO AFTER ARRIVAL AT MURC (For the Employee)*:*

[ ] DRUG-FREE WORKPLACE ACT OF 1988: Obtain information and complete a form. Marshall University Human Resource Services issues each new regular-status employee with a copy of the provisions of the Drug-Free Workplace Act of 1988 and encourages

the new employee to complete and return a certificate pledging compliance with its provisions.

[ ] W-4 TAX WITHHOLDING CERTIFICATE: Complete a form. New employees must complete a W-4 tax withholding form at the MURC Human Resources Department or at the designated employment in-processing location.

[ ] SIGN UP FOR DIRECT DEPOSIT: Direct Deposit is the method utilized by MURC for providing pay. It is safe and reliable. Arriving employees should contact the MURC Human Resources Department to sign up for Direct Deposit. See item above titled GATHER CHECKING ACCOUNT OR SAVINGS ACCOUNT INFORMATION FOR DIRECT DEPOSIT.

[ ] VERIFY SOCIAL SECURITY CARD NAME/NUMBER: Marshall University Human Resource Services will review the original Social Security card of each arriving employee to ensure that pay is rendered to the employee as named on the card and that the Social Security number is correct. The Social Security number is treated confidentially by the University. It is not published or inappropriately divulged by MURC or by Marshall University Human Resource Services.

[ ] CONTACT MARSHALL UNIVERSITY COMPUTING SERVICES FOR MUNET/OUTLOOK: Marshall University Computing Services provides support to MURC in the areas of network access, e-mail, creation of username and password, etc. Obtain information and complete form(s). Marshall University Computing Services, 4th floor, Drinko Library, enrolls incoming employees to MUNet, issues a username, provides the opportunity to set a password, and enrolls the individual on Microsoft Outlook, Marshall University's groupware. NOTE: New MURC employees assigned to the *Marshall University School of Medicine (MUSOM)* should contact the Division of Information Technology at 304.696.7337 (located in room G35 of the Medical Education Building, or in the Health Science Library of the Medical Center Building) to set up accounts for MUNet, Banner and Outlook groupware.

[ ] AS NECESSARY COMPLETE INTERNATIONAL TAXATION AND TREATY FORMS: Non-resident aliens employed by MURC must complete forms for international taxation and treaty eligibility. Contact the MURC Payroll Office.

[ ] CONTACT MARSHALL UNIVERSITY CAMPUS I.D. CARD OFFICE FOR CARD ISSUANCE: The Marshall University Campus I.D. Card office supports MURC through the issuance of I.D. cards. The arriving employee needs to provide information, have a photo taken, and obtain a card. New employees may be issued a Marshall University identification (I.D.) card. ID cards are issued in the basement of the Memorial Student Center on the Marshall University main campus. The MURC Human Resources Department or Marshall University Human Resource Services can verify employment of arriving MURC employees as requested by the arriving employee or by the Campus I.D. Card Office.

Please note that the individual must be properly entered in the Marshall University Banner system and have a Banner ID number generated before the I.D. Card can be issued. Arriving employees are asked to contact their employing department or the MURC Human Resources Department for assistance with getting information entered into the Banner system. See item below titled, "Enter Person Information into the Banner HR System."

[ ] INQUIRE ABOUT OFFICE KEYS: Arriving employees may be issued a key to their office or a key to the building that their office is located in. Office keys are issued by the hiring department. Arriving employees should inquire with their supervisor about the issuance of keys. Keys are the property of MURC and should be returned if/when employment ends.

[ ] REQUEST A PARKING PERMIT: Optional, as needed depending upon location. Obtain information and complete a form. New MURC employees may pay a fee and receive a Marshall University parking permit if appropriate for their work location. Parking permits are issued by the Marshall University Public Safety Department in the Welcome Center on 5th Avenue. Payments for parking permits may be received at the Bursar windows on the first floor of Old Main on the Marshall University main campus. Parking permits may also be paid for through payroll deduction. If the latter is preferred, the new employee should contact the MURC Payroll Office.

[ ] PROVIDE NOTIFICATION OF CHANGE OF ADDRESS IF ANY: Arriving MURC employees may establish a new home address in the community that may be different from the address they used in the recruiting process, particularly if they are relocating to the community. Newly arrived employees who have a new home address are reminded to notify the MURC Human Resources Department and/or the MURC Payroll Office as soon as possible of their new addresses and/or telephone numbers.

[ ] ENSURE PARTICIPATION IN BENEFITS ENROLLMENT: See item below. Arriving employees who are benefits eligible should make sure they are properly set up for benefits enrollment. Benefit components are discussed and enrollment forms may be completed in a small group setting. Contact the MURC Human Resources Department to enroll.

THINGS DONE BY OTHERS FOR THE ARRIVING EMPLOYEE:

[ ] ENTER PERSON INFORMATION INTO THE BANNER HR SYSTEM: Name, address, and other relevant information about all arriving MURC employees must be entered into the Marshall University Banner HR system. This is accomplished by either the employing department or by the MURC Human Resources Department. Entry of arriving employee information into the Banner system is handled through the completion and tender of the Employee Data Entry Form.

[ ] EMPLOYING DEPARTMENT PREPARE/SUBMIT PAR: For any arriving employees, a MURC Personnel Action Request (PAR) must be completed to establish their employment. Please note that there are deadlines for the submission of PARs. See the Payroll Schedule at http://www.marshall.edu/murc/forms. It is the responsibility of the employing department to ensure that a PAR is prepared and submitted within the deadline for the desired payroll starting date. Arriving employees may make inquiry with their hiring department to ensure that the PAR has been prepared and submitted in time to start employment on schedule. Please note the information about the arriving employee should be entered into the Banner HR system before a PAR is generated. See the item above about entering person information into the Banner HR System.

[ ] E-MAIL MAILING LIST: HR-Serv.net maintains an e-mail mailing list for MURC employees. A representative of HR-Serv.net will enroll each arriving MURC employee on the e-mail mailing list.

[ ] MAILROOM NOTIFICATION OF NEW EMPLOYEES: The MURC Human Resources Department will provide the Supervisor of the Mailroom with the name, title, and department of newly-arrived MURC regular-status employees who are/will be assigned to an office receiving support through the Marshall University Mailroom.

[ ] ENSURE TIMELY AND ACCURATE PAY: The employing department is responsible for checking in advance of the issuance of the arriving employee's first pay that the employment appointment and the associated compensation has been set up properly in the Banner system. Timely and accurate pay gets the employment experience off on the right foot.

[ ] BENEFITS ENROLLMENT: All arriving employees who are benefits eligible need to participate in benefits enrollment offered by the MURC Human Resources Department. The benefit enrollment may be accomplished at the MURC administrative offices in Huntington or may be offered at a distance depending on the location to which the new employee is assigned. Please check with MURC Human Resource Services for the proper location for benefits enrollment. Benefit enrollments are typically provided around the second working day of each pay period. The MURC Human Resources Department will assist arriving employees in scheduling benefits enrollment.

Benefit enrollment at a distance may be available. For the latter, the arriving employee needs to be at a location where he/she has both a telephone connection and a web connection at the same time.

USCIS Form I-9 – 24

Marshall University Research Corporation (MURC) complies with U.S. Citizenship and Immigration Services (USCIS) regulations with regard to USCIS Form I-9. All persons to be employed by MURC must be authorized for employment through completion of Form I-9. It is

illegal for MURC to employ an individual who has not properly completed Form I-9. Noncompliance with this policy may produce cash fines or penalties (see "Cash Penalties" in Appendix 1 below).

USCIS Form I-9 should be completed when employment is offered. However, USCIS regulations allow an individual 72 hours from time of hire in which to complete Form I-9 (example - If hired on Monday, an individual has until close of business Wednesday in which to complete the form). Responsibility for completion of Form I-9 rests with the employing department. MURC managers and supervisors who review personnel action request forms are required to screen those for proper completion of Form I-9. However, any personnel action reaching MURC without proper completion of Form I-9 will be held in queue pending completion of the form. Electronic notices of non-completion of Form I-9 will be sent by MURC immediately to the key person(s) responsible for that personnel action. If Form I-9 is not completed within the deadline, the personnel action will be returned without processing. This may result in delays in employment and problems with compensation.

Any appropriately-trained regular-status employee of MURC and any member of the Marshall University Human Resource Services staff, the Marshall University Human Resource Services provider, may receive and complete USCIS Form I-9 in behalf of a new or prospective employee so long as the form is completed correctly according to the guidelines in Appendix 3 below. The normal office for purposes of completion of USCIS Form I-9 is the MURC administrative offices in the Coal Exchange Building, 401 11th Street, Suite 1400, Huntington, West Virginia.

Information on completed Forms I-9 is recorded in a database approved by MURC under the sponsorship of Marshall University Human Resource Services. Information about the status of Form I-9 can be obtained by persons with an approved need to know from Marshall University Human Resource Services.

APPENDIX 1 - DEFINITIONS

USCIS Form I-9: A form published by U.S. Citizenship and Immigration Services (USCIS) that is used to establish eligibility for employment in the United States. A requirement to complete Form I-9 and a prohibition on employing persons who do not have a properly completed Form I-9 are established in the federal Immigration Reform and Control Act of 1986 (IRCA). For a list of acceptable documents for purposes of establishing eligibility for employment, please contact the MURC Human Resources Department or visit www.marshall.edu/murc/forms. A paper copy of the I-9 form may be obtained by contacting the MURC Human Resources Department.

Expiring I-9: A USCIS Form I-9 for which an authorizing document was an expiring visa such that eligibility for employment would end concurrently with the expiration of the visa. An expiring Form I-9 will only authorize employment for the duration of the expiring visa used to establish eligibility.

Non-expiring I-9: A USCIS Form I-9 for which non-expiring documents are used to establish eligibility for employment. A valid driver's license with a photograph may be used as one document necessary to establish eligibility for employment. Even though the driver's license will typically have an expiration date, a Form I-9 for which employment is authorized by a driver's license and another non-expiring document is considered to be non-expiring. A non-expiring Form I-9 may be used to establish eligibility for employment even if the employee is returning to the institution for a subsequent episode of employment even if the latter appointment was not preceded by the completion of a new Form I-9.

Three-Day Deadline: While USCIS Form I-9 should be completed at or before the beginning of employment, an employee has three working days including the date that employment began in which to produce for MURC's review the appropriate documents to establish identity and authorize employment. If more than three working days including the date employment began lapse without this occurring, MURC must terminate the employment of the individual. Individuals employed for three working days or less must have USCIS Form I-9 completed within the term of their employment.

Authorizing Documents: Authorizing documents are those listed on the last page of the USCIS Form I-9 that can be used to prove identity and establish eligibility for employment. Form I-9 requires that either one document from List A OR one document each from Lists B and C (see list at http://www.marshall.edu/murc/forms) must be tendered for verification by an authorized institutional representative.

Authorized Representative: Due to critical compliance requirements imposed by Form I-9, only appropriate trained and authorized persons may accept and complete these forms. Authorized persons at present are those employed in the MURC administrative offices and the Marshall University Human Resource Services staff members. Individuals in other offices may be trained and authorized to receive and complete Form I-9 as the need arises.

I-9 Custodian: The office charged with responsibility for physical storage of all USCIS Forms I-9 for MURC. For MURC the Form I-9 custodian is the MURC Human Resources Department, 401 11th Street, Coal Exchange Building, 14th Floor, Huntington, West Virginia 25701, phone 304.696.6320, e-mail murchr@marshall.edu.

Cash Penalties: Substantial cash penalties may be levied against MURC by the U.S. Government for noncompliance with the provisions of the Immigration Reform and Control Act (IRCA). Depending upon circumstances, such cash penalties may range from $250 to $10,000. Additionally, the Executive Director, MURC, may, depending upon circumstances, impose on employing departments an administrative penalty of up to $250 for each instance of noncompliance with the requirements for Form I-9 as set forth in this policy. While all parties involved exercise every reasonable effort to ensure a compliant Form I-9 process, the ultimate responsibility for compliance with this

regulation rests with the employing department. MURC attaches high importance to compliance.

APPENDIX 2 - AUTHORIZED OFFICES

Offices currently authorized to receive and complete USCIS Form I-9 in behalf of MURC include the following:

MURC Administrative Offices, 14th Floor, Coal Exchange Building, 401 11th Street, Huntington, West Virginia, Phone 304.696.2830.

APPENDIX 3 - COMPLETING USCIS FORM I-9

Form I-9 is completed in several steps:

STEP 1: Assuming that a prospective MURC employee has appeared in person at a designated office, the authorized representative should first ask the prospective employee if they have filled out a Form I-9 for MURC within the *last three years*. In certain circumstances, the Form I-9 is non-expiring and may be used for a subsequent episode of employment (a) if the Form I-9 is less than three years old and still in the possession of MURC or Marshall University Human Resource Services and (b) if the Form I-9 is suitably recorded in the database authorized by MURC.

IF the Form I-9 was completed within the last three years and IF it is in the possession of MURC or Marshall University Human Resource Services, and/or if it was recorded successfully in the database authorized by MURC, and IF, in the case of an expiring Form I-9 it still has sufficient time remaining on it to cover the current episode of employment in its entirety, the prospective employee does not have to complete a new Form I-9. If *any* of the conditions above are not satisfied, the individual will have to complete a new Form I-9. If it is necessary to complete a new Form I-9 it is accomplished in the following steps:

STEP 2: Again assuming the prospective employee appears in person at one of the designated offices listed above, he/she brings with them or requests a copy of and completes USCIS Form I-9 Section 1 down to and including the line captioned "Employee's Signature." If a prospective employee is assisted by anyone not associated with MURC in completing their Form I-9, that individual completes the remaining block in Section 1 below the employee signature block.

In Section 1 the prospective employee should print his/her legal name. Do not enter a nickname. The individual's maiden name should be entered as appropriate. For persons with multiple addresses, the address, city, state, and ZIP code entered should be the one to which a withholding statement, Form W-2, would be mailed to. Date of birth and Social Security number should be entered. The individual should check the appropriate block among the choices for status. The prospective employee should sign the Form I-9 with their legal signature. The date the form is signed should be entered.

If no other person is assisting the individual in completing the Form I-9, input into Section 1 is complete. If a preparer or translator is assisting the individual in the completion of Form I-9, they should complete the two lines of information appearing below the prospective employee's signature. Otherwise, these fields can be left blank.

STEP 3: An authorized representative of MURC then completes Section 2 of USCIS Form I-9. This involves the tender by the prospective employee of document(s) sufficient to establish identify and to authorize employment. Various sets of documents may be tendered to satisfy this requirement. The list of acceptable documents and their combinations is available at www.marshall.edu/murc/forms.

The prospective employee needs to provide ONE document from List A OR ONE document EACH from Lists B and C. MURC cannot stipulate which documents are offered. That is up to the prospective employee. However, the authorized representative of MURC can determine the acceptability of those offered by the prospective employee. No other combination of documents is allowed. For example, a prospective employee may not offer two documents from List C in lieu of one document each from List B and List C.

MURC's authorized representative will record in the appropriate blocks information about the documents tendered. If one document from List A is offered, the representative will write in the appropriate spaces (1) the document title (example - U.S. Passport); (2) the issuing authority (example - U.S. Government); (3) the document number (if a number is discernible); and (4) the expiration date if any of the document. Spaces for an additional document from List A may appear on Form I-9. It is not necessary to fill out more fields than necessary for the one document tendered.

If one document from List B and one document from List C are offered, the authorized representative will write in the appropriate spaces the following information about EACH document: (a) document title (example - Driver's License); (b) issuing authority (example - State of West Virginia); (c) document number (example - driver's license number); and (d) the expiration date as appropriate (example - a Social Security card is non-expiring).

It is *critically* important that the information entered in the appropriate fields for authorizing documentation is correct and complete. The USCIS regulations do not require that the documents offered to establish identity and authorize employment be copied, but the regulations do prohibit selective copying of the authorizing documents, particularly since prospective employees might be selected for document copying on a discriminatory basis. To avoid this problem, it is the official policy of MURC to encourage the creation and attachment to Form I-9 of copies of the authorizing documents. Authorized representatives are encouraged to provide legible copies. Some authorizing documents may not copy well. Illegible attachments will be of limited use. If authorized

representatives cannot make copies of authorizing documents for whatever reason, a completed Form I-9 without copies of authorizing documentation is acceptable.

The authorized representative should enter in the appropriate block in Section 2 the date that the person began work or will begin work. Every reasonable effort should be made to conclude the Form I-9 before the person begins work or concurrently with the beginning of work. The authorized representative should then sign Form I-9, print their own name and title. The name and address of the organization should be entered as follows: Marshall University Research Corporation (MURC), 14th Floor, Coal Exchange Building, 11th Street, Huntington, West Virginia (even if an HR-Serv.net team member completes the Form I-9).

STEP 4: The authorized representative should indicate to the prospective employee that the Form I-9 is completed, thank them on behalf of MURC, and ask if they have any questions. Any authorizing documents tendered by the prospective employee should be returned to them.

STEP 5: If the Form I-9 is completed at any location other than the MURC Administrative Offices, the authorized representative should *as soon as possible* (1) FAX a copy of the Form I-9 and any attached documentation to the MURC Administrative Offices at 304.697.2770, and (2) forward the original of the Form I-9 and any attachments (a) via campus mail or U.S. mail to MURC, 14th Floor, Coal Exchange Building, 401 11th Street, Huntington, West Virginia 25701. While not legally required to do so, the submitting office is encouraged to make and keep a copy of the Form I-9 in the event of loss or misdelivery of the original.

Personnel Action Requests that create new employment for which the completion of Form I-9 is required cannot be processed by MURC administration until the Form I-9 is received by that office.

Information and assistance on the completion of USCIS Form I-9 may be obtained by contacting the Marshall University Human Resource Services staff at 304.696.6320 or by e-mail to murchr@marshall.edu. The MURC administration is responsible for making available for audit purposes as required paper copies of Form I-9.

Immigration Law Compliance – 23

Marshall University Research Corporation (MURC) is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

Employees with questions or seeking more information about immigration law issues are encouraged to contact Marshall University Human Resource Services at One John Marshall

Drive (207 Old Main), Huntington, WV 25755. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

See MURC HR Policy and Procedure 24, USCIS Form I-9, for additional information.

Labor Certification - 12

It is the policy of Marshall University Research Corporation (MURC) to comply with the applicable provisions of U.S. Office of Management and Budget (OMB) Circular A-21, Section J-10-b(2)c reproduced below:

> *J. General provisions for selected items of cost. …*
> *10. Compensation for personal services. …*
> *b. Payroll Distribution …*
> *(2) Criteria for Acceptable Methods. …*
> *(c) The payroll distribution system will allow confirmation of activity allocable to each sponsored agreement and each of the categories of activity needed to identify F&A costs and the functions to which they are allocable. The activities chargeable to F&A cost categories or the major functions of the institution for employees whose salaries must be apportioned (see subsection b.(1)b)), if not initially identified as separate categories, may be subsequently distributed by any reasonable method mutually agreed to, including, but not limited to, suitably conducted surveys, statistical sampling procedures, or the application of negotiated fixed rates.*

MURC salaries are distributed among grants or contracts based on percentages reflected in Personnel Action Requests (PARs) that create or revise employment appointments. It may be the case that the actual allocation of time among several grants or contracts may not match the percentage distribution of salary as reflected in PARs. Additionally, grants or contracts and the work performed under those may not match the beginning and ending dates for salary months or fiscal years. Also, employment of individuals may begin or end at times other than the beginning or end of a fiscal year quarter. For example, once into a salary month an employee's allocation of time may suddenly and substantially deviate from the distribution of salary reflected in the payroll system as new work responsibilities evolve. The federal regulation cited above requires that institutions responsible for OMB compliance provide a mechanism for ensuring that the distributions of salary payments among grants or contacts match the actual allocation of effort.

MURC complies with the above requirement through the provision of a post-quarterly labor certification by MURC employees whose salaries were distributed across one or more grants or contracts under MURC administration during the subject calendar quarter. The labor certification is managed by MURC's Post-Award Section. By the 15th of the month following the end of the fiscal year quarter, labor distribution percentages will be posted to a secure website accessible by a password issued separately to affected employees along with information on how to access the website. The information for the subject quarter will remain posted on the

website until the end of the month following the month in which the subject fiscal year quarter ends.

Affected employees are asked to access the website, log-on to the certification process by using the provided password, and certify either (a) that the labor distribution is correct as presented or (b) that it is not correct. Employee input for labor certification purposes will be transmitted via e-mail to the Post-Award Section. If the affected employee indicates that the labor distribution is not correct, he/she will be given an opportunity to submit information to correct the distribution. The certification will be reviewed by the Post-Award Section. They may ask that the certification be reviewed by project managers or principal investigators for grants or contracts under their oversight if charges against those particular grants and contracts are certified by the employee. The requested distribution of salaries will be approved or disapproved by the Post-Award Section with the potential concurrence from the project manager and/or principal investigator. If the Post-Award Section accepts the employee's certification, the charges for the preceding quarter will be revised as necessary. If the Post-Award Section does not agree with the employee's input for whatever reason, they will contact the employee to discuss the matter, state the basis for their opinion, and attempt to resolve any questions or issue about the labor distribution.

Participants are reminded that the process contemplates arriving at a proper distribution of labor charges for the fiscal year *quarter* – not the *months* or *pay periods* in the subject quarter. Also for any work experience that was less than a whole fiscal year quarter, the objective of the certification is to set accurate percentages for distribution of salary payments for *as much of a fiscal year quarter* as the employee actually worked. The goal of those making certifications is to characterize the overall percentage distribution across multiple grants or contracts for the quarter.

The original labor distribution of any MURC employee who does not certify the labor distribution during this period will be considered to be correct as posted. Labor certifications, both those revised by affected employees and those not accepted, will be recorded in the Post-Award Section. The Post-Award Section will preserve this information and make it available in the event of an audit by OMB. Affected employees and/or their supervisors may obtain information on labor certifications for any previous fiscal year quarter by contacting that section.

Background Checks - 16

It is the policy of Marshall University Research Corporation (MURC) to conduct background checks on individuals it hires in employment categories Full-Time and Part-Time A (see MURC HR Policy and Procedure 3, Employment Categories). Additionally MURC may also at its discretion conduct background checks on individuals it hires in employment categories Part-Time B and Temporary. Typical situations suggesting background checks for individuals to be employed in these latter two categories would include working with minor children not the students of Marshall University or having access to financial resources. MURC may also at its

discretion conduct a background check of a present MURC employee who did not receive a background check at commencement of MURC employment. The background checking process for MURC is provided in whole or in part by Marshall University Human Resource Services as a part of its service agreement with MURC (see MURC HR Policy and Procedure 6, Human Resources Support). MURC background checks are paid for by MURC and are not charged to employees except in the case of a fee remitted from personal funds to an educational institution in order to generate a degree certificate or an academic transcript to prove possession of an academic degree.

Background checks at MURC may include any or all of the following components:

(1) Criminal records checks in the counties and federal court districts in which the individual has resided for the last ten (10) years preceding employment by MURC;

(2) Sex and violent offender registry checks in the counties (or states) in which the individual has resided for last ten (10) years preceding employment by MURC;

(3) Verification of education IF an academic degree was required as a qualification for employment;

(4) Verification of employment for employment documented by the prospective employee for the preceding ten (10) years.

(5) Healthcare sanctions registry check (see definition below) IF the new or prospective MURC employee is working or will work in any phase of healthcare services or healthcare research; and/or

(6) A credit report IF the new or prospective MURC employee will have financial or budgetary responsibilities at MURC.

(7) A foreign national employed by MURC is subject to a criminal background check in the countries he/she has lived in prior to October 24, 2001, if his/her visa was issued prior to the enactment of the federal Patriot Act on the above date.

Definitions:

Authorization: Refers to a properly completed form, signed by the prospective or new MURC employee subject to a background checking requirement, authorizing the completion of a background check and submitted to Marshall University Human Resource Services. An authorization form for this purpose is available on the MURC website at: http://www.marshall.edu/murc/forms. The individual submitting the authorization form should retain a copy.

Employee: A prospective or new Full-Time or Part-Time A (benefits-eligible) employee of MURC who is subject to background checks as set forth herein. Employee may also refer to a Part-Time B or Temporary employee according to the situation. The term employee as used herein may refer to a person not yet an employee but selected for prospective employment through recruiting processes. Further, the use of the term employee does not mean that the subject individual has commenced or will commence employment but rather means that the individual is scheduled for employment subject to satisfactory results on the background check process.

Employing Department: The office, unit, laboratory, college, or facility within which the new or prospective MURC employee subject to background check works/will work. If a MURC manager or his/her designee verifies education and/or prior employment themselves instead of through Marshall University Human Resource Services and the third-party provider, employing department refers to the organizational level at which records of the results of such verifications will be maintained.

Healthcare Sanctions: Refers to the U.S. Department of Health and Human Services' Office of Inspector General's (OIG) database for individuals and businesses excluded or sanctioned from participating in Medicare, Medicaid, or other federally-funded health care programs. The database is comprised of information from some or all of the following organizations: OIG (U.S. Office of Inspector General); GSA (U.S. General Services Administration); FDA (U.S. Food and Drug Administration); DEA (U.S. Drug Enforcement Agency); and actions taken by any state licensing board. See "sanctioned individual."

Marshall University Human Resource Services/HR Services: Marshall University Human Resource Services, which provides human resources support to MURC through a service agreement (see MURC HR Policy and Procedure 6, Human Resources Support).

Marshall University Research Corporation: The employer as identified in this policy and procedure. Referred to elsewhere in this policy and procedure as MURC.
Policy and Procedure: With respect to background checking, refers to this policy and procedure, MURC HR Policy and Procedure 16, Background Checks.

Prohibited Person: Statutory responsibility for the determination of who is a "prohibited person" rests with the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Department of the Treasury. A prohibited person is one who is prohibited from receiving, purchasing, or possessing a firearm. Designation as a prohibited person may result from one or more of the following: (1) conviction of a crime punishable by imprisonment for a term exceeding one year; (2) being a fugitive from justice; (3) being an unlawful user of or addicted to any controlled substance; (4) adjudicated as a mental defective or committed to a mental institution; (5) being an alien illegally or unlawfully in the United States; (6) discharged from the Armed Forces under dishonorable conditions; (7) being a former U.S. citizen who has renounced his/her citizenship; (8) being subject to a court

order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner; and/or (9) conviction of a misdemeanor crime of domestic violence.

Sanctioned Individual: Refers generally to a person who is cited in the Healthcare Sanctions database and who has been determined to be fraudulent in his/her field and/or who has had adverse actions taken against him/her by the licensing board(s) of state government(s). Reported actions leading to sanctioned individual status may include reprimands, probations, suspensions and revocations of provider licenses, cease and desist orders, exclusions for failure to pay student loans, Drug Enforcement Agency (DEA) violations, child support violations, professional misconduct, other similar sanctions and exclusions. See "healthcare sanctions."

Sex and Violent Offender Registries: Refers to local, state, or national records or databases that record criminal convictions for sexual offenses and violent crimes. A background check of sex and violent offender registries within the meaning of the policy shall consist of checks against such registries as may exist in or for the counties and states in which the subject individual has resided in during the ten years preceding employment at MURC.

Third-Party Provider: A commercial entity duly approved and retained by the University in behalf of the University and MURC to conduct on a compensated basis any, all, or some of the background checks required in policy.

Types of Background Checks Required According to Type of Employment: The policy establishes requirements for certain types of background checks according to the type of employment the individual will have at MURC.

Responsibilities to Accomplish Specific Components of Background Check:

Credit History Check: HR Services is responsible for requesting and obtaining credit history checks for prospective or new employees who would be employed under the employment types identified in the first paragraph of this policy and procedure and who would have access to or responsibility for MURC financial resources.

Criminal History Check: HR Services is responsible for conducting a criminal history check for all new employees subject to this policy covering their places of residence for ten years previous to the date that MURC employment would begin. Unless otherwise indicated, such criminal history check shall be confined to a check of county criminal records for the counties and the criminal records for the federal court districts the employee has resided in for the last ten years preceding the date of MURC employment. This policy and procedure may require additional criminal history checks in the case of foreign nationals (non-U.S. citizens) who are offered and who accept employment in

positions subject to this policy and procedure. HR Services is responsible for requesting criminal background checks for foreign nationals who are subject to the policy.

Education Verification: The Employing Department is responsible for requesting, receiving, and maintaining official, raised-seal copies of college transcripts in connection with employment in a position that carried at the time it was posted for recruiting search a stated requirement for an academic degree. All prospective or new employees of MURC in employment categories subject to background check are required to have education verification to the extent that the position they occupy has a stated requirement for an academic degree. Transcripts are not requested by the employing department in the case of filling a position that did not have a stated requirement for an academic degree. For persons with multiple successive degrees, the employing department is responsible for obtaining a copy of the transcript from the highest or last degree. A copy of transcripts provided by the prospective or new employee is not acceptable. The transcript must be conveyed directly by the educational institution to the employing department. Official transcripts must be mailed directly to:

Marshall University Research Corporation
Attention: Human Resources Department
14th Floor, Coal Exchange Building
401 11th Street
Huntington, West Virginia 25701

Employment Verification: The Employing Department is responsible for verifying previous employment for new employees subject to this policy and procedure. Such verification must include the preceding ten years if the prospective or new employee has been employed at least that long or all employment if employed elsewhere for less than ten years. Written information from employment verifications must be maintained in the files of the employing department for the full term of the individual's employment and preserved in the personnel file of the employee after termination of MURC employment according to MURC rules.

Healthcare Sanctions Check: HR Services will request the healthcare sanctions check for any prospective or new MURC employee subject to this policy and procedure whose work at MURC would be in the healthcare field or in healthcare-related research. See definitions for "healthcare sanctions" and "sanctioned individual."

License or Certificate Verification: The Employing Department is responsible for requesting, receiving, and maintaining proof of possession by the prospective or new employee subject to this policy and procedure of any license or certification that was stated as a condition for employment in any recruiting announcement(s). If a license shall have an expiration date and if the individual's employment continues to be in a position with a stated requirement for a license or certification, the employing department shall takes steps to request, receive, and maintain any successor or renewal

license or certificate. If the subject employee transfers or promotes to another position that does not have a stated requirement for a license or certificate, the requirement to secure a renewed or successor license or certificate shall be withdrawn.

Prohibited Parties (Persons) Check: HR Services will request and obtain a report from proprietary data sources offered by the third-party provider that will determine prohibited person status for any prospective or new MURC employee subject to this policy and procedure who is a foreign national and/or who will work in healthcare or healthcare research.

Sex and Violent Offender Registries Check: HR Services is responsible for requesting a check of sex and violent offender registries as organized and as existing. All prospective or new MURC employees subject to this policy and procedure are subject to the sex and violent offender registry check.

Reporting of Results from Background Checks: Except for education verification, employment verification, and/or license or certificate verification, background checks will be requested by HR Services from the third-party provider, and the third-party provider will convey to HR Services the results from background checks it conducts. Reports from background checks will not be distributed to the employing department but will be preserved in a confidential manner in HR Services. HR Services will report to the employing department the results from background checks and will characterize the results in one of the following three ways:

Clear: There is no information in the background check materials that is in the opinion of HR Services any bar to present or future employment of the named individual.

Cautionary: There is information in the background check materials that is in the opinion of HR Services cautionary with regard to present or future employment of the named individual. It is requested that the recipient of this form contact HR Services as soon as possible to review this material and make decisions relative to it.

Problem: There is information in the background check materials that is in the opinion of HR Services serious and requires immediate attention with regard to present or future employment of the named individual. Concurrently with the issuance of this form to the employing department, HR Services will provide a summary of the results from the background check to the Vice President for Research and/or the Senior Vice President for Finance and Administration. The results from background checks may in any case be reviewed in the HR Services' offices but not copied by a duly-authorized representative from the employing department, the Vice President for Research and/or the Senior Vice President for Finance and Administration.

Storage and Preservation of Background Check Materials: Reports on background checks received from the third-party provider will be stored in a confidential and secure manner by HR Services. Such reports shall not be added to personnel files. Reports of background checks will be preserved during the active employment of the individual and after termination of employment the period of time prescribed in MURC policy.

Procedure:

Initiating Event for Background Checks: The background check process is initiated on the basis of one of the following events occurring: (1) an offer of employment extended to an individual for employment in an employment category subject to background checks and accepted by the individual; or (2) an offer of employment extended to an individual to be employed in an employment category not ordinarily requiring background checks but which MURC management has deemed necessary for background checks. It is the employing department's responsibility to initiate the background check process by having the new inbound employee complete and submit a Background Checks Release Form. MURC is responsible for notifying the employing department of requirements for background checks and for ensuring that HR Services is notified of such requirements. Time is critical with regard to background checks. Employing departments must act quickly to ensure that the Background Checks Release Form and any background checks they will conduct themselves are undertaken in such a manner as to ensure that the results from background checks will be in hand by the time the individual begins his/her employment.

Background Checks Release Forms are to be transmitted in sealed envelopes to HR Services, Marshall University, 207 Old Main, One John Marshall Drive, Huntington, WV 25755.

Education Verification, Employment Verification, and/or License/Certificate Verification: As set forth elsewhere in this procedure, the employing department is responsible for verifying educational credentials, for verifying the most recent ten year period of employment, and for verifying any license or certificate that is required for employment. In terms of conduct of background check components, the employing department is responsible for (1) ensuring that a proper and adequate copy of a degree certificate or academic transcript for the highest academic degree as necessary is received and properly preserved; (2) ensuring that records to verify prior employment (during the ten year period preceding employment at MURC) are created and preserved; and (3) ensuring that a valid copy of any license or certificate required for employment is obtained and preserved. Records related to these components are to be maintained at the proper administrative level as determined for that employing department. It is reasonable that the employing department will have taken steps to verify prior employment before extending an offer. The only background check components that are the responsibility of the employing department to accomplish that

might not in fact be concluded before the new employee reports to work are to secure a copy of the degree certificate/transcript and/or license/certificate as necessary. HR Services will not audit on a real-time basis the proper conclusion of these three tasks as necessary by the employing department. However, if issues arise about the satisfactory resolution of these items, employing departments will be held responsible.

Education Verification: For employment which either requires a stated college degree or in situations where an employee stated possession of an academic degree that was offered in order to qualify for a position, the prospective employee will request that the Registrar of the institution that granted his/her highest degree generate an official, raised-seal copy of the transcript and send it to the designated employing department. An unofficial copy of a college transcript conveyed by the prospective employee to the employing department is not acceptable. Institutions may charge a fee for the generation of transcripts. Such fees, if any, are the responsibility of the prospective employee to pay. Failure to provide within a reasonable time period an official, raised-seal copy of the transcript for the highest academic degree earned by may result in either the revocation of an offer of employment to the individual or termination of employment if already started. The length of a reasonable period of time shall be determined by the Vice President for Research, and/or the Senior Vice President for Finance and Administration.

Employment Verification: Verification of previous employment is a common business process. However, employing departments may find previous employers reluctant to provide information about their former employee. Specifically, employing departments may experience difficulty in obtaining information from former employers relating to the quality and quantity of the former employee's work production; how the prospective employee interacted with and related to former associates or clients; and/or their salary. However, as a minimum the employing department should ask four questions: (1) when did the individual start to work for that company or organization; (2) when did their employment at that company or organization end (if ended); (3) what was their job title; and (4) are they eligible for re-hire by the company or organization? Notes reflecting the answers to these four questions as a minimum should be preserved as official records in the employing department. If a former employer refuses to provide the answers to at least these four questions, contact HR Services for assistance. The employing department may ask other questions of former employers at their discretion. However, such questions must be non-discriminatory in nature, must comply with applicable policies, and must be directly related to the duties and responsibilities of the position the prospective employee would occupy. Allowed and non-allowed questions are not within the scope of this procedure. However, no question is to be asked that relates to marital status, sexual orientation, having children, prospects for having children, or injuries or illnesses sustained by the individual, whether or not those had causation in former employment.

License/Certificate Verification: Certain employment positions may require possession by the individual of a license or certificate, including a driver's license, a professional license, or a competency certificate. For employment with such requirements, the employing department is responsible for obtaining from the prospective employee and preserving a valid copy of the required license or certificate. Licensing or certifying institutions may impose a fee for the generation of a copy of a license or certificate. Such fees, if any, are the responsibility of the prospective employee to pay. Failure to provide within a reasonable time period a valid copy of a required license or certificate may result in either the revocation of an offer of employment to the individual or termination of employment if already started. The length of a reasonable period of time shall be determined by the Vice President for Research and/or the Senior Vice President for Finance and Administration.

Actions by HR Services: Upon receipt of a signed Background Checks Release Form for a background check from a prospective employee, HR Services will time/date stamp the form and ensure that the prospective employee has provided authorization for the specific required background check components. Any discrepancies between what is required and what has been authorized will be resolved through interaction between HR Services and the employing department. If an employee has authorized more background checks than are required for the type of employment, HR Services will only obtain the minimally required background check components and will not request any additional components. Assuming that the Background Checks Release Form is properly completed and signed, HR Services will enter the information on the prospective employee into the website or database provided for this purpose by the third-party provider. The third-party provider will initiate action on the background check components that have been requested. When the third-party provider notifies HR Services that the background checks have been completed, HR Services will access the report, review it, and take steps to summarize and communicate the results to the employing department. A paper copy of such communication shall be sent in a sealed envelope to the employing department. HR Services will characterize the results of the background checks according to the provisions of the section on Reporting of Results from Background Checks as set forth above.

Employment Actions Resulting from Background Checks:

All Required Background Check Components Concluded - Satisfactory Results: The policy requires that background checks be concluded prior to the commencement of employment of the subject individual. If the background check components that are the responsibility of the employing department to perform are accomplished properly with satisfactory results and present no problems, and if the background check components that are the responsibility of HR Services to perform are accomplished properly with satisfactory results (characterized as "Clear" according to the summarization scheme set forth above), then no action is taken to interrupt the proposed employment

appointment. Files related to these activities are created and preserved according to the requirements of policy.

Required Background Check Component(s) Not Concluded: If one or more background check component required in policy according to the individual's type of prospective employment appointment is not concluded either at all or in a timely manner, then a hold shall be created on the employment appointment by the employing department. It should be noted that copies of transcripts that are requested from academic institutions or copies of licenses that are requested from licensing agencies may be submitted on timetables of the institution or agency's choosing and may not mesh with the requirements of this policy and procedure. Since the prospective employee or the employing department cannot necessarily compel the institution or agency to provide the requested transcript or license, failure to provide these by the time that employment begins shall not necessarily be a bar to employment. See paragraph below on Waivers with Respect to Background Check Components.

Background Check Components Concluded - HR Services' Responsibility - Cautionary: If the background checks required for a particular category of employment that are the responsibility of HR Services to conduct are concluded properly but include cautionary results (characterized as "Cautionary" according to the summarization scheme set forth above), and if the communication to the employing department as set forth above has been accomplished, then HR Services will confer with manager of the employing department and shall agree upon action to take in the matter. They may agree upon additional inquiry results from which may resolve and/or mitigate the cautionary nature of the background check results. Alternatively they may agree that the background check results are sufficient to contraindicate employment, and a pending offer of employment shall be rescinded. Employment as originally proposed may not be offered to an individual until issues related to a cautionary finding are resolved satisfactorily in the estimation of the Vice President for Research and/or the Senior Vice President for Finance and Administration.

Background Check Components Concluded - HR Services' Responsibility - Problem: If the background checks required for a particular category of employment that are the responsibility of HR Services to conduct are concluded properly but include unsatisfactory results (characterized as "Problem" according to the summarization scheme set forth above), and if the communication to the employing department as set forth above has been accomplished, HR Services will confer with the manager of the employing department and shall collaborate in rescinding an offer of employment that had been tendered unless additional inquiry is conducted that resolves and/or mitigates the issues raised in the background check.

Time-Sensitive Action Related to Background Checks: If HR Services reports in a timely manner the results from background checks that are its responsibility to conduct according to the reporting scheme set forth elsewhere in this policy and procedure, and if the results from a

background check component is either characterized as “Cautionary” or “Problem,” it is the responsibility of the employing department to respond to communications from HR Services. If the above does not occur, the employing department is responsible for any failure to take action with regard to a background check component characterized as “Cautionary” or “Problem.”

Waivers with Respect to Background Check Components: The Vice President for Research and/or the Senior Vice President for Finance and Administration may waive the requirement that background checks be concluded prior to the start of employment in certain circumstances when they deem it in the best interests of MURC to proceed to employ the individual. However, such waivers will be rare and should not be routinely depended upon. Additionally, such waivers will only have the effect of delaying the conclusion of the background checking process and shall not create a permanent waiver for any particular background check component. Waivers may be granted on the basis of an agreed-upon period of time by which the background check component(s) at issue are to be resolved. However, failure to receive the particular background check component by the agreed-upon deadline shall cause a suspension of the employee without pay until such time as the issues related to such are resolved. If it is finally concluded that an academic degree offered as qualification by the employee, or prior employment experience, or a license required by the employment position is not possessed by the employee, the manager of the employing department and HR Services shall collaborate on a communication to terminate employment.

Preservation of Documents:

Employing Department: Copies of transcripts and licenses and notes from checking with previous employers are maintained in the employing department in a confidential manner and are considered to be personnel and employment records and are to be preserved for the duration of the subject employee’s employment and for a period of time thereafter consistent with MURC policies. If an employee transfers or promotes to a new employing department, copies of transcripts or licenses and notes from checking with previous employers are to be transferred in a confidential manner to the new employing department.

HR Services: Results from background checks, copies of authorization forms, and summaries of background checks transmitted to employing departments will be stored and preserved in HR Services in a confidential manner in either paper or electronic form. These are considered to be personnel and employment records and are to be preserved for the duration of the subject employee’s employment and for a period of time thereafter consistent with MURC policies.

Disclaimers and Limitations with Regard to Background Checks:

Screening Multiple Job Candidates Not Allowed: Background checks may not be used to screen multiple candidates for one position with the idea being to see how the

individuals fare on their background checks and possibly using the background checks to see if one or more candidates can be eliminated on the basis of negative results from the checks. Background checks can only be utilized in the case of a specific individual who has been offered employment and has accepted employment in an employment category that requires background checking (or a student who is involved in a learning activity that requires background checking). The position of the employing department is that it has committed to the employment of a particular individual if the results from the background check do not counter-indicate the employment.

Potential Weaknesses/Omissions of Third-Party Provided Information: Since certain components of the background checks will be provided by a third-party provider and since there are potential weaknesses including possible missing or incomplete data in databases and other data sources commonly consulted by organizations checking backgrounds or providing background information, HR Services cannot guarantee that an individual whose background is checked does indeed not have any negative information in his/her background. HR Services will only act upon and characterize in reports to the employing department the information it specifically receives from its authorized third-party provider.

Limitations of Ten-Year Timeframe for Background Checks: The policy requires that backgrounds be checked for the most recent ten year period. Any negative information that may be located in databases or other data sources utilized by organizations checking backgrounds that is older than ten years at the date of the background check might not be reported by the third-party provider and may fail to be considered in any characterizations of the background check provided by HR Services.

Potential Weaknesses/Omissions in State, County, Municipal, and Federal Criminal Databases: The criminal records component of background checks is based upon checking the criminal records of the counties and federal court districts in which the individual has resided during the ten year period preceding MURC employment. It is possible that a criminal conviction occurred in a county or federal court district in which the individual did not reside during the preceding ten year period. Therefore, in characterizing the results from background checks to employing departments, HR Services cannot guarantee that a criminal conviction does not exist in the records of other counties or federal court districts than those reviewed in the background check process. There may also be a circumstance in which the third-party provider fails to return information from one or more of the counties or federal court districts in which the individual has resided during the ten year period preceding offer of employment at MURC. For example, if the individual has resided in six counties during the last ten year period, and if the third-party provider does not return information from one of the counties, HR Services will be generally unable to independently consult records of the missing county or counties or federal court district(s) and will take steps to characterize the results from the background check based only upon the actual information provided by the third-party provider.

Potential Weaknesses/Omissions in Sex and Violent Offender Registries: The third-party provider may report results from checking sex and violent offender registries for the counties and/or states in which the prospective employee has resided for the ten years preceding their prospective employment at the institutions. There may not yet exist comprehensive national registries for sex and violent offenders. Therefore, some sex and violent offender registries may be county based and may result in non-reportage of information in such registries about other counties or other states in which the prospective employee did not formerly or presently reside. Also, certain sex and violent offender registries may carry information about sex and violent offenders on a permanent basis. If the third-party provider returns any information about the prospective employee's name appearing on such registries for offenses that may have occurred earlier than ten years ago, the institutions shall give due consideration to the information even if it is older than ten years. In other words, a sex and violent offender registry entry older than ten years cannot be waived in making employment decisions.

Responsibility for Costs Associated with Background Checks: The prospective employee is responsible for requesting and paying for from personal funds any fees assessed for copies of academic transcripts and/or licenses as required. The employing department is responsible for any sundry telephone, postage, clerical, or other expenses that may be incurred in verifying employment. MURC is responsible for paying for the background checks components that are its responsibility to obtain.

Employment Categories - 3

The following are the categories of employment utilized at the Marshall University Research Corporation (MURC):

Full-Time: Full-Time positions are those that are established at the level of MURC's full-time schedule which is 37.5 hours per week and that are expected to last more than one year subject to acceptable work performance and the continuation of grant funding. Generally persons in this category of employment are eligible for employment benefits subject to the terms, conditions, and limitations of each benefit component.

Part-Time A: Part-Time A positions are those that are established at 20 hours per week or greater but less than full-time and that are expected to last more than one year subject to acceptable work performance and the continuation of grant funding. An employee in Part-Time A status is eligible for certain employment fringe benefits according to the number of hours per week at which appointed and method of payment. The policies and procedures about the employment benefit components provide information about what levels of appointed hours per week are necessary for particular benefits.

Part-Time B: Part-Time B positions are those that are established at less than 20 hours per week and that are expected to last more than one year subject to acceptable work performance and

the continuation of grant funding. An employee in Part-Time B status receives legally-required benefits, such as Social Security coverage and workers' compensation insurance coverage, but is not eligible for MURC's other employment benefits.

Temporary: Temporary employees are those who are hired to temporarily supplement the workforce, to serve as interim replacements, and/or to assist in the completion of specific projects and whose appointments are not expected to last beyond one year. Temporary appointments are intended to be of limited duration. However, no circumstance in which a Temporary appointment extends beyond one year implies any change in employment status. Temporary employees retain that status until and unless notified in writing of a change. Temporary employees receive all legally-mandated benefits, such as Social Security and workers' compensation insurance, but they are ineligible for MURC's other employment benefits. Rates of compensation for persons appointed in Temporary status are reviewed by the Marshall University Human Resource Services provider and require approval by MURC's management.

The employment categories discussed above do not imply or guarantee employment for any specified period of time.

Employment of Relatives - 4

Relatives of persons currently employed by the Marshall University Research Corporation (MURC) may be employed by MURC only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within MURC. The phrase "in the same line of authority" applies to any relative, situated higher or lower in MURC, who has the authority to review employment decisions. For purposes of this policy, a relative is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

MURC employees may not be transferred into a reporting relationship that would conflict with the provisions of this policy. If the relative relationship is established after employment, the individuals concerned will decide with supervisory approval which employee is to be transferred. If a decision is not reached after thirty calendar days, MURC management will make the decision. If an acceptable transfer cannot be accomplished within 60 days, MURC management will proceed to layoff or terminate the employee with the least total MURC service.

In other cases where in the opinion of MURC management a conflict or the potential for conflict arises, even if it does not involve a supervisory-subordinate relationship, the parties may be separated by reassignment or may be terminated from employment.

Full-Time and Part-Time Appointments in Mid-December – 60

Regular-status (non-temporary) full-time and part-time initial employment appointments (new hires) by Marshall University Research Corporation (MURC) may not begin at the second pay period in December.

Outside Employment – 64

In certain circumstances a Marshall University Research Corporation (MURC) employee in Full-Time, Part-Time A, or Part-Time B status may seek to perform outside employment in addition to his/her primary MURC employment. Such outside employment must be requested in writing in advance to the responsible project director through supervisory channels as appropriate. The project director or his/her designee may at his/her own sole discretion approve or disapprove such outside employment.

Outside employment must be of a nature that would not reflect negatively on MURC by the association of MURC's employee with the particular business or activity. It must not occur on a schedule that would systematically interfere with the MURC employee's normally assigned work hours, and it must not interfere with the provision of the employee's best energies and intellectual contributions to the employee's MURC job. Incidental or limited work performed in connection with outside employment that might occur during the MURC employee's assigned work hours must be approved in advance by the project director and must be supported through the taking of accrued vacation leave.

A MURC employee engaged in outside employment may not use his/her MURC telephone number, e-mail address, or physical address in any paper, e-mail, or web-based information that either solicits outside employment or that describe products or services available through his/her outside employment.

MURC employees engaging in outside employment as defined in this policy and procedure may not use any facilities, equipment, supplies or materials owned, leased or rented by MURC (or owned, leased, or rented by a sponsor of MURC research). Additionally, a MURC employee may not engage in any outside employment for a corporation, organization or other entity with whom MURC has contracted to perform the same type of services. If MURC contracts with a corporation, organization or other entity for the provision of services and if a MURC employee is approved for outside employment with that corporation, organization or other entity, then the MURC employee must withdraw from outside employment that would conflict with the provisions of this policy and procedure.

Work Schedules – 47

The normal work schedule for all employees of Marshall University Research Corporation (MURC) is 7.5 hours per day for five days per week for a total of 37.5 work hours per week. The standard work week for MURC is a regularly-recurring period of 168 hours over a seven

consecutive day period starting at 12:01 a.m. in Sunday and ending at 12:00 midnight the following Saturday. Supervisors will advise employees of the beginning and ending times for their schedules.

Some units within MURC may operate on a 40-hour standard work week. Supervisors will communicate to employees the specific work week requirements that may be in effect for a particular unit. For units on a 40-hour standard workweek, the standard work schedule is 8.0 hours per day five days per week.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

A meal break not more than one hour and not less than one-half hour off-clock must be provided during any full-time workday. Two breaks of 15 minutes each on-clock are provided before and after the meal break during any full-time workday.

Attendance and Punctuality - 54

To maintain a productive work environment, Marshall University Research Corporation (MURC) expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on MURC. In the rare instances when employees cannot avoid being late to work or are unable to work as schedule, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive and hinder the mission of MURC and may lead to disciplinary action, up to and including termination of employment.

Employment Termination - 42

Termination of employment (including voluntary separation from employment) is a normal component of personnel activity within the Marshall University Research Corporation (MURC). The reasons for employment termination are frequently routine in nature. Below are examples of some of the most common circumstances under which employment is terminated:

Grant Expiration - Voluntary or involuntary employment termination caused as a result of the expiration of a grant.

Resignation – Voluntary employment termination initiated by an employee.

Discharge - Involuntary employment termination initiated by the organization.

Layoff - Involuntary employment termination initiated by the organization for non-disciplinary reasons.

Absenteeism – Being absent for three consecutive workdays without notification or reasonable cause for failure to notify is considered voluntary termination.

Retirement - Voluntary employment termination initiated by the employee who qualifies for retirement and intends to begin receiving retirement benefits.

Resignation is a voluntary act initiated by the employee to terminate employment with Marshall University Research Corporation (MURC). MURC requests at least two weeks' written resignation notice from all employees. Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. Additionally employees departing through resignation are asked to contact the MURC Human Resources Department for benefits settlement.

The MURC Human Resources Department is expected to schedule and conduct an exit interview for any terminating MURC employee. An exit interview allows for the clarification of matters such as return of MURC-owned property, settlement of debt to MURC, conversion of benefits, etc. For any voluntary termination from employment, supervisors are asked to find out if possible what motivated the employee to leave and whether the termination was based to any extent on compensation or benefits. If a terminating employee is going to work for another organization, supervisors are asked to obtain as much information as possible about the compensation and benefits offered to the employee in the new setting. Disclosure of such information is totally voluntary on the part of the terminating employee. However, obtaining this information when possible enables MURC to evaluate its compensation or benefits structure in an effort to stabilize employment. Any suggestions, complaints, and questions can be voiced during the exit interview. See MURC HR Policy and Procedure 21, Departing Employee Information.

See MURC HR Policy and Procedure 1, Nature of MURC Employment, for information on the characteristics of MURC employment. Also, see MURC HR Policy and Procedure 63, Exit Interviews, for additional information.

Exit Interviews – 63

Every MURC employee who voluntarily terminates employment at MURC (resignation, retirement) is asked to participate in an exit interview conducted by the MURC Human Resources Department. Purposes of the exit interviews include but are not limited to the following: (1) to obtain information on the reason(s) for the employee's departure from MURC employment; (2) to ask the department employee about his/her general satisfaction with MURC employment and what if anything the organization might do to improve the MURC employment experience; (3) to ask if the separation from employment had an economic basis (i.e.-higher salary at another organization); (4) to record pertinent information including salary if revealed and a comparison of the qualifications and requirements of the new job versus those of the job from which terminating at MURC; and (5) to clarify any issues related to employment and facilitate the resolution of employment-related matters such as forwarding

address, disposition of benefits, etc. The exit interview is voluntary on the part of the resigning or retiring employee. If he/she does not wish to participate in an exit interview, he/she may so indicate to the supervisor or department head.

If the exit interview form is unavailable for any reason, the supervisor or department head should transcribe a brief note setting forth and summarizing the basic information related to the departing employees situation and circumstances.

Departing Employee Procedure – 21

DEPARTING EMPLOYEE INFORMATION refers to a set of steps and activities that are required for or associated with the ending of a person's employment at Marshall University Research Corporation (MURC) as by termination, resignation, retirement, etc. Some of the items in Departing Employee Information are done by the departing employee. Other things are done for him/her by others. The list below can be followed in order to properly complete the withdrawal from active employment status. This page may be printed to use as a handy reference. You may optionally place a checkmark by each item as it is completed. This form does not need to be turned in at the conclusion of the departing employee process. Departing MURC employees and their supervisors should refer to and comply with MURC HR Policy and Procedure 42, Employment Termination.

THINGS TO DO IN CONNECTION WITH DEPARTURE FROM EMPLOYMENT AT MURC:

[ ] LETTER OF RESIGNATION: As soon as an employee determines to resign or retire, he/she should write a letter of resignation to their employing department. The letter should indicate the last day to be worked and the reason for leaving MURC service. The employing department should accept in writing the notice of resignation or retirement. This can be accomplished by a signed pen-and-ink annotation to the employee's resignation letter or by a separate signed writing to the employee. A copy of the letter of resignation and the employing department's acceptance of it should be sent to the MURC Human Resources Department as soon as possible.

[ ] BENEFITS DE-ENROLLMENT: Persons resigning or retiring from MURC should contact the MURC Human Resources Department in the Coal Exchange Building, 401 11th Street, Suite 1400, Huntington, West Virginia. Health insurance coverage cannot continue beyond the end of the month of the last day worked at MURC.

[ ] OUTLOOK GROUPWARE: The employee's supervisor should contact Computing Services and inform them of the employee's resignation/retirement date so that their account in the Outlook groupware can be set properly. NOTE: MURC employees assigned to work at the *Marshall University School of Medicine (MUSOM)* should contact the Division of Information Technology at 304.696.7337 (located in room G35 of the

Medical Education Building, or in the Health Science Library of the Medical Center Building) to resolve their Outlook account.

[ ] MARSHALL UNIVERSITY E-MAIL ACCOUNT: MURC employees receive a Marshall University e-mail address. In certain circumstances, departing MURC employees may retain their Marshall University e-mail address. Persons resigning or retiring should contact Marshall University Computing Services, 4th floor, Drinko Library, and make proper arrangements for either the termination or continuation of their Marshall University e-mail account.

[ ] BANNER DE-ENROLLMENT: For any departing MURC employee who has privileges to Marshall University's Banner system, the employee's supervisor or other authorized representative from the employing department should contact Computing Services, 4th Floor, Drinko Library, in a timely manner for the purpose of stopping the individual's Banner privileges consistent with the schedule for their departure from MURC employment.

[ ] EXIT INTERVIEWS: The departing employee shall participate in an exit interview conducted by the MURC Human Resources Department prior to their last day of employment. Any applicable MURC property issued to the employee should be returned during the exit interview.

- KEYS: The departing employee should turn in to their supervisor on their last day worked (or earlier as appropriate) any keys to offices or locked storage they were issued.

- TELEPHONE CALLING CARD & CODE: Any telephone calling card issued to the departing employee should be turned in to the supervisor in a timely manner prior to the employee's last day at work. If a long-distance telephone code has been issued to the employee, it is the responsibility of the employee's supervisor to contact the MURC Human Resources Department so the code can be properly terminated.

- CAMPUS I.D. CARD: The Campus I.D. Card should be turned in to the MURC Human Resources Department at the address shown at the top of this policy on the last day of employment or as soon as the card is no longer needed if earlier than the last day.

- MURC PURCHASE CARD: If a departing employee was issued a State of West Virginia Purchase Card, the employee should turn the Purchase Card in to the supervisor in a timely manner prior to the departing employee's last day of work. The departing employee's supervisor or other authorized representative of the employing department should contact the MURC Accounting Office at 304.696.2829.

- PARKING PERMIT: If a departing MURC employee was in possession of a Marshall University parking permit, he/she should notify Public Safety in the Welcome Center of their departure date. Public Safety may require that the parking permit be turned in to them prior to the departure of the employee.

[ ] LIBRARY MATERIALS: The departing employee should make arrangements to return any outstanding Marshall University Library materials and settle any overdue fines on or prior to the last day worked. Contact the Library staff on the ground floor of the Drinko Library.

[ ] PERSONAL PROPERTY: The departing employee should make arrangements to remove any personal property from their MURC work station on or prior to their last day worked.

[ ] NOTIFICATION OF CHANGE OF ADDRESS: The MURC Payroll Office will send the departing employee an IRS Form W-2, statement of earnings, in January. If the departing employee changes address after leaving MURC employment, he/she is responsible for notifying the Payroll Office of their new address. Otherwise the Form W-2 may not be received. This office may be reached with paper mail at Payroll Office, Marshall University Research Corporation, Coal Exchange Building, 14th Floor, Huntington, WV 25755, and by phone at 304.696.2830.

[ ] REMOVAL FROM E-MAIL MAILING LIST: Marshall University Human Resource Services operates an e-mail mailing list for MURC employees. The departing MURC employee or his/her supervisor should notify Marshall University Human Resource Services in order to have the departing employee's name and e-mail address removed from the mailing list.

[ ] RETIREE STATUS: The MURC Human Resources Department will with proper notification set the employment status of the departing employee in the Banner system to Retired (E-Class RT) as soon as possible consistent with their decision to draw down accrued annual leave versus taking a lump-sum payout. This may require suspending the matter on the calendar to ensure that it is done at the proper time in the future.

MURC Property – 56

Marshall University Research Corporation (MURC) employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all MURC property immediately upon request or upon termination of employment. Where permitted by applicable laws, MURC may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. MURC may also take all action deemed appropriate to recover or protect its property.

Grievance Procedure - 13

It is the policy of Marshall University Research Corporation (MURC) to provide a grievance procedure that employees may utilize in an effort to resolve what the MURC employee considers to be a misapplication of a policy, improper or unfair treatment by supervisors or others, status and standing as an employee, or other significant conditions of employment. MURC encourages a process of consulting with the supervisory chain in an effort to resolve the problem prior to filing a grievance. MURC supervisors and managers are required to review carefully complaints raised by employees and to make an attempt to resolve those in a fair, efficient, and economical manner and possibly prevent or make unnecessary the filing of a grievance. MURC supervisors and managers may not take any reprisal against an employee for raising an issue such as those set forth above and may not impose any discrimination against an employee for doing so.

If attempts by either the employee or his/her levels of supervision to solve the problem have proven unsuccessful, the affected MURC employee may file a formal grievance. A formal grievance must be filed within ten (10) working days of (a) the date the event or situation argued to be unacceptable occurred; (b) the date the employee became aware of it; or (c) the date that the last attempt to resolve the question on a pre-grievance basis was unsuccessful according to the employee.

Grievances must be written and must contain as a minimum the following items of information: (a) a statement of the exact issue that is raised in the grievance; (b) the date that the issue (event) occurred, the date the employee became aware of the issue, or the date of the last attempt to resolve the question on a pre-grievance basis; (c) the person or office from which the employee seeks relief; and (d) the exact relief sought.

There are two levels in the MURC grievance procedure:

> First Level: The grievant will schedule a conference with his/her immediate supervisor to discuss the nature of the grievance and the relief sought. Following the meeting, the immediate supervisor will issue a decision at the first level to the grievant in writing.
>
> Second Level: If the grievant finds the response from the First Level to be unacceptable, he/she may appeal the grievance to the Second Level which is an appeal to the Executive Director of MURC. The Executive Director will appoint an individual who will review the grievance and who will schedule a conference with the grievant and his/her immediate supervisor. The individual appointed to review the grievance for the Executive Director may be an employee of MURC or may be an individual from the community. The appointed individual will, after reviewing the grievance and listening to the arguments presented by the employee and his/her immediate supervisor in the conference, write a decision on the grievance and convey that decision to the Executive Director. The Executive Director will convey to the grievant the decision at the Second Level. The appropriate administrative office at MURC will preserve all relevant files

related to the grievance for a period of three years following the date of final action on the grievance.

A MURC employee may have one other MURC employee of his/her choosing accompany him/her in the conferences at First Level and Second Level. MURC management will authorize a reasonable and prudent amount of time for the grievant and an employee assisting the grievant to assemble and prepare materials related to the grievance and to participate in the conferences at First Level and/or Second Level.

If a MURC employee believes that he/she was exposed to reprisal or discrimination as a result of filing a grievance, he/she may contact the Director, Marshall University Human Resource Services, who will review the matter and make a recommendation to the Executive Director of MURC as to whether in his/her opinion the employee filing a grievance was or was not treated in a manner free of reprisal or discrimination.

BENEFITS

Employment Benefits - 17

It is the policy of Marshall University Research Corporation (MURC) to provide a competitive and useful package of employment benefits. Benefit coverage varies according to type of employment. Some programs such as Social Security, workers' compensation, and unemployment compensation insurance are available to all MURC employees in the manner prescribed by the applicable laws.

Certain employment classifications are eligible for additional employment benefits. See MURC HR Policy and Procedure 3, Employment Categories, for additional information. The MURC Human Resources Department, murchr@marshall.edu, is available to answer questions and provide assistance with regard to employment benefits, including information on which employment benefits are available for particular categories of employment.

The following employment benefits are available according to employment type:

Annual Leave
Sick Leave
Holidays
Medical, Dental, Vision, and Life Insurance
Workers' Compensation Insurance
Cafeteria Plans
Benefit Continuation (COBRA)
Retirement Plans
Educational Benefits
Relocation Benefits
Bereavement Leave
Catastrophic Leave
Jury Duty Leave
Witness Duty Leave
Medical Leave of Absence
Family and Medical Leave Act (FMLA) Leave
Military Leave

Some employment benefit components require a proportional contribution by the employee. Other employment benefit components are fully paid for by MURC.

Benefits – Annual Leave - 18

Annual leave with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classifications are eligible to earn and use annual leave as described in this policy:

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these employment categories.

The amount of paid annual leave employees receive each year increases with the length of their employment as shown in the following schedule:

ANNUAL LEAVE EARNING SCHEDULE

Years of Eligible Service	Annual Leave Earned Monthly	Annual Leave Earned Per Year
Upon initial eligibility	1.25 days	15 days
After five years	1.50 days	18 days
After 10 years	1.75 days	21 days
After 15 years	2.00 days	24 days

"Days" as represented in the chart above refers to a normal average work day according to the percentage time at which the employee is appointed.

Designated management employees shall be eligible for 24 days annual leave per year, calculated at the rate of 2.00 days per month from the date of employment.

Length of eligible service is calculated on the bases of a "benefit year." This is the 12-month period that begins when the employee starts to earn annual leave. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn annual leave according to the schedule. They can request use of annual leave after the month in which it is earned.

Annual leave can be used in minimum increments of one-half hour. To take annual leave, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Annual leave is paid at the employee's base pay rate at the time of taking annual leave. It does not include overtime or any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

In the event that available annual leave is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year. If the total amount of unused annual

leave reaches a "cap" equal to two times the amount of annual leave earned in one year, further annual leave accrual will stop. When the employee uses annual leave and brings the available amount below the cap, annual leave accrual will begin again.

Upon termination of employment, employees will be paid for unused annual leave that has been earned through the last day of work.

Benefits – Benefit Continuation under COBRA – 29

Marshall University Research Corporation (MURC) complies with the provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) that gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under MURC's health plan when a "qualifying event" would normally result in the loss of eligibility. Typical or common qualifying events include resignation; termination of employment; the death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under the provisions of COBRA, the employee or beneficiary pays the full cost of coverage.

MURC's insurance provider provides each eligible employee with a written notice, containing information on the rights granted under COBRA at the time the employee becomes eligible for coverage under MURC's health insurance plan. This notice should be retained by the employee.

Benefits – Bereavement Leave – 33

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Approved time off with pay will be charged to sick leave. Bereavement leave is only available if the employee has an accrual of sick leave at least equal to the amount of time requested or allowed for bereavement leave. Up to five days of bereavement leave will be provided to eligible employees in the following classification(s):

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

In certain limited circumstances leave without pay may be granted in the situation of bereavement.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Approval of bereavement leave will occur in the absence of operating requirements. Any employee may, with the supervisor's approval, use any available paid leave for additional time off as necessary.

MURC defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; or grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Benefits – Catastrophic Leave - 34

Marshall University Research Corporation (MURC) allows grant/contract managers to provide up to one pay period with pay charged to the grant(s)/contract(s) from which the employee is paid in the event that the employee or a member of his/her immediate family experiences a catastrophic injury or illness that exceeds their accrued sick leave and annual leave.

This applies to employees in Full-Time or Part-Time A categories. See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories. Employees must be FMLA approved to be considered for Catastrophic Leave.

A catastrophic injury or illness is one deemed by the MURC administration to be profoundly serious and one that will cause serious financial impact on the employee because of his/her inability to work or because of the requirement to be absent from work to attend to a catastrophic injury or illness on the part of a member of the immediate family. The Director, Marshall University Human Resource Services, will advise the MURC administration on whether or not an illness or injury rises to the definition of catastrophic.

MURC defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; or grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

A form is available on the Marshall University Human Resource Services website for use by those requesting to receive catastrophic leave: http://www.marshall.edu/human-resources/forms.

Benefits – Educational Benefits – 31

Full-Time employees of Marshall University Research Corporation (MURC) may be permitted to enroll in one college course per semester during work time. The following conditions must be met if release time is to be granted: (1) supervisor must give approval for release time; and (2) the course must fall within employee's normal working hours.

If the above conditions are met, one hour of release time per day will be granted to employee. For a class that meets more than one hour per day, only one hour of release time will be granted.

Reimbursements – Undergraduate

Tuition waiver applications may be obtained through the Admissions Office, Marshall University, 125 Old Main, or at 128 Medical Education Building. The following conditions must be met to receive a waiver: (1) a full-time employee must have completed his/her probationary period; (2) the employee must be taking an undergraduate course; (3) the course must be for a maximum of three credit hours; and (4) reimbursement is not obtained through any other sources (grant, gift, financial aid, etc.).

The Educational Benefits Committee of the Classified Staff Council will award waivers based on the following factors: (1) job-relatedness; (2) degree relatedness; and (3) self-improvement. Every person applying for a waiver will receive some assistance based on the number of employees applying and the amount of money available. All student fees must be paid by the employee.

A tuition waiver covers the full cost of one class (minus student fees) and is awarded first to employees enrolled in job-related classes. Waivers are not awarded for the summer terms, nor are they awarded to the same employee for two consecutive terms.

Some funds are also set aside from the Marshall University Foundation, Inc., for financial assistance. This assistance covers up to half the cost of an employee's tuition for one class.

Reimbursements – Graduate

Graduate and professional fee waivers are available through the Graduate School and provide only for the waiver of tuition, registration fee, and higher education resource fee. Marshall University gives priority consideration in the awarding of graduate and professional fee waivers to staff that make application in accordance with the institution's announced application procedures and deadlines. All student fees must be paid by the employee.

Benefits – Family and Medical Leave Act (FMLA) Leave – 37

Marshall University Research Corporation (MURC) complies with the applicable provisions of the federal Family and Medical Leave Act (FMLA). FMLA provides up to 12 weeks per calendar year of unpaid leave to eligible employees if necessary for (1) the birth of a son or daughter and to care for the newborn child; (2) the placement with the employee of a child for adoption or foster care and to take care of the newly-placed child; (3) care for an immediate family member (spouse, child, or parent) with a serious health condition; or (4) for the employee if unable to work because of a serious health condition. FMLA leave may be taken either continuously or intermittently according to the circumstances and/or the directions of the employee or the family member's healthcare provider.

Employees are eligible if they have worked for a covered employer for at least one year (for at least 1,250 hours over the previous 12 months). Additionally, eligibility is extended to employees in locations where there are at least 50 MURC employees within 75 miles of the employee's work location.

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

For eligible employees health insurance benefits may be continued during the term of approved paid FMLA leave. Premium payments continue to be made in the same manner as when the employee is in active pay status (i.e.- the employee continues to pay his/her portion of the group health insurance premium, and MURC continues to pay the employer's portion of the group health insurance premium). Accruals of annual leave and sick leave and pay for designated holidays are suspended during an approved FMLA leave. Accrual of annual leave and sick leave and pay for designated holidays resume when the employee returns to active pay status. If FMLA leave is unpaid, the employee is responsible for remitting their portion of premium payments directly to the MURC Human Resources Department.

Employees are advised of the availability of leave under the provisions of the FMLA and of the corporation's commitment to comply with the statute. In cases where an employee has been taking paid sick leave, is at risk of running out of accrued leave, and continues to be ill or injured or to deal with illness or injury of a member of the immediate family, the employee's supervisor or Marshall University Human Resource Services has a responsibility to advise the employee about the potential availability of leave under FMLA. The employee has a specific responsibility, however, to request FMLA leave if he/she wishes to use such leave.

An employee may request leave under FMLA by completing and submitting to the MURC Human Resources Department a copy of the Request for Family or Medical Leave form available on the MURC website at http://www.marshall.edu/murc/forms.

Leave is officially designated as FMLA leave by action of the Director, Marshall University Human Resource Services, by completing and providing to the employee a copy of the Designation of Leave as Family or Medical Leave form. The designation of leave as FMLA leave is an official act of Marshall University Human Resource Services in behalf of MURC, and the effective date of such designation of leave is related to the approval of such leave and is not related to whether or not accrued sick leave and/or annual leave exists or whether the employee chooses to use or not use such accrued leave.

In order to inform the employing office or unit of the action taken to approve leave as FMLA leave, the Director, Marshall University Human Resource Services, or his/her designee, completes and submits to the employing office or unit a copy of the Notification of Leave Status form.

The FMLA statute provides for up to 12 weeks of *unpaid* leave in a calendar year. However, FMLA leave does not have to be unpaid depending upon the circumstances. Leave-accruing employees who have a positive balance of sick leave and/or annual leave may elect to use such leave until it is exhausted and then go on unpaid FMLA leave. Alternatively, if an employee wishes to preserve some or all of his/her balance of sick leave and/or annual leave and participate in FMLA leave on an unpaid basis, they may do so. In general, the welfare of the employee is enhanced if they continue to receive pay, so Marshall University Human Resource Services tacitly recommends that employees use accrued leave to the extent possible. The final decision about whether or not to use accrued sick leave and/or annual leave rests with the employee.

Employees returning from FMLA leave (either returned to work consistently from full-time absence or part-time/intermittent absence) must submit a health care provider's statement indicating either the employee may return to work with no limitations or with stated limitations that MURC will carefully evaluate.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities. See MURC HR Policy and Procedure 27, Benefits – Workers' Compensation Coverage, for details.

So that an employee's return to work can be properly scheduled, an employee on FMLA leave is requested to provide the MURC Human Resources Department with at least two weeks advance notice of the date the employee intends to return to work if their date of return is not already sufficiently clarified. When an FMLA leave ends, the employee will be reinstated to the same position if it is available or to a position equivalent in compensation and benefits for which the employee is qualified.

If an employee fails to report to work promptly at the end of FMLA leave, is not hindered from doing so due to circumstances beyond the employee's control, does not communicate their delay and does not provide a reason for the failure to return to work as scheduled, it will be presumed that the employee has resigned their employment.

Benefits – Flexible Spending Account – 28

Marshall University Research Corporation (MURC) offers benefit-eligible employees the opportunity to establish a flexible spending account. Employees may contribute pre-tax dollars to such an account that can be used to pay allowable medical expenses or child care expenses. Participation in such a plan is completely voluntary. Additional information may be obtained by contacting the MURC Human Resources Department at murchr@marshall.edu.

Aflac Website: http://www.aflac.com/

Benefits – Holidays – 25

Marshall University Research Corporation (MURC) provides a set of standard holidays to all employees. Unless notified otherwise, MURC observes the same holiday schedule as Marshall University. MURC employees may consult the holiday schedule on the Marshall University Human Resource Services website at http://www.marshall.edu/human-resources/benefits/holiday-schedules). The schedules are published prior to the start of each fiscal year.

Certain holidays may be observed at dates different than their traditional date of observance. Examples include such holidays as those provided during the week between Christmas and New Year's Day.

MURC will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Employees in the following employment categories are eligible for holidays:

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

If a recognized holiday falls during an eligible employee's paid absence (e.g. - vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If an eligible employee works on a recognized holiday, he/she will receive holiday pay plus wages at his/her straight time rate for the hours worked on the holiday.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

Benefits – Jury Duty – 35

Marshall University Research Corporation (MURC) allows its employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to one week of paid jury duty leave over any one fiscal year period. Employee categories that qualify for paid jury duty leave are:

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence.

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, annual leave) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either MURC or the employee may request an excuse from jury duty if, in MURC's judgment, the employee's absence would create serious operational difficulties. MURC will continue to provide health insurance benefits for the full term of the jury duty absence.

Annual leave, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

Benefits – Medical, Dental, Vision and Life Insurance – 26

Marshall University Research Corporation (MURC) offers eligible employees a comprehensive major medical health insurance policy through the Public Employees Insurance Agency (PEIA). Information on the deductible amounts and co-payment limits for single coverage and family coverage are available by contacting the MURC Human Resources Department.

MURC also offers a dental insurance policy and vision insurance policy through the Guardian that provides preventative services at no cost or at low cost to employees. Information on the percentage of preventative care costs that are paid by the insurance is available from the MURC benefits representative. Preventative services, such as dental cleaning and x-rays are paid at 100%.

Eligible employees also receive a life and accidental death and dismemberment insurance policy. The dollar amount of this insurance can be obtained from the MURC benefits representative.

Health insurance premium payments are split between MURC and the employee. MURC contributes 80 percent of the premium, and the employee contributes 20 percent.

Optionally, employees may select a supplemental life and accidental death and dismemberment insurance policy for which the premium is paid 100 percent by the employee.

West Virginia PEIA Website: http://www.peia.wv.gov

Benefits – Military Leave – 39

Marshall University Research Corporation (MURC) will grant a military leave of absence to employees in the following categories to attend scheduled drills or training or if called to active duty with the U.S. armed services:

Full-Time
Part-Time A
Part-Time B

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

Employees will continue to receive full pay while on leave for two-week training assignments and shorter absences. The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available accrued annual leave for the absence. See MURC HR Policy and Procedure 18, Benefits-Annual Leave, for additional information.

Subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits will be provided by MURC for the full term of the military leave of absence. The same arrangements for payment of the employee and employer portions of the group health insurance continue during the term of military leave of absence. MURC employees on approved military leave of absence continue to accrue annual leave but do not accrue sick leave. Holiday pay is not provided while on approved military leave of absence.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

Benefits – Retirement Program – 30

Marshall University Research Corporation (MURC) provides eligible employees with a tax-deferred defined contribution plan for retirement purposes through the Teacher's Insurance and Annuity Association – College Retirement Equity Fund (TIAA-CREF). A defined contribution plan is one in which the retirement benefit received is based on the contributions made to the individual's account and how well those funds have performed at investment. MURC's retirement program is not a traditional pension plan referred to as a defined benefit plan. Retirement benefits under a defined contribution plan do not take into account years of service or salary level received in certain years.

Employees contribute six percent of their salary on a pre-tax basis which is matched by a six percent contribution by MURC. Vesting in the defined contribution plan is full and immediate. The employee owns both his/her contribution and MURC's contribution immediately upon remittance. Participation in the TIAA-CREF defined contribution retirement plan is mandatory for employees in the employment categories of Full-Time and Part-Time A. See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

Employees may on an optional basis contribute additional pre-tax dollars without an employer match to Supplemental Retirement Annuities (SRAs) provided through TIAA-CREF.

MURC does not encourage or discourage participation in any particular type of investment fund provided by TIAA-CREF and does not provide recommendations about how to allocate contributions. Employees make personal decisions about how they wish to allocate their premiums among the various investment funds provided, and all such choices are the personal responsibility of the employee. However, MURC encourages employees to consult with representatives of TIAA-CREF and to invest their funds according to the personal level of risk they feel they can tolerate. MURC is not able to constructively assist retirees' incomes beyond simply making its matching contributions during the employee's active employment.

It is the responsibility of the employee to notify TIAA-CREF of any changes in beneficiaries under TIAA-CREF programs. You may contact TIAA-CREF by logging into the following website: http://www.tiaa-cref.org.

Benefits – Sick Leave – 19

Marshall University Research Corporation (MURC) provides paid sick leave to all eligible employees for periods of temporary absence due to illnesses or injuries. Employment classifications eligible to earn sick leave are the following:

Full-Time
Part-Time A

See MURC HR Policy and Procedure 3, Employment Categories, for an explanation of these categories.

Eligible employees accrue sick leave benefits at the rate of 18 days per year (1.5 days for every full month of service). Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits. Days as used in this paragraph refer to a normal average work day according to the percentage time at which the employee is appointed. Unused sick leave benefits will be allowed to accumulate indefinitely. Paid sick leave can be used in minimum increments of one-half hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household.

Employees who are unable to report to work due to illness or injury should notify their supervisor before the scheduled start of their workday if possible. The supervisor must also be contacted on each additional day of absence due to illness or injury.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's certificate must be provided which provides a diagnosis, a prognosis, a date at which return to work can be expected, and whether without limitations or with limitations that MURC will review carefully for possible accommodation. At the discretion of the supervisor such verification may be requested for other sick leave absences as well and may be required as a condition for receiving sick leave benefits.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Sick leave benefits are intended solely to provide income protection in the event of illness and may not be used for any other absence. Unused sick leave benefits will not be paid out to employees while they are employed or upon termination of employment.

Benefits – Witness Duty – 36

Marshall University Research Corporation (MURC) allows employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by MURC, they will receive paid time off for the entire period of witness duty. Employees can be granted up to a maximum of 15 hours of paid time off to appear in court as a witness at the request of a party other than MURC (in situations other than those set forth below). Any exceptions to this are evaluated on a case by case review. Employees will be paid at their base rate for leave up to the policy limits for duration of witness duty. Employees may use accrued annual leave to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted where necessary to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Pay for time absent on witness duty (except through the taking of accrued annual leave) is not provided in circumstances where the MURC employee appears as a witness in a lawsuit in which he/she is the plaintiff or one of the plaintiffs; the defendant or one of the defendants in a civil lawsuit not related to individual's employment at MURC; has a personal financial stake in the outcome of the suit; or in cases where there is not a compelling reason or need for the employee to be summoned to court.

Benefits – Workers' Compensation Coverage – 27

Marshall University Research Corporation (MURC) provides workers' compensation insurance coverage at no cost to employees. Workers' compensation insurance covers any injury or illness caused by employment or sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to regulations, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee who sustains a work-related injury or illness should as soon as possible (1) inform his/her supervisor of what happened and (2) complete and submit to the supervisor a workplace incident report form within 24 hours of sustaining the injury or illness. The supervisor should complete his/her portion of the form and forward it to the MURC Human Resources Department as soon as possible.

Even if the workplace injury or illness appears minor or inconsequential and/or even if the employee did not lose any work time due to the injury or illness, it is important that it be reported immediately. Doing so will enable an eligible employee to qualify for workers' compensation coverage as quickly as possible in the event problems develop later with regard to that injury or illness.

The Workplace Injury/Workplace Illness Report Form is available on the MURC website at http://www.marshall.edu/murc/forms.

EMPLOYEE RELATIONS

Performance Assessment - 8

It is the policy of the Marshall University Research Corporation (MURC) to assess the work performance of its employees on a periodic basis. Two types of assessments are provided. Work performance is assessed prior to the end of an employee's initial period of employment and generally thereafter at the beginning of each fiscal year.

Notwithstanding the particular date that a performance assessment is scheduled for an employee, if a supervisor feels that a work performance issue exists, he/she will discuss the issue with the affected employee. If the work performance issue is remediable in nature, the supervisor will provide progressive counseling. If the work performance issue rises to the level of the items identified in MURC HR Policy and Procedure 11, Workplace Actions or Behaviors Warranting Suspension or Termination, he/she will discuss the issue with his/her supervisor and/or the chief human resources officer.

The vast majority of MURC employees work in a highly professional and productive manner on a day in-day out basis. The philosophy underlying the MURC performance assessment process is to recognize good work performance and thank the employee providing it. In the rare situation in which a MURC employee does not perform at the level of quantity and quality that is deemed necessary, the purpose of the performance assessment process is to restore that employee in a reasonable and orderly manner to an acceptable level of performance, or if the employee will not improve their performance to terminate them from MURC employment.

Safety – 46

To assist in providing a safe and healthful work environment for employees, clients, and visitors, Marshall University Research Corporation (MURC) provides a workplace safety program. The success of this program, which is a high priority for MURC, depends on the alertness and personal commitment of all.

MURC receives safety oversight and assistance from Marshall University through its Office of Safety and Health. Further, a Safety Committee operates at Marshall University that includes in

its review of safety issues any items or situations that are brought to its attention that might arise at facilities owned, leased, or rented by MURC. The Safety Committee's website provides an on-line form that can be used to register a safety issue or concern. The Safety Committee reviews all responses received through the on-line form. The form can be accessed through the Safety and Health website at: http://www.marshall.edu/safety/.

MURC provides information to employees about workplace safety and health issues through regular internal communication channels, such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.

In the case of workplace accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Sexual Harassment and Other Harassment – 53

Marshall University Research Corporation (MURC) is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any MURC employee who wishes to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Marshall University Human Resource Services provider at the address shown at the top of this policy or any other member of MURC management. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Marshall University Human Resource Services provider or any member of management who will handle the matter in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action up to and including termination of employment.

Smoking – 49

It is the policy of Marshall University Research Corporation (MURC) to provide a safe and healthful work environment. In order to advance this policy, smoking is prohibited in all workplaces owned, leased, or rented by MURC. This policy applies equally to all employees and visitors.

Workplace Actions or Behaviors Warranting Suspension or Termination – 11

Certain workplace actions and behaviors on the part of Marshall University Research Corporation (MURC) employees may warrant immediate suspension without pay or termination of employment. These include but are not limited to:

1. Theft of, inappropriate removal of, or malicious damage to MURC owned, leased, or rented property. Unauthorized use of telephones, mail or e-mail systems, and/or other MURC-owned equipment.

2. Gross insubordination, including willful and flagrant disregard of a legitimate order and/or threatening or striking a MURC supervisor and/or host organization supervisor.

3. Consumption of alcoholic beverages or improper use of drugs while on duty and/or appearing to be under the influence of alcohol or drugs while on duty. Sale, transfer, or distribution of alcohol or illegal drugs while on duty.

4. Possession of and/or unauthorized use of firearms or explosives on MURC owned, leased, or rented property.

5. Conviction of a crime that could seriously affect the employee's work performance or the successful accomplishment of the mission of MURC.

6. Deliberate falsification of employment application or other corporation records such as time reports, medical records, or any other dishonest acts committed for personal gain.

7. Unauthorized occupation of or unauthorized use of MURC owned, leased, or rented property.

8. Obstruction or disruption of the work of MURC or of host organizations where MURC employees work.

9. Physical abuse of persons on MURC owned, leased, or rented property or at any MURC-authorized function or event.

10. Setting an unauthorized fire in or close to MURC owned, leased, or rented property or equipment, or close to any MURC employee.

11. Absence from work for three consecutive workdays for which otherwise expected to work without notification to supervisor and without reasonable cause for failure to notify. Unauthorized absence from the workstation when otherwise scheduled to attend.

12. Stealing from fellow employees, MURC, or others on MURC owned, leased, or rented property.

13. Immoral or indecent conduct on MURC owned, leased, or rented property.

14. Proven sexual harassment, assault, rape, or other unlawful harassment or intimidation of others.

15. Fighting or threatening to fight on MURC owned, leased, or rented property or at a MURC authorized function or event.

16. Unauthorized disclosure of proprietary business information, trade secrets, and/or confidential information.

Supervisors or others seeking suspension without pay or termination of any corporation employee must place their request in writing and tender it to the Executive Director of MURC in advance of imposing the requested sanction. The Executive Director of MURC must approve in advance all suspensions without pay and/or involuntary terminations from MURC. For assistance with or questions about this policy and procedure, please contact the MURC Human Resources Department at 304.696.6320 or murchr@marshall.edu.

MARSHALL UNIVERSITY HUMAN RESOURCE SERVICES

Human Resources Support - 6

Human Resources (HR) support refers to services related to employees, employment, benefits, recruiting, retention, employee relations and HR-related compliance for the Marshall University Research Corporation (MURC).

Human Resources Support for MURC is located in the MURC Administration Offices. COntact information can be found on our website:

https://www.marshall.edu/murc/our-staff-new/

Personnel Data Changes - 9

Personnel data includes such information as current home address, telephone numbers, names and associated information on dependents, individuals designated for emergency contacts, educational accomplishments, and other data with a reasonable relationship to the employment process. It is the responsibility of Marshall University Research Corporation (MURC) employees to promptly notify the MURC Human Resources Department in the Coal Exchange Building, 401 11th Street, Suite 1400, Huntington, West Virginia, of any changes in personnel data.

Personnel Files and Access to Personnel Files - 15

The Marshall University Research Corporation (MURC) maintains a personnel file on each of its employees. The personnel file includes such information as job application, resume, records of training, performance assessments, personnel papers reflecting salary increases, and other types of employment records. The personnel file is the property of MURC.

An employee may review his/her own personnel file. Employees desiring to do so should contact the MURC Human Resources Department at 304.696.6320 or murchr@marshall.edu in advance, which will facilitate the personnel file review. Requests must be made at least five working days in advance of the desired review date. Following proper request, an employee may review his/her personnel file in the MURC offices in the company of a MURC employee serving as the custodian of the personnel file. Copies of material in personnel files may be made for a per-page charge paid by the employee. An employee's supervisor or supervisor(s) above him/her may review the employee's personnel file when necessary.

Personnel files may consist of both paper materials and scanned or otherwise digitized materials. The term "personnel file" shall mean any paper file specifically created to contain employment-related records of an employee and also any scanned or digitized materials at whatever location that would otherwise exist as paper materials in a personnel file.

The official personnel file is the physical file maintained in the designated MURC office. Supervisors and managers are discouraged from maintaining files of their own containing information typical of that stored in a personnel file. In certain circumstances, however, information about employees may be maintained at supervisors' and/or managers' workplaces. In the event of a legal proceeding that results in a valid subpoena, MURC supervisors and managers must make available for review any employee information they maintain in their own possession that is typical of personnel file materials that is not otherwise exempted from discovery.

Personnel files are retained by MURC for ten years after termination of employment.

Recruiting – 59

The Marshall University Research Corporation (MURC) is committed to efficient, applicant-friendly recruiting procedures and to the provision of equal employment opportunity in its staffing. The policy and procedures governs the recruiting process.

Marshall University Human Resource Services is responsible for recruiting for all MURC positions. All applications for employment at MURC are received in behalf of MURC by Marshall University Human Resource Services. The recruiting process varies according to the type of employment position involved.

Fair Labor Standards Act (FLSA) Non-Exempt Positions:
All MURC FLSA non-exempt positions in the employment categories of Full-Time, Part-Time A, and/or Part-Time B (see MURC HR Policy and Procedure 3, Employment Categories) require the completion of a standard employment application. The application is available for download on the MURC website at http://www.marshall.edu/murc/forms. Marshall University Human Resource Services receives applications, reviews for qualifications, and refers for interview consideration for all Fair Labor Standards Act (FLSA) non-exempt positions.

Fair Labor Standards Act (FLSA) Exempt Positions:
All MURC FLSA exempt positions require an application packet consisting of a letter of application, a current resume, and the names, addresses, telephone numbers and/or e-mal addresses of three professional references who may be contacted during the recruiting process. Marshall University Human Resource Services receives all applications for employment at MURC in FLSA exempt positions. All such applications are referred to the particular MURC department or unit sustaining the vacancy, but these applications are not reviewed for qualification unless requested to do so by the MURC client.

Posting Requirements:
MURC employment positions in the employment categories of Full-Time, Part-Time A, and Part-Time B will be posted for recruiting on the Marshall University Human Resource Services recruiting web portal for a minimum of ten working days before selections for interview take

place. In rare circumstances recruiting for a MURC position may be waived such as in the case of an individual who becomes employed by MURC as a result of transfer of a grant or contract to MURC from another organization.

An individual may not be recommended for employment in an employment category subject to recruiting without a prior recruiting search unless the following information has been submitted to the Marshall University Office of Equity Programs and unless that office has granted approval to waive recruiting search: (1) a properly completed and signed MURC Recruiting Request Form (available on the MURC website at http://www.marshall.edu/murc/forms); (2) a detailed job description; (3) the current resume or *curriculum vitae* of the individual that is proposed for appointment at MURC; and (4) a written statement as to why the recruiting process should be waived. The Director, Equity Programs, will respond to the requestor and will either approve waiver of recruiting or direct that recruiting be conducted.

For positions that are posted for recruiting, applications or application packets will be referred to the MURC client as soon as received and/or as appropriate certified as qualified. The applicable posting period may be shortened in certain circumstances such as a critical vacancy that must be filled immediately. The chief human resources office must approve any shortening of the posting requirement.

PAYROLL

Administrative Pay Corrections - 43

Marshall University Research Corporation (MURC) takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event that there is an error in the amount of pay due an employee, the employee should promptly bring the discrepancy to the attention of the MURC Payroll Office so that corrections can be made as quickly as possible.

FLSA Exempt/Non-Exempt Status and Determination - 5

The Marshall University Research Corporation (MURC) complies with the provisions of the federal Fair Labor Standards Act (FLSA).

Description of Fair Labor Standards Act Exempt and Non-Exempt Status:
Under the provisions of the U.S. Fair Labor Standards Act (FLSA), each MURC employment position is characterized as either non-exempt or exempt from the overtime provisions of the FLSA and possible certain provisions of other federal and/or state wage and hour laws. Non-exempt employees are entitled to overtime pay for any hours worked in excess of 40 hours per week. A non-exempt employee and a supervisor may agree in writing in advance that the employee will receive compensatory time off in lieu of overtime wages for any hours worked in excess of 40 hours per week. Compensatory time off cannot be provided to a non-exempt employee unless a written agreement regarding same is completed in advance of the hours worked that represent overtime.

Overtime pay or alternatively compensatory time off is only granted on the basis of hours worked. A work week which is comprised of both hours actually worked and hours using accrued leave may not qualify for overtime or compensatory time off unless the total hours actually worked in the week exceed 40. Overtime pay is provided at one and one-half times the base effective hourly rate of the non-exempt employee. The base effective hourly rate is calculated by dividing total normal weekly wages by the number of hours in the standard work week (prior to any overtime being performed) adjusted for the employee's appointed percentage time. Compensatory time off is provided at the rate of one and one-half hours compensatory time for each hour worked over 40 in a week. Overtime pay is processed in the next available pay cycle that can be affected by a personnel action in support of the overtime payment. Compensatory time off is credited to the employee's account as soon as it is earned and properly reported by the employee or the supervisor.

For non-exempt employees whose assigned work week is less that 40 hours, pay at the straight time rate (base effective hourly rate above) is provided for any week in which hours worked exceed that employee's assigned work week up to 40 hours per week. The 40th hour in the week is a straight-time hour. Overtime pay or compensatory time off is provided for any hours worked in the week in excess of 40.

FLSA exempt employees are exempt from the overtime provisions of the FLSA and possibly from certain provisions of other federal and/or state wage and hour laws. An exempt employee may be expected to work more than 40 hours in a week in order to accomplish the mission of the assigned unit. Exempt employees are not eligible to earn overtime or compensatory time off.

Exempt/Non-Exempt Determination:
A status of FLSA exempt or non-exempt is assigned to each MURC employment position. A new employment position that is not exactly like another already-existing employment position ordinarily defaults to non-exempt status unless it has been evaluated and determined to qualify for exempt status. If a new employment position is exactly like another already-existing employment position, then it is set the same with regard to exempt or non-exempt status. FLSA exempt or non-exempt status is determined by the management of MURC or of the Marshall University Human Resource Services provider acting in behalf of MURC management. Changes in FLSA exempt or non-exempt status are communicated to the incumbent of the position and his/her supervisor and do not take effect until such written communication has been received by them.

The FLSA provides a mechanism for determining whether an employment position is FLSA exempt or non-exempt. The determination of whether or not a position should be set to FLSA exempt is based upon an analysis of the position performed by the Marshall University Human Resource Services provider. The FLSA provides four occupational situations which warrant a determination of exempt status:

> Executive: Requires a salary of at least $455 per week. Work not directly and closely related to the employee's exempt executive duties cannot exceed 20 percent of own hours worked in workweek. All of the following conditions must be met for the executive exemption: (1) primary duty must be managing the enterprise, or a recognized department of subdivision of the enterprise; and (2) must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and (3) the employee must have the authority to hire or fire other employees (or the employee's suggestions as to the hiring, firing, promotion, or other change of status of other employees must be given particular weight).
>
> Administrative: Requires a salary of at least $455 per week. Work not directly and closely related to employee's exempt administrative duties cannot exceed 20 percent of own hours worked in workweek. All of the following conditions must be met for the administrative exemption: (1) primary duty must be the performance of office or non-manual work directly relating to the management or general business operations of the employer or the employer's customers; and (2) primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
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> Professional: Requires a salary of at least $455 per week. Work not essential part of and necessarily incident to employee's exempt professional duties cannot exceed 20 percent

of own hours worked in workweek. For the learned professional, all of the following conditions must be met for the professional exemption: (1) primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment; and (2) the advanced knowledge must be in a field of science or learning; and (3) the advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction. For the creative professional, all of the following conditions must be met for the professional exemption: (1) primary duty must be the performance of work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.

Computer Professional: Must be paid a salary of at least $455 per week or must be paid at an hourly rate of not less than $27.63 per hour. Must be employed as a systems analyst, programmer, software engineer, or other similarly skilled worker in the computer field; and primary duty must consist of: (1) the application of systems analysis techniques and procedures including consulting with users to determine hardware, software, or system functional specifications; or (2) the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs including prototypes based on and related to user or system design specifications; or (3) the design, documentation, testing, creation, or modification of computer programs related to machine operating systems; or (4) a combination of the aforementioned duties, the performance of which requires the same level of skills.

There are two other criteria for FLSA exemption provided in the federal regulations (those for outside salespersons and highly-compensated employees) that are not discussed herein.

A MURC employee or his/her supervisor or any level of manager above the supervisor may request that the exempt/non-exempt status of the employee's position be evaluated with regard to FLSA exempt/non-exempt status. Upon receipt of such request in writing, the Marshall University Human Resource Services provider will evaluate the position and provide a recommendation to MURC's management for possible adoption of exempt or non-exempt status. If approved by MURC's management, the results will be communicated in writing to the incumbent of the employment position and his/her supervisor.

The Marshall University Human Resource Services provider may independently review the FLSA exempt/non-exempt status of employment positions at MURC and may independently provide direction with regard to potential changes in FLSA exempt or non-exempt status. Any questions about exempt and non-exempt status with regard to the Fair Labor Standards Act may be directed to Marshall University Human Resource Services, One John Marshall Drive (207 Old Main), Huntington, WV 25755.

Compensatory Time – 45

Marshall University Research Corporation (MURC) offers compensatory time off to Fair Labor Standards Act (FLSA) non-exempt employees who choose in advance through written agreement signed by both they and their supervisor to receive compensatory time off in lieu of overtime wages.

The intent of compensatory time is to allow non-exempt employees to take time off for extra hours worked, in lieu of overtime pay. State law provides for precise definitions of exempt and non-exempt employees, and the creation and use of compensatory time within the pay period. MURC provides compensatory time off on a fair and uniform basis with a minimum of administrative support. The following guidelines govern compensatory time off at MURC:

> Non-Exempt Personnel: Those who do not have supervisory responsibilities and do not have the responsibility to establish policies will normally work a 37½ hour week. If additional work time is required during the week, the non-exempt employee must notify their supervisor that additional work is required and should obtain approval for using compensatory time to offset that extra work. If compensatory time is taken in the same week as earned, straight time will apply.
>
> If a non-exempt employee works more than 40 hours in a week, they are eligible for overtime or compensatory time at the rate of 1½ times the normal rate. If compensatory time is selected in lieu of overtime the compensatory time thus earned must be used within 60 days from the date it was earned.
>
> Exempt Personnel: Those with supervisory and policy-setting responsibilities are expected to complete their responsibilities within a reasonable work week and will not normally be concerned with compensatory time. When work schedules become excessive for an extended period of time, they are expected to keep their supervisor informed regarding the need for additional support personnel.

Pay Deductions – 44

The law requires that Marshall University Research Corporation (MURC) make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. MURC also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." MURC matches the amount of Social Security taxes paid by each employee.

MURC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

The supervisor can assist employees with any questions about why deductions were made from pay or how those were calculated. If the supervisor is unable to answer the question, assistance may be obtained from the MURC Human Resources Department or Payroll Office.

Paydays – 41

Employees at the Marshall University Research Corporation (MURC) are paid semimonthly on the 15th and 30th or the 16th and 31st day of each month. Each paycheck will include earnings for all work performed through the end of the previous payroll period for hourly employees and to the end of the current payroll period for salaried employees.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday. If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or his return from vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to MURC. Employees will receive an itemized statement of wages when MURC makes direct deposits.

Time Reporting – 40

Accurately recording time worked is the responsibility of every employee at the Marshall University Research Corporation (MURC). Federal and state laws require MURC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. All work for which hours are reported in a time report must be actually completed before the employee submits his/her time report.

Employees should accurately record the time they work each day. Overtime work either that which will be paid overtime and that for which compensatory time off may be provide must be approved before it is performed.

Altering, falsifying, or tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. Employees should report to work at their scheduled starting time.

It is the employee's responsibility to sign his or her time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

GENERAL INFORMATION

Confidential Business Information and Non-Disclosure – 14

It is the policy of Marshall University Research Corporation (MURC) to protect confidential business information and trade secrets. Such confidential information includes but is not limited to the following examples:

New materials research
Pending projects and proposals
Proprietary production processes
Research and development strategies
Scientific data
Scientific formulae
Scientific prototypes
Technological data
Technological prototypes

Any employee who improperly uses or discloses confidential business information or trade secrets will be subject to disciplinary action, up to and including termination of employment, even if he or she does not actually benefit from the disclosed information. See also MURC HR Policy and Procedure 11, Workplace Actions or Behaviors Warranting Suspension or Termination.

Improper behavior with regards to the constraints set forth in this policy and procedure may arise from conflicts of interest. There may be other policies and procedures in effect at MURC that deal with conflicts of interests. Affected individuals should refer to the other policies and procedures on conflict of interest as appropriate and as needed. These include MURC HR Policy and Procedure 7, Financial Conflict of Interest.

Financial Conflict of Interest - 7

It is the policy of Marshall University Research Corporation (MURC) to conduct business within guidelines that prohibit actual or potential financial conflicts of interest. This policy establishes a general framework within which MURC needs to operate and creates general directions so that employees can resolve or seek advice or clarification on issues related to financial conflict of interest. Questions or concerns on the subject of this policy and procedure can be directed to the Executive Director of MURC or to the Director, Marshall University Human Resource Services.

An actual or potential financial conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal financial gain for that employee or for a relative as a result of MURC's business dealings. For the purpose of this policy, a relative is any

person who is related by blood or marriage to a MURC employee or whose relationship with a MURC employee is similar to that of persons who are related by blood or marriage.
No presumption of guilt is created by the mere existence of a relationship with outside firms. However, it is imperative that an employee discloses to a corporate officer as soon as possible any influence he/she may have concerning transactions involving purchases, contracts, or leases by, for, or with MURC. This will allow establishment of safeguards to protect all parties from the existence of any actual or potential financial conflict of interest.

Personal financial gain may result not only in cases where an employee or relative has a significant ownership in a firm that MURC does business with but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings with MURC.

This policy and procedure is not the sole policy of the corporation with regard to conflict of interest. Other MURC policies may exist with regard to other types of conflict of interest. This policy and procedure is confined to financial conflict of interest.

Drug and Alcohol Use – 52

It is the policy of Marshall University Research Corporation (MURC) to seek to provide a drug-free, healthful and safe workplace. To promote this goal, employees are required to report to work in the appropriate condition to perform their jobs in a satisfactory manner.

While on MURC owned, leased or rented property and while conducting business-related activities away from MURC facilities, no employee may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should obtain assistance or information from their supervisor or from the MURC Human Resources Department. Disciplinary action will not be taken against a MURC employee who voluntarily requests assistance in ending an alcohol or drug problem simply for the act of requesting assistance.

Drug-Free Workplace Policy - 2

The federal Drug-Free Workplace Act of 1988 requires that all institutions receiving grants from any federal agency certify that they will maintain a drug-free workplace. Marshall University Research Corporation has developed the following policy to accomplish this purpose.

POLICY:
MURC is committed to maintaining a workplace free from the unlawful manufacture, possession or distribution of controlled substances. All employees of MURC will receive a copy of this policy and must abide by this policy. Each employee agrees to notify his/her immediate supervisor within five days after any conviction under a criminal drug statute for a violation that occurs in the workplace. MURC (or Marshall University Human Resource Services which provides human resources support to MURC) will distribute literature informing employees of the dangers of drug abuse in the workplace, and provide information on any available drug counseling, rehabilitation, and employee assistance programs.

SANCTIONS:
An employee who violates this policy or who is convicted under a criminal drug statute for a violation occurring in the workplace will be subject to MURC's disciplinary procedure up to and including dismissal and may be required to participate satisfactorily in a drug assistance or rehabilitation program. State of West Virginia sanctions depend on the classification of the controlled substance, the particular activity involved (possession or trafficking) and whether multiple convictions are involved. Under West Virginia law, the most severe penalties for drug violations are for possession with intent to sell. On a first offense conviction, one may receive a fine of up to $25,000 and/or imprisonment for 15 years. Sanctions for violations of State alcohol laws vary according to the severity of the offense, with the minimum vehicular violation calling for imprisonment in the county jail for 24 hours, and a $500 fine. Federal sanctions for non-compliance with the Drug-Free Workplace Act of 1988 include suspension of payments under a grant; suspension or termination of a grant; and/or suspension or debarment from federal assisted activities.

MURC will make a good faith effort to comply with the drug-free workplace regulations.

Personal Appearance – 55

Marshall University Research Corporation (MURC) believes that dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image MURC presents to customers and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees are asked to consult their supervisor or department head if there are questions about what constitutes appropriate attire.

Emergency Closings - 50

The Marshall University Research Corporation (MURC) complies with declarations of closings, cancellations, or delays that are made by Marshall University (MU) under the provisions of Marshall University Board of Governors Policy GA-9, Policy Regarding Weather-Related and/or Emergency Closings and Delays, viewable at this link:

http://www.marshall.edu/president/board/Policies/MUBOG%20GA-%209%20Weather%20Closings%20and%20Delays.pdf

Any official announcement of a weather-related delay or closing by MU shall apply to all the employees of and facilities owned, leased, or rented by MURC, except for the exception noted in the next paragraph. In the event that a delay is declared by MU or if classes are cancelled at MU, the employees of the Child Development Academy will report to work as normally scheduled. If the closing of the University is declared, the employees of the Child Development Academy do not report to work for the duration of the closing.

In rare circumstances, a MURC unit located apart from the Marshall University main campus or its immediate environs may encounter a situation where it must delay opening, close altogether, or close early. Any such schedule modifications must be approved in advance by the Marshall University Vice President for Research; Senior Vice President for Academic Affairs/Provost; and/or the Senior Vice President for Finance and Administration.

At times, emergencies such as severe weather, fires, or power failures may apply uniquely to facilities owned, leased, or rented by MURC and may require a closing or delay. In such circumstances, the MURC administration may disseminate to radio and/or television stations an announcement of a closing or delay that applies only to MURC even if MU did not make a similar announcement.

When a closure or delay applying to MURC is announced, the time off from scheduled work will be paid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

Solicitation – 58

In an effort to assure a productive and harmonious work environment, persons not employed by Marshall University Research Corporation (MURC) may not solicit or distribute literature in the workplace or sell or attempt to sell any products or services at any time for any purpose not directly work-related. MURC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Further, MURC employees may not sell or attempt to sell products or services related to outside business interests they may be associated with at any time when the soliciting employee or the solicited employee is on work time. (Working time does not include lunch periods or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for information such as the following: affirmative action statement; employee announcements; internal memoranda; job openings; organizational announcements; payday notice; workers'

compensation insurance information; and/or state disability insurance/unemployment insurance information.

If employees have a message of interest to the workplace, they may submit it to the Executive Director of MURC for possible approval for distribution to all employees. All approved messages will be posted by the Executive Director's office.

Visitors in the Workplace – 51

To provide for the safety and security of employees and the facilities at Marshall University Research Corporation (MURC), only authorized visitors are allowed in the workplaces owned, leased, rented by MURC. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter a MURC facility at the front door or go to a designated reception area. Authorized visitors will receive directions or be escorted to their destination. MURC employees are responsible for the conduct and safety of their visitors.

Use of Telephones – 48

All telephones and telephone connectivity owned or leased by Marshall University Research Corporation (MURC) are for official use only. Employees may be required to reimburse MURC for any charges resulting from their personal use of the telephone. Telephone contacts are a vital form of interaction between MURC and its clients. To project a professional image to callers, MURC employees are asked to use an approved greeting and speak in a courteous and professional manner. MURC employees are asked to confirm information received from telephone callers and hang up only after the caller has done so.

MARSHALL UNIVERSITY RESEARCH CORPORATION HUMAN RESOURCE SERVICES POLICIES AND PROCEDURES APPEAR ON THE MURC WEB SITE. TO NAVIGATE TO THE HUMAN RESOURCES POLICIES AND PROCEDURES, PLEASE CLICK ***HUMAN RESOURCES*** *ON THE MURC HOME PAGE AT http://www.marshall.edu/murc/. FOR ANY QUESTIONS ON THIS POLICY, PLEASE CONTACT MURC HUMAN RESOURCE SERVICES, ONE JOHN MARSHALL DRIVE (207 OLD MAIN), HUNTINGTON, WV 25755.*