



WVSVU Research &
Development Corporation

Employee Handbook

Any and all previous editions of this Handbook are hereby revoked, and the provisions contained herein are effective on and after March 3, 2016.

The brief descriptions of the policies set forth in this handbook are only a guide. They are not intended to create a contract of employment between the Corporation and any of its employees, nor should they be deemed to do so.

TABLE OF CONTENTS

INTRODUCTION

Welcome.....	5
A Closer Look: Who We Are, What We Do.....	7
Establishment.....	8
Purpose.....	8
Structure.....	8
WVSU R&D Code of Business Conduct and Ethics.....	9
Management Functions.....	10

YOUR JOB

Nature of Employment.....	13
Equal Employment Opportunity.....	13
Harassment.....	13
Employee Relations.....	16
Hiring of Relatives.....	16
Conflicts of Interest.....	16
Handling of Confidential Information.....	17
Disclosure of Inventions and Ownership of Intellectual Property.....	17
Contractual Agreements.....	17
Immigration Law Compliance.....	17
Employment Categories.....	17
Performance Management.....	18
Tobacco-Free Workplace.....	18
Personnel Files.....	19
Personnel Data Changes.....	19
Employment Reference Checks.....	19
Attendance.....	20
Work Schedule.....	20
Drug-Free & Intoxicant-Free Workplace.....	20
Workers' Compensation and Safe Workplace.....	21

YOUR COMPENSATION & BENEFITS

Your Compensation.....	25
Getting Paid: Paydays and Paychecks.....	25
Overtime.....	25
Payroll Deductions.....	26
Timekeeping.....	26
Employee Benefits.....	27
Annual Leave.....	27
Sick Leave.....	28
Holidays.....	29
Medical/Dental/Vision & Life Insurances.....	29
Retirement.....	29
Longevity Bonus.....	30
Bereavement Leave.....	30
Jury Duty or Subpoenaed Court Appearance.....	30
Employee Assistance Program.....	30
Unemployment Compensation.....	31

YOUR COMPENSATION & BENEFITS (cont'd)

Social Security	31
Secondary Employment	31

PROCEDURES

Emergency Response Plan	35
Corporate Property	35
University Mail System	35
Technology Use	35
Cellular Telephones.....	36
Emergency Closings and Inclement Weather	36
Employee Identification and Parking Permits.....	37
Visitors in the Workplace	37
Animals in the Workplace.....	37
Children in the Workplace	38
Grievances.....	38
Family and Medical Leave and Military Family Leave.....	39
Personal Leave Without Pay	42
Military Leave.....	42

STANDARDS

Employee Conduct and Work Rules	45
Disciplinary Practices	46
Appearance in the Workplace	46
Restrictions on Solicitation	47
Gambling, Betting and Lotteries.....	47
Whistleblowing.....	47
Termination of Employment	48

ACKNOWLEDGMENT AND RECEIPT.....	53
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Dear R&D Employee:

We are pleased to provide you with the WVSU R&D Employee Handbook for your benefit and convenience. We hope this information helps guide you through your work life with us.

Please carefully read the enclosed Employee Acknowledgment Form at the end of this handbook, then sign and return it to the HR office within 15 days of receipt. The signed form will be retained in your personnel file. By signing the form, you are acknowledging your obligation to carefully read your Handbook and to refer to it in the future as needed.

If you have any questions about the information contained herein, please contact the Human Resources Director for the Research & Development Corporation.

Thank you,

Human Resources

HANDBOOK GUIDELINES

This Handbook provides guidelines for many of the WVSU R&D Corporation's standards of conduct, employment practices and employee benefits. Employees are required to abide by the information set forth, as well as any specific department or location policies and procedures that may be provided.

The information set forth within this document is not to be construed as a contract, guaranteeing employment for any specific duration. Either you or the Corporation may terminate the employment relationship at any time, with or without cause or notice. Further, no manager or other representative of the Corporation, other than the Executive Director, may make any contracts, promises or commitments contrary to the foregoing principles, and executed in writing by you and the Executive Director. The Corporation also reserves the right to modify or terminate any of its policies or its benefit programs at its sole discretion, or to require or to increase the premiums required to contribute to benefit programs.

Your knowledge and understanding of the policies and procedures will benefit both you and the organization. If you have any questions, please see your supervisor, your Human Resources Director, or the Executive Director.

As modifications are necessary, you will be provided with pages to replace those updates within the manual. The most recent policy in effect will prevail.

INTRODUCTION TO WVSVU R&D CORPORATION

WELCOME



Welcome to WVSU R&D Corporation – a Corporation with a tremendous history and a strong foundation for an exciting future! As Executive Director, I am proud to have the privilege of leading a Corporation whose mission is to foster and support the research and extension activities of West Virginia State University.

Yours truly,

A handwritten signature in black ink, appearing to read 'O. F. McMeans'.

Dr. Orlando F. McMeans
*Vice President for
Research & Public Service
and Executive Director,
R&D Corporation*

A CLOSER LOOK: WHO WE ARE, WHAT WE DO

Our VALUES

- We conduct all our business activities at the highest ethical and legal standards.
- We are committed to quality and continuous improvement in everything we do.
- We consider excellent relationships and service to our customers and the students and administration of WVSU to be integral to our success.
- We base all research and development on sound science.
- We treat each other with respect, listen to each other's opinions, and honor our coworkers' individuality and personal dignity.
- We embrace a culture of diversity, teamwork and trust.
- We demonstrate social responsibility through our actions in the communities where we operate.

Our PEOPLE

- WVSU R&D Corporation's people form a unique universe of multinational, multidisciplinary, dedicated and successful men and women.
- The tenure and caliber of WVSU R&D Corporation's staff is a major competitive advantage. WVSU R&D Corporation's people are invaluable and its principal asset.

Our CULTURE

- WVSU R&D Corporation fosters an open and trusting work environment where each individual is treated equally, with dignity and respect. WVSU R&D Corporation encourages:
 - Multi-functional teamwork
 - Readily accepting personal accountability
 - Creativity

ESTABLISHMENT

The West Virginia State University Research and Development Corporation is a legal entity sanctioned by the United States Internal Revenue Service as a Section 501(c)(3) foundation and authorized under Senate Bill 520 passed by the West Virginia Legislature in 1988. The Board of the Corporation is composed of faculty, staff and administrators of the University, as appointed by the President.

The Research and Development Corporation was established as the fiscal agent of the University to allow greater flexibility in managing federal, state and private foundation grant funds and to facilitate utilization of grant funds in contracting for research support and public service activities.

PURPOSE

The purpose, for which the Corporation is organized, is to operate as a nonprofit corporation exclusively for charitable, educational and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, including by way of illustration but not by way of limitation, the following directly related purposes:

- To solicit, receive, accept, hold, administer, invest and disburse for charitable, educational and scientific purposes, funds given to the corporation by any persons, corporations, foundations or governmental agencies, and to that end to take and hold by bequest, devise, gift, grant, purchase, lease or otherwise, either absolutely or jointly with any other person, persons, or corporations, any property, real, personal, tangible or intangible, or any undivided interest therein, without limitations as to amount or value; to sell, convey, or otherwise dispose of any such property and to invest, reinvest or deal with the principal or income thereof in such manner as, in the judgment of the board of directors, will best promote the purposes of this corporation without limitation; to make distributions for its exempt purpose, including but not limited to distributions to other charitable, educational and scientific organizations that qualify as exempt organizations under section 501(c) of the Internal Revenue Code for which the purpose of accomplishing the purposes set forth herein;
- To foster, support, participate in and assist in any research and economic development activities in furtherance of West Virginia State University; to act for and on behalf of the University in the solicitation and receipt and disbursement of funds for grants and contracts pursuant to the educational objectives of the University; to assist and act for and on behalf of the University with respect to training and educational activities and with respect to matters such as service, scholarships, fellowships, publications and endowments, together with all other purposes consistent with the educational objectives and mission of the University;
- To enter into agreements, joint ventures or other corporate undertakings to facilitate and further the overall purpose of the corporation; and
- In general to do all things that may appear necessary and useful in accomplishing the purpose set forth herein.

STRUCTURE

The initial Board of Directors was formed by 11 voting members and other non-voting members as determined by the Chairperson as listed in the Articles of Incorporation. Currently, the Board of Directors is comprised of 17 members. The directors shall be qualified by training and experience in the areas of business or higher education. The directors serve at the will and pleasure of the Chairperson of the Board. Furthermore, according to the Corporation's bylaws, the President of West Virginia State University is appointed to serve as the Chairperson of the Board. The Chairperson acts as the highest authority of the Corporation.

ORGANIZATIONAL STRUCTURE



WVSU R&D CODE OF BUSINESS CONDUCT AND ETHICS

WVSU R&D Corporation has a firm commitment to do business the right way. By enacting a Code of Business Conduct and Ethics, the Corporation sets forth the values, principles and conduct that the WVSU R&D Corporation expects of all employees, officers and directors.

- WVSU R&D Corporation will do business in compliance with all applicable laws and regulations.
- WVSU R&D Corporation employees will demonstrate high ethical principles in the manner in which they conduct business.
- Conflicts between an individual's private interests and those of WVSU R&D Corporation are to be disclosed and resolved.
- Business gifts and entertainment must comply with applicable laws and regulations.
- All employees, officers and directors shall deal fairly with each other, as well as all students, faculty, administrators, suppliers and competitors.
- WVSU R&D Corporation is committed to a respectful workplace for all its employees. Discrimination and harassment, in any form, are strictly prohibited.
- WVSU R&D Corporation will adhere to high standards in providing a healthy, secure and safe workplace for all employees and comply with all applicable laws and regulations.
- WVSU R&D Corporation employees, officers and directors will use all reasonable means to protect the confidentiality and security of all business information and systems including confidential employee data, business strategies, etc.
- The assets of WVSU R&D Corporation, except as expressly allowed, should only be used for WVSU R&D Corporation business.

- It is the responsibility of all employees, officers and directors to enforce these values and report any illegal or unethical behavior in compliance with individual rights.
- No employee, officer or director shall retaliate against anyone who, in good faith, reports what he or she suspects to be illegal or unethical behavior.

MANAGEMENT FUNCTIONS

WVSU R&D Corporation retains the right to exercise customary managerial functions, including, but not limited to, the right to:

- Select, hire, assign, supervise, correct and dismiss employees.
- Decide and change performance standards and expectations, and evaluate employees' performance.
- Decide and change reporting times, quitting times and shifts.
- Transfer employees within departments or into other departments and other job classifications.
- Decide and change the size and qualifications of the workforce.
- Decide and change the methods by which operations are carried out.
- Manage and control the premises and equipment.
- Assign duties to employees according to the needs and requirements decided by Management.
- Establish, change and abolish policies, practices, procedures, rules and regulations.

YOUR JOB

NATURE OF EMPLOYMENT

Employment with the Corporation is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Corporation may terminate the employment relationship at will at any time, with or without cause, for any lawful reason.

EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions of the Corporation will be based on merit, qualifications and abilities. The Corporation does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability or any other characteristic prohibited by law from forming a basis for an employment decision.

The Corporation will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, promotion, compensation, discipline, termination and access to benefits and training.

Employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Human Resources Director or the presiding officer of the Corporation. If the problem involving harassment or discrimination involves the employee's immediate supervisor or an officer of the Corporation, the employee may bring the problem to the attention of the Human Resources Director, the Executive Director, or the Chairperson of the Corporation. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination or harassment will be subject to disciplinary action, up to and including termination of employment.

EEO STATEMENT AND POLICY PROHIBITING ILLEGAL DISCRIMINATIONS AND HARASSMENT

West Virginia State University Research & Development Corporation is committed to the principals of Equal Employment Opportunity and to making employment decisions based on merit and value. We are committed to complying with all federal, state, and local laws regarding Equal Employment Opportunities, as well as all laws related to terms and conditions of employment. We desire to maintain a work environment, which is free of harassment or discrimination because of sex, race, religion, color, national origin, physical or mental disability, marital status, age, genetic information, or any other status protected by federal, state or local laws. Additionally, West Virginia State University Research & Development Corporation will make every reasonable effort to accommodate those physical or mental limitations of an otherwise qualified employee, unless undue hardship would result for West Virginia State University Research & Development Corporation.

Just as West Virginia State University Research & Development Corporation bears a responsibility towards this policy, each employee must clearly communicate their disinterest in, or offense taken to, any perceived discrimination or harassment. We are all responsible for upholding this Equal Employment Opportunity policy and commitment. Equal Employment Opportunity laws afford each one of us the chance to succeed or fail based on individual merit.

Non-Harassment

West Virginia State University Research & Development Corporation believes we should all work in an environment free from unwarranted harassment. Sexual, racial, ethnic and other forms of harassment of, or by, employees, vendors, visitors, customers and clients is forbidden by law and will not be tolerated by West Virginia State University Research & Development Corporation.

Harassment may include, but is not limited to:

- Offensive or derogatory jokes, comments, slurs, kidding or teasing;
- Threatening, intimidating, or unwelcomed touching or other actions;
- Written or graphic material, including pictures, cartoons or posters, which are offensive, pornographic or denigrating.

Prohibited sexual harassment is defined as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment are provided below: (a) unwelcome requests for sexual favors; (b) lewd or derogatory comments or jokes; (c) comments regarding sexual behavior or the body of another employee; (d) sexual innuendo and other vocal activity such as catcalls or whistles; (e) obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature; (f) continuing to express sexual interest after being informed that interest is unwelcome; (g) retaliating against an employee for refusing a sexual advance or reporting an incident of possible sexual harassment to West Virginia State University Research and Development Corporation or any government agency; (h) offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; (i) any unwanted physical touching or assaults, or blocking or impeding movements.

WE WILL NOT TOLERATE ANY FORM OF DISCRIMINATION OR HARASSMENT! Any employee who feels that he or she has witnessed, or been subject to, any form of discrimination or harassment **is required to immediately** notify their supervisor, human resources manager or other supervisors at West Virginia State University Research & Development Corporation. Research & Development Corporation will promptly investigate any claim and take appropriate action. We will impose appropriate sanctions against any person found to be in violation of this policy. These sanctions may include, but are not limited to reprimand, suspension, demotion, transfer and discharge. The complainant will be informed of all such remedial action.

Retaliation Prohibited

Retaliation and/or reprisals against an individual who in good faith reports or provides information in an investigation about behavior that may violate this policy are against the law and will not be tolerated. Intentionally making a false report or providing false information, however, is grounds for discipline.

West Virginia State University Research & Development Corporation prohibits retaliation against any employee who brings forth any complaint or assists in the investigation of any complaint.

Confidentiality

West Virginia State University Research & Development Corporation recognizes that confidentiality is important. Those responsible for implementing this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible. Examples of situations where confidentiality cannot be maintained include circumstances when West Virginia State University Research & Development Corporation is required by law to disclose information (such as in response to legal process) and when disclosure is required by West Virginia State University Research & Development Corporation's outweighing interest in protecting the rights of others.

For Further Information

Any employee who believes he or she has been subject to unlawful discrimination, harassment or retaliation may also raise his or her concerns to the Equal Employment Opportunity Commission or State Fair Employment Office which can be found in the local White Pages. The address, telephone number, and website for the EEOC office is: 1801 L Street, N.W., Washington, D.C. 20507, (202) 663-4900 www.eeoc.gov.

Americans with Disabilities Act (ADA) [for more than 15 Employees]

West Virginia State University Research & Development Corporation's policy is to select and retain the best-qualified applicant for each available job. An applicant's or employee's disability will not remove the applicant from consideration or the current employee from his/her job if the applicant or employee is otherwise qualified and is able to perform the essential functions of the job with or without reasonable accommodation.

Qualified applicants or employees who inform West Virginia State University Research & Development Corporation that they have a physical or mental disability, which is protected by the Americans with Disabilities Act, will be given reasonable accommodation unless such accommodation will result in undue hardship. A reasonable accommodation is defined as any modification or adjustment to a job, employment practice or the work environment, which will make it possible for an individual with a disability to enjoy an equal employment opportunity.

In addition, West Virginia State University Research & Development Corporation will ensure that the application process reasonably accommodates applicants who may have a protected disability.

Procedure for Reasonable Accommodation Requests:

- Employee advises supervisor or Human Resources Department of the need for accommodation.
- Supervisors must submit a request for an accommodation to the Human Resources Manager on behalf of job applicants or current employees who are otherwise qualified but require an accommodation.
- If an appropriate accommodation is readily available, the request will be approved and the accommodation implemented.
- Once an accommodation is identified, the Human Resources Department will submit the request to the Executive Director for final review.

The Executive Director will review the suggested accommodation for reasonableness. If the suggested accommodation is approved, they will authorize the supervisor to implement the accommodation.

EMPLOYEE RELATIONS

The Corporation believes that the work conditions, wages and benefits it offers to its employees are competitive with those offered by other employers in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors or the presiding officer of the Corporation.

HIRING OF RELATIVES

Relatives of R&D Corporation employees may be considered for employment, provided they are qualified for the position for which they apply. There are circumstances, however, where the practice is not advisable. An employee may not report to a relative, nor can a relative be employed if it is deemed a business conflict. 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.

If through a relationship established between present employees it is determined a business conflict is created, then a reasonable amount of time will be allowed for the affected employees to decide who must resign (terminate) their employment. If the employees are unable to make a decision, and if no viable transfer opportunity within the Corporation can be located, Management will decide which employee will be terminated. This decision will be based upon overall consideration for the good of the organization. Such evaluation will take into account, but not be limited to, performance ratings, position/rank with the Corporation and seniority.

CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Corporation wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Executive Director for more information or questions about conflicts of interest.

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

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, it is imperative that an employee disclose to the Corporation's Executive Director as soon as possible any influence he or she may have concerning transactions involving purchases, contracts or leases which may benefit a relative. This will allow establishment of safeguards to protect all parties from the existence of any actual or potential conflict of interest.

Prohibited personal gain includes situations in which an employee or relative receives any kickback, bribe, substantial gift or special consideration as a result of any transaction or business dealings involving the Corporation.

HANDLING OF CONFIDENTIAL INFORMATION

Anyone having access to confidential information holds a unique position, whether the confidential information involves salaries, hiring strategies, employment information, financial data or conditions, research and development strategies, projects, grants, patents, proposals, business plans, investments, data, or other information. No employee or contractor, at any time during the term of employment or affiliation with the Corporation or thereafter, directly or indirectly, is permitted to divulge or disclose any confidential information whatsoever to any person inside the Corporation without need to know or outside the Corporation without express written consent of the Executive Director or the Executive Director's designee.

DISCLOSURE OF INVENTIONS AND OWNERSHIP OF INTELLECTUAL PROPERTY

Because of the research nature of the Corporation's work, it may be within the scope of your position to be involved with inventions and discoveries. Please understand that the Corporation solely owns all rights, title and interests in and to all inventions conceived or made or contributed to by each employee while the employee is or was in the employ of the Corporation and within two years subsequent to the employee's employment with the Corporation. Such work includes any discovery, idea, device, process, design, development, improvement, conception, concept, application, technique or invention, whether patentable or not and whether reduced to practice or not. The full policy related to this section may be reviewed in the Policy Manual available in the Human Resources Office.

CONTRACTUAL AGREEMENTS

Only the Executive Director, the University President, or their stated designees may enter into contractual agreements binding the Research and Development Corporation. No employee is to obligate the Corporation in a contractual agreement either by signature or verbally without the express written consent of the Executive Director or his or her designee.

IMMIGRATION LAW COMPLIANCE

The Corporation 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. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility before start of employment.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Director.

EMPLOYMENT CATEGORIES

Each employee is designated as either exempt or nonexempt from federal and state wage and hour laws. Exempt employees are excluded from specific provisions of federal and/or state wage and hour laws and are classified as such based on supervisory responsibilities, professional or administrative status, or other qualifying designation. Non-exempt employees are entitled to overtime pay under the specific provisions of Federal laws.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work the Corporation's full-time schedule of 37.5 or more hours per week.

REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than the full-time work schedule of 37.5 or more hours per week.

TEMPORARY employees are those who are hired to temporarily supplement the workforce or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits, such as Social Security and worker's compensation insurance, they are ineligible for the entire Corporation's other benefit programs.

CASUAL employees are those who have established an employment relationship with the Corporation but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits, such as Social Security and worker's compensation insurance, they are ineligible for the entire Corporation's other benefit programs.

INDEPENDENT CONTRACTORS are not employees of the Corporation and are ineligible for all of the Corporation's benefit programs.

PERFORMANCE MANAGEMENT

All employees are expected to meet the standards and requirements of their positions and work efficiently and harmoniously. During your employment with WVSU R&D:

- Your supervisor will review and provide you feedback regarding your job performance.
- Your supervisor will undertake a formal review of your performance at least once a year.
- Consideration will be given to the quality and quantity of your work as well as your attendance, initiative and other qualities observed in your performance standards.
- Your supervisor may conduct a performance review when your work performance is unsatisfactory and as necessary place you on a determined work performance probationary period and provide you with a plan of improvement. Calculation of your work performance probationary period is based on actual days of work. A workday constitutes a minimum of four hours of actual work.
- You may ask your supervisor to see the job description applicable to your position at any time.
- Based upon your evaluations and the Corporation's budget, your salary may be increased. Increases in your salary are not an automatic part of the performance review process; increases are awarded at the Corporation's discretion.

TOBACCO-FREE WORKPLACE

In keeping with the Corporation's intent to provide a safe and healthful work environment, tobacco use is prohibited throughout the workplace, including in Corporation- or University-supplied vehicles. This policy applies equally to all employees, customers and visitors. As with other policies regarding standards of conduct, the normal disciplinary processes will be utilized to address violations.

PERSONNEL FILES

The Corporation maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Corporation, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the Corporation who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the office of the Human Resources Director. With reasonable advance notice, employees may review their own personnel files in Corporation offices and in the presence of an individual appointed by the Corporation to maintain the files. Employees may not remove any documents from their personnel files.

PERSONNEL DATA CHANGES

It is the responsibility of the employee to promptly notify the Corporation of any changes in personnel data. Please visit the HR or Payroll office if you have changes to any of the following:

- Address
- Telephone number
- Legal name, if changed by marriage or otherwise
- Marital status
- Emergency contact information
- Dependents
- Life insurance beneficiary
- TIAA beneficiary

You should report any change in your personal or family status as soon as possible. Remember, some changes, such as marriage, divorce, the birth or adoption of a child, or the loss of a job by your spouse, could allow you to make changes to your WVSU R&D Corporation benefits. But any such change is allowed only if you notify us of the change in your status within a certain number of days (usually within 30 days). Supervisors are responsible for completing required forms to document other changes in your status, such as a new title, transfer, promotion, reporting under a new funding source, etc.

The Corporation is not responsible for adverse consequences to the employee resulting from the employee's failure to notify the Corporation of changes in personnel information.

EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join the Corporation are well qualified and have a strong potential to be productive and successful, it is the policy of the Corporation to check the employment references of all applicants.

The Corporation will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to confirmation of position(s) held and periods of employment. Only the Executive Director may provide an employment reference for a current or former employee.

ATTENDANCE

You were hired to do a job. We need you here to perform that job and maintain the efficiency and productivity of WVSU R&D Corporation. Your attendance has a direct bearing on how well you perform your job. That's why attendance weighs heavily in your performance evaluation. You are expected to keep your supervisor informed of your schedule.

- If you need to arrive late or leave early, or if you are unable to attend work for any reason, you must personally notify your immediate supervisor prior to your scheduled starting or departure time or in accordance with your department policies.
- An absence from work for three (3) consecutive days without contacting your supervisor is considered to be job abandonment.
- Provisions have been made for you to have annual and sick leave benefits, as well as holidays, as covered in the section entitled "Benefits."

WORK SCHEDULE

Your regular work schedule will be well defined by your supervisor, regardless of your job with WVSU R&D Corporation. Our typical workweek for full-time staff is 37.5 hours, with hours from 8:30 a.m. to 5:00 p.m. with an hour for lunch. Working hours may be adjusted according to department or university need. Summer hours will be in accordance with the university schedule and will be announced in advance, but are typically 8:00 a.m. to 4:00 p.m. with a half-hour lunch.

DRUG-FREE AND INTOXICANT-FREE WORKPLACE

You are expected and required to report to work on time and in appropriate mental and physical condition for work. Our intent and obligation are to provide a drug/intoxicant-free, healthful, safe and secure work environment. Therefore, we have adopted a Drug and Intoxicant-Free Workplace Policy.

If you are taking a Legal Drug and the Legal Drug provides warnings and/or precaution statements concerning possible impairment of judgment, coordination or other senses important to the safe and productive performance of work, you must notify your immediate supervisor prior to starting work that day. Your supervisor may determine whether you can work and impose any necessary work restrictions while you are taking such Legal Drug.

The unlawful manufacture, distribution, dispensation, possession or use of a Controlled Substance, Drug Paraphernalia, Illegal Drug or Intoxicant on WVSU R&D premises or while conducting Corporation business off premises is absolutely prohibited. Violations of this policy will result in corrective action up to and including termination of employment, and may have legal consequences.

The WVSU R&D Corporation recognizes intoxicant and drug abuse as a potential health, safety and security problem. If you need help in dealing with such problems, you are encouraged to use our Employee Assistance Resource Program (EARS) and medical/health insurance plans, as appropriate. Conscientious efforts to seek help for an alcohol or substance abuse problem will not jeopardize your job and will not be noted in your personnel records.

When there is evidence to reasonably suspect that an employee has reported to work or is working impaired due to an intoxicant, illegal, or prescription drugs, the employee may be asked to submit to Drug/Intoxicant/Alcohol testing. You must, as a condition of employment, abide by the terms of this policy, submit to Drug/Intoxicant/Alcohol testing and report any conviction under a criminal drug statute. In addition, you have an ongoing obligation to report any conviction under a criminal drug statute. A report of a conviction must be

made to the Human Resources Director or the Executive Director within five days after the conviction. This requirement is mandated by the Drug Free Workplace Act of 1988. For more detailed information, consult the Human Resources Director.

A violation of the Substance Abuse Policy and/or your refusal to cooperate with the requirements in the policy may result in corrective action up to and including termination of employment. The Corporation reserves the right to make reasonable determinations regarding your physical ability to perform your job assignments, including any mental or physical impairment that may adversely affect your health and well-being or the health and well-being of others. When reasonable suspicion of substance abuse exists and you refuse to submit to a Drug/Intoxicant/Alcohol test, you will be subject to corrective action up to and including termination.

WORKERS' COMPENSATION AND SAFE WORKPLACE

The Corporation provides workers' compensation insurance to its employees. The program covers any injury or illness sustained on the job, in the course of employment, that requires medical, surgical or hospital treatment in accordance with the West Virginia Workers' Compensation Act.

Employees who sustain work-related injuries or illnesses must inform their supervisor immediately, regardless of the severity or type of injury. An Accident Injury Report should be completed within three business days of the injury. The information received helps to identify workplace hazards for follow-up and prevention of recurrence.

If you ever come in contact with another person's blood or other bodily fluid while at work (no matter what the circumstances), it must be reported to the West Virginia State University Department of Public Safety. This confidential information would be vital in the event that the person suffering blood loss had a blood-borne infection.

The West Virginia State University Department of Public Safety provides 24-hour police coverage for the campus. The officers are certified police officers and are required to have formal training at the West Virginia State Police Academy. There are also contract security personnel for special events and for patrolling the parking lots.

The Corporation provides information to employees about workplace safety and health issues through regular internal communication channels, such as supervisor-employee meetings, bulletin board postings, memos, emails 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.

**YOUR
COMPENSATION
&
BENEFITS**

YOUR COMPENSATION

At WVSU R&D Corporation, the majority of positions are grant-funded. All employment is contingent upon the continuation of the grant for which the position was created. When funding is discontinued or is known to be expiring, every effort will be made to provide ample notice to affected employees so that other opportunities might be made available, either internally or externally.

GETTING PAID: PAYDAYS AND PAYCHECKS

Paydays are the 15th and 30th of the month for those months with 30 days and the 16th and 31st for those months with 31 days. The February payday is the last working day of the month. If a payday falls on a weekend, you will be paid the preceding Friday. If a payday falls on a scheduled holiday, you will be paid on the last working day before the holiday.

Here are a few other important details about your payday and paycheck:

- For your convenience, WVSU R&D Corporation will deposit your paycheck directly to your bank, if you want and authorize us to do so. Please contact Payroll or Human Resources to set up or change automatic deposits of your paycheck.
- Your paycheck stub is a record of your total earnings for a period and shows deductions for federal withholding tax, Social Security, WVSU R&D Corporation group insurance and other benefits. Those with Direct Deposit will have the stub sent to the home address or delivered via campus mail.
- Normally, WVSU R&D Corporation will not help creditors collect personal debts from its employees; however, the Corporation must act in accordance with Federal and State laws regarding garnishments, levies, judgments, child support and similar actions that can affect your paycheck.
- Your supervisor or the Payroll Department will answer questions about your paycheck.

OVERTIME

Overtime is time worked in addition to an employer's regularly scheduled hours of work and/or designated straight hours to work in a work cycle. Overtime is considered a condition of employment, and refusal to accept it when reasonable notice has been given is cause for discipline, up to and including termination.

Eligibility for Overtime

- In accordance with the Federal Labor Standards Act (FLSA), nonexempt employees are eligible to receive overtime pay at a rate of one and one-half times their regular pay for time physically worked in excess of 40 hours per workweek.
- Approved paid absences, including but not limited to sick leave, vacation leave, holiday leave, FMLA, military leave, jury and witness duty, funereal/bereavement leave, and voting time off, is paid at the employee's regular rate of pay, but are not counted as time worked for the purpose of computing overtime.
- Exempt employees are not eligible for overtime; they are expected to work as many hours as required to perform the duties of the position.

Scheduling and Working Overtime

Before working overtime...

- The employee must have a written approval from his or her supervisor. Failure to obtain written approval can result in disciplinary action.

- Overtime compensation must have been determined – monetary payment or compensatory time in lieu of payment – prior to the overtime being worked.
- Compensatory time in lieu of payment is by mutual agreement.
- Exceptions, in case of emergencies, an employee may work overtime without written approval under the immediate supervisor’s request. As soon as reasonably possible, the supervisor should contact the Vice President of designee, informing and justifying such overtime use.
- All overtime hours must be recorded on the Research and Development Corporation Daily Time Sheet for hourly workers indicating either overtime payment due or compensatory time in lieu of pay.

Supervisor’s Responsibility

- It is the responsibility of the immediate supervisor to monitor employee’s work schedules.
- Scheduling of overtime should be discussed and approved by the Vice President (or their designee) of your division. Failure to monitor employees’ schedules and overtime hours’ worked may result in disciplinary action.
- In cases of emergency, the need to have employees work overtime may be critical. As soon as possible, employees’ staffing needs should be discussed with the supervisor’s immediate supervisor.

PAYROLL DEDUCTIONS

Certain mandatory deductions are made each payday: Federal income tax, State income tax, Federal employment taxes (FICA), and deductions related to participation in employee benefit plans, if applicable. The amount of Federal and State withholding is dependent upon salary and the number of exemptions claimed on the W-4 form.

If the employee elects to participate in one of the optional programs (e.g., PEIA health, PEIA life, PEIA optional life, Mountaineer Flex, TIAA-CREF’s SRA, etc.), deductions will be made according to the optional program and applicable time period.

TIMEKEEPING

Accurate recording of time worked is the responsibility of every employee. Federal and State law requires the Corporation 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.

Employees should accurately record the time they work each day. Overtime work must always 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.

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.

The Corporation 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 unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Corporation so that corrections can be made as quickly as possible.

EMPLOYEE BENEFITS

Eligible employees of the Corporation are provided with a wide range of benefits. Many of the benefits are mandated by law, such as Social Security, Workers' Compensation and Unemployment.

Eligibility for benefits which are not mandated by law is defined in the respective plan documents which describe terms of eligibility, scope of the benefits and claims procedures. Upon employment, employees will be provided with a list of the benefits for which the employee is eligible, if any, and with all documents which describe the benefits. To the extent that the description of any benefit set forth in this handbook differs from the terms of any benefit plan document or summary plan description for that benefit, the benefit plan document or summary plan description is the official policy.

Some benefit programs require employee contributions. The Corporation reserves the right to modify or eliminate benefit programs that are not legally mandated, at any time for any reason. The listing of these benefit programs does not give rise to a guarantee that they will remain in place or provide the same level of benefit as they currently do.

ANNUAL LEAVE

Annual leave with pay is available to eligible employees to provide opportunities for rest, relaxation and personal pursuits. It is a means of allowing the employee to be away from work without losing pay. It is not compensation for work performed.

Employees in the following employment classification(s) are eligible for and may use annual leave time as described in this policy:

- Regular full-time employees
- Regular part-time employees

The amount of paid annual leave for which employees are eligible each year increases with the length of their employment. Annual leave is credited to the employee's balance on the last day of each month and cannot be used until accrued. The accrual amount and service eligibility governing the accrual rate are shown in the chart below.

ANNUAL LEAVE ELIGIBILITY SCHEDULE

Years of Eligible Service	Annual Leave Monthly	Annual Leave Per Year
Upon initial eligibility	1.25 days	15 days
After 5 years	1.50 days	18 days
Ten – Fifteen Years	1.75 days	21 days
After 15 years	2.00 days	24 days

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

The length of eligible service is calculated on the basis of a “benefit year.” This is the 12-month period that begins when the employee starts to accumulate eligibility for 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 accumulate eligibility for annual leave according to the schedule. They can request use of annual leave after becoming eligible for it.

Annual leave can be used in minimum increments of one-quarter (.25) 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 annual leave. It does not include overtime or any special forms of compensation.

As stated above, employees are encouraged to use available annual leave for rest, relaxation and personal pursuits. In the event that an employee does not exhaust his or her annual leave eligibility in a given year, the employee may carry unused time forward to the next benefit year. The total amount of annual leave for which an employee may be eligible at any time is capped at equal the amount of annual leave eligibility for one year. All annual leave days above the capped level not used will be lost. This policy is necessary due to grant appropriations. The year on which the Corporation operates for purposes of this policy is July 1–June 30.

Upon termination of employment, employees will be paid for unused annual leave up to the amount at which annual leave eligibility is capped.

SICK LEAVE

The Corporation provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees

Eligible employees will have a bank of 18 days per benefit year to use for sick leave. The amount of paid annual leave for which employees are eligible each year increases with the length of their employment. Annual leave is credited to the employee’s balance on the last day of each month and cannot be used until accrued. The “benefit year” is the 12-month period that begins when the employee first attains eligibility for sick leave benefits.

Paid sick leave can be used in minimum increments of one-quarter (.25) 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. Family and Medical Leave Act leave eligibility runs concurrently with sick leave when the event giving rise to the need for sick leave constitutes a serious health condition of the employee or family member under the FMLA.

An employee who is unable to report to work due to illness or injury should notify his or her direct supervisor before the scheduled start of the workday if possible. The direct supervisor must also be contacted on each subsequent day of absence unless the employee has informed the supervisor of a defined period of absence and provided a return-to-work date. Three consecutive days without reporting an absence to the supervisor is considered job abandonment and will result in the voluntary termination of employment. If, under circumstances where the employee has provided a return-to-work date, the employee will be unable

to return to work on the return-to-work date, the employee must contact his or her direct supervisor before the scheduled start of the workday.

If an employee is absent for three or more consecutive days due to illness or injury (including FMLA absences), a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required 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 or bonuses for which the employee may ordinarily be eligible.

Unused sick leave benefits will be allowed to accumulate indefinitely with no cap. However, sick leave benefits are to be considered a gift from the Corporation, intended solely to provide income protection in the event of illness or injury and may not be used for any other type of absence. **Unused sick leave benefits will not be paid out to employees while they are employed or upon termination of employment.** For employees with Short Term Disability Insurance, accrued sick leave benefits must be exhausted before the insurance benefits become effective.

HOLIDAYS

The Corporation follows the holiday schedule set forth by the University. At the beginning of each fiscal year, the University will provide a detailed list of approved holidays for the upcoming year.

MEDICAL/DENTAL/VISION AND LIFE INSURANCE

The Corporation participates in the State of West Virginia Public Employee Insurance Program, which offers a Basic and Major Medical Expense Benefit, Basic Life Plan, Optional Life and Accidental Death and Dismemberment Insurance, and Mountaineer Flexible Benefit Plans. The terms of those plans, including eligibility for participation, description of benefits, and the procedures for claiming benefits, are set forth in plan documents which will be provided to you by the Corporation and are made available to you in the office of the Executive Director. You may also contact the West Virginia Public Employee Insurance Program directly for answers to your questions about benefits.

The benefits offered by the Corporation are subject to change with or without notice. No particular level of benefits or type or category of benefits is promised. In all cases where the terms of a particular benefit plan differ from any statement or representation made in this Handbook, the benefit plan document is the official policy.

RETIREMENT

Full- and regular part-time employees of the Corporation are eligible to participate in the TIAA/CREF retirement program upon employment. Participation at a 6% level will result in a matching WVSU R&D contribution of 6% of your salary toward your retirement. Participating employees are immediately vested in both their own and the Corporation portion of the plan upon hire. You are encouraged to take advantage of the TIAA-CREF plan or the SRA Deferred Compensation plan through your own contributions in order to prepare for a comfortable retirement. The Corporation maintains materials and information regarding the TIAA/CREF retirement program with the Payroll/Benefits Specialist. There is also a toll-free enrollment hotline at TIAA/CREF (1-800-842-2888) for employee questions.

The Corporation reserves the right to alter or amend the terms of the retirement plans unilaterally, or to eliminate them altogether, with or without notice. The Corporation does not promise to continue the availability of the plans.

LONGEVITY BONUS

Full-time employees with three (3) full years of employment as of June 30th of the year are eligible to receive an annual longevity bonus for each year of service, up to a maximum of 20 years. The longevity bonus is paid in a separate check each June.

BEREAVEMENT LEAVE

Bereavement Leave for an Immediate Family Member:

When a death occurs in an employee's immediate family, all regular full time employees may take up to three (3) days sick leave to attend the funeral or make funeral arrangements.

Immediate Family Defined for Bereavement Leave:

Immediate family members are defined as an employee's spouse (significant other), parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild.

Non-family Member Bereavement Leave:

All regular, full-time employees may take up to one (1) day annual to attend the funeral of a close, non-family member. This time off will be considered by the employee's supervisor on a case-by-case basis.

Additional Time Off:

The Corporation understands the deep impact that death can have on an individual or a family, therefore additional paid time off may be granted. The employee may make arrangements with his or her supervisor for an additional four annual days off in the instance of the death of an immediate family member.

Additional paid time off may be granted depending on the circumstances such as distance, the individual's responsibility for funeral arrangements, and the employee's responsibility for taking care of the estate of the deceased.

JURY DUTY OR SUBPOENAED COURT APPEARANCE

If you are called for jury duty or subpoenaed to serve as a witness in a court case in which you are not a principal (a plaintiff or a defendant, or for which you have a personal or familial interest in the outcome), you will be paid the difference between what the court pays for the service and the regular salary with proof of time spent. To be eligible for jury duty/court time pay, you must provide a copy of the summons or subpoena to your immediate supervisor by the next workday after receiving it. Additionally, you must submit a copy of the statement from the court showing the dates you served on jury duty or as a subpoenaed witness to your immediate supervisor on the first workday following your return from court service. You are expected to work, if reasonably possible, that portion of your normal workday not spent in court or performing duties in connection with court service.

EMPLOYEE ASSISTANCE PROGRAM

Any employee is entitled to take advantage of the Employee Assistance Resource Services (EARS), which provides focused assessment, counseling and referral service for such things as marital or parenting issues,

stress, substance abuse, grief/loss, eldercare, depression or financial concerns. Such services are provided through Peoplework Solutions of Charleston, W.Va.

For appointment arrangements or more information, you may contact Peoplework directly at 304-722-9119 or 800-823-6029. The service is completely confidential and only anonymous statistical data is provided to the Corporation. Referral to or use of the Employee Assistance Program does not alter regular disciplinary procedures, the employee's job security or consideration for promotion.

UNEMPLOYMENT COMPENSATION

West Virginia administers an insurance program that provides for an income bridge between employers if you are unemployed for a reason which makes you eligible under the West Virginia Unemployment Compensation rules and regulations. All costs for Unemployment Compensation are paid by the Corporation, not by employees or through employee taxes. Interpretation and administration of the state unemployment compensation laws regarding eligibility and payments are handled by the Bureau of Employment Services.

SOCIAL SECURITY

Both you and WVSU R&D Corporation are equally taxed by the Federal Government to provide retirement income and medical coverage for you in the event of your retirement or disability. Social Security taxes are deducted in addition to your contribution to any retirement plan.

SECONDARY EMPLOYMENT

The West Virginia State University Research and Development Corporation (Corporation) discourages employees from having a job in addition to their Corporation jobs. A second job may make it difficult for employees to do their regular work as well as they should.

Primary and Secondary Employment:

The employment responsibilities to the Corporation are primary for any employee working full-time, and other employment in which that person chooses to engage is secondary. Secondary employment shall not be permitted when it would:

1. Create either directly or indirectly a conflict of interest with the primary employment; and,
2. Impair in any way the employee's ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee's position.
3. If the Corporation determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Corporation. As they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Corporation.

Department Head's Approval

The employee shall have department head's approval before beginning any secondary employment. If approved, there shall be periodic review during the time of secondary employment for any adverse effects; approval of secondary employment may be withdrawn at any time.

No Additional Pay During Regular Work Schedule:

An employee may not receive additional pay for services rendered to another agency or the Corporation during that employee's regular work schedule (normally 8:30 a.m. – 5:00 p.m., Monday through Friday or summer hours 8:00 a.m. – 4:00 p.m.). If the work is performed for another agency outside the employee's regular work schedule, he/she may receive additional pay.

PROCEDURES

EMERGENCY RESPONSE PLAN

There is a comprehensive Emergency Response Plan for West Virginia State University. The plan may be activated in the event of environmental emergencies potentially affecting the safety of those who work, study and visit the campus.

In the event of an emergency, employees should proceed to the nearest shelter-in-place area. The typical means of notification of an emergency is a siren that sounds throughout the community. It is essential when a shelter-in-place is in effect that you stay inside the building with windows closed and with air circulation systems shut down to prevent outside air from entering. In extreme cases, the plan calls for evacuation of campus occupants to a safer location as a precautionary measure. Both announced and unannounced drills are held throughout the year to familiarize faculty, staff and students with the Emergency Response Plan. Drills help test procedures and equipment, help in the refinement of procedure and improve the ability of the University campus to safely cope with emergencies.

The Emergency Procedures Guide is available on the University's website.

CORPORATE PROPERTY

Corporation property is intended to be used in the course of conducting Corporation business only. It is not for personal use. Every effort should be made to keep equipment clean and in good working condition and to observe all necessary safety procedures. Equipment malfunctions should be reported to the supervisor or to the person designated to handle such problems.

UNIVERSITY MAIL SYSTEM

The University operates an institutional or interdepartmental mail system. The mail is distributed through the Campus Communications Center twice a day. The mail is to be used for official communications only, and you must limit your use for personal mailings. The use of the Corporation's postage for personal correspondence is not permitted.

TECHNOLOGY USE

Access to the Corporation's email system, Intranet and the Internet is limited to business use only. All use of the email system and Internet activity is subject to inspection, monitoring and logging to enforce this policy. Any employee found to be in violation of this policy is subject to corrective action up to and including termination of employment.

Examples of misuse include but are not limited to:

- Engaging in any kind of business activity which is not in support of the R&D Corporation;
- Attempts to gain unauthorized access to any computer or communications system;
- Playing computer games during working hours and excessively browsing the Internet purely for entertainment; and
- Utilization of R&D-provided equipment and services to access, transmit, receive or archive illegal or sexually explicit material, or material promoting hate, violence or discrimination of any kind.
- Employees are expected to make use of the Corporation's telephones for Corporation-related business only. In order to keep lines available for business, employees should instruct friends and family to not call during work hours except in cases of necessity. Employees are prohibited from using Corporation

telephones for personal long-distance calls unless charges are reversed or billed to their home phones. Employees should not accept any long-distance calls when charges are being reversed except for known staff members away on Corporation business.

- Each individual R&D Corporation staff member is assigned a voice mailbox soon after employment. Each staff is responsible for checking the system for messages, as important information is often distributed to all staff through this system. All staff are expected to familiarize themselves with the system and to utilize it.
- Request for phone installation or reprogramming of extension numbers/phone features should be submitted through the intranet site under Computer Requests.

CELLULAR TELEPHONES

Many employees carry cellular telephones, and emergency calls may be received directly. The Corporation does not prohibit the carrying and use of personal cell phones but expects employees to moderate use and not engage in excessive personal conversations during working hours. Those employees who have been provided with cell phones in support of their positions are to use those phones primarily for business purposes and take appropriate care of the assigned property. If a Corporation cell phone is lost, stolen or broken, it must be reported to the supervisor immediately.

EMERGENCY CLOSINGS AND INCLEMENT WEATHER

WVSU R&D Corporation's policy is to remain open despite weather conditions to meet its commitments to the University and students. However, we will follow the lead of the University in closure matters, and there may be situations other than weather that may result in the closure of the campus, such as local/national disaster, fire, power failure or environmental emergency. Should such an event occur during non-working hours, local radio and/or television stations will be asked to broadcast notification of closing information related to the University. Telephone notification from supervisors may be used in some cases.

We are equally concerned for your safety. You must exercise your own judgment about personal safety. Corrective action will not be taken if you decide not to travel because of hazardous conditions. Be sure to follow the call-in procedure established in your department.

- **Non-Exempt Employees**

If an inclement weather day is officially declared, non-exempt employees will receive regular pay for the hours they would have normally worked that day. If a late opening is declared, employees who come to work before or at the designated opening time will receive their regular pay for the hours they would have normally worked that day. In the case of an early closing, employees will be paid their remaining regular hours for the workday. If an inclement weather day is not officially declared, non-exempt employees who are absent, late for work or leave early must charge such time away from work to available leave or take leave without pay.

- **Exempt Employees**

If an inclement weather day is declared, exempt employees will not be docked for loss of time due to inclement weather. If an inclement weather day is not officially declared, exempt employees who miss an entire day of work due to inclement weather should charge it to available vacation to avoid being charged with an unpaid absence.

- **Vacation Day**

Employees already scheduled to be off work utilizing accrued vacation at the time of an inclement weather day will not receive additional pay for inclement weather.

EMPLOYEE IDENTIFICATION AND PARKING PERMITS

Parking permits are required for all employees parking on the campus of West Virginia State University. All Corporation employees should obtain a West Virginia State University photo identification card as soon as possible after the commencement of employment. Photo identification and parking permits can be obtained from the Department of Public Safety. There is an annual fee associated with Campus parking.

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the Corporation, only authorized visitors are allowed in the workplace. 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 at the building's reception area. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

ANIMALS IN THE WORKPLACE

It is the West Virginia State University Research and Development Corporation's policy to provide a safe and healthy work environment for all employees and visitors. In accordance with this, animals are prohibited from all facilities and premises with the exception of authorized service animals and working animals as defined below.

“**Facility**” means any owned or leased facility, including the associated parking lots, grounds and common areas.

“**Service Animals**” refers to animals (primarily dogs) used to guide or provide assistance to persons with disabilities in the activities of independent living. The Americans with Disabilities Act (ADA) defines service animals as any animal individually trained to do work or perform tasks for the benefit of an individual with a disability. If an animal meets this broad definition, it is considered a service animal.

“**Working Animals**” refers to those animals engaged in authorized service to the corporation (e.g., guard dogs, pest control animals, police dogs).

Rationale

In addition to providing a professional and conducive work environment, this policy responds to concerns for the health and safety of employees and animals. Further, it limits potential distractions and disturbances in the workplace.

Scope

This Policy shall apply to all employees, contractors and visitors of The Corporation. This Policy shall cover all areas and businesses of The Corporation's operations.

Applying the Policy

This policy provides for the health and safety of employees and Corporation's facilities by restricting animals in the workplace as follows:

- Unauthorized animals are not permitted in any area within the workplace, including the parking lots and grounds.

- Employees and visitors are reminded that bringing a pet to work and leaving them in a car is neither appropriate nor safe and is prohibited in some jurisdictions. It will be the responsibility of Security to report to the appropriate local authorities any animal left in a vehicle or otherwise unattended. If the vehicle can be identified as belonging to a specific employee, Security will attempt to reach that person prior to contacting authorities.

In order to accommodate individuals with disabilities, service animals are expressly permitted in all areas in the workplace. Employees who are in need of a service animal must:

- Obtain authorization through the job modification process prior to bringing the animal to the worksite.
- In all cases, only clean, trained, well-behaved, non-aggressive animals are allowed, and they are to be leashed and kept under control at all times.
- It is the animal owner's responsibility to ensure that animals relieve themselves outside, and owners should not call upon coworkers or facilities staff.

Individuals are reminded not to touch, feed or pet a service or working animal when the animal is working, as it distracts the animal from the task at hand.

CHILDREN IN THE WORKPLACE

The presence of children in the workplace with the employee parent during the employee's workday is inappropriate and is to be avoided. This policy is established to avoid disruptions in job duties of the employee and coworkers, reduce property liability, and help maintain the Corporation's professional work environment.

Consideration will not be given to allowing a child with an illness to come to work with the employee.

Violations: Any employee who violates this policy may be subject to disciplinary action up to and including termination of employment.

For purposes of this policy:

“**Child**” or “**children**” means a person or persons less than 18 years of age.

“**Employee**” means any employee who has responsibility for a child while in the workplace, regardless of the employee's relationship to the child.

GRIEVANCES

Misunderstandings regarding your employment will usually be resolved through communication with your supervisor. However, the grievance procedure is open to all employees who have completed the original trial period in the event it becomes necessary. A grievance must be a perceived violation of Corporation policy, State or Federal law. Complaints involving possible discrimination or harassment are not required to be processed through the written grievance procedure and may be directed immediately to the Director of Human Resources or the Executive Director. Employees presenting grievances may do so without fear of retaliation, retribution or prejudice. Grievances involving dismissals will be referred directly to the First Formal Resolution Step.

Informal Resolution Step

The employee is advised to discuss the matter and seek informal resolution with his/her immediate supervisor, unless the supervisor is the respondent to the complaint. If so, the employee should discuss the matter with the next in line of authority. The complainant must initiate the complaint process within five (5) days following the alleged action or the date on which the complainant first knew, or reasonably should

have known, of the occurrence. The supervisor is responsible for maintaining a written summary of the discussion.

First Formal Resolution Step

Grievances must be submitted in person or by internal or U.S. Mail to the Director of Human Resources within five (5) days of the meeting with the supervisor.

The formalized written statement needs to include (a.) description of the alleged violation or grievance matter, (b.) the individuals involved, (c.) when it occurred, (d.) witnesses and evidence of the alleged action, and (e.) what recourse you are requesting.

Once the formalized written statement of grievance matter is filed, the Director of Human Resources will direct it to the Executive Director for those employees falling under the Research and Development Corporation programs. The Executive Director will research the matter and may elect to meet with the involved parties prior to rendering a decision. The decision will be rendered in writing within 15 days of the date submitted to the Executive Director.

Second Formal Resolution Step

If the decision of the Executive Director does not resolve the matter to the satisfaction of the employee, he or she has the right to an appeal process and to have the issue reviewed further by the Personnel Committee of the WVSU R&D Corporation Board of Directors. The appeal must be made in writing to the Director of Human Resources within 10 days of receipt of the decision. The Personnel Committee will convene within 30 days of receipt of the appeal to review the matter and may call/meet with the employee and other involved parties prior to rendering a decision. The Committee will provide a written response to the grievant with copies to the Director of Human Resources and the Executive Director within 10 days of convening. The decision of the Personnel Committee is final and binding on all parties.

FAMILY AND MEDICAL LEAVE & MILITARY FAMILY LEAVE

Employees who have been employed at least one year and who have worked at least 1,250 hours during the last year are entitled under the Family and Medical Leave Act (FMLA) to job protection and up to 12 weeks of unpaid leave in any 12-month period to care for a newborn or newly adopted infant, a newly placed child for adoption or foster care, a seriously ill parent, child, or spouse, or to deal with a serious personal illness. For this purpose, “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice or residential medical care facility; or
- a period of incapacity requiring absence of more than three calendar days from work, school or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- any period of incapacity due to pregnancy or for prenatal care; or
- any period of incapacity (or treatment thereof) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
- a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer’s, stroke, terminal diseases, etc.); or,
- any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

The employee is expected to provide 30 days notice of the need for FMLA or, in the event of a sudden illness, as soon as practical. Specific information and forms regarding Family Leave may be received from the Human Resources Office.

Pay during this period of absence is based upon the employee's available leave balances or his or her insurance protection under Short Term Disability. FMLA is not in addition to accrued leave but will run concurrently with any paid leave taken, and the leave balances must be exhausted before a leave-without-pay situation occurs.

Extended leave may be granted beyond 12 weeks at the discretion of the Executive Director, primarily based upon the employee's record and length of service. Requests for leave due to illness/surgery/maternity prior to the completion of one year of service will be considered individually and may be approved on a limited basis at the discretion of the Director of Human Resources and the Executive Director, but are not protected under FMLA.

The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances. Intermittent/reduced schedule leave may be taken when medically necessary to care for a seriously ill family member or because of the employee's serious health condition. The amount of intermittent leave for which an employee is eligible is 450 hours in any 12-month period.

An employee needing intermittent/reduced schedule leave for foreseeable medical treatment must work with the supervisor to schedule the leave so as not to unduly disrupt the Corporation's operations, subject to the approval of the employee's health care provider. In such cases, the employee may be transferred temporarily to an alternative job, with equivalent pay and benefits, that accommodates recurring periods of leave better than the employee's regular job.

In addition, **Military Family Medical Leave** is available for:

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
- An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1.) short-notice deployment, 2.) military events and activities, 3.) child care and school activities, 4.) financial and legal arrangements, 5.) counseling, 6.) rest and recuperation, 7.) post-deployment activities, or 8.) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

“Covered active duty” means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
- The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor). This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.
- An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.
- Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term “serious injury or illness” with regard to military caregiver leave means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating; and
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Calculating the Amount of Leave Available

- An eligible employee can take up to 12 weeks for all FMLA circumstances with the exception of military caregiver leave (explained below) during any 12-month period. The Corporation will calculate the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Corporation will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.
- An eligible employee can take up to 26 weeks for military caregiver leave during a single 12-month period. For this military caregiver leave, the Corporation will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.
- If a husband and wife both work for the Corporation and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent “in-law”) with a serious health condition, the husband and wife may only take a combined total of 12 weeks of

leave. If a husband and wife both work for the Corporation and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Medical Certification

Employee leave requests related to a serious health condition of the employee or the employee's immediate family member must be supported by a certification issued by a health care provider. The employee will be allowed 15 calendar days to obtain the medical certification. Such a certification form may be obtained from the Human Resources office.

The Corporation may, at its own expense, require the employee to obtain a second medical certification from a health care provider. The Corporation may choose the health care provider for the second opinion. If the opinions of the Corporation's and the employee's designated health care providers differ, the Corporation may require the employee to obtain certification from a third health care provider, again at the Corporation's expense. This third opinion shall be final and binding. The third health care provider must be approved jointly by the employer and the employee. The Corporation may require the health care provider to provide information on an approved medical certification form.

The employee must provide medical certification of fitness to return to work at the end of the leave period.

Maintenance of Health Benefits

The Corporation will maintain group health insurance coverage, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work, with the employee paying his or her portion of the medical coverage.

PERSONAL LEAVE WITHOUT PAY

Under special circumstances, an employee may request a personal leave of absence without pay for a period not to exceed a year. The request must be in writing and made at least 30 days in advance of the required leave. This type of leave may be requested when an employee needs an extended period of time off from work and accumulated leave will not cover the entire period. The time off can be used to pursue additional education or take advantage of a once-in-a-lifetime opportunity or trip, for example. Approval of the request is at the discretion of the Executive Director, and is granted or denied depending on the needs of the Corporation.

Eligibility for benefits under the Corporation's benefit plans may be affected by the absence. The employee should review the provisions of all such plans to ensure the employee understands the impact to benefit eligibility that may result from a period of extended absence.

MILITARY LEAVE

It is the policy of the Corporation to comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and all other State, Federal and local laws. If you are a member of the Armed Forces Reserves, you will normally receive an annual two (2) week reserve duty leave. If you are called to active military service, WVSU R&D will grant you Military Leave effective the date you are called to service. You may choose to use your accrued annual leave for the duration of either type leave, but you are not required to do so. As a member of the Armed Forces Reserve, your group benefits are unchanged during your annual two (2) week leave for training, provided the employee contribution is made. For further details or to advice of the need for Military Leave, please see the Human Resources Office.

STANDARDS

EMPLOYEE CONDUCT AND WORK RULES

All successful organizations have certain rules that employees must follow. You are expected to become acquainted with the performance criteria for your particular job and with all rules, procedures and standards of conduct established by your department and by WVSU R&D Corporation, as summarized in this handbook. Further, your conduct away from work must not adversely affect the Corporation, its reputation, operational success or relationship with its employees, customers or others doing business with it.

The Corporation holds its employees accountable for their actions. If you do not fulfill the responsibilities set out by such performance criteria, rules, procedures and standards of conduct, you may be subject to corrective action, the severity of which will depend upon the circumstances. If you disagree with a decision regarding corrective action, the formal grievance procedure established by WVSU R&D Corporation is available to you.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of that team understand what is expected. It is impossible to write procedures covering every situation. Be sure you understand what is expected of you and make certain you are clear in your own mind what you can expect from WVSU R&D Corporation. If you have any question at all, discuss it with your immediate supervisor. Employees that follow rules of conduct protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of Corporation property or that of another employee;
- Falsification of timekeeping records or other official documents;
- Working under the influence of alcohol or illegal drugs;
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment;
- Fighting or threatening violence in the workplace;
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property;
- Insubordination or other disrespectful conduct;
- Violation of safety or health rules;
- Use of tobacco products in prohibited areas;
- Sexual or other unlawful or unwelcome harassment;
- Participating in nonproductive time, such as wasting working time or unauthorized absence from the workplace during the workday;
- Sleeping during scheduled work time;
- Disrupting other employees' work production through willful, personal misconduct or participating in unauthorized gatherings or demonstrations which disrupt other employees' work;
- Being negligent, incompetent, or careless; producing substandard work; or failing to follow or implement appropriate corrective actions once faulty work and/or mistakes are discovered;
- Covering up mistakes or faulty work;
- Doing personal work on Corporation time or using Corporation equipment for personal use (except occasional personal access of the Internet).
- Excessive absenteeism, including tardiness, or any absence without notice;
- Unauthorized use of telephones, mail system or other employer-owned equipment;
- Unauthorized disclosure of business "secrets" or confidential information, whether intentional or not;
- Violation of personnel policies; or
- Unsatisfactory performance or conduct, including failure to achieve the goals of a Performance Improvement Plan.

- Three days without proper notification of absence is considered job abandonment and a voluntary termination of employment.

Employment with the Corporation is at the mutual consent of the Corporation and the employee, and either party may terminate that relationship at any time, with or without cause or advance notice. The Corporation reserves the right to exercise its sole discretion concerning what constitutes misconduct or poor performance in the workplace, and to correct misconduct or poor performance as it deems appropriate.

DISCIPLINARY PRACTICES

Poor performance and misconduct are not desirable attributes. The following provisions set forth the preferred means of dealing with poor performance and misconduct. However, the particular circumstances of poor performance or misconduct may be unique and require corrective measures other than those set forth below. The Corporation reserves the right, therefore, to respond to any particular performance or conduct issue in ways other than those set forth below. The intent of this policy is to set forth a desired procedure for prompting employees to correct undesired conduct and to achieve satisfactory work performance. The focus shall always be on improving performance, not on punishment.

Nothing in this policy shall alter employment at-will status of Corporation employees. The employee and the Corporation each remain free to terminate the employment relationship at any time, for any lawful reason.

Discipline generally shall be progressive, usually beginning with an oral warning. For repeated misconduct, the discipline levied will progress to a written warning, then suspension without pay, then discharge. However, sometimes undesired conduct is serious enough that discipline should be more severe for even a first offense. The Corporation reserves the right to levy any disciplinary action appropriate to the severity of the offense, without commencing discipline at the oral warning stage. Some offenses are, by nature, serious enough to result in immediate termination of employment for a first offense. All recommendations for dismissal must be approved by the Human Resources Director and the Executive Director.

APPEARANCE IN THE WORKPLACE

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and project the professional image of the Corporation presents to customers and visitors.

Employees are expected to present a neat and clean appearance at all times. Clothing should be appropriate for the area in which the employee is working. As a representative of the University, employees are often in frontline positions where they create a first impression for other employees, students and visitors of the institution.

The Standards of Dress are as follows:

- **Skirts, Dresses and Skirted Suits:** Dresses and skirts should be of an appropriate length. Dresses and skirts, and skirts that are split at or below the knee, are acceptable. Mini-skirts, skorts, beach dresses and spaghetti-strap or strapless dresses (worn without a sweater or jacket) are inappropriate.
- **Shirts, Tops, Blouses and Jackets:** All shirts, blouses, sweaters, etc., must have sleeves; however, modestly cut sleeveless dresses and shells (not tank tops) would be acceptable attire. Bare shoulders or low-cut necklines and/or backless clothing are unacceptable. Shirts or blouses must cover the entire torso at all times, even in movement. Crop tops, tube tops and halters are unacceptable. Any garment made of transparent and/or see through material is considered unacceptable unless layered over an appropriate shell-type top. Inappropriate attire includes tank tops; midriff tops; shirts and t-shirts with potentially offensive words, terms, logos, pictures, cartoons or slogans; or halter tops with bare shoulders.

- **Slacks, Pants and Suit Pants:** Inappropriate slacks/pants are exercise pants, pajama bottoms, short shorts or spandex pants. Employees need to wear their trousers, slacks or pants properly. For example, the waist of the garment at the natural waist level without sagging. Intentionally torn, ripped, cut or slashed pants are considered inappropriate and are not to be worn. No undergarments, i.e. bras, panties, briefs or boxers may be visible.

Dress Code Exceptions: At times, employees may be exempt from some parts of the dress code during special activities/programs. However, employees must always adhere to standards of good taste.

Disclaimer:

While this list is seemingly inclusive, with any situations that are not addressed in this policy, employees are to use good judgment and adhere to the spirit of this policy. If questions arise about the dress code policy then employees are encouraged to discuss these questions with their supervisor.

RESTRICTIONS ON SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by the Corporation may not solicit or distribute literature in the workplace at any time for any purpose.

The Corporation 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 work time. (Work time does not include lunch periods, work breaks or any other periods in which both the employee doing the soliciting and those being solicited are not on duty.)

In addition, the posting of written solicitations on corporation bulletin boards is restricted. Any solicitation through the email system is prohibited entirely unless it comes from the Executive Director or the Human Resources office. You will be provided with emailed or posted notices of changes to policies and practices, as well as announcements about matters that affect or are important to employees.

If you have a message of interest to the workplace, you may submit it to the Executive Director of the Corporation for approval.

In addition, no employee may 1.) solicit or induce any other employee of the Corporation to leave his or her employment, or interfere with the employment relationship between the Corporation and any of its employees; 2.) attempt to induce any contractor of the Corporation to breach or terminate the contractor's contract with the Corporation; 3.) attempt to solicit or induce any grantor or business partner of the Corporation to cease or refrain from doing business with the Corporation or to do business with another entity; or 4.) interfere with or attempt to interfere with the business relationship between the Corporation and any of its grantors or business partners.

GAMBLING, BETTING AND LOTTERIES

Gambling or conducting a lottery or any other game of chance on Corporation property is prohibited unless the activity is related to a Corporation-approved civic project or University activity.

WHISTLEBLOWING

What is whistleblowing? In short, it is the casual name for reporting a suspected wrongdoing at work. Officially this is called "making a disclosure in the public interest." Whether you are an employee, agency worker or self-employed (if supervised), you have legal protection if you suffer a detriment or are dismissed

because you blew the whistle by making a “protected disclosure.”

What amounts to a protected disclosure includes:

- If someone’s health and safety is in danger
- Damage to the environment
- A criminal offence by an employer
- If a company is failing to honor its legal obligations, e.g. required insurance for its business
- The covering up of a wrongdoing.

If you are an employee, it will be deemed to be automatic unfair dismissal if you are dismissed because of your whistleblowing, and there is no qualifying period of service required or a cap on compensation if you are successful.

Who Does the Policy Apply To?

The policy applies to all employees (including those designated as casual hours, temporary, agency, authorized volunteers or work experience) and those contractors working for the Corporation. It also covers suppliers and those providing services under a contract with the Corporation in their own premises.

What Types of Concern are Covered?

- Conduct that is an offence or a breach of law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorized use of public funds
- Possible fraud and corruption
- Sexual, physical or other abuse of clients
- Other unethical conduct
- Actions that are unprofessional, inappropriate or conflict with a general understanding of what is right and wrong.

How to Raise a Concern

As a first step, you should normally raise concerns with your immediate supervisor/manager or their superior. This may depend, however, on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. For example, if you believe that management is involved you should approach a more senior level of management within the Corporation.

TERMINATION OF EMPLOYMENT

Termination of employment is a foreseeable part of personnel activity within any organization. Following are examples of some of the most common conditions under which employment is terminated:

- Resignation – Employee terminates employment voluntarily. Such resignations are expected to be in writing and to provide two weeks’ notice of intent.
- Discharge – Organization initiates employee’s termination.
- Layoff – Involuntary employment termination initiated by organization for non-disciplinary reasons due to lack of work.
- Grant Expiration – Employment termination caused by the expiration of a grant which funded the employee’s position.
- Retirement – Voluntary employment termination initiated by the employee after meeting age, length of service and other requirements set forth in the organization’s retirement plan or plans.

The Corporation will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the Corporation and return of Corporation-owned property. Suggestions, complaints and questions can also be voiced.

Since employment with the Corporation is based on mutual consent, both the employee and the Corporation have the right to terminate employment at will, with or without cause, at any time.

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

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102% of the cost to the plan. Continued coverage is not automatic. The employee must elect it after receiving notice of the right to elect continuation coverage. The health coverage is not permanent and there is a limit to how long the coverage can be continued.

INDEX

A Closer Look: Who We Are, What We Do.....	7
Acknowledgment and Receipt	53
Animals in the Workplace.....	37
Annual Leave	27
Appearance in the Workplace	46
Attendance	20
Bereavement Leave.....	30
Cellular Telephones.....	36
Children in the Workplace	38
Conflicts of Interest.....	16
Contractual Agreements.....	17
Corporate Property.....	35
Disciplinary Practices	46
Disclosure of Inventions and Ownership of Intellectual Property.....	17
Drug-Free & Intoxicant-Free Workplace.....	20
Emergency Closings and Inclement Weather	36
Emergency Response Plan.....	35
Employee Identification and Parking Permits.....	37
Employee Assistance Program.....	30
Employee Benefits	27
Employee Conduct and Work Rules	45
Employee Relations	16
Employment Categories.....	17
Employment Reference Checks.....	19
Equal Employment Opportunity	13
Establishment.....	8
Family and Medical Leave & Military Family Leave	39
Gambling, Betting and Lotteries.....	47
Getting Paid: Paydays and Paychecks	25
Grievances.....	38
Handling of Confidential Information	17
Harassment.....	13
Hiring of Relatives.....	16
Holidays	29
Immigration Law Compliance	17
Jury Duty or Subpoenaed Court Appearance.....	30
Longevity Bonus.....	30
Management Functions.....	10
Medical/Dental/Vision & Life Insurances	29
Military Leave.....	42
Nature of Employment.....	13
Overtime	25
Payroll Deductions.....	26
Performance Management	18
Personal Leave Without Pay	42
Personnel Data Changes	19
Personnel Files	19

ACKNOWLEDGMENT AND PROOF OF RECEIPT

By signing below, I acknowledge that I have received a copy of the Employee Handbook of the West Virginia State University Research and Development Corporation; that I understand that I am responsible for knowing its contents; that I will review or have reviewed its contents; that I may ask any questions I have about any provisions of it; that I will be subject to policies provided in it; and that I consent to its provisions.

I further understand that I have the obligation to keep my version of the Handbook up to date by inserting new or amended policies when they are distributed. I further understand that the Executive Director and the Human Resources Director will maintain a current copy of the full Employee Policies and Procedures, and I understand that such policies may be reviewed with adequate notice provided.

I, also, acknowledge that I am not an employee of the State of West Virginia or an employee of West Virginia State University.

Employee Signature

Date

Witness Signature

Date



WEST VIRGINIA STATE
UNIVERSITY