



THE UNIVERSITY OF  
**CHICAGO**

# EMPLOYEE HANDBOOK FOR STAFF

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## ABOUT THE University

Working at the University of Chicago is a unique and enriching experience. The University of Chicago is one of the world's great intellectual communities with professional museums, theater, concerts, and lectures. Located in the community of Hyde Park on Chicago's South Side, just 15 minutes from the city center, the University of Chicago is uniquely positioned to contribute to, and draw from, the strength and diversity of this world-class metropolis. We also have made an unforgettable mark on the world at large.

Our faculty and students are pioneers, discoverers, teachers, scholars, and change agents. We ask tough questions and pursue knowledge with rigor because we believe in the power of ideas. Committed to scholarship of the highest order, our faculty has made major contributions to existing bodies of knowledge and to the creation of new fields of study. REM sleep was discovered and carbon 14 dating was developed here. Our scientists laid the mathematical foundations of genetic evolution; executed the first controlled, self-sustaining nuclear chain reaction; conceived the study of black holes; and performed the nation's first living-donor liver transplant. Researchers here have expanded our understanding of dinosaur evolution; reconstructed the evolution of the early universe; proved that chromosomal defects can lead to cancer; and pioneered scientific archaeology of the ancient Near East.

Our impact on American higher education is legendary. It was here that the four-quarter system was developed and adult extension courses in the liberal arts were first conceived. We forever changed business education with the first executive MBA program, in 1943. Our program of general education for undergraduates has been copied nationwide, and college curricula throughout the country reflect our conception of the liberal arts undergraduate education.

Chicago, campus and community are interconnected in partnerships that serve to support the community and train future policymakers, social workers, artists, and social and political leaders. The University of Chicago Charter School, run by the Center for Urban School Improvement, serves Chicago public school students with four campuses for students in pre-kindergarten through high school. The

### Motto

*Crescat scientia; vita excolatur*

Let knowledge grow from more to more;  
and so be human life enriched.

### First Classes: 1892

Founder: John D. Rockefeller

### Students

5,134 Undergraduate Students

10,492 Graduate, Professional, and Other Students

### Faculty & Staff

2,188 Faculty and Other Academic Personnel

89 Nobel Prize Winners (as of Oct. 2013)

7,063 Staff Employees

### Research

\$472 million in sponsored research awards

More than 3,200 patents filed since 1987  
Manager of Argonne National Laboratory and Fermi National Accelerator Laboratory (in partnership)

Undergraduate College: offering 50 majors and 24 minors

### Graduate Divisions

Biological Sciences

Humanities

Physical Sciences

Social Sciences

### Graduate Professional Schools

Divinity School

Chicago Booth School of Business

Law School

Pritzker School of Medicine

Harris School of Public Policy

School of Social Service Administration

### Continuing Education

Graham School of Continuing Liberal and Professional Studies

Mandel Legal Aid Clinic teaches Law School students advocacy skills, professional ethics, and the effect of legal institutions on the poor. While the University of Chicago contributes specifically to the metropolis, the city in turn serves as a living laboratory for addressing social issues on a national and global scale.

What a unique opportunity to be a part of and support such a dynamic and unique organization.

## Introduction

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Welcome to the University of Chicago!

As a leading institution of higher learning, our goal is excellence in teaching, research, community engagement, and patient care. In order to maintain our leadership role, we depend on each staff employee to act as a representative of and support the University. We value integrity and open communication and expect our employees to be honest, innovative, and industrious.

The purpose of the Employee Handbook is to provide information and guidance to staff employees about working at the University of Chicago. We encourage staff employees to read and become familiar with the policies of the University and their department.

This handbook supersedes all prior versions, and the contents are subject to change at any time at the sole discretion of the University. This handbook is presented for informational purposes only and is not intended to create a contract or agreement. Also, departments may have additional procedures or guidelines, which are specific to their needs and supplement these policies.

Staff employees working in positions covered by a collective bargaining agreement should refer to the agreement, which also governs the terms and conditions of employment. To the extent these policies conflict with any applicable collective bargaining agreement, the collective bargaining agreement will govern.

All other staff employees at the University are at-will employees, and their employment may be terminated at any time for any or no reason.

Staff employees are expected to be familiar and comply with the policies in this Handbook, the University's Human Resources Policies (<http://humanresources.uchicago.edu/fpg/policies/index.shtml>) as well as other University policies, which are available for viewing online at <http://adminet.uchicago.edu/adminpolis/pols-index.shtml>.

The University's policies may change at any time, and staff employees are expected to comply with the most current versions. To the extent this Handbook conflicts with any applicable University policy, the policy will govern. Supervisors are key resources concerning policies and procedures of the University, department, or unit. If you have questions concerning this Handbook or a policy, consult your supervisor for clarification.

## **WORKPLACE CONDUCT**

### **Attendance (Absenteeism, Tardiness & Job Abandonment)**

#### **Purpose**

It is vital to the University for all employees to have reliable attendance. Absenteeism and tardiness negatively impact our ability to effectively provide University services. The purpose of this policy is to establish the requirements for reporting absences, to provide guidelines for the handling of tardiness, early departures, and unscheduled absences, and to outline employees' need to adhere to established work schedules to maintain efficient, effective operations throughout the University.

#### **Policy**

Staff employees must arrive and be prepared to commence work at their scheduled start time. Employees are responsible for notifying their supervisor of absences, late arrivals, or early departures each day of the absence, tardiness, or early departure, in accordance with their unit's call-in procedure. Unscheduled absences, tardiness, and unscheduled early departures (whether excused or unexcused), failure to provide appropriate notification, or abuse of sick leave or other paid time off may result in corrective action up to and including termination of employment. (See Policy 703 Progressive Corrective Action.) Absences, tardiness, and early departures due to approved FMLA leave, Short-Term Disability leave, military leave, jury duty, workers' compensation, other approved leave, or reasonable accommodation as required by law will not be counted as occurrences. These rules apply to all staff employees whose departments do not have more specific rules, or when department attendance rules do not address certain areas covered by this policy.

1. Departments should communicate to staff employees the importance of timely and regular attendance and develop written unit rules with a call-in procedure. The call-in procedure should define when and whom an employee should call if he/she is going to be absent or tardy. It should also address a time frame when an employee who will be delayed is required to notify supervision.
2. Time approvers are responsible for reviewing and approving time before each time approval deadline. It is the responsibility of the time approver to ensure the time submission is accurate.
3. Employees must notify their supervisor of any unscheduled absence, tardiness, or unscheduled early departure as far in advance as possible. An employee who will be unable to report to work as scheduled, who will be tardy, or who plans to leave early must contact his/her supervisor or the department's designated call-in number as far in advance as possible and at the latest prior to the start of the shift or the early departure. Notification and acknowledgment by a supervisor of tardiness, unscheduled early departure, or unscheduled absence will not excuse it.
4. Employees must record attendance and absences in the attendance tracking system. Immediate supervisors are responsible for reviewing and verifying attendance records (at least monthly) and recording occurrences, if applicable, to ensure the accuracy of the records and consistent application of department attendance rules and University policy.

5. An unscheduled absence will be recorded as one (1) occurrence. Each tardy or unscheduled early departure will be recorded as one-half (1/2) an occurrence. No occurrences will be recorded for scheduled absences or use of accrued sick leave as provided under University and department policy. However, pattern absences, failure to provide timely notification, or failure to comply with the Sick Leave Policy may result in absences being counted as unscheduled absences.
6. Occurrences will be tracked by each department based on a rolling twelve (12) month period.
7. Supervisors should follow the corrective action progression described below to address unscheduled absences, tardiness, and unscheduled early departures. When an employee has accumulated four occurrences, each two occurrences thereafter will advance the corrective action process, up to and including termination of employment. However, depending on the situation, corrective action may be accelerated, repeated, or taken out of sequence, and the University reserves the right to effect immediate termination should it be warranted.
  - a. Verbal warning upon four (4) occurrences.
  - b. Written warning upon six (6) occurrences.
  - c. Final warning or suspension upon eight (8) occurrences.
  - d. Termination of employment upon ten (10) occurrences.
8. Employees will be subject to immediate corrective action for no call/no show. Two (2) or more consecutive workdays of no call/no show may be considered job abandonment and result in termination of employment.
9. Supervisors should be observant and identify pattern absences. Employees will be subject to immediate corrective action for pattern unscheduled absences.
10. Typically, employees who work for six (6) months without an occurrence since the last occurrence resulting in corrective action will not have the corrective action process progress to the next level. For example, if an employee receives a written warning due to the sixth occurrence on October 1st and receives two additional occurrences in the following June, the employee should receive another written warning.
11. Bi-weekly employees will not be compensated for time lost due to tardiness. However, an employee who is late six minutes or less is considered tardy but will be paid for the time. Tardiness of more than six (6) minutes will be unpaid. Meal periods and breaks may not be used to cover for absences or tardiness. An employee may not extend the normal workday or work beyond his/her scheduled shift to make up for being tardy without the prior approval of the employee's supervisor.
12. An unscheduled absence typically is unpaid unless an employee's supervisor approves the use of accrued vacation, sick leave, or personal holiday time in accordance with University policy. Acceptable means of verifying the reason for the unscheduled absence may be required. An employee will not be compensated for unscheduled absences that extend beyond his/her accrual balances.
13. Requests for scheduled absences, including jury duty, emergency time off (vacation or personal holiday), bereavement, military leave, medical leave, and personal leave must be requested as far in advance as possible consistent with University and department policy and applicable law. It is the employee's responsibility to request leave or excused time off and to submit appropriate documentation. Employees who will be unable to report to work as scheduled (except for a University preapproved block of leave time) or using intermittent FMLA leave or other leave are required to contact their supervisor or the department each day unless otherwise instructed by their supervisor. Denied leave or other requested time off, failure to return to work after an approved leave, or failure to comply with these guidelines or other applicable University policy may

- result in the treatment of time away from work as an unscheduled absence, tardiness, or unscheduled early departure under this policy.
14. Employees absent more than three consecutive days due to illness or who are suspected of abuse of sick leave may be required to submit a proof of illness certificate, issued by a health care provider, identifying when the employee was seen and treated. Failure to submit such proof upon request may result in corrective action.
  15. Employees who are eligible to use paid sick leave may use accrued sick time for routine doctor's appointments. The employee must notify the supervisor in advance of the appointment, up to seven days prior when possible. When possible, such appointments should be scheduled at the beginning or the end of the shift.
  16. Due to the nature of the services that employees provide we are rarely able to close our operations. With that in mind, employees are expected to report for work on severe weather days and to plan ahead to anticipate any difficulties that might be encountered. If an employee will be late or unable to report to work, the employee must notify his or her supervisor as soon as possible. The departments will decide whether employees will receive occurrences for tardiness or unscheduled absences on severe weather days.

### **Definitions**

*Unscheduled Absence:* Failure to report to work on a scheduled workday or working less than half of a scheduled workday due to tardiness or leaving early without a written and approved time off request from at least the previous day. Absences on consecutive days for the same reason will count as one unscheduled absence under this policy. Some examples of unscheduled absences include absences due to car trouble, caring for a family member who has the flu, and home emergency.

*Scheduled Absence:* A scheduled absence occurs when an employee requests time off in a timely manner in accordance with department and University policies and applicable union contract. Some examples of scheduled absences include approved vacation, personal holidays, jury duty, military related, bereavement leave, FMLA leave, and Short-Term Disability leave.

*Tardy:* Failure to report to an employee's assigned work area at his or her scheduled start time, including returning from breaks and meal periods.

*Pattern Absences:* Unscheduled absences the day before or after a scheduled holiday, vacation, or personal day; on a desirable day off, a specific day of the week, or a weekend; a specific or unique work day; or as sick leave or other paid time off is accrued.

*No call/no show:* An unscheduled absence without proper notification to the employee's supervisor or department.

*Unscheduled Early Departure:* Failure to work a complete workday due to an early departure without a written and approved time off request. Please refer to Unscheduled Absence above when an early departure results in working less than half of a scheduled workday.

## Business Conduct

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### **Purpose**

The purpose of this policy is to promote the University's commitment to maintaining the highest ethical standards in its internal and external business dealings.

### **Policy**

To this end, University staff employees must conduct themselves with honesty and integrity and exercise sound judgment when engaging in activities and performing responsibilities on behalf of the University. In addition to these principles, all University staff employees must comply with University and department policies, professional standards, and the letter and spirit of applicable laws and regulations.

### **Guidelines**

1. **WORKING AT THE UNIVERSITY** - The University values diversity and champions the fundamental principle of treating others with respect. The University also is committed to providing a safe work environment in which discrimination, harassment, and acts or threats of violence are not tolerated. The University expects its staff employees to treat each other and those with whom they have business dealings on behalf of the University with respect, honesty, integrity, and civility. Additional guidance is available in the following policies:
  - Equal Employment Opportunity;
  - Sexual Assault;
  - Termination of Employment; and
  - Harassment, Discrimination and Sexual Misconduct.
2. **CONFLICTS OF INTEREST** - The University understands that its staff employees may have or be involved in outside financial, business, professional, academic, public service, or other activities. However, outside activities or commitments, familial or other relationships, private financial or other interests, and benefits or gifts received from third parties may create an actual or perceived conflict of interest between the staff employee and the University. A conflict of interest is a situation, arrangement, or circumstance where the staff employee's outside or private interests or relationships interfere or appear to interfere with those of the University or cast doubt on the fairness or integrity of the University's business dealings. Every staff employee is responsible for disclosing to his or her supervisor, Human Resources (HR), or the Office of Legal Counsel any financial or personal interests, activities, or personal or familial relationships that create an actual or perceived conflict of interest. Additional guidance is available in the Conflict of Interest and Nepotism Policies.
3. **CONFIDENTIALITY AND PRIVACY** - The University entrusts its staff employees with the confidential information of the University and, at times, others. Each University staff employee is responsible for protecting this information and preventing misuse or unauthorized disclosure. Confidential Information must only be accessed, disclosed, transmitted, used, stored, or disposed of with care and for appropriate University purposes. Please refer to the [Treatment of Confidential Information Policy](#) for detailed guidance.

4. UNIVERSITY RECORDS - All University accounting, financial records, expense reimbursements, time and attendance records, and submissions to governmental agencies must be truthful, timely, complete, and accurate. Specific guidance regarding University financial transactions and records is available on the Finance and Administration website and in the Attendance Policy.
5. USE OF UNIVERSITY RESOURCES - All University staff employees are responsible for protecting and preventing the misuse of University resources, property, and other assets, including but not limited to, funds, information, intellectual property, facilities, office supplies, equipment, computers, networks, software, telephone and internet services, voice mail, and e-mail. University resources are reserved for University business and may only be used for lawful and authorized purposes. University systems such as computers and e-mail may be used for reasonable and incidental personal use. Additional guidance is available in the following:
  - Financial Policy Manual
  - Information Technology Policies
  - Property Management Manual
6. PURCHASING AND VENDOR PRACTICES - All University staff employees must act in a fair and professional manner when engaging in commercial activities on behalf of the University, e.g., purchasing goods and services. Commercial transactions must take place in a competitive environment free from conflicts of interest. The University's goal is to have a diverse pool of vendors and suppliers and to obtain the best possible value based on quality, price, service, reliability, and delivery terms. Goods and services may only be purchased by authorized individuals consistent with the University's Procurement/Disbursements Policies. Purchasing and Payment Services can provide guidance concerning the full spectrum of University commercial activities involving the purchase of goods and services.
7. REPORTING RESPONSIBILITIES & PROCEDURES - All University staff employees must promptly notify the University of inappropriate conduct so that it can be properly addressed. University staff employees who are aware of or suspect fraud, misappropriation of funds, theft, other misuse of University resources or assets, accounting irregularities, or other violation of these principles or University policy, should report their concerns immediately to their supervisor, Risk Management, Human Resources (staff employee related), the Office of the Provost (faculty or other academic personnel related), or the Office of Campus and Student Life (student related). Alternatively, concerns may be reported to the University's Whistleblower hotline at 800.971.4317.
8. RETALIATION - The University prohibits retaliation against any person for making a report in good faith or cooperating in an investigation. Individuals who take retaliatory action will be subject to corrective action up to and including termination of employment.
9. VIOLATIONS - Every staff employee is responsible for complying with these principles and for taking action or reporting violations. Employees who fail to comply with the principles, including not reporting known unethical conduct, or who fail to cooperate in an investigation will be subject to corrective action up to and including termination of employment.

## **CONFLICT OF INTEREST**

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### **Purpose**

The purpose of this policy is to establish guidelines for conflicts of interest or commitment that might arise in the course of staff employees' duties and external activities. This policy does not seek to unreasonably limit external activities, but instead seeks to emphasize the need to disclose conflicts and potential conflicts of interest and commitment, to manage such conflicts and to ensure that the University's interests are not compromised.

As a basic condition of employment, all University staff employees have a duty to act in the University's best interest in connection with matters arising from or related to their employment and other University activities. In essence, this duty means that staff employees must not engage in external activities that interfere with their obligations to the University, damage the University's reputation, compete with the University's interests, or compromise the independence of the University's research and business activities, or can reasonably be seen as doing so. Staff employees likewise must not profit or otherwise gain advantage from any external activity at the University's expense or engage in external activities under circumstances that appear to be at the University's expense.

### **Policy**

Staff employees must disclose and avoid actual and perceived conflicts of interest or commitment between their University responsibilities and their external activities. Depending on the circumstances, employee participation in activities in which a conflict or perceived conflict of interest exists may be prohibited or may be permitted but affirmatively managed.

### **Definitions**

*Staff employee:* All part-time and full-time University staff employees, including officers who are not primarily academic employees within the meaning of the University's Statutes or policies.

*External activity:* outside financial, business, political, professional, public service and academic activities.

*Business activity:* the full spectrum of University commercial activities, including but not limited to purchasing, selling, hiring, contracting, investing, licensing, and leasing.

*Financial interest:* anything of monetary value, including but not limited to, compensation, payments for service (e.g. consulting fees or honoraria), royalties, equity or ownership interests (with the exception of owning not more than 1% of any publicly traded class of shares of any company), and intellectual property rights.

*Conflicts of commitment:* when a staff employee's external activities (e.g., consultation arrangements, service on boards, leadership positions in external organizations) involve a dedication of time or other obligations that interfere with the staff employee's fulfillment of

University responsibilities or when a staff employee uses University resources for external activities without appropriate authorization.

*Relative:* the spouse, domestic partner, and, whether by blood, adoption, marriage or domestic partnership, the child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, or any person residing in the immediate household (or the household of the spouse or domestic partner of any of these relatives) of the University employee, or his or her spouse or domestic partner.

## **Guidelines**

1. A staff employee must fully disclose any external activity or financial interest of the staff employee or relative that would reasonably appear to be affected by or to affect the staff employee's decisions, actions or participation in University business activities. Put another way, if a staff employee or staff employee's relative is engaged in an external activity or has a financial interest then full disclosure is necessary if: (i) there is a chance that the interest or activity could reasonably appear to affect the staff employee's decisions, actions or participation in University business activities; (ii) or there is a chance that the staff employee's job duties or participation in other University activities could reasonably appear to affect the external activity or the interests of the external entity in which the staff employee or relative has a financial interest.
2. A staff employee must also disclose when they provide non-University related services to another entity, including a corporation, business, association, government agency or nonprofit organization as an officer, director, owner, agent, consultant, or employee when the services may involve the commitment of time during business hours or otherwise conflict in any way with the University's interests or their responsibilities to the University.
3. All disclosures required by this policy must be in writing to the department/unit head or to the appropriate University vice president as soon as a staff employee becomes involved in covered external activities, aware of an actual or potential conflict of interest or involved in a sexual, romantic, or external business relationship as provided in paragraph 12. Disclosures should provide details such as the nature of the external activity or financial interest, expected or actual role in the external activity, and whether there is compensation or other financial remuneration associated with the external activity. The department/unit head or appropriate University vice president shall respond in writing to acknowledge the disclosure and identify whether a written management plan is necessary. Depending on the nature of the conflict, a written management plan should be devised by, as appropriate, the unit's lead, senior human resources representative or Human Resources (HR), and must be approved by the head of the organizational unit (e.g., Dean, Director, Chairperson) with a copy maintained by the unit. At a minimum, management plans must: (i) address the external activity, interest, or commitment in a way that will ensure that it will not interfere with the interests of the University, (ii) ensure the staff employee is not participating in making decisions on the University's behalf, which the external activity, interest, or commitment will cast doubt on the fairness or integrity of the University's business dealings and (iii) establish a review and approval process as appropriate. To ensure continuity and appropriateness,

review and, as needed, revision of the approved management plan should occur at least annually and also whenever there is a germane change in reporting relationships. If the at-issue relationship involves the leader of an organizational unit, the management plan must be reviewed and approved by the organizational leader to whom the at-issue unit leader is accountable.

4. Staff employees who knowingly have or reasonably should know that they have (i) a financial interest in, (ii) a familial relationship with, or (iii) a relative who has a financial interest in, an individual or entity with whom the University is engaged or is actively considering engaging in a business activity, must disclose the interest or relationship and must not act on behalf of the University or otherwise participate in, or seek to directly or indirectly influence, any University decision or transaction regarding or related to that individual or entity. The following are examples of financial interests and relationships that must be disclosed:
  1. The landscaping business owned by the father of a staff employee in the Facilities Department seeks to bid on a University landscaping contract.
  2. A consulting firm bids on a contract to provide statistical analysis, and a staff employee is a partner in the firm.
  3. A staff employee recommends using an office supply company with an excellent reputation and owned by the staff employee's brother.
5. The University encourages staff employees' participation in professional, charitable, community, government, and other public service organizations, which can be beneficial to the staff employee and the University. However, staff employees must not allow external activities to interfere with fulfilling their responsibilities to the University. To avoid conflicts of commitment all external activities involving a significant time commitment during business hours or other obligations that may impact fulfilling responsibilities to the University must be disclosed to the department/unit head or the appropriate vice president of the University, who may approve (with or without modification and/or a management plan) the external activity if it advances or otherwise serves the University's interests. The following are examples of external activities that must be disclosed:
  - Serving as an officer of an organization when the commitment will require substantial travel and work during University business hours;
  - Providing expert witness services in any civil or criminal case;
  - Serving on the board of a nonprofit organization;
  - Working as an editor or reviewer for a professional or academic journal; or
  - Serving on a panel or committee for a professional organization.
6. Staff employees must refrain from external activities involving personal gain or financial benefit for themselves or relatives (e.g., the purchase or sale of securities, real property, or other goods or services) in which they use, appear to use or likely have the opportunity to use, confidential information or special knowledge gained as a result of their employment by the University and/or participation in other University activities.
7. Staff employees must use confidential information consistent with [U601 Confidential Information Policy](#) and must refrain from unauthorized disclosure of non-public information concerning the University's business activities, including but not limited to its investments, property development, sale or acquisition, and purchasing and contracting activities.

8. Staff employees must not engage in the unauthorized use of University resources for his/her personal benefit or for the benefit of any other person or external organization. The following are examples of prohibited conduct:
  - Using University property such as photocopiers or printers for an employee's cosmetic business;
  - Purchasing personal items with a University credit card or account;
  - Spending considerable time on a telephone call for the staff employee's consulting business during University business hours; or
  - Donating old computers to a nonprofit organization without appropriate authorization.
9. Staff employees must exercise good judgment in giving or receiving gifts or entertainment. It is sound practice to discourage personal gifts and favors from entities and individuals with whom the University engages in business activities or is considering engaging in business activities. Personal gifts of more than nominal value should be declined or returned to avoid any appearance or suggestion of improper influence. Entertainment or travel with a more than nominal value paid for by an external individual or entity must first be disclosed to and approved by the department head or an appropriate vice president of the University. Staff employees may only take vacations with individuals or other entities with which the staff employee directly engages in University business activities, regardless of who pays for the vacation, if the vacation is first disclosed to and approved by the department head or appropriate vice president of the University. The following are examples of prohibited conduct:
  - An employee travels and speaks at a conference at a vendor's expense without prior approval from the department head;
  - An employee receives a \$100 gift card from a vendor and uses it for personal use; or
  - A department attends a dinner paid for by a potential vendor without prior approval by the appropriate vice president.
10. Staff employees involved in awarding or administering contracts using federal or other government funds are prohibited by law from soliciting or accepting gratuities, favors or anything of monetary value from contractors or potential contractors.
11. Staff employees must not make, participate in or attempt to influence other University employees' decisions in University business activities involving a relative. Staff employees should refer to [U206 Nepotism Policy](#) for additional guidelines. The following are examples of prohibited conduct:
  - A staff employee's nephew applies for a Research Assistant position, and the staff employee pressures the hiring manager to hire the nephew;
  - A vice president's son wants a schedule change, and the vice president calls the son's supervisor and encourages the schedule change; or
  - A staff employee learns of his/her spouse's possible termination of employment and encourages the supervisor to issue a warning instead of termination.
12. Staff employees must avoid favoritism or the appearance of favoritism that may be associated with making employment or business decisions related to a person with whom the staff employee has a romantic, sexual or external business relationship. A staff employee must disclose a personal, romantic, sexual, or external business relationship if it appears to create a conflict of interest or casts doubt on the fairness or integrity of the

University's employment or business decisions. Additionally, a staff employee may not make, participate in, or attempt to influence employment or other business decisions involving a person with whom the staff employee has a sexual or romantic relationship. Sexual and romantic relationships also may be proscribed by the University's Policy on [Harassment, Discrimination and Sexual Misconduct](#). The following are examples of relationships that must be disclosed:

- Pat, a staff employee has been dating another staff employee, Chris, and Chris applies for a position indirectly reporting to Pat.
- An employee at a business owned, in part, by a staff employee applies for a position in the department at the University in which the staff employee works, and the applicant may report, directly or indirectly, to the staff employee if hired.
- An employee's neighbor and longtime friend applies for a position reporting directly to the employee.

13. Staff employees are strongly encouraged to disclose any other financial interest or external activity that could present an actual conflict of interest or commitment, or might reasonably be perceived to create a conflict of interest or commitment. Disclosure is a key factor in protecting one's reputation and career from embarrassing or harmful allegations of inappropriate conduct. Staff employees are encouraged to seek guidance from their supervisor or HR even if their situation is not directly covered by the disclosure obligations in this policy.
14. Failure to disclose an actual or potential conflict of interest or commitment or comply with an applicable management plan, is a violation of this policy and may result in corrective action up to and including termination of employment.

## EQUAL EMPLOYMENT OPPORTUNITY (EEO)

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### **Purpose**

To express the University's continuing practice of nondiscrimination in employment.

### **Policy**

The University of Chicago provides equal employment opportunities to all employees, applicants, and job seekers, and is committed to making decisions using reasonable standards based on each individual's qualifications as they relate to a particular employment action (e.g., hiring, training, promotions). No person shall be discriminated against in employment or harassed because of race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, age, status as an individual with a physical or mental disability unrelated to ability, protected veteran status, military status, unfavorable discharge from military service, citizenship status, genetic information, marital status, parental status, ancestry, source of income, credit history, housing status, order of protection status, actual or perceived association with such a person or other classes protected by law. This policy includes the commitment to maintaining a work environment free from unlawful harassment.

Under this policy, no employee or applicant shall be subject to retaliation (including harassment, intimidation, threats, coercion or discrimination) because he/she has engaged, in good faith, in the following activities: (i) filing a complaint under this Policy with the University, or with federal, state or local equal employment opportunity agencies; (ii) assisting or participating in an

investigation or other activity related to the administration of any federal, state or local equal employment opportunity or affirmative action law; (iii) opposing any act or practice prohibited by this Policy or federal, state or local equal employment opportunity or affirmative action law; or (iv) exercising any other right protected by federal, state or local equal employment opportunity or affirmative action law. Staff employees and applicants for staff jobs should immediately bring any complaint or retaliation under this Policy to the attention of Human Resources (Labor/Employee Relations) or the Affirmative Action Officer.

### **Guidelines**

1. This Policy applies to all terms, conditions, and privileges of employment including: recruitment, hiring, probationary period, training and development opportunities, job assignment, supervision, promotion or transfer, compensation, benefits, layoff and recall, termination, and retirement.
2. The Vice President & Chief Human Resources Officer (VP & CHRO) is responsible for ensuring that University policies (including this Policy) regarding the fair and equitable treatment of staff employees are implemented.
3. The Affirmative Action Officer coordinates the University's compliance with and interpretation of this Policy and advises employees, supervisors, and managers about the policy as needed.
4. Department heads, managers, and supervisors have primary responsibility for ensuring that employment decisions and the work environment are in compliance with this policy. Their own work performance will be evaluated, in part, on the basis of their efforts and results in the area of EEO.
5. Staff employees who believe they have been discriminated against, harassed, or have knowledge of such conduct should discuss their concerns or bring any work-related concerns to their supervisor. However, a staff employee may elect to contact Human Resources (Labor/Employee Relations) or the Affirmative Action Officer. Every reasonable effort will be made to conduct a prompt investigation and to treat complaints impartially and confidentially with a view to arriving at fair resolutions. If an investigation leads to a determination that this Policy was violated, corrective action up to and including termination of employment will be taken.
6. The University will provide, upon request by a job seeker or an applicant, reasonable accommodations for a disability, to complete the application process.
7. In accordance with the Americans with Disabilities Act, the University shall provide upon request by an employee with a disability, reasonable accommodations for the employee when doing so will enable the employee to successfully perform the essential duties of the job. Staff employees should contact Human Resources (Labor/Employee Relations) to initiate the disability accommodation process.

## **NEPOTISM**

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### **Purpose**

The purpose of this policy is to avoid favoritism, the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism. Nepotism is inconsistent

with the University's longstanding policy of making employment and other business decisions based solely on University needs and individual qualifications, skills, ability and performance.

## **Policy**

No University staff employee may make, participate in, or attempt to influence employment or other business decisions involving a relative or pressure or cause others to do so.

## **Definitions**

*Nepotism:* favoritism in the workplace based on kinship, which ordinarily consists of making employment or other business decisions based on a family relationship.

*Staff employee:* All part-time and full-time University staff employees, including officers who are not primarily academic employees within the meaning of the University's Statutes or Policies.

*Employment decisions:* the full spectrum of employment related actions, including but not limited to decisions related to hiring, supervision, direction of work, promotion, compensation, work hours, performance evaluation, termination and all other terms and conditions of employment.

*Business decisions:* decisions related to full spectrum of University commercial activities (e.g., buying, hiring, selling, contracting, licensing, leasing).

*Relative:* the spouse, domestic partner, and, whether by blood, adoption, marriage or domestic partnership, the child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, or any person residing in the immediate household (or the household of the spouse or domestic partner of any of these relatives) of the University employee, or his or her spouse or domestic partner.

## **Guidelines**

1. This policy does not prohibit the University from simultaneously employing relatives or engaging in commercial activities with the relatives of employees. For example, relatives are permitted to work in the same University department or unit so long as the relatives comply with the requirements outlined above, e.g., there is no direct reporting or supervisory relationship between the relatives and all employment decisions are made by others.
2. Exceptions to this policy are at the discretion of the Vice President & Chief Human Resources Officer (VP & CHRO). For example, if one of the related parties is uniquely qualified to work for the other based on qualifications for a position and performs work in direct support of teaching, research or patient care, the VP & CHRO may permit the related persons to continue to work together, provided that an appropriate management plan is developed, implemented and administered, as described below in Paragraph 6.
3. Staff employees must self-report in writing to the head of their organizational unit before they make, participate in or attempt to influence (or cause others to make, participate or attempt to influence) decisions covered by this policy. If the at-issue relationship involves the leader of an organizational unit (e.g., a Director or Associate Vice President), the report

- must be made in writing to the next most senior leader to whom the employee is accountable.
4. This policy applies to instances of nepotism that existed before the enactment of this policy. Any existing relationships or situations must be disclosed immediately, evaluated, and managed as provided in this policy.
  5. Legitimate issues may arise and thus must be disclosed and managed under this policy with regard to: (i) relatives who do not fit the definition of relative provided above; or (ii) situations where the staff employee is directly or indirectly involved in the University's engagement or potential engagement (e.g., as a contractor) of a relative.
  6. As noted, if the VP & CHRO permits an exception to this policy, a management plan must be developed, implemented and administered. The fundamental goal of the management plan is to mitigate actual and perceived favoritism and conflicts of interest and loyalty by establishing appropriate processes for employment decisions. Depending on the employment classification (e.g., staff, academic) of the individual with whom the staff employee has a relationship, a management plan should be devised by, as appropriate, the unit's academic affairs administrator, senior human resources representative or Human Resources, and must be approved by the head of the organizational unit (e.g., Dean, Director, Chairperson). At a minimum, management plans must: (i) address reporting relationships, supervision, and evaluation in a way that will assure that there will be no participation in employment decisions as prohibited by this policy and (ii) establish a review and approval process for expenditures to sufficiently mitigate or preclude favoritism or the appearance of favoritism. To ensure continuity and appropriateness, review and, as needed, revision of the approved management plan should occur at least annually and also whenever there is a germane change in reporting relationships. If the at-issue relationship involves the leader of an organizational unit, the management plan must be reviewed and approved by the organizational leader to whom the at-issue unit leader is accountable.
  7. Concerns or complaints about possible violations of this policy should be submitted to the VP & CHRO. All such complaints will be treated as confidentially as feasible and will be addressed by the VP & CHRO or their designee.
  8. Violations of this policy may result in discipline up to and including termination of employment.

## PERSONAL BUSINESS, VISITORS, AND PETS

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Non-work related activities or business should be conducted outside of your scheduled work hours. Personal phone calls during scheduled work time should not disrupt the work of staff employees or other University activities and should be limited. Non-work related visitors should not visit the work area during working hours and typically should be limited to common, lobby, or break areas.

For the safety and protection of staff employees, faculty, students, and others on campus, pets are not permitted in University buildings unless otherwise required by law such as service dogs.

## SMOKING/NONSMOKING

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### **Purpose**

To comply with the 2005 Chicago Clean Indoor Air Ordinance, which protects the health of faculty, staff, students, and visitors.

### **Policy**

Smoking is prohibited in all University buildings in accordance with the City of Chicago Clean Indoor Air Ordinance 7-32-010.

### **Exceptions**

1. Apartments in buildings managed by Real Estate Operations (REO) and dormitories. However, smoking is prohibited in public spaces of apartment buildings and dormitories.
2. Smoking will be prohibited within 25 feet of any entrances to the Searle Chemistry Laboratory building at 5735 South Ellis Avenue and the building at 6045 South Kenwood Avenue. This prohibition is necessary to meet and maintain the LEED (Leadership in Energy and Environmental Design) standards of the U.S. Green Building Council (USGBC). This exception will apply to any University building that pursues LEED certification. Buildings which receive LEED certification shall display the 25 feet requirement through modification of the current signage.

### **Guidelines**

1. This policy covers the smoking of all tobacco, nicotine and other products, and includes cigars, cigarettes, "smokeless" cigarettes and other such delivery systems.
2. Smoking is permitted outdoors at least 15 feet away from the entrance or enclosed area of any building including dormitories and residential properties.
3. Any person who smokes within a University building or outdoors less than 15 feet away from the entrance or enclosure is subject to a fine of not less than \$100 and not more than \$500 as set forth in the City Ordinance. It should be noted that the University, as building owner, can also be subject to the same City fine, or a greater amount, for repeated infractions.
4. Smoking complaints under the University policy are to be submitted to the University's Safety and Environmental Affairs Office (phone 702-9999). This office will assign an officer to investigate and evaluate the complaint and route the complaint along with the findings to the administrative officer or academic dean of the unit against which the complaint is lodged. It is the responsibility of the appropriate administrative officer or academic dean to ensure that this policy is observed.
5. Enforcement of non-smoking areas in all buildings shall be in accordance with the City of Chicago Building Code and the City of Chicago Clean Indoor Air Ordinance, which allows an employee to designate his or her own work area as a non-smoking area.
6. Any employee who violates this policy will be subject to corrective action up to and including termination of employment.

\* University employees located in the Medical Center shall be subject to the provisions of the University of Chicago Hospitals' smoking/nonsmoking policy.

## SOCIAL MEDIA

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### **Purpose**

To provide guidelines for the responsible use of blogs, networking sites, and other social media for staff employees.

### **Policy**

The University recognizes blogs, networking sites, and other social media (collectively referred to as “social media”) as possible tools to support the University’s educational and operational goals. This policy applies to staff employees when they participate in social media as part of their job duties. It also applies to staff employees’ participation in social media at any time that they give the appearance of speaking on behalf of the University or its affiliates; identify themselves as University employees or as affiliated with the University; or discuss the University or its affiliates. Staff employees are responsible for the content they publish on social media and should use good judgment. Staff employees should be mindful that the things they say or do on social media are publically available and searchable and may be forever accessible. As provided in the University’s [Business Conduct Policy](#), comments, expressions, and other postings on social media must be honest and respectful of others; respect confidential, personal, and proprietary information; and comply with applicable law and University policies.

### **Definitions**

*Social media:* Online, electronic, or Internet media, tools, communities, and spaces for social interaction, sharing user generated content, or public or semi-public communication. Social media typically uses web-based technologies to turn communication into interactive dialogues. Social media can take many different forms, including internet forums, blogs & microblogs, online profiles, wikis, podcasts, pictures and video, email, text, instant messaging, music-sharing, and chat, to name just a few. Examples of social media include but are not limited to the following: LinkedIn, Facebook, MySpace, Wikipedia, YouTube, Twitter, Skype and blogs.

*Blogging:* Making an entry into a written online journal or forum that is accessible to users of the forum, blog, or Internet.

*Cyber-vetting:* Refers to accessing publically available social media or using search engines such as Google and Yahoo to review the online activity or suitability of staff employees, applicants, or job seekers.

### **Guidelines**

1. Staff employees are reminded that the use of University property is primarily for the purpose of performing University business. Staff employees should make sure they are aware of department/unit specific standards regarding Internet and social media usage on University property and during business hours. Staff employees should consult with their immediate supervisors before using social media for work-related purposes. Personal use of the

Internet including social media must be consistent with the [Eligibility and Acceptable Use Policy for Information Technology](#).

2. It often is difficult to distinguish between personal and professional activity in social media; thus, staff employees who identify themselves as an employee of the University or use their University email address must state, “The opinions expressed are my own, and they do not necessarily represent the views or opinions of my employer” unless the University has formally designated the staff employee as an official spokesperson of the University. If you have questions regarding whether a staff employee is formally designated as an official spokesperson, please contact University Communications. The following are examples of postings on social media that violate this or other University policies:
  1. I support Jane Doe for City Council...John Doe (Director of Account Management, University of Chicago);
  2. We are using Brand X software at the University of Chicago, and it's the worst. Sara Smart (Technology Analyst).
3. Staff employees must safeguard and use confidential information consistent with [601 Treatment of Confidential Information](#). Thus, staff employees must not disclose or post Confidential Information on social media. In addition, staff employees must not use trademarks, logos, copyrighted, or other proprietary information of the University or others in personal blogs, personal postings, or other social media.
4. Staff employees must not use social media to harass, threaten, discriminate, or disparage employees or others affiliated with the University. Staff employees' postings and use of social media must comply with [201 Equal Employment Opportunity](#), [606 Workplace Violence](#), and [609 Harassment, Discrimination & Sexual Misconduct](#). The following are examples of postings on social media that violate this or other University policies:
  1. A rear view picture of a coworker bending over;
  2. I work in the Lab at the University of Chicago, and my supervisor, Tara is a liar and an idiot; tomthumb@uchicago.edu; and
  3. Derogatory comments about a coworker and his religious beliefs.
5. Staff employees' communications on social media should be consistent with the University's policies, standards, and principles and should not denigrate or insult others.
6. Staff employees should contact Human Resources and use caution before deciding to “cyber-vet” a staff employee, applicant, or job seeker. Cyber-vetting must be consistent with applicable law and University and department/unit policy including but not limited to [201 Equal Employment Opportunity](#), [202 Recruitment and Selection Process](#), and [609 Harassment, Discrimination & Sexual Misconduct](#). Staff employees should not request, pressure, or require employees or others affiliated with the University to share passwords to social media nor should employees or others affiliated with the University be pressured or required by a staff employee to “friend” or otherwise establish an online or social media relationship.
7. If a staff employee has questions about this policy or a specific posting out on the web or wishes to report a posting that may not comply with this policy, please contact the staff employee's supervisor, the Human Resource Partner (HRP) for the department/unit, or Human Resources.

8. The University may require staff employees to remove posts that violate this policy or applicable law.
9. Staff employees who violate this policy may be subject to corrective action up to and including termination of employment.

## SOLICITATIONS

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To avoid disruption of University activities, the University prohibits: (a) the distribution of literature for any purpose by employees in working areas on University property; (b) the distribution of literature for any purpose by employees in non-working areas of University property during employees' working time; (c) personal solicitation of any kind in both working and non-working areas by employees during working time; and (d) solicitation or distribution for any purpose to employees, customers or visitors by non-employees at any time on University property and premises within the University's control. For the purpose of this Handbook, "working time" does not include lunch periods or other duty-free time periods, but does include the time spent on work tasks by both the employee engaging in the distribution of literature or solicitation and the employee to whom the distribution or solicitation is directed.

## SUBSTANCE ABUSE

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### **Purpose**

To define the University's policy regarding substance abuse and to provide guidelines in handling an employee whose work performance has been impaired by the use of such substances as alcohol or drugs. This statement implements the requirements for a drug-free workplace as required by federal law.

### **Policy**

The University recognizes alcohol and drug abuse as potential health, safety, and security problems. The University expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with this substance abuse policy is made a condition of employment.

### **Guidelines**

1. The University prohibits employees from the manufacture, possession, use, distribution, sale or purchase of non-prescribed controlled substances and intoxicants while on University premises and from working under the influence of alcohol, drugs or other intoxicating substances. The only exception to this provision will apply to moderate consumption and/or possession of alcohol on University premises by legally aged employees at University approved functions (e.g., receptions, parties).
2. Any employee who violates any aspect of this substance abuse policy, who intentionally abuses prescription drugs, who tampers with the drug testing process or

who tests positive to a drug test will be seriously reprimanded, up to and including discharge.

3. All employees are required to report to their jobs in appropriate mental and physical condition, ready to work. If an employee may be impaired because of taking medication according to a doctor's prescription, (s)he is expected to discuss it with his/her supervisor before commencing work that day. Should the University have reason to verify prescription information with the treating physician, the employee will be expected to authorize release of such information.
4. As required by federal law, any employee who is convicted of any violation of any criminal drug statute (including misdemeanors) for a violation occurring on University property or during working time shall notify Human Resources (HR) within five (5) days of the date of conviction. A conviction includes any plea or finding of guilty, any plea of "nolo contendere" and/or imposition of a fine, jail sentence or other penalty. Pursuant to federal law, if the convicted employee is working on a project funded through a federal contract or grant, the University is required to notify the relevant federal contracting or granting agency within ten (10) days of receiving such notice of conviction.
5. The department's HR contact person should be informed by a supervisor when there is reason to believe that an employee's work performance has been impaired due to the consumption of alcohol, drugs or other intoxicants. The employee may be referred to the Occupational Health Clinic for drug testing.
6. Any employee who feels (s)he may have a substance abuse problem is urged to contact his/her supervisor or a representative of HR. The employee is also urged to seek the services of the Employee Assistance Program. Such an employee will not be disciplined or retaliated against for such contact. The University is interested in a safe workplace, and a healthy and productive workforce, not in punishing employees who seek help.
7. An employee who requests treatment or a leave of absence for treatment will not be disciplined for making such a request. An employee may not, however, escape discipline by first requesting such treatment or leave after being selected for testing or violating the University's policies and rules. Requests for such treatment will be kept confidential in accordance with federal and state law.
8. The employee must begin and complete satisfactorily an approved treatment program and the ongoing requirements of the program, and consent in writing to the disclosure by the program of its recommendations, any dangers it perceives in connection with the employee's continued performance of his/her job, and whether the employee is complying with, and has successfully completed the program and the ongoing requirements of the program. The employee will also submit to further testing as required by the University.
9. The University retains full and final discretion on whether, when, and under what conditions an employee may be re-employed after an instance where an employee has violated this substance abuse policy.

## TREATMENT OF CONFIDENTIAL INFORMATION

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### **Purpose**

To identify information that is considered confidential and to establish guidelines for the use of confidential information.

### **Policy**

Employees must not misuse confidential information.

### **Definitions**

Confidential information generally consists of non-public information about a person or an entity that, if disclosed, could reasonably be expected to place either the person or the entity at risk of criminal or civil liability, or damage the person or entity's financial standing, employability, privacy or reputation. The University is bound by law or contract to protect some types of confidential information, and in other instances the University requires protection of confidential information beyond legal or contractual requirements as an additional safeguard. Confidential information includes but is not limited to:

1. payroll records, salary and non-public benefits information
2. Social Security numbers, driver's license numbers, state identification card numbers, passport numbers
3. credit and debit card information, and financial account information
4. personnel records, including but not limited to information regarding an employee's work history, credentials, salary and salary grade, benefits, length of service, performance, and discipline (see [Policy U705 Employee Access to Personnel Records](#))
5. individual criminal background check information
6. individual conflict of interest information
7. individually identifiable biometric information
8. computer system passwords and security codes
9. unpublished grant proposals and unpublished research data
10. unpublished manuscripts and correspondence
11. budgetary, departmental, or University planning information
12. non-public financial, procurement, health/safety, audit, insurance and claims information
13. internal investigation information, pre-litigation, and non-public litigation and administrative agency charge, audit and inquiry information
14. student records, including but not limited to student education records within the meaning of the Family Educational Rights and Privacy Act
15. proprietary or intellectual property in which the University asserts ownership that is created by University employees in connection with their work
16. non-public law enforcement records generated or maintained by the University of Chicago Police Department
17. all University attorney-client communications and University attorney work product

18. non-public donor and alumni information
19. patient care records including patient benefit plan enrollment, claims, billing matters, and data concerning human research subjects
20. medical records, genetic information, personally identifiable medical information, and all information designated as "Protected Health Information" under the Health Insurance Portability and Accountability Act (HIPAA), or otherwise protected by law
21. all information, materials, data and records designated confidential by a University unit, by law or by contract, including information obtained by the University from third parties under non-disclosure agreements or any other contract that designates third party information as confidential

## **Guidelines**

1. All employees with job duties that require them to handle confidential information are required to safeguard such information and only use it or disclose it as expressly authorized or specifically required in the course of performing their specific job duties.
2. Misuse of confidential information can be intentional (acts and/or omissions), or a product of negligence or inadvertence. Misuse includes but is not limited to:
  - o Accessing information not directly germane or relevant to the employee's specifically assigned tasks
  - o Disclosing, discussing and/or providing confidential information to any individual not authorized to view or access that data, including but not limited to third parties, volunteers, vendors and other University employees
  - o Reckless, careless, negligent, or improper handling, storage or disposal of confidential data, including electronically stored and/or transmitted data, printed documents and reports containing confidential information
  - o Deleting or altering information without authorization
  - o Generating and/or disseminating false or misleading information, and
  - o Using information viewed or retrieved from the systems for personal or any other unauthorized or unlawful use.
3. Employees who have been assigned personal access codes to work with systems that generate, store or manage confidential information bear the responsibility for preserving the complete confidentiality of such codes to ensure against unauthorized use by any other person. Employees who negligently or intentionally share their system passwords or accounts with anyone else for any reason will be held responsible for any resulting misuse of the system by others.
4. Employees who have any reason to believe or suspect that someone else is using their personal access codes must immediately notify their supervisor.
5. Employees are prohibited from logging onto University data bases and administrative systems with their personal access codes and then permitting another person to access information in those data bases and/or systems.
6. Student education records are governed by the Family Educational Rights and Privacy Act (FERPA) and applicable University policy (see the University of Chicago Student Manual). FERPA-protected student education records must not be disclosed under any

circumstances absent the express consent of the University student (or former student) or as authorized by the University's Office of Legal Counsel or the University's Registrar.

Although FERPA also permits the University to disclose student directory information (as defined by FERPA), no such information may be disclosed until the Office of the Registrar has confirmed that the student has not elected to block his or her directory information, as permitted by FERPA.

7. Employees are expected to:

- o Identify confidential information and materials;
- o Proactively seek information regarding and comply with any restrictions on the use, administration, processing, storage or transfer of the confidential information in any form, physical or electronic;
- o Learn about and comply with any procedures regarding the appropriate handling of such information and materials; and
- o Understand their responsibilities related to information security.

8. Employees who have access to confidential information are expected to know and understand associated security requirements, and to take measures to protect the information, regardless of the data storage medium being used, e.g., printed media (forms, work papers, reports, microfilm, microfiche, books), computers, data/voice networks, physical storage environments (offices, filing cabinets, drawers), and magnetic and optical storage media (hard drives, diskettes, tapes, CDs, flash drives). Computer display screens should be positioned so that only authorized users can view confidential information, and confidential information should be discarded in a way that will preserve confidentiality (e.g., in a shred box, not in a trash can or recycling bin).

9. In many instances, employees will be required or expected to attend training relevant to the information/materials being handled. Employees who are hired into positions that require adherence to government-mandated compliance (e.g., HIPAA, Medicare Compliance, grant and contract administration, pathogens or select agents) will be subject to strict procedures for handling such materials, must attend all mandated training sessions, and comply with compliance-specific policies and applicable law.

10. Employees must notify the University of any violation of these guidelines. Employees may report their concerns immediately to their supervisor, department head, or central University administration. Alternatively, concerns may be reported to the University's hotline at 800-971-4317.

11. Employee misuse of confidential information and/or the systems in which the information is stored is a serious breach of job responsibilities and will result in discipline up to and including termination of employment. [See [Policy U703 Progressive Corrective Action](#)]

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## WORKPLACE VIOLENCE

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### Purpose

To define the University's policy on workplace violence.

### Policy

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The University is committed to providing a safe work environment for all of its employees and students. To foster this environment, the University has a zero-tolerance policy for any acts of intimidation or threats of violence committed by any employee, student, customer or vendor at any University workplace or while conducting University business. Conduct that interferes with the University's commitment to maintaining a violence-free workplace will not be tolerated.

## Guidelines

1. A staff employee must conduct himself/herself in a professional manner which excludes behaviors for which the University has zero-tolerance, including:
  - direct or indirect intimidation or threats of violence;
  - acts of a violent or aggressive nature (e.g., communicating threatening messages, pushing, hitting, fighting, throwing objects or otherwise intentionally injuring another person), whether conducted in a verbal, physical or electronic mode;
  - vandalism, destruction, attempted destruction or threats of such to the University or its property;
  - physical or verbal harassment or intimidation, including any behavior or threat of behavior that would place a reasonable person in fear of physical injury or aggressive physical contact; and
  - possession of firearms or dangerous weapons at any University workplace or while conducting University business.
2. Harassment of a sexual nature will be governed by the University's [Harassment, Discrimination & Sexual Misconduct Policy](#), which includes sexual harassment.
3. An employee who commits acts of intimidation or threats of violence, whether intentional or unintentional, will be subject to immediate disciplinary action up to and including termination of employment, arrest, criminal prosecution, and/or civil action.
4. If the incident of violence results in an injury or death to an employee, the event is recordable for purposes of the Occupational Safety and Health Act (OSHA) Log and should be immediately reported to the Workers' Compensation Administrator.
5. Any employee who feels he/she has been the subject of workplace violence or has identified a situation where workplace violence has or could occur, must immediately bring it to the attention of his/her supervisor, manager, unit head, or HR - Employee/Labor Relations.
6. The University forbids retaliation against any employee for reporting a violation of this policy. Any employee who engages in retaliation is in violation of this policy and will be subject to disciplinary action up to and including termination. An employee who feels he/she is the subject of retaliation should contact HR – Employee/Labor Relations.
7. If a student commits acts or threats of violence or intimidation, he/she will be subject to the student disciplinary procedures.
8. For guidance or advice regarding workplace violence and unacceptable employee conduct, contact HR – Employee/Labor Relations.

# UNIVERSITY OF CHICAGO POLICY ON HARASSMENT, DISCRIMINATION & SEXUAL MISCONDUCT<sup>1</sup>

## **I. Introduction**

The University of Chicago is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning. Members of the University community cannot thrive unless each is accepted as an autonomous individual and is treated without regard to characteristics irrelevant to participation in the life of the University. Freedom of expression is vital to our shared goal of the pursuit of knowledge and should not be restricted by a multitude of rules. At the same time, unlawful discrimination, including harassment, compromises the integrity of the University. The University is committed to taking necessary action to prevent, correct, and, where indicated, discipline unlawful discrimination.

Sexual misconduct may violate the law, does violate the standards of our community, and is unacceptable at the University of Chicago. Sexual misconduct can be devastating to the person who experiences it directly and can adversely impact family, friends, and the larger community. Regardless of the definitions provided below, people who believe they have experienced any sexual misconduct are encouraged to report the incident and to seek medical care and support as soon as possible.

## **II. Policy Basis and Application**

This policy expresses the University's commitment to an environment free from discrimination, sexual harassment and other unlawful forms of harassment, sexual misconduct, sexual assault, domestic violence, dating violence, and stalking and conforms to legal requirements. It applies to students and other program participants, staff, postdoctoral researchers, faculty, and other academic appointees, volunteers, as well as to anyone on whom the University has formally conferred a title, regardless of employment status. The University provides education and prevention resources, offers numerous support services and referrals for anyone who has experienced unlawful harassment or one of these crimes, encourages and facilitates reporting, which can assist prosecution, and is committed to disciplining anyone whom University procedure determines to have violated this policy.

This policy applies to misconduct that occurs: (1) on University property; or (2) off University property, if: (a) the conduct occurred in connection with a University or University-sponsored or -recognized program or activity; or (b) the conduct has or reasonably may have the effect of creating a hostile educational or work environment for a member of the University community. For example, this policy applies to misconduct that occurs between students during an off-campus party in a private residence, during a University-sponsored study abroad program, or during research- or conference-based University-supported travel. Also, misconduct that occurs off-campus and involves an alleged student perpetrator and an unaffiliated complainant is subject to investigation and adjudication, although the circumstances may be such that the inquiry is limited to assessing whether the student poses a threat to campus safety.

## **III. Unlawful Harassment and Discrimination**

Discrimination based on factors irrelevant to admission, employment, or program participation violates the University's principles. In keeping with its long-standing traditions and policies, the University of Chicago considers students, employees, applicants for admission or employment, and those seeking access to programs on the basis of individual merit. The University does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, age, status as an individual with a disability, protected veteran status, genetic information or other protected classes under the law. Such discrimination is unlawful.

Harassment based on one of the factors listed above is verbal or physical conduct or conduct using technology that is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must be objectively unreasonable. Expression occurring in an academic, educational or research context is considered a special case and is broadly protected by academic freedom. Such expression will not constitute harassment unless (in addition to satisfying the above definition) it is targeted at a specific person or persons, is abusive, and serves no bona fide academic purpose.

Harassment includes same-sex harassment and peer harassment among students, staff, other academic appointees, postdoctoral researchers, faculty members, program participants, volunteers, and anyone on whom the University formally confers a title, regardless of employment status. Harassment by a faculty member, instructor, or teaching assistant of a student over whom the individual has authority, or by a supervisor of a subordinate, is particularly serious.

#### **IV. Sexual Misconduct and Definitions**

Sexual misconduct encompasses a range of conduct, from sexual assault (a criminal act that the U.S. Department of Education defines as a form of sexual harassment) to conduct such as unwanted touching or persistent unwelcome comments, e-mails, or pictures of an insulting or degrading sexual nature, which may constitute unlawful harassment, depending upon the specific circumstances and context in which the conduct occurs. For example, sexual advances, requests for sexual favors, or sexually-directed remarks or behavior constitute sexual harassment when (1) submission to or rejection of such conduct is made, explicitly or implicitly, a basis for an academic or employment decision, or a term or condition of either; or (2) such conduct directed against an individual persists despite its rejection.

In compliance with the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Clery Act, the University uses the State of Illinois Criminal Code's definitions of sexual assault and sexual abuse. The University incorporates the State's definitions of several other important terms, including domestic violence, dating violence, and stalking and recognizes that sexual assault, domestic violence, dating violence, and stalking are not gender-specific crimes. To aid searches, definitions are provided in alphabetical order.

**"Accused" or "Respondent"** means a person accused of conduct prohibited by this policy and does not imply pre-judgment.

**"Consent"** means voluntary, active and clear agreement, communicated by words or actions, to participate in specific sexual activity. Consensual sexual activity happens when each participant willingly chooses to participate.

In cases where a victim asserts that sexual activity occurred without consent, the standard is whether a sober, reasonable person in the same circumstances as the respondent should have known that the victim did not or could not consent to the sexual activity in question.

In Illinois, the legal age of consent is 17 but rises to 18 if the respondent holds a position of trust, authority, or supervision in relation to the victim. This means that there can be no consent when one participant in the sexual activity is under the legal age of consent and any other participant is at or over the legal age of consent.

Consent is such a critical factor that Section VI is entirely dedicated to discussing it.

**"Dating violence"** means the use or threat of use of physical, mental or emotional abuse, or sexual violence by a person who is in a social relationship of a romantic or intimate nature with the victim.

**"Domestic violence"** means harassment, interference with personal liberty, intimidation of a dependent, physical abuse, or willful deprivation by a person who is or was a family or household member of the victim. A family or household member includes: a spouse, former spouse, parent, child, stepchild, or other person related by blood or by present or prior marriage; a person who shares or formerly shared a common dwelling; a person who has or allegedly has a child in common or shares a blood relationship through a child; a person who has a dating or engagement relationship; a personal assistant to a person with a disability; and a caregiver.

**"Force or threat of force"** means the use of force or violence, or the threat of force or violence, including but not limited to (1) when the respondent threatens to use force or violence on the victim or on any other person, and the victim under the circumstances reasonably believes that the respondent has the ability to execute that threat or (2) when the respondent has overcome the victim by use of superior strength or size, physical restraint or physical confinement.

**"Harassment"** as a form of unlawful discrimination means verbal conduct, physical conduct, or conduct using technology that is based on a protected class and that is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

**"Harassment"** for purposes of domestic violence is knowing conduct that is not necessary to accomplish a purpose, would cause emotional distress to a reasonable person and does cause emotional distress to the victim.

**"Interference with personal liberty"** is committing or threatening physical abuse, harassment, intimidation, or willful deprivation to force a victim to engage in conduct from which that person has the right to abstain, or to abstain from conduct in which that person has a right to engage.

**"Interim measures"** are steps taken to ensure the safety of the complainant and/or University community before the final outcome of any investigation. Such measures may include changes to academic and extra-curricular activities, adjustments to living, transportation, dining, and

working arrangements, issuing and enforcing no-contact orders, and honoring an order of protection or no-contact order entered by a State civil or criminal court. Depending on the circumstances, interim measures may be modified, supplemented or withdrawn before, during or after the final outcome of any investigation.

**“Intimidation of a dependent”** is subjecting a person who is a dependent because of age, health or disability to participate in or to witness physical force, physical confinement or restraint of another person.

**“Physical abuse”** includes sexual abuse and means any of the following: (1) the knowing or reckless use of physical force, confinement, or restraint; (2) knowing, repeated, and unnecessary sleep deprivation; and/or (3) knowing or reckless behavior that creates an immediate risk of physical harm.

**“Responsible employee”** means any faculty member, other academic appointee, or staff employee who would reasonably be expected to have the authority or duty to report or take action to redress sexual misconduct. A responsible employee is obligated to promptly report sexual misconduct to the Title IX Coordinator for the University. Responsible employees include (among others) faculty and instructors, RAs, Resident Heads, Resident Masters, TAs, preceptors, administrative assistants, UCPD staff, and other university employees.

**“Retaliation”** means any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, supporting a party bringing a complaint, or assisting in providing information relevant to a claim of harassment is a serious violation of University policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator for the University or Associate Dean of Students in the University for Disciplinary Affairs, and will be promptly investigated.

**“Sexual abuse”** means an act of sexual conduct:

- By the use of force or threat of force; or
- When the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- Where the accused is under 17 years of age and the victim was at least 9 years of age but under 17 years of age when the act was committed; or
- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance.

**“Sexual assault”** means an act of sexual penetration:

- By the use of force or threat of force, including threatening or endangering the life of the victim or any other person; or
- Where the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- With a victim who was under age 17 when the act was committed, or with a victim who was under age 18 when the act was committed and the accused was age 17 or more and held a position of trust, authority, or supervision in relation to the victim; or

- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance.

**"Sexual conduct"** means any intentional or knowing touching or fondling by the victim or the accused, either directly or through clothing, of the sex organs, anus, or breast of the victim or the accused, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or the accused.

**"Sexual penetration"** means any contact, however slight, between the sex organ or anus of one person and an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio, or anal penetration.

**"Stalking"** means a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for her or his safety or the safety of a third person, or to suffer emotional distress. Stalking behavior includes, but is not limited to: following a person; appearing at a person's home, work, or school; making unwanted phone calls; sending unwanted emails or text messages; leaving objects for a person; vandalizing a person's property; injuring a person's pet; and monitoring or placing a person under surveillance.

**"Victim"** means a person alleging to have been subjected to conduct prohibited by this policy and does not imply pre-judgment. The term "victim" is used interchangeably with the term "complainant" in this policy.

**"Willful deprivation"** is the purposeful denial of medication, medical care, shelter, food, or other assistance to a person who requires such things because of age, health or disability, thereby putting that person at risk of physical, mental, or emotional harm.

## V. Consent

### What is Consent?

- Consent means voluntary, active and clear agreement, communicated by words or actions, to participate in specific sexual activity. Consensual sexual activity happens when each participant willingly chooses to participate. It is the responsibility of the person who wants to engage in a sexual activity to obtain the consent of the other person for that sexual activity. Consent may also be withdrawn or modified at any time by the use of clearly understandable words or actions.
- In cases where a victim asserts that sexual activity occurred without consent, the standard is whether a sober, reasonable person in the same circumstances as the accused should have known that the victim did not or could not consent to the sexual activity in question.
- The definition of consent does not vary based upon a person's sex, sexual orientation, gender identity, or gender expression.
- Because people are not telepathic, consent is best obtained through direct communication about the decision to engage in specific sexual activity. Consent need not be verbal, but verbal communication is the most reliable and effective way to seek, assess, and obtain consent. Non-verbal communication often is ambiguous. For example, heavy breathing

can be a sign of arousal, but it also can be a sign of distress. To be sure, talking with sexual partners about desires, intentions, boundaries and limits can be uncomfortable, but it serves as the best foundation for respectful, healthy, positive and safe intimate relationships.

### **What is not Consent?**

- Consent cannot be obtained by threat of harm, coercion, intimidation, or by use or threat of force.
- The lack of explicit consent does not imply consent and likewise, the lack of verbal or physical resistance does not constitute consent. Thus, silence, passivity, submission, and/or the lack of resistance (including the absence of the word “no”) do not—in and of themselves—constitute consent.

### **Incapacitation**

Consent cannot be obtained from someone who is unable to understand the nature of the activity or give knowing consent due to circumstances. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity, *i.e.*, when a person’s perception and/or judgment is so impaired that the person lacks the cognitive capacity to make or act on conscious decisions, including without limitation the following circumstances:

- The person is incapacitated due to the use or influence of alcohol or drugs, or due to a mental disability. Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one’s actions. The effects of alcohol and drug consumption often occur along a continuum. For example, alcohol intoxication can result in a broad range of effects, from relaxation and lowered inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond “mere” intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which he or she appears to give consent but does not have conscious awareness or the capacity to consent. Some medical conditions also can cause incapacitation.
- The person is asleep or unconscious.
- The person is under the legal age of consent. In Illinois, the legal age of consent is 17 but rises to 18 if the accused holds a position of trust, authority, or supervision in relation to the victim. This means that there can be no consent when one participant in the sexual activity is under the legal age of consent and any other participant is at or over the legal age of consent.

In sum, an act will be deemed non-consensual if a person engages in sexual activity with an individual who is incapacitated, and who the person knows or reasonably should know is incapacitated, or with an individual who is asleep, unconscious, or under the legal age of consent.

### **Other Important Points regarding Consent**

- The existence of a romantic or sexual relationship does not, in and of itself, constitute consent.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- Consent to one sexual act does not constitute consent to another sexual act.
- Consent to sexual activity with one person does not constitute consent to engage in sexual activity with another.
- Consent cannot be inferred from a person's manner of dress or other contextual factors, such as alcohol consumption, dancing, or agreement to go to a private location like a bedroom.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance alone or in combination does not constitute consent.
- Incapacitation by the person initiating sexual activity does not in any way lessen his or her obligation to obtain consent.

## **VI. Consensual Relationships**

In all cases, the person in the position of greater institutional authority must promptly report to his/her department chair, dean, supervisor, or the Title IX Coordinator for the University the sexual or romantic relationship so that the University may, in accord with policy, assist in separating the professional relationship from the intimate relationship.

### ***Academic Appointee-Student***

Trust is essential to sound relationships between individuals of inherently unequal power. Those who teach are entrusted with guiding students, evaluating their work, giving grades for papers and courses, and recommending students to colleagues. Students depend on the integrity of their relationships with those instructors and understandably expect instructors to exercise their authority fairly. The teacher-student relationship must not be jeopardized by possible doubt of intent or fairness of professional judgment, conflicts of interest, harassment, or the appearance to others of favoritism or advantage.

### ***Undergraduates***

In general, undergraduate students and academic appointees are vastly different groups of people with regard to age, scope of life experiences, developmental status, and vulnerability. These differences impart greater obligations to those with more institutional authority. In the interests of prudence and fostering a campus environment free of sexual harassment and discrimination, this policy prohibits sexual and/or romantic relationships between academic appointees and undergraduates at the University regardless of whether an instructional, mentoring, research, or other University of Chicago-based relationship exists or may reasonably be expected to exist in the future.

This policy also prohibits a graduate student with an academic teaching or academic supervisory role (such as a preceptor, teaching assistant, lecturer, or research assistant) from having a sexual and/or romantic relationship with an undergraduate student whom he or she teaches or supervises during the duration of the teaching or supervisory relationship. For example, a

graduate student serving as a teaching assistant may not have a sexual and/or romantic relationship with an undergraduate student during the duration of the course for which the graduate student is serving in that role.

In addition, this policy prohibits coaches, paid and volunteer, of varsity teams and sport clubs from having sexual and/or romantic relationships with undergraduate students on their teams as well as not.

### ***Graduate and Professional School Students***

Graduate and professional school students generally are older and have had more developmental opportunities and life experiences than undergraduates. As a result, the parameters of acceptable romantic or sexual relationships between academic appointees and graduate and professional school students are different than those between academic appointees and undergraduate students. Although not *per se* prohibited, relationships between graduate/professional school students and academic appointees must occur within boundaries designed to ensure fairness and minimize the inappropriate exercise of authority. Often third-party witnesses to such a relationship or suspected relationship want the department chair or dean to address the matter but remain silent out of fear of reprisal. Such individuals are encouraged to come forward and are reminded that the policy is to remove the professional connections between the members of the couple.

Thus, an academic appointee is required to promptly report to his/her chair or dean or the Title IX Coordinator for the University a romantic or sexual relationship with a graduate/professional school student whom s/he teaches, advises, supervises, mentors, recommends for fellowships, awards, or employment, etc. or may reasonably expect to teach, advise, etc. in the future. The chair or dean will then work with the Office of the Provost to develop and implement a plan to mitigate actual and perceived favoritism and conflicts of interest by establishing an instructional and supervisory arrangement in which all relevant parties may have confidence.

Academic appointees must keep in mind that a graduate/ professional school student's initial consent to a romantic relationship does not preclude a charge of sexual misconduct in the future.

While there may be no apparent impediment to a sexual and/or romantic relationship between an academic appointee and a graduate/professional school student outside each one's disciplinary realm, students' academic interests and pursuits often shift. Beliefs about what is consensual may also shift over time. What may appear to be consensual at one point may subsequently be interpreted as coercive, especially in hindsight and after the end of the relationship. The inherent power differential between an academic appointee and a graduate/professional school student heightens the risks inherent in such relationships, prompting the University to advise strongly against them altogether even in the absence of a perceived or real conflict of interest.

In addition, any graduate student with an academic teaching or academic supervisory role is forbidden from having sexual and/or romantic relationship with a student whom he or she teaches or supervises during the duration of the teaching or supervisory relationship (e.g., a graduate student serving as a lecturer may not have a sexual and/or romantic relationship with a student who is enrolled in that course during the duration of the course).

### **Other Imbalances of Power within the University**

As discussed above, an academic appointee is in a position of trust and authority with regard to students. Other examples of an unequal power dynamic include supervisor-subordinate, senior faculty member-junior faculty member, mentor-mentee, advisor-advisee, teaching assistant-student, faculty member-postdoctoral researcher, academic appointee-staff employee, faculty member-other academic appointee, and attending physician-resident/fellow. Supervisory employment relations involve obligations of fairness and seeming fairness in the management and evaluation of employees. The University's Nepotism Policies speak to some of these situations, and basic ethics and expectations of professionalism may also apply. (See Section IV Related Policies in the Policy Appendices.)

## **Reporting and Non-Retaliation**

Complaints or concerns about violations of this policy should be submitted to the appropriate dean or chair or to the Title IX Coordinator for the University. All complaints and concerns will be treated as confidentially as is feasible and will be addressed by the Title IX Coordinator for the University in partnership with the chair or dean. Retaliation against anybody who makes a complaint or raises a concern about a possible policy violation is prohibited.

## **VII. Important Principles**

### **University Reporting Options**

#### ***Responsible Employees***

As noted above, some University employees (referred to as "Responsible Employees") are required to report all incidents of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking to the Title IX Coordinator for the University. Responsible employees must report such information regardless of where the incident occurred. Responsible employees include (among others) faculty and instructors, RAs, Resident Heads, Resident Masters, TAs, preceptors, administrative assistants, UCPD staff, and other university employees.

Please note that reporting an incident to the Title IX Coordinator for the University (or the Deputy Title IX Coordinator for Students) is private, and it does not mean the person who experienced sexual misconduct, dating violence, domestic violence, or stalking somehow loses control of the process. To the contrary, the Title IX Coordinators are here to advise members of our community on their options regarding remaining anonymous, confidentiality, the University's process for investigating complaints of sexual misconduct, dating violence, domestic violence, and stalking, and the University's disciplinary process. Indeed, in some cases, individuals choose not to move forward with the investigation process, but still request support services. When the University receives a report that someone in our community experienced sexual misconduct, dating violence, domestic violence, or stalking, the University will provide that person with a written summary of their rights and options, including information on contacting local law enforcement and community-based resources.

While only responsible employees are required to report all incidents of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking to the Title IX Coordinator for the University, all other members of our community (including students) are

encouraged to report such incidents to the Title IX Coordinator or Deputy Title IX Coordinator for students.

***Associate Provost & Director of the Office for Equal Opportunity Programs  
Title IX Coordinator for the University***

The University official responsible for coordinating compliance with the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#) is Bridget Collier, Associate Provost and Director of the Office for Equal Opportunity Programs. Ms. Collier also serves as the University's Title IX Coordinator for the University, Affirmative Action Officer, and Section 504/ADA Coordinator. You may contact Ms. Collier by emailing [bcollier@uchicago.edu](mailto:bcollier@uchicago.edu), by calling **773-702-5671**, or by writing to Bridget Collier, Office of the Provost, The University of Chicago, 5801 S. Ellis Ave., Levi Hall 427, Chicago, IL 60637.

You may contact the Associate Provost and Director of the Office for Equal Opportunity Programs to report any complaints of discrimination, unlawful harassment, and sexual misconduct. The Associate Provost and Director of the Office for Equal Opportunity Programs can also assist you in the following ways:

- If you are unsure of where to turn for help.
- If you have questions regarding the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#).
- If you have questions regarding Title IX of the Education Amendments of 1972.
- If you are seeking information regarding or the implementation of interim protective measures and accommodations related to a sexual misconduct matter.
- If you have a complaint or question regarding postdoctoral researchers, staff, faculty members, or other academic appointees engaging in harassment, discrimination, sexual misconduct, dating violence, domestic violence, stalking, or retaliation.
- If you need information regarding campus accessibility and accommodations for individuals with disabilities.

Please see <http://provost.uchicago.edu/issues/discrimination-harassment-and-sexual-misconduct> for additional information.

### ***Deputy Title IX Coordinator for Students & Associate Dean of Students in the University***

Please contact Shea Wolfe, the Deputy Title IX Coordinator for Students & Associate Dean of Students in the University at [s Wolfe1@uchicago.edu](mailto:s Wolfe1@uchicago.edu) or **773-702-0438**:

- If you are a student in need of any support services related to an incident of sexual misconduct, dating violence, domestic violence, or stalking.
- If you are a student who has questions regarding the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#).
- If you are a student who has questions regarding Title IX of the Education Amendments of 1972.
- If you are a student seeking information regarding or the implementation of interim protective measures and accommodations related to a sexual misconduct matter.

### ***Associate Dean of Students in the University for Disciplinary Affairs***

Please contact the following individual if you would like to make a complaint regarding a student engaging in harassment, discrimination, sexual misconduct, dating violence, domestic violence, stalking, or retaliation.

Jeremy Inabinet, 773-702-5243, [inabinet@uchicago.edu](mailto:inabinet@uchicago.edu)

### ***Executive Director, Employee and Labor Relations***

Questions about or complaints regarding misconduct by a staff member should be directed to the Associate Provost & Director of the Office for Equal Opportunity Programs (referenced above) or the Employee and Labor Relations team in Human Resources.

Jake Rubinstein, 773.834.2657, [jakerubinstein@uchicago.edu](mailto:jakerubinstein@uchicago.edu)

### ***Electronic Reporting; Anonymous Reporting***

Any person may report a potential violation of this Policy by filling out the electronic form available at: <http://umatter.uchicago.edu/file-a-report/add-to-the-university/>. Such a report will be anonymous if filed without disclosing one's name or contact information.

### ***University of Chicago Police Department (UCPD)***

773-702-8181 or 1-2-3 from a campus phone (24-hours); or in-person at 6054 South Drexel Ave.

Responsibilities of the UCPD when receiving a report of sexual assault, dating violence, domestic violence, or stalking include:

- Attending to the immediate needs of the victim, including personal safety and prompt medical care.
- When appropriate, broadcasting a description of the offender.

- Notifying the Title IX Coordinator for the University.
- Notifying the Sexual Assault Dean-on-Call if the victim is a student.
- Providing victims with information concerning the importance of preserving evidence, and the rights of victims and the University's responsibilities regarding orders of protection, no-contact orders, and other similar court orders.

### ***Third-Party/Bystander Reporting***

Any person may report a potential violation of this Policy through any of the means listed above.

### ***Confidential Reporting***

Students may confidentially report a violation of this Policy to:

- Sexual Assault Dean-on-Call (SADoC) by calling 773-834-HELP.
- Confidential Advisor by calling Student Counseling Service at 773-702-9800 and asking for an appointment with the Confidential Advisor.
- Student Counseling Service by calling 773-702-9800.

Confidential resources such as the Sexual Assault Dean-on-Call, Confidential Advisor, and Student Counseling Service do not have an obligation to report sexual misconduct, dating violence, domestic violence, and stalking to the Title IX Coordinator and will not do so without the explicit consent of the complaining party. For more information about and a complete list of Confidential Resources, see Appendix I (Support Services and Resources for Those Who Have Experienced Sexual Assault) or <http://provost.uchicago.edu/initiatives/confidential-resources>.

### **Confidentiality**

#### ***Institutional Obligation to Respond***

If a known complainant discloses an incident or incidents of sexual misconduct to the University but asks to remain anonymous during the investigation and/or asks that the University refrain from investigating, the investigator, in consultation with the Title IX Coordinator for the University, will consider how to proceed, taking into account the complainant's wishes, the University's obligation to provide a safe and non-discriminatory environment, and the respondent's right to have specific notice of the allegations and an opportunity to be heard if the University were to take action that affects them. In such circumstances, the investigator may arrange for limited fact-finding to better understand the context of the complaint and explore viable options for investigation, adjudication, and remediation.

Because sexual assault is a serious crime that may threaten the community as a whole, in some instances the University may be obliged to address an alleged sexual assault through internal disciplinary procedures without the cooperation of the individual alleging the assault. Always in such instances, the University will respect the parties' privacy to the extent possible consistent with its legal obligations, and will inform the individual of its obligation to address a community safety issue. All publicly available recordkeeping, including Clery Act reporting and public disclosures, will not contain personally identifying information about the victim.

## ***Confidentiality Obligations of Participants***

The University must protect privacy and confidentiality to fulfill its commitment to address complaints of sexual misconduct fairly and expeditiously. Every member of the University community should recognize that confidentiality breaches erode the community's trust in this process, impair its effectiveness, and may have the purpose or effect (unintended or intended) of retaliating against those who participate in the process.

Fidelity to confidentiality is more likely to encourage parties and witnesses to participate in the process and share all information they possess, which is necessary for achieving fair outcomes. If parties or witnesses fear that their participation and the information they share will be revealed, then concerns about reputation, peer pressure, and retaliation may deter them and others from participating or even bringing forward complaints in the first instance.

For these reasons, all parties and witnesses involved in an investigation or hearing under this policy are prohibited from disclosing, at any time and through any medium (including social media), the identity of the parties and witnesses, and any details or information regarding an incident, investigation, or hearing to anyone except:

- (1) to University employees as necessary to implement any provisions of this policy or the business of the University;
- (2) as permitted by this policy (see exceptions below); or
- (3) as permitted or required by law.

In some circumstances, a person who fails to preserve confidentiality may face disciplinary action. For example, if a party or witness breaches confidentiality in order to retaliate against a person for his or her participation in an investigation or hearing, the disciplinary committee may hear a complaint of retaliation and impose sanctions. In addition, to ensure that parties and witnesses can participate in the investigation and any hearing in the absence of intimidation, harassment, or coercion, the University has the authority to issue a no-contact directive pursuant to which the individuals notified are forbidden from having contact, directly or indirectly, personally or through others, and through any medium (including but not limited to social media), with others specified in the directive. Violation of a no-contact directive may result in a disciplinary proceeding and the imposition of sanctions.

As noted, there are exceptions to the principle of confidentiality. First, the complainant and respondent are not subject to confidentiality with regard to the result of a disciplinary proceeding alleging domestic violence, dating violence, sexual assault or stalking. "Result" refers to the disciplinary proceeding's determination, namely whether the alleged conduct was found to have occurred, any sanction imposed, and the rationale for the result and sanctions. As a practical matter, this means that after a disciplinary proceeding, the complainant and respondent may disclose to others the core allegations, the outcome, and the sanction imposed, if any, but not the identity of the parties, witnesses to the proceeding, or any information learned during the investigation or hearing that the complainant and respondent did not already know. Unnecessary or indiscreet disclosures may be viewed as retaliatory and may constitute grounds for University disciplinary action or, as discussed below, a lawsuit.

Second, the complainant and respondent may also share any information with certain people with whom they have a special relationship: parents or guardians, siblings, spouses, legal counsel, health care and mental health providers, clergy, and the person who is supporting them during the proceeding as permitted by the policy. It is generally wise to limit the number of people with whom information is shared, particularly because they, too, must hold the information in confidence. The complainant and respondent's relationships with others, such as close friends, romantic or sexual partners, roommates, housemates, teammates, fraternity brothers, etc., do not constitute special relationships within which sharing of confidential information is permitted.

Third, the University may disclose any information related to the matter as necessary (1) to those to whom it is necessary to give fair notice of the allegations and to conduct the investigation; (2) to law enforcement consistent with state and federal law; (3) to other University officials as necessary for coordinating interim measures or for health, welfare, and safety reasons; (4) to government agencies that review the University's compliance with federal law; and (5) to third parties as permitted or compelled by law (e.g., in response to a lawful subpoena or in compliance with federal privacy law).

A final, cautionary note is in order. There may be serious and personal legal consequences for those who breach the requirement of confidentiality. Facts surrounding allegations of sexual misconduct are often deeply disputed and thus breaches of confidentiality have the potential to seriously affect the reputations of the individuals involved. Although statements made in good faith as part of University disciplinary proceedings are legally protected and should not be used as the basis for a defamation lawsuit, statements made outside of the proceedings lack that protection and could lead to a legal claim by a person who believes that the statements are false, identify him or her to others, or have harmed his or her reputation.

### **Leniency for Other Policy Violations**

To encourage reports of sexual misconduct, the University normally will offer leniency to a student who reports an alleged violation of this Policy in good faith with respect to other student conduct violations that come to light as a result of such reports. For example, the University ordinarily will not pursue disciplinary charges related to underage drinking by the reporting person if that policy violation comes to light as the result of a sexual assault complaint. The University will not discipline a reporting student for such conduct violations unless the University determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

### **Non-Retaliation**

The University prohibits retaliation against any person who exercises any rights or responsibilities under this policy. Any act of retaliation may be a separate violation of this Policy and is subject to the full range of sanctions set forth in Section X and/or the [Student Manual](#).

## **VIII. Prevention and Education Programs**

The University provides numerous education programs and awareness campaigns to prevent and promote awareness of sexual assault, domestic violence, dating violence, stalking, rape, and acquaintance rape. In addition to covering the information addressed in this policy, these programs will, among other things, provide information regarding options for bystander intervention and information on risk reduction strategies. Descriptions of these prevention and

education programs can be found in the University's annual security report titled *Annual Security and Fire Safety Report*.

## **IX. Informal Resolution of Complaints**

The University's procedures for responding to incidents depends on the nature of the incident, the relationship of the respondent to the institution, and, to the extent possible, the wishes of the person bringing forward the complaint. As explained below, allegations of discrimination, unlawful harassment, and sexual misconduct may be resolved informally by the Associate Provost & Director of the Office for Equal Opportunity Programs or their designee (for faculty, other academic appointees, or postdoctoral researchers) or the Associate Dean of Students in the University for Disciplinary Affairs (for students), depending on the status of the respondent. Under Title IX and VAWA, the University has an obligation to respond to all allegations of sexual misconduct (including sexual assault) domestic violence, dating violence, and stalking about which a "responsible employee" knows or should have known.

### ***Informal Resolution of Complaints Where a Student is the Respondent***

If the person informally accused of a violation of this Policy is a student, an informal complaint shall be made using the procedures for student discipline described in the [Student Manual](#). The complaint should be addressed to the Associate Dean of Students in the University for Disciplinary Affairs.

### ***Informal Resolution of Complaints Where an Academic Appointee or Postdoctoral Researcher is the Respondent***

#### ***Administrative Resolution***

At the request of the complaining party, the Associate Provost and Director of the Office for Equal Opportunity Programs has the authority to resolve allegations of discrimination, unlawful harassment, or sexual misconduct informally. The Associate Provost will notify the Chair of the Panel on Unlawful Harassment when such an investigation commences, and will notify the parties of the option to have the case heard by the Panel. Both the complainant and respondent will have the ability to present information and suggest witnesses related to an allegation of misconduct. After considering all the information available, the Associate Provost and Director of the Office for Equal Opportunity Programs will use the preponderance of evidence standard to conclude if the respondent is in violation of the University's Policy on Harassment, Discrimination, and Sexual Misconduct.

If the Associate Provost and Director of the Office for Equal Opportunity Programs concludes the respondent is in violation of the University's Policy on Harassment, Discrimination, and Sexual Misconduct, the Associate Provost and Director of the Office for Equal Opportunity Programs will consult with the respondent's dean or department chair to apply an appropriate sanction, including but not limited to, an official warning, disciplinary probation, and/or the suspension of specific rights and privileges for a designated period of time. The Associate Provost and Director of the Office for Equal Opportunity Programs cannot recommend invocation of statutory procedures for termination through the informal process. A copy of the written outcome and notice that the

respondent has violated University policy or regulations will be placed in the respondent's official file in the Office of the Provost.

If the Associate Provost and Director of the Office for Equal Opportunity Programs later finds that the academic appointee or postdoctoral researcher has engaged in additional misconduct, the Panel on Unlawful Harassment may be informed of the earlier allegation, outcome, and sanction. If the Panel on Unlawful Harassment is informed of the earlier allegation, outcome, and sanction, the Committee must consider them in determining further sanctions.

Either the complainant or respondent may at any time ask that the matter be handled formally rather than informally. The Associate Provost and Director of the Office for Equal Opportunity Programs may at any time discontinue the informal resolution process and refer the matter for formal resolution.

### ***Mediation***

Mediation is an attempt to come to a mutually acceptable or agreed-upon resolution to a complaint. The goal of the mediation procedure is to provide a forum where the complainant and the respondent can, with the aid of a third party, come to a mutually agreed-upon resolution. Consequently, mediation will occur only if both the complainant and the respondent are willing to participate. A third party such as the Associate Provost & Director of the Office for Equal Opportunity Programs, a Harassment Complaint Advisor, or a faculty member from the Panel on Unlawful Harassment may act as mediator. All involved parties must voluntarily agree to mediation in order for it to occur. Mediation is not appropriate, even on a voluntary basis, in matters involving allegations of sexual assault, dating violence, domestic violence, and stalking.

### ***Remedies and Other Measures***

As mentioned above, a complainant is not required to pursue University discipline to be eligible for remedies related to an incident of sexual misconduct, dating violence, domestic violence, or stalking. The Title IX Coordinator for students can work with a complainant to explore these options which include, but are not limited to, no-contact directive, housing accommodations, and academic accommodations.

## **X. Formal Resolution of Complaints**

The appropriate procedure for resolving a formal complaint depends on the nature of the incident, the relationship of the respondent to the institution, and, to the extent possible, the wishes of the person bringing forward the complaint.

### ***Formal Resolution of Complaints Where a Student is the Respondent***

If the person formally accused of a violation of this Policy is a student, a formal complaint shall be made using the procedures for student discipline described in the [Student Manual](#). The complaint should be addressed to the Associate Dean of Students in the University for Disciplinary Affairs.

### ***Formal Resolution of Complaints Where an Academic Appointee or Postdoctoral Researcher is the Respondent***

If the person formally accused of a violation of this Policy is a faculty member, other academic appointee, or postdoctoral researcher, the investigation will be conducted by the Associate Provost & Director of the Office for Equal Opportunity Programs or their designee and the matter will be adjudicated by the Panel on Unlawful Harassment.

The Panel consists of four faculty members appointed by the Provost for three-year terms (with the possibility of reappointment) and the Student Ombudsperson (as a non-voting student member). The Associate Provost & Director of the Office for Equal Opportunity Programs will sit with the Panel *ex officio* and does not vote. A list of the current members of the Harassment Panel may be found at [http://www.uchicago.edu/about/boards\\_committees\\_and\\_councils/unlawful/](http://www.uchicago.edu/about/boards_committees_and_councils/unlawful/). If a hearing is requested, it is the task of the Panel to determine the facts in coordination with the Associate Provost & Director of the Office for Equal Opportunity Programs. At any time in its proceedings, the Panel may decide that the complaint should be dismissed. The Panel will be provided with written statements from the complainant and the respondent and, if necessary, will interview persons with knowledge bearing on the matter, including the complainant and the respondent.

If the complaint is found to have merit, the Panel will relay its findings to the Provost who will take appropriate action (for example, a reprimand, leave of absence without pay, or invocation of statutory procedures for termination). If the complaint is found to have no merit (or if the facts cannot be established), the complaint will be dismissed. Both parties must be simultaneously informed of the outcome. When a policy violation is found, a report of the complaint, including any disciplinary action, is placed in the respondent's official file in the Office of the Provost.

### ***Formal Resolution of Complaints Where a Staff Member is the Respondent***

If the person formally accused of a violation of this Policy is a staff employee, Human Resources or their designee will normally conduct the investigation in partnership with the Associate Provost & Director of the Office for Equal Opportunity Programs. Both parties will be simultaneously informed of the outcome of the investigation. When a policy violation is found, a report of the complaint, including any disciplinary action, is placed in the respondent's official file.

### ***Formal Resolution of Complaints of Sexual Assault, Dating Violence, Domestic Violence, or Stalking***

Anyone may choose to bring forward a complaint within the University instead of, or in addition to, seeking redress outside the institution in the legal system. Someone with a complaint of sexual assault, domestic violence, dating violence or stalking may also opt to pursue his or her complaint via the legal system without engaging the University's disciplinary process, although, in the interest of community safety, the University may be obliged to address an alleged sexual assault through internal disciplinary procedures.

In all cases, the University is committed to providing a prompt, fair, impartial, and thorough investigation and resolution that is consistent with the University's policies and is transparent to the complainant and the respondent. Such an investigation may occur alongside an independent law enforcement investigation and will be conducted by University officials who do not have a conflict of interest or bias for or against the complainant or the respondent. In the event of a conflict of interest or recusal, another trained University official or external subject matter expert will be assigned to investigate and/or resolve the case. In most cases, the University's investigation and resolution process will be complete within 60 days of receiving a complaint. The University, in its discretion, may extend its investigation for good cause. If the timeframe for the investigation is extended, the University will provide written notice to the complainant and the respondent of the delay and the reason for the delay.

As explained above, although the procedures for investigating an alleged violation of this policy depend upon the status of the accused individual, such investigations will generally include: (1) assisting and interviewing the complainant (and the alleged victim, if that person is not the complainant); (2) identifying and locating witnesses; (3) contacting and interviewing the respondent; (4) if applicable, contacting and cooperating with law enforcement; and (5) providing information, including information regarding the importance of preserving physical evidence of the alleged sexual violence and the availability of a medical forensic examination at no charge to the victim.

The complainant's and/or respondent's sexual history with others will generally not be sought or used in determining whether sexual assault has occurred. However, in certain circumstances the sexual history between the parties may have limited relevance to explain context. For example, if consent is at issue, the sexual history between the parties may be relevant to determining whether consent was sought and given during the incident in question. Additionally, under limited circumstances necessary to understand the context, sexual history between the parties may be relevant to explain an injury, to provide proof of a pattern, or to address an allegation.

The standard used in such proceedings is a preponderance of the evidence. The respondent and complainant are entitled to bring a person of their choice to the proceedings, whose role is limited to providing support, not acting as an advocate, participant, or witness. In the interests of limiting the number of people with confidential information about the matter, each of the parties is expected to identify one support person and to make a change only in exceptional circumstances. The complainant, the respondent, and appropriate University officials will receive timely and equal access to information that will be used during formal disciplinary proceedings. The complainant and respondent are simultaneously informed, in writing, of the result of the formal disciplinary proceedings, the procedures for seeking review of the result (if applicable), and when the result becomes final. This notification will include the determination of whether a violation occurred, any sanction, and the rationale for the result and sanction. If the complainant or respondent seeks review of the result, both will be simultaneously informed in writing of any change to the outcome.

**Please see the [Student Manual](#) for information regarding procedures for the student complaint resolution process and sanctions that may be imposed upon a student found responsible for a violation of this Policy.** Third parties found to have violated the Policy may be banned from campus and/or otherwise restricted from attending or participating in University activities and programs.

All individuals whose duties include resolution of complaints of student violations of the Policy on Harassment, Discrimination, and Sexual Misconduct shall receive a minimum of 8 hours of annual

training on issues related to sexual violence, domestic violence, dating violence, and stalking and how to conduct the University's complaint resolution procedures, in addition to annual survivor-centered and trauma-informed response training.

### **Time Limits**

There is no time limit for filing a complaint of sexual misconduct, dating violence, domestic violence, or stalking. However, complainants should report as soon as possible to maximize the University's ability to respond promptly and effectively. Delayed reporting often results in the loss of relevant evidence, and/or in faded and unreliable memories; it also impairs the University's ability to summon witnesses, assess evidence, and, if appropriate, adjudicate claims and impose sanctions and other remedies. Furthermore, if the respondent is no longer affiliated with the University at the time of the complaint, it is likely that the University will be unable to summon the respondent or take disciplinary action against him or her, although the University will take reasonable steps to understand the facts, assess whether the respondent poses a present or ongoing risk of safety to the University community, and take any measures necessary to mitigate safety risk.

### **Appendices**

#### **I. Support Services and Resources for Those Who Have Experienced Sexual Misconduct**

The needs of someone who has experienced sexual misconduct such as sexual assault, domestic violence, dating violence, or stalking vary from person to person and may vary over time. The University offers a diverse array of services and external resources, many of which may be accessed 24 hours a day, so that a person may choose whatever would be most helpful and healing. Written information regarding these services and resources will be provided to individuals who report being victims of sexual assault, domestic violence, dating violence, or stalking. Exercising reasoned discretion, the University will provide interim protective measures and accommodations including, but not limited to, University no-contact orders, changes to academic, living, dining, transportation, and working situations, and honoring an order or protection or no-contact order entered by a State civil or criminal court, to any victim who asks for them, so long as they are reasonably available, regardless of whether the victim reports the incident to law enforcement. Information regarding accommodations and interim protective measures may be obtained from the Title IX Coordinator for the University. Any accommodations or protective measures will be confidential so long as confidentiality will not impair the University's ability to provide the accommodations or protective measures.

The University urges anyone who has experienced sexual assault, domestic violence, dating violence, or stalking to seek support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for pressing charges. Individuals have many options with regard to reporting sexual assault, domestic violence, dating violence, and stalking, including reporting to the University of Chicago Police Department, the Chicago Police Department, and to various campus authorities. Additionally, victims have recourse through the civil and criminal court systems, by being able to seek orders of protection, no-contact orders, and other similar court orders. As feasible, the University will honor an order of protection or no-contact order entered by a State civil or criminal court so long as it has been notified of the order and its terms. Victims also have the option to decline to notify such authorities.

Even for someone who does not wish to report the event to the police or pursue disciplinary action, seeking medical attention as soon as possible is important. Victims should be aware of the importance of preserving evidence, which may be necessary to the proof of criminal sexual assault, domestic violence, dating violence, or stalking, or to obtain an order of protection.

## **Resources for Everyone**

### ***Associate Provost & Director of the Office for Equal Opportunity Programs Title IX Coordinator for the University***

The University official responsible for coordinating compliance with the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#) is Bridget Collier, Associate Provost and Director of the Office for Equal Opportunity Programs. Ms. Collier also serves as the University's Title IX Coordinator for the University, Affirmative Action Officer, and Section 504/ADA Coordinator. You may contact Ms. Collier by emailing [bcollier@uchicago.edu](mailto:bcollier@uchicago.edu), by calling **773-702-5671**, or by writing to Bridget Collier, Office of the Provost, The University of Chicago, 5801 S. Ellis Ave., Levi Hall 427, Chicago, IL 60637.

You may contact the Associate Provost and Director of the Office for Equal Opportunity Programs to report any complaints of discrimination, unlawful harassment, and sexual misconduct. The Associate Provost and Director of the Office for Equal Opportunity Programs can also assist you in the following ways:

- If you are unsure of where to turn for help.
- If you have questions regarding the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#).
- If you have questions regarding Title IX of the Education Amendments of 1972.
- If you are seeking information regarding or the implementation of interim protective measures and accommodations related to a sexual misconduct matter.
- If you have a complaint or question regarding postdoctoral researchers, staff, faculty members, or other academic appointees engaging in harassment, discrimination, sexual misconduct, dating violence, domestic violence, stalking, or retaliation.
- If you need information regarding campus accessibility and accommodations for individuals with disabilities.

Please see <http://provost.uchicago.edu/issues/discrimination-harassment-and-sexual-misconduct> for additional information.

## ***Medical Facilities***

### **Hyde Park**

***University of Chicago Medicine Mitchell Emergency Room: Medical and Counseling Services: 773-702-6250, 901 East 58<sup>th</sup> St., Chicago (24-hours)***

The **Mitchell Emergency Room** is the nearest medical facility to the Hyde Park campus and follows specific policies and procedures, approved by the State, in treating an individual who has been sexually assaulted. The State will pay for emergency room care for victims who have been

sexually assaulted and do not have health insurance; if a victim provides health insurance information to the emergency room, the emergency room will bill the insurance company and the policy holder will be notified as usual.

- The victim is placed in a private room.
- Medical care is given as soon as possible.
- A Sexual Assault Survivor Advocate or a Sexual Assault Dean-on-Call (for a student) may be called based on a victim's preferences.
- By law, city police are notified, and the victim may choose to file a report.
- The victim may have a medical forensic examination completed at no cost, pursuant to the Sexual Assault Survivors Emergency Treatment Act.

### **Gleacher Center**

**Northwestern Memorial Hospital Emergency Department** is the medical facility offering sexual assault evidence collection and treatment nearest to the Gleacher Center.

251 E. Huron St., Chicago (24-hours)

Telephone: 312-926-5188

### **Other Campuses**

Medical providers near each of the University of Chicago's other campuses are listed below. However, please note that outside the state of Illinois, hospitals are not subject to the Illinois law requiring the provision of certain services to sexual assault survivors free of cost.

#### **Beijing**

##### **Haidian Hospital**

29<sup>th</sup> Zhongguancun Dajie, Haidan District, Beijing

Telephone: 62583042/62583093

##### **Beijing United Family Hospital**

Beijing United Family Hospital is farther from campus than Haidan Hospital, but offers English-speaking staff.

#2 Jiangtai Road, Chaoyang District, Beijing, China, 100015

Telephone: 400 891 9191

#### **Delhi**

##### **Primus Super Specialty Hospital**

2, Chandragupt Marg, Chanakyapuri, New Delhi 110 021, India

Telephone: (011) 66206620/30/40

All public or private medical hospitals in Delhi are required by law to provide free medical assistance to victims of sexual assault.

#### **Hong Kong**

**Queen Mary Hospital**  
102 Pok Fu Lam Road, Hong Kong  
Emergency Room (24 hours): +852-2255-3838  
Private Clinic (limited hours): +852-2255-3001

### London

#### **The Havens**

The Havens are self-contained centers located near London hospitals which are dedicated to providing assistance to victims of sexual assault. Among other things, the Havens offer forensic medical examinations, first aid, advice, emergency contraception, medical aftercare, and specialist support (e.g., counseling, psychology, and advocacy).

The Havens locations are: Camberwell Haven, near to King's College Hospital (south); Whitechapel Haven, near to Royal London Hospital (east); and Paddington Haven, near to St Mary's Hospital (west). Before visiting any of the Havens, you must first call 020-3299-6900 (available 24/7) to make an appointment.

### **Marine Biological Laboratory (Woods Hole, Massachusetts)**

**Falmouth Hospital**  
100 Ter Heun Drive, Falmouth, MA 02540  
Telephone: 508-548-5300

### Paris

**Hopital Saint Joseph**  
85 Rue Raymond Losserand, 75014 Paris  
Telephone: 01 44 12 33 33

Please note that hospitals in France will not conduct a medical forensic examination without a police order. Local law enforcement nearest to the Paris campus is: Commissariat du 13ème arrondissement de Paris, 144 boulevard de l'Hôpital, 75013 Paris.

### Singapore

**Raffles Hospital**  
585 North Bridge Road Singapore 188770  
Telephone: (65) 6311 1555 (emergency); (65) 6311 1111 (24/hr hotline for appointments)

#### **Law Enforcement**

***University of Chicago Police Department: 773-702-8181 or 1-2-3 from a campus phone (24-hours)***

The University of Chicago Police Department (UCPD) urges anyone who has been sexually assaulted to call immediately in order to strengthen the likelihood of successful prosecution. A UCPD officer can be summoned by calling 773.702.8181, pressing the red button on any of the

emergency phones located throughout the community, or coming directly to the UCPD office at 6054 South Drexel Ave.

Responsibilities of the UCPD when receiving a report of sexual assault, dating violence, domestic violence, or stalking include:

- Attending to the immediate needs of the victim, including personal safety and prompt medical care.
- When appropriate, broadcasting a description of the offender.
- Notifying the Title IX Coordinator for the University.
- Notifying the Sexual Assault Dean-on-Call if the victim is a student.
- Providing victims with information concerning the importance of preserving evidence, and the rights of victims and the University's responsibilities regarding orders of protection, no-contact orders, and other similar court orders

The UCPD recommends the prompt reporting of sexual assault, domestic violence, dating violence, and stalking. Nevertheless, individuals should not be reluctant to file a report at a later date. Reporting an incident does not obligate a person to press charges.

***Chicago Police Department: 911 (24-hours) or 9-911 from a campus phone***

Anyone preferring not to report a matter to the University of Chicago Police Department may contact the Chicago Police Department.

***Harassment Complaint Advisors: <http://provost.uchicago.edu/initiatives/additional-resources>***

An individual who feels he or she has been harassed *in an incident without a sexual misconduct, dating violence, domestic violence, or stalking dimension* may bring the matter to a Complaint Advisor, whose role is to discuss with the complainant available options on how to proceed. The advising is intended to provide a forum for free and open discussion between the complainant and the Advisor. Consequently, no record will be kept of the advising conversation other than an incident report, which will not contain the names of either the complainant or the respondent and which will be used only to keep a yearly record of the number of different types of reported incidents. Every attempt will be made to protect the privacy of an individual who seeks the assistance of an Advisor. If the Advisor learns of allegations that are so serious that they obligate the University to act there will be an administrative response, which may include a formal investigation and will include notifying germane administrative or managerial personnel (e.g., department chair and/or dean in matters involving faculty members, other academic appointees, and postdoctoral researchers; deans of students in matters involving students; and supervisors, managers, and/or directors in matters involving staff employees).

***Religious Organizations***

A variety of groups offer pastoral care and a community of faith to address individual needs. For more information, visit <http://spirit.uchicago.edu/>

***Office of International Affairs: 773-702-7752; [international-affairs@uchicago.edu](mailto:international-affairs@uchicago.edu)***

The Office of International Affairs can provide information and assistance regarding visas and immigration. For more information, visit <https://internationalaffairs.uchicago.edu/>.

**504/ADA Coordinator for the University: 773-702-5671, [bcollier@uchicago.edu](mailto:bcollier@uchicago.edu)**

To raise concerns or to file a 504 or ADA complaint under our Policy on Harassment, Discrimination, and Sexual Misconduct, Section 504, or ADA, contact Bridget Collier, Associate Provost & Director of the Office for Equal Opportunity Programs, Title IX Coordinator, Affirmative Action Officer, 504/ADA Coordinator. Levi Hall 427.

**Resources Especially for Students**

**Sexual Assault Dean-on-Call: 773-702-8181, via University Police (24-hours) or 773-834-HELP (4357), a direct paging system.**

At any time, students may contact a Sexual Assault Dean-on-Call, who is trained to respond to sexual assault, domestic violence, dating violence, and stalking emergencies. A student may contact this Dean-on-Call even before deciding whether to report the sexual assault, domestic violence, dating violence, or stalking to the police. The Sexual Assault Dean-on-Call is available to answer any general or personal questions related to sexual assault, domestic violence, dating violence, and stalking, and can help with:

- Finding emotional support
- Getting medical care
- Reporting the crime to the police
- Preserving evidence, and pressing charges
- Obtaining information regarding the rights of victims and the University's responsibilities regarding orders of protection, no-contact orders, and other similar court orders.
- Adjusting living arrangements
- Managing academic obligations
- Getting counseling
- Referring complaints of harassment to a harassment Complaint Advisor

For more information, visit, <http://deanoncall.uchicago.edu/>.

Please contact, Shea Wolfe, the **Deputy Title IX Coordinator for Students & Associate Dean of Students in the University** at [s Wolfe1@uchicago.edu](mailto:s Wolfe1@uchicago.edu) or 773-702-0438:

- If you are a student in need of any support services related to an incident of sexual misconduct, dating violence, domestic violence, or stalking.
- If you are a student who has questions regarding the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#).
- If you are a student who has questions regarding Title IX of the Education Amendments of 1972.
- If you are a student seeking information regarding or the implementation of interim protective measures and accommodations related to a sexual misconduct matter.

**Student Health Service: 773-702-4156, 5839 South Maryland Avenue, R-100**

Physicians and certified nurse practitioners provide for students ongoing follow-up health care and services, including pregnancy testing, counseling, and referral services; and sexually transmitted disease testing, diagnosis, and treatment. There is a 24-hours-a-day advice line available to students for consultation. While acute, immediate post-assault treatment is provided at the Mitchell Emergency Room, the Student Health Service offers follow-up care, including health care services for students who have chosen not seek care immediately after an assault. For more information, visit <http://healthcare.uchicago.edu>.

***Student Health Service Nurse Triage Line: 773-702-1915***

***Student Counseling Service: 773-702-9800, 5555 South Woodlawn Avenue (SCS Staff Member-on-Call 24-hours)***

SCS supports students who are working through an experience of sexual assault, domestic violence, dating violence, or stalking, or questions about relationships and sexuality. Consultation with a staff member is available in person during regular business hours and by telephone for after-hours emergencies. For more information, visit <http://counseling.uchicago.edu/>.

***Confidential Advisor: 773-702-9800, 5555 South Woodlawn Avenue (Ask to Speak With a Confidential Advisor)***

A Confidential Advisor is available by appointment through the Student Counseling Service. This is a licensed clinician who has received an additional 40 hours of training on Sexual Violence. Communication with a Confidential Advisor is considered privileged communication.

***Area Deans of Students***

At any time, students may contact their area Dean of Students or Campus and Student Life. Deans of Students are available to help and work with students throughout the process, addressing short-term and long-term personal or academic issues that arise, including options for changing academic, living, transportation, and working situations if requested and available. <http://csl.uchicago.edu/get-help/dean-call-program/area-dean-students>.

***Resources for Sexual Violence Prevention (RSVP): 773-834-7738***

RSVP organizes interactive peer workshops and educational programs on acquaintance rape prevention, sexual violence, and gender issues. For more information, visit <http://csl.uchicago.edu/get-help/resources-sexual-violence-prevention>.

***Peer Health Educators: 773-702-8935***

Organized by Health Promotion and Wellness, this group of students develops programs and presentations for students on a variety of sensitive subjects, including sexual health. For more information, visit <http://wellness.uchicago.edu/>.

***Financial Aid***

The University's financial aid offices can provide information regarding and assistance navigating the University's financial aid programs. Students may find contact information for their applicable financial aid office here:

[http://csl.uchicago.edu/policies/disclosures#financial\\_aid\\_information](http://csl.uchicago.edu/policies/disclosures#financial_aid_information).

## **Resources Especially for Staff, Postdoctoral Researchers (PDR), Other Academic Appointees (OAA), and Faculty**

### ***Associate Provost and Director of the Office for Equal Opportunity Programs***

The University official responsible for coordinating compliance with the University's [Policy on Harassment, Discrimination, and Sexual Misconduct](#) is Bridget Collier, Associate Provost and Director of the Office for Equal Opportunity Programs. Ms. Collier also serves as the University's Title IX Coordinator for the University, Affirmative Action Officer, and Section 504/ADA Coordinator. You may contact Ms. Collier by emailing [bcollier@uchicago.edu](mailto:bcollier@uchicago.edu), by calling 773-702-5671, or by writing to Bridget Collier, Office of the Provost, The University of Chicago, 5801 S. Ellis Ave., Levi Hall 427, Chicago, IL 60637.

Please see <http://provost.uchicago.edu/issues/discrimination-harassment-and-sexual-misconduct> for additional information.

### **Human Resources Employee and Labor Relations (for Staff): 773-702-4411**

Questions or complaints regarding misconduct by a staff member should be directed to the Employee and Labor Relations team in Human Resources. You may also contact the Associate Provost and Director of the Office for Equal Opportunity Programs regarding complaints of harassment, discrimination, sexual misconduct, dating violence, domestic violence, stalking, or retaliation by a staff member.

### **Perspectives (Employee Assistance Program) 24-hours: 800-456-6327**

Counseling services are provided to staff, faculty, OAA, and PDR affected directly and indirectly by sexual misconduct, domestic violence, dating violence, and stalking.

<http://www.perspectivesltd.com/>.

## **Non-University Resources for Everyone**

### **Community-based, State, and National Sexual Assault Crisis Centers**

Chicago Rape Crisis Hotline (24 hours): 888-293-2080  
*Immediate and long-term referrals, information, and counseling.*

LGBTQ Crisis Hotline (24 hours): 773-871-2273  
*Information, counseling, and referrals*

Chicago Women's Health Center: 773-935-6126  
*Gynecological care and counseling*  
1025 W. Sunnyside Ave., Suite 201, Chicago, 60640  
<http://www.chicagowomenshealthcenter.org>

YWCA Metropolitan Chicago: 312-372-6600  
*Counseling and legal advocacy*  
1 N. LaSalle St. #1150, Chicago, 60602  
<http://www.ywcachicago.org>

Parks Francis YWCA: 773-955-3100  
*Counseling and legal advocacy*  
6600 S. Cottage Grove Ave., Chicago, 60637

The Center on Halsted: 773-472-6469  
*Services for the LGBTQ community*  
3656 N. Halsted, Chicago, 60613  
<http://www.centeronhalsted.org>

Rape Victim Advocates: 312-443-9603  
*Counseling*  
180 N. Michigan Ave. #600, Chicago, 60601  
<http://www.rapevictimadvocates.org>

Mayor's Office for Domestic Violence Help Line (24 hours): 877-863-6338  
*Information and referrals for shelters, counseling, legal advocacy, and more*

Chicago Bar Association: 312-554-2000  
*Lawyer referral service*

For more Illinois community-based sexual assault crisis centers, visit the Illinois Coalition on Sexual Assault, <http://www.icasa.org>

Marine Biological Laboratory (Woods Hole, Massachusetts)

Independence House, Inc.  
*Counseling, advocacy, and group counseling for survivors of rape, incest, stalking, sexual harassment, molestation, childhood sexual assault and intimate partner violence.*

220 Main St. Fl. Ste. 200, Falmouth, MA 02540  
800-439-6507

### **International Resources for Victims of Sexual Assault**

#### **Delhi**

Rape Crisis Cell Delhi  
*Free legal services for rape victims; also assists with contacting law enforcement and obtaining medical examinations*

2nd Floor, 'C' Block,  
Vikas Bhawan, I.P. Estate,  
New Delhi - 110002.  
Nearest Metro Station: ITO  
Telephone: 23378317, 23378044

#### **Hong Kong**

### RainLily

*24-hour crisis support, coordination with healthcare workers, social workers and police, forensic medical examinations*

Room 405-410, Kin Man House, Oi Man Estate, Ho Man Tin, Kowloon, Hong Kong  
Telephone: 2392 2569; 2375 5322 (hotline)

Additional information regarding Hong Kong resources may be found on the [U.S. Consulate's website.](#)

### London

#### The Havens

As described above, the Havens are self-contained centers located near London hospitals which are dedicated to providing assistance to victims of sexual assault. In addition to medical examinations and first aid, the Havens offer advice, emergency contraception, medical aftercare, and specialist support (e.g., counseling, psychology, and advocacy).

Locations: Camberwell Haven, near to King's College Hospital (south); Whitechapel Haven, near to Royal London Hospital (east); and Paddington Haven, near to St Mary's Hospital (west). Before visiting any of the Havens, you must first call 020-3299-6900 (available 24/7) to make an appointment.

#### Rape Crisis England and Wales

*Counseling, advocacy, and support to rape victims (women and girls only)*

East London: PO Box 58203, London, N1 3XP  
Telephone (helpline): 020 7683 1210

North London: Head Office, Unit 5-7 Blenheim Court, 62 Brewery Road, London, N7 9NY  
Telephone (helpline): 0808 801 0305

South London: P.O. Box 383, Croydon, London, CR9 2AW  
Telephone (helpline): 0808 802 9999

West London: PO Box 56663, London, W13 3BJ  
Telephone (helpline): 0808 801 0770

### Singapore

Sexual Assault Care Center (SACC) at Association of Women for Action and Research (AWARE)

*Counseling, legal services, and social work services for victims of sexual assault*

Drop-in center: 5 Dover Crescent #01-22  
Telephone (hotline): 6779 0282

## **II. Yearly Report on Harassment and Sexual Misconduct to the Council of the University Senate**

A yearly report will be made to the Council of the University Senate: (1) detailing the number of different types of incidents of harassment and sexual misconduct brought to the attention of the University-wide Student Disciplinary Committee, Title IX Coordinators, Human Resources, the Complaint Advisors, and the Panel on Unlawful Harassment; and (2) describing the goals of the University-wide program to prevent harassment and sexual misconduct and the ways in which those goals were implemented during the year. The report will be prepared by the Associate Provost & Director of the Office for Equal Opportunity Programs and reviewed and approved by the Panel on Unlawful Harassment, the Chair of which will present the report to the Council.

### **III. Compliance and Locating This Policy**

#### **Regulations Prohibiting Discrimination**

The University's Policy is consistent with federal, state, and local regulations governing non-discrimination and harassment including: the Age Discrimination in Employment Act, the Americans with Disabilities Act (as amended), the Civil Rights Acts of 1964 and 1991, Executive Order 11246, the Equal Pay Act of 1963, the Rehabilitation Act of 1973 (as amended), Title IX of the Education Amendments of 1972, Genetic Information Nondiscrimination Act of 2008, Lilly Ledbetter Fair Pay Act of 2009, the Illinois Human Rights Act, the City of Chicago Human Rights Ordinance, and the Cook County Human Rights Ordinance.

The crimes of domestic violence, dating violence and stalking were added by VAWA (effective March 7, 2014) as crimes reportable under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Pursuant to the Clery Act, these crimes are reported in the publication *Annual Security and Fire Safety Report*.

#### **IDHR, IHRC, and OCR Legal Recourse and Investigative/Complaint Process**

A University of Chicago employee has the right to contact the Illinois Department of Human Rights (IDHR) for further information or to file a formal charge of unlawful discrimination, harassment, or retaliation. Charges must be filed within 180 days of alleged sexual harassment or other alleged discrimination unless it is a continuing offense. An appeal process is available through the Illinois Human Rights Commission (IHRC) after IDHR has completed its investigation of the complaint. The investigative, charge, and complaint process, and legal recourse processes are described in more detail at

<http://www2.illinois.gov/dhr/FilingaCharge/Pages/Employment.aspx>.

<p>IDHR may be reached at:</p> <p>Illinois Department of Human Rights 100 W. Randolph St., 10th Flr. Intake Unit Chicago, IL 60601 (312) 814-6200 (866) 740-3953 (TTY)</p> <p>Other IDHR Offices: Springfield: (217) 785-5100 (866) 740-3953 (TTY)</p>	<p>IHRC may be reached at:</p> <p>Illinois Human Rights Commission 100 W. Randolph St., Suite 5-100 Chicago, IL 60601 (312) 814-6269 (312) 814-4760 (TTY)</p> <p>Other IHRC Office: Springfield: (217) 785-4350 (217) 557-1500 (TTY)</p>
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Marion:	(618) 993-7463 (866) 740-3953 (TTY)
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All members of the University community may also contact the Office for Civil Rights (a division of the United States Department of Education) to file a complaint pertaining to Title IX:

Office for Civil Rights  
Chicago Office  
U.S. Department of Education  
Citigroup Center  
500 W. Madison Street  
Suite 1475  
Chicago, IL 60661  
(312) 730-1560

### **Access to Information on Harassment, Discrimination, and Sexual Misconduct**

The University's Policy on Harassment, Discrimination, and Sexual Misconduct can be found in the Student Manual of University Policies and Regulations (<http://studentmanual.uchicago.edu/>), on the Human Resources' Web site (<http://hr.uchicago.edu/policy>), at <http://harassmentpolicy.uchicago.edu>, and at <http://provost.uchicago.edu/issues/discrimination-harassment-and-sexual-misconduct>.

### **IV. Related Policies**

Counseling Service-Staff and Faculty Assistance Program  
(Personnel Policy U402)  
<http://humanresources.uchicago.edu/fpg/policies/400/p402.shtml>

Disciplinary Systems for Students  
<https://studentmanual.sites.uchicago.edu/page/university-disciplinary-systems>

Discipline for Faculty and Other Academic Appointees  
<https://provost.uchicago.edu/handbook/clause/termination-or-removal-cause>

Nepotism Policy for Faculty and Other Academic Appointees  
<https://provost.uchicago.edu/handbook/clause/nepotism-policy-faculty-and-other-academic-appointees>

Nepotism Policy for Staff (Personnel Policy U206)  
<http://humanresources.uchicago.edu/fpg/policies/200/p206.shtml>

Progressive Corrective Action (Personnel Policy U703)  
<http://humanresources.uchicago.edu/fpg/policies/700/p703.shtml>

Termination of Employment Information (Personnel Policy U208)  
<http://humanresources.uchicago.edu/fpg/policies/200/p208.shtml>

Treatment of Confidential Information (Personnel Policy U601)  
<http://humanresources.uchicago.edu/fpg/policies/600/p601.shtml>

**Policy effective: August 1, 2016**

**Last administrative update: August 23, 2016**

### No TRESPASS/BAN POLICY

#### **Purpose**

The purpose of this policy is to establish guidelines for the University of Chicago's issuance of a no-trespass warning to a person who is, has been or is threatening to be present on University property and who has engaged, or is reasonably likely to engage, in criminal activity, a violation of University policy, or conduct that is or may reasonably be deemed to be threatening, disruptive, or violent. A no-trespass warning, also called a ban notice, constitutes an official prohibition against entering University property. Any person who violates a no-trespass warning will be arrested and charged with criminal trespass under the Illinois Criminal Code.<sup>1</sup>

#### **Policy**

The University has substantial and meaningful ties to the surrounding communities and, indeed, the rest of the world. For this reason, even though the entire campus is private property, most outdoor areas and some buildings on campus are, in a general sense and during normal business hours, "open to the public." At the same time, the University is committed to safeguarding the people who learn, research, live, work and visit here, to ensuring the safe operation of University activities, and to protecting University assets. The University thus can, and does, restrict access to buildings and some outdoor areas during non-business hours. Additionally, from time to time, the University exercises its right to deny access to some or all University property after a reasoned determination has been made that a person has engaged, or is reasonably likely to engage, in criminal activity, a violation of University policy, or conduct that is or may reasonably be deemed to be threatening, disruptive, or violent.

A no-trespass warning remains in effect until modified or withdrawn in writing by an authorized University official. Regardless of whether a no-trespass notice has been issued, any person who is deemed to have committed a crime may be arrested by law enforcement and referred for prosecution. For purposes of this policy, "University property" includes all indoor and outdoor spaces owned or leased by or from the University, including but not limited to all buildings that constitute the University of Chicago Medical Center.

#### **Process**

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<sup>1</sup> The University also has the authority, exercised in its reasoned judgment, to ban current employees, students and visitors, using existing processes. For example, under the University's disciplinary systems, any student who receives a disciplinary suspension is automatically banned from University property and prohibited from using all University resources. Likewise, the University may ban an employee on an interim basis if he or she is deemed to pose an imminent threat to University property or operations, to the safety or well being of others, or otherwise has engaged in unacceptably disruptive conduct.

Persons who have engaged, or are reasonably likely to engage, in criminal activity, a violation of University policy, or conduct that is or may reasonably be deemed to be threatening, disruptive, or violent may be issued a no-trespass warning. The warning may be given orally or in writing at the time of the concerning conduct, or later via a written notification sent to the banned person via email, first class mail and/or certified mail. Generally, a written no-trespass notice will inform the person: (i) that he/she is barred from all University property or parts of University property (specifying the portion, e.g., the Medical Center, solely for purposes of obtaining medical treatment); (ii) of the duration of the ban; (iii) of the reason for the ban; and (iv) that if he/she returns to University property (or the designated portion) he/she will be subject to arrest for criminal trespass. No-trespass warnings are effective immediately.

Designated officials within the following University administrative units are authorized to issue a no-trespass warning: UCPD, the Office of Legal Counsel, College Housing, Campus Life and Student Services, the Office of the Provost, Residential Real Estate, and Human Resources. A UCPD General Order also governs UCPD's issuance of no-trespass warnings. If feasible, an administrative unit that wishes to issue a no-trespass warning should first consult with the Office of Legal Counsel. No-trespass warnings are circulated to University officials and others on a need-to-know basis.

### **Review**

A person who has received a no-trespass warning may make a written petition for the review of the warning by directing the request to the Associate Provost for Faculty and Student Affairs or his or her designee. The petition must include the reasons for the review request, a complete and candid explanation for the conduct that precipitated the no-trespass warning, the basis for the desire to be on University property, and any other information the person wishes to be considered. Normally, a substantive determination on the petition will be made and communicated in writing within thirty days of receipt. The no-trespass warning remains in effect during and after the review process, unless the warning is modified or withdrawn.

## **TIME OFF**

### **BEREAVEMENT LEAVE**

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#### **Purpose**

To provide staff employees with time off from work when death occurs in their immediate and extended families.

#### **Policy**

In the event of the death of certain members of staff employees' families, and upon request, it is the University's policy to grant paid time off and/or unpaid leave; this paid time off is not to be deducted from employees' allotment of vacation days or personal holidays.

## **Guidelines**

- This policy applies to any benefits-eligible staff employee who has completed three (3) consecutive months of service directly preceding a request for bereavement leave.
- A staff employee should communicate the need for bereavement leave as soon as is practicable.
- In the event of the death of a staff employee's parent or foster parent, sister, brother, spouse, University-approved domestic partner, child, step-child, father-in-law, mother-in-law, step-parent, grandparent, grandchild, father or mother of the employee's University-approved domestic partner:
  1. The employee is allowed three (3) consecutive days of leave immediately following the death, if requested. The employee will be paid only for those days that fall on his/her regularly scheduled work days.
  2. The employee is allowed one additional day of paid leave (for a total of four (4) days paid leave) if travel more than 500 miles each way is involved.
- A staff employee may request approval for additional time off to be charged against accrued vacation or personal time. If no accrued vacation or personal time is available for requested additional time off, the supervisor may grant leave without pay. The supervisor may contact Human Resources (HR) to discuss other options.
- Supervisor consideration will be given on an individual basis to requests for bereavement leave in the event of the death of a person not bearing a relationship to the staff employee, as stated above.
- A staff employee may be requested to verify the relationship, death, and distance traveled before the University pays bereavement leave.
- Bereavement leave is paid on a regular, straight-time basis and is not counted as time worked when computing overtime.

## **COURT APPEARANCES**

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### **Purpose**

To permit staff employees to meet their civic obligations to make court appearances.

### **Policy**

The University will grant time off for staff employees who are obligated to make court appearances. Staff employees may use vacation and/or personal holidays to receive pay for time lost from work or may use unpaid time to appear in court.

### **Guidelines**

- If a staff employee is subpoenaed to make a court appearance for a matter unrelated to his/her University employment, the employee is expected to use his/her own vacation and/or personal holiday time or unpaid time off.
- If a staff employee is subpoenaed to make a court appearance on behalf of the University, the employee is paid his/her regular pay.

- If a staff employee is subpoenaed to make a court appearance on behalf of another University employee, the subpoenaed employee is expected to use his/her own vacation and/or personal holiday time or unpaid time off.
- A staff employee is responsible for notifying his/her supervisor immediately after receiving a subpoena to appear at court during scheduled work hours. A supervisor may request a copy of this notice for the department's files.

## FMLA

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### Purpose

The University is committed to compliance with the Family and Medical Leave Act of 1993 (the "FMLA"). The purpose of this policy is to provide employees with a basic understanding of their rights and obligations under the FMLA.

### Policy Overview

The University will grant eligible employees leave under the FMLA ("Family Medical Leave" or "FML") for up to 12 workweeks during any 12-month period.

### Basic Leave Entitlement

An eligible employee is entitled to take up to 12 weeks of job-protected FML for the following reasons:

- Because they are unable to perform their job due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### Definition of a Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity (inability to work) of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain "qualifying exigencies." Qualifying exigencies may include attending certain military events,

arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is:

- (1) a current 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
- (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FML to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. (*Note, the FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of serious health condition*).

### **Employee Benefits During FML and Job Restoration After FML**

Health Insurance: During an employee's FML, the University will maintain health insurance and other group health benefits on the same conditions as if the employee was working subject to applicable plan documents and law. If the employee wants benefits to continue during FML, he/she must continue to pay the share of the premiums for those benefits at the same contribution rate as if he/she were an active employee.

If any portion of FML is paid, the employee's share of the benefit premiums will be paid through automatic payroll deductions. For unpaid FML, the employee will be billed and must make payments for his or her share of the premiums on a monthly basis. The University's obligations to maintain health benefits cease if an employee fails to pay his/her share of premiums for which he/she is billed.

Accrual of Vacation, Personal and Sick Leave during FML: Consistent with the University's policy for all types of leave, employees will not accrue vacation or other benefits while on unpaid FML.

Holidays during FML: Employees will not be paid for holidays that fall during FML unless the holiday falls on a day covered by accruals (i.e., vacation leave, sick leave or a personal day).

Job Restoration: Most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms after FML.

Benefits Accrued Before FML: Use of FML will not result in the loss of any employment benefit that accrued prior to the start of the leave.

Retirement Plans: FML will be treated as continuous service (i.e., no break-in-service) for purposes of vesting and eligibility to participate in the University's retirement plans.

### **Eligibility Requirements**

Employees are eligible for FML if they have worked for the University for at least 12 months and have worked at least 1,250 hours during the 12-month period before a request for FML.

#### **FML “Leave Year”**

For the purposes of this policy, the University will use a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. Available leave is determined by subtracting the number of weeks of FMLA leave taken during this 12-month “look back” period from the 12-week total allowed.

#### **Use of Leave**

An employee does not need to use FML in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the University’s operations. Employees may also take leave due to “qualifying exigencies” (defined above) or “bonding leave” (leave to bond with a newborn child or newly-adopted child) on an intermittent basis.

#### **Pay During FML**

Under the FMLA, Family Medical Leave generally is unpaid. However, the University has made provisions for employees to receive pay during FML under certain circumstances, described below.

Sick Leave: An employee must use his/her accrued sick leave concurrently with FML.

Vacation and Personal Leave: An employee must use accrued vacation and personal days concurrently with FML. However, an employee may choose to keep a total of five combined vacation and personal days to use at another time. [Refer to Personnel Policy [U509 Vacation](#) and [U511 Personal Holidays](#).]

Short Term Disability (STD): An employee may be eligible for STD payments during FML. Refer to the chart below and [U513 Short-Term Disability](#) for rules regarding the use of STD during FML.

Workers Compensation “Lost Time”: FML runs concurrently with Workers’ Compensation Lost Time if the basis for the Lost Time also meets the definition of a serious health condition under the FMLA.

The following is a breakdown of the types of paid leave that apply during FML.

#### ***Types of pay available during FML***

Reason for Leave	Sick Leave	Personal Days	Vacation Leave <sup>1</sup>	STD
<b>Employee’s own serious health condition</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>
<b>Birth of a child (Mother)</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes (6 to 8 weeks)</b>

<b>Adoption, foster care placement or birth/care of a child (Mother)</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>No</b>
<b>Adoption, foster care placement or birth/care of a child (Father)</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>No</b>
<b>Serious health condition of spouse, child, or parent</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>
<b>Military qualifying exigency</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>
<b>Military caregiver leave</b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>Yes<sup>2</sup></b>	<b>No</b>

<sup>1</sup>Five (5) days of Vacation and/or Personal Holiday may be retained for future use.

<sup>2</sup>Sick-time runs concurrently with FML and STD, and must be exhausted before any STD payments begin. Personal Days and Vacation Leave can be used during the 14-day waiting period before STD begins.

### How to Request Leave

An employee must provide 30 days advance notice to his or her manager of the need to take FML when the need for leave is foreseeable.

When 30 days' notice is not possible, the employee must provide notice to his or her manager as soon as practicable and must comply with the University's normal call-in procedures.

Employees requesting FML will also be required to complete the FML Request Form and return it to their unit HR Professional.

The unit HR Professional and/or HR-Leave Administration will inform employees of additional obligations, including the need for a medical certification supporting the need for FML.

Generally, when requesting FML, employees must be prepared to provide sufficient information for the University to determine if the leave is covered by the FMLA and the anticipated timing and duration of the leave. Sufficient information may include the following: whether the employee is unable to perform job functions; whether the employee's family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, whether the leave is for a reason for which the employee previously took FML; the circumstances supporting the need for military family leave.

### The University's Responsibilities

The University will inform an employee requesting FML whether he or she is eligible under FMLA.

If he or she is eligible, the University will notify the employee of any additional information required as well as the employee's rights and responsibilities.

If the University determines that the leave is not FMLA-protected, it will notify the employee and provide a reason for ineligibility.

The University will also inform an employee if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FML entitlement.

### **The Employee's Responsibilities**

CONSISTENT WITH THE UNIVERSITY'S POLICY REGARDING ALL TYPES OF LEAVE, THE FOLLOWING CONDUCT IS STRICTLY PROHIBITED IN RELATION TO FMLA LEAVE:

- Engaging in fraud, misrepresentation or providing false information to the University or any health care provider.
- Having other employment during the leave, without prior written approval from the University.
- Failure to comply with the employee's obligations under this policy.
- Failure to timely return from the leave.

Employees who engage in conduct described above will be subject to loss of benefits, denial or termination of leave, and corrective action, up to and including termination.

### **The University's Commitment**

The University will not interfere with, restrain, or deny the exercise of any right provided by the FMLA, nor will it discharge or discriminate against any individual for opposing any practice or involvement in any proceeding relating to the FMLA. The University recognizes the co-existence of state and/or local laws regarding family and medical leave. Where such laws apply and provide greater family and medical leave rights than the FMLA, the University will comply with those laws.

### **Additional Resources**

The following resources from the U.S. Department of Labor provide additional information about employees' rights and responsibilities under the FMLA:

FMLA Employee Guide: <http://www.dol.gov/whd/fmla/employeeguide.htm>

FMLA Employee Rights And Responsibilities Poster:  
<http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>

## JURY DUTY

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### **Purpose**

To permit staff employees to meet their civic obligations to serve as jurors, when called.

### **Policy**

The University will grant time off to staff employees who are called for jury duty.

### **Guidelines**

- A staff employee is responsible for notifying his/her supervisor immediately after receiving a summons to appear for jury duty. A copy of the notice should be given to the supervisor for the department's files.

- If the jury does not convene on a staff employee's regularly scheduled workday, the employee is expected to report to work.
- The employee is responsible for entering the leave as a paid absence for jury duty in UChicago Time. This absence does not count as hours worked when computing overtime.
- A staff employee may keep the court's compensation and reimbursements for travel expenses.

## MEDICAL LEAVE OF ABSENCE (MLOA)

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### **Purpose**

To provide a means for departments to offer employees medical leave when they are unable to work due to a serious health condition and are not eligible for leave under Short Term Disability (STD) and the Family and Medical Leave Act (FMLA) or have exhausted STD and FMLA and need a bridge between Short Term and Long Term Disability (LTD).

### **Policy**

Employees may apply for an unpaid medical leave for up to three (3) months; however, employees are only eligible for medical leave under this policy as follows:

- They are ineligible for STD or FMLA (e.g., they have worked for the University for fewer than 6 continuous months or work less than 19.5 hours per week); or
- They have exhausted STD or FMLA, have applied for LTD, and have not received an approval or denial from the LTD insurance carrier.

The decision whether to grant a medical leave is at the discretion of the University. Any leave or absences without an approved medical or other leave may be considered unexcused or unscheduled as provided under University and department policy and result in corrective action up to and including termination of employment.

### **Guidelines**

- To request a leave, an employee must submit a completed Medical Leave Request Form to the employee's supervisor and the department/unit's Human Resource Partner (HRP). When an employee has advance notice of the need for a leave, the employee must submit a completed Medical Leave Request Form to the employee's supervisor and the HRP thirty (30) days before the leave is requested to begin. If an employee cannot provide thirty (30) days notice, the employee must submit the completed request form as soon as feasible under the circumstances. After the employee's supervisor and HRP signs the request form, the employee must submit it to Human Resources (HR) Leave Administration.
- An employee also must submit a fully completed health care provider's certification demonstrating the need for the leave directly to HR Leave Administration. The certification should be submitted at least thirty (30) days before the commencement of the medical leave or as soon as feasible. In the case of an emergency situation, the medical certification must be submitted within five (5) days of the start of the leave. Failure to provide a complete and timely medical certification may result in the denial of medical leave, absences deemed unexcused or unscheduled, and termination of employment.
- The decision whether to grant a medical leave is at the discretion of the University. Thus, among other things, the department's operational and staffing needs, the availability of replacements, the reason for the employee's request, and the employee's job performance and attendance should be considered.

- If an employee applies for LTD before the end of STD or other approved leave, the employee may apply for a medical leave so the employee can remain employed in an unpaid leave status pending a determination on the LTD application.
- Accrued sick leave, vacation, and personal holidays also must be used during any medical leave before the leave becomes unpaid. Employees do not accrue sick leave, vacation, and personal holidays during medical leave.
- During medical leave, the University will maintain benefits on the same conditions as if the employee is working subject to applicable plan documents and law. An employee must continue to pay the employee's portion of insurance benefit premiums if the employee wishes coverage to continue during the leave.
- Employees on a medical leave are expected to be reasonably responsive to and communicate with their supervisor and department during the leave.
- Before returning from medical leave, the employee must provide the employee's supervisor and HRP a health care provider's release to return to work indicating that he/she is able to perform the essential functions of the job with or without reasonable accommodation. The HRP will provide HR Leave Administration with the release to return to work. If an employee fails to provide a release to return to work as of the first scheduled workday after a medical or other approved leave, he/she will not be allowed to return to work and absences will be deemed unexcused or unscheduled, which may result in termination of employment.
- Approval of the leave request does not guarantee job reinstatement. Reinstatement after a leave is at the discretion of the department; however, the University may make an effort to reinstate the employee to the same or a comparable job if available. If the employee is not reinstated, he or she may apply for vacant positions on the University's online employment site, [UChicago Jobs](#).
- If an employee does not return to work when the medical leave ends and has not been approved for an additional leave of absence or other reasonable accommodation as required by law, employment will be terminated as of the last day of the approved leave of absence.

## **MILITARY LEAVE**

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The University of Chicago is committed to supporting our staff employees who are uniformed service members. The University provides military leave and other benefits to staff employees for military training and service. For additional information please refer to the Leave of Absence for Active Military Service and Military Reserve Training Leave Policies and contact HR Leave Administration.

## PERSONAL HOLIDAYS

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### **Purpose**

To provide eligible staff employees with paid time off (personal holidays) and to establish guidelines for personal holiday accrual and use.

### **Policy**

Benefits-eligible staff employees begin accruing personal holidays at their most recent date of benefits-eligibility. It is intended that eligible staff employees take the annual personal holidays to which they are entitled each year. Use of paid time off (personal holidays) is subject to supervisory approval.

### **Guidelines**

- A benefits-eligible staff employee begins accruing personal holidays at his/her most recent date of benefits-eligibility.
- An eligible staff employee accrues personal holiday time (as defined in Guideline #5 below) as follows:
  1. January 1st - 2 days;
  2. April 1st - 1 day;
  3. July 1st - 1 day; and
  4. September 1st - 1 day
- An eligible staff employee is credited with personal holidays on each of the accrual dates listed above (See Guideline #4). Personal holidays accrue at a rate equivalent to one-fifth (1/5) the employee's average scheduled workweek.  
Example #1: An eligible employee with a standard workweek of 37.5 hours per week will accrue 7.5 hours for each credited personal holiday. To calculate: 37.5 hours per week x 1/5 = 7.5 hours per personal holiday.  
Example #2: An eligible employee with a standard workweek of 30 hours will accrue 6.0 hours for each credited personal holiday. To calculate: 30 hours per week x 1/5 = 6 hours per personal holiday.  
Example #3: An eligible employee with a standard workweek of 20 hours will accrue 4.0 hours for each credited personal holiday. To calculate: 20 hours per week x 1/5 = 4 hours per personal holiday.
- Personal holiday accrual records for each eligible, exempt staff employee (monthly paid) may be maintained in hourly increments.
- Each department should establish and communicate to employees the guidelines for requesting personal holidays.
- An eligible staff employee should request personal holiday time in advance consistent with department guidelines. Staff employees must record personal holiday time taken in the University's time and attendance system, UChicago Time.

- Monthly paid (exempt) staff employees may only use personal holiday time in full day increments, which are calculated based on the employee's average scheduled hours per day. Absences of less than a full day may not be charged to an exempt staff employee's accrued personal holiday time or deducted from pay with the limited exception of FMLA leave.

Example #1: An eligible employee who works a five-day, 37.5-hour standard workweek will have 7:30 hours deducted from his/her personal holiday accrual balance for each personal holiday taken. To calculate: 37.5 hours per week / 5 days per week = 7:30 hours per personal holiday.

Example #2: An eligible employee who works a four-day, 30-hour standard workweek will have 7:30 hours deducted from his/her personal holiday accrual balance for each personal holiday taken. To calculate: 30 hours per week / 4 days per week = 7:30 hours per personal holiday.

Example #3: An eligible employee who works a four-day, 20-hour standard workweek will have 5.0 hours deducted from his/her personal holiday accrual balance for each personal holiday taken. To calculate: 20 hours per week / 4 days per week = 5.0 hours per personal holiday.

- Eligible, non-exempt (hourly paid) employees may use accrued personal holiday time hourly and may only use personal holiday time for time off of at least 30 minutes.
- An eligible staff employee's accrued personal holiday balance expires each calendar year. An eligible employee who fails to request accrued personal holidays during the calendar year following unit guidelines is not entitled to "carry-over" personal holidays into the next calendar year.
- An eligible employee will not accrue personal holidays while he/she is in an unpaid status (i.e., leave of absence) or on leave for workers' compensation or Short-Term/Long-Term Disability.
- It is intended that each eligible staff employee take the annual personal holidays to which he/she is entitled each year. An employee may be reimbursed in lieu of taking personal holidays if the unit requests the employee to forego all or any part of his/her personal holidays and the employee has previously requested to take a personal holiday according to unit guidelines.
- Pay for personal holidays will be at the eligible employee's regular base rate of pay when personal holiday time is used. Bonuses and other variable compensation are not included in calculating personal holiday pay. Personal holiday hours are not considered "hours worked" in calculating overtime.
- At an eligible employee's request, and upon the exhaustion of all sick leave, absence due to non-work-related illness or injury may be taken as a personal holiday. (See Policy [U512 Sick Leave](#))
- When an eligible staff employee is absent due to personal reasons and personal holiday accruals are exhausted, the employee is in out-of-pay status unless he/she elects to use accrued vacation time and has received supervisory approval to do so.

- Paid time off (personal holidays) must not be used as compensatory time off in lieu of overtime pay. (See [U304 Compensable Time Off and Compliance with Fair Labor Standards Act \(Overtime\)](#))
- Upon termination of employment, an eligible staff employee is to be paid for any unused personal holidays accrued within the calendar year.

## **PERSONAL LEAVE OF ABSENCE**

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### **Purpose**

To provide a means for departments to offer employees approved leave without pay when circumstances (such as education, research, or family needs) necessitate.

### **Policy**

After one (1) year of continuous active employment with the University regular employees may apply for an unpaid Personal Leave of Absence for one to twelve consecutive months. The decision whether to grant a personal leave of absence is at the discretion of Leave Administration – University of Chicago ([leaveadministration@uchicago.edu](mailto:leaveadministration@uchicago.edu)).

### **Guidelines**

1. An employee must submit a Personal Leave of Absence request form to the employee's supervisor and the department's Human Resource Partner (HRP). The Personal Leave of Absence request form must specify the reason for the request and duration and be submitted at least three months in advance unless an emergency situation arises. The HRP should submit the completed form and any supporting documentation to Leave Administration.
2. Approval of the leave request does not guarantee job reinstatement and indeed the employee's position may be filled, modified or eliminated during a Personal Leave of Absence. If the employee is not reinstated, he or she may apply for vacant positions on the University's online employment site, [UChicago Jobs](#).
3. In deciding whether to grant a Personal Leave of Absence request, the department's and the University's operational and staffing needs, the availability of replacements, the reason for the employee's request, and the employee's job performance and attendance should be considered.
4. Vacation and personal holiday accruals will be paid in a lump sum as soon as practical after the commencement of the Personal Leave of Absence.
5. During a Personal Leave of Absence, employees are expected to be reasonably responsive and communicative with their supervisor and department.
6. ReinstateMENT after a leave is at the discretion of the department.
7. Prior to reinstatement, an employee may be subject to a reference or background check based upon the department's policies and procedures or other legitimate reason.
8. If the employee is reinstated, the employee's service will be bridged to the original hire date.

9. An employee on an approved personal leave of less than 12 consecutive months may request an extension of the leave for up to a total of 12 consecutive months by submitting a completed personal leave of absence request form detailing the reason for the extension.
10. If an employee is not reinstated or does not return to work when the Personal Leave of Absence ends and has not been approved for other reasonable accommodations as required by law, employment will be terminated as of the last day of the approved leave of absence. A Personal Leave of Absence should not be used as alternative to a resignation or other termination of employment.
11. There may be instance of University departments that reduce or suspend operations at the end of an academic term or year. Employees in these departments may be placed on a Personal Leave of Absence during the period of reduced or suspended operations. Affected employees may use their vacation and personal holiday accrual balances until they have been exhausted. Individuals in this situation may elect to continue medical, vision and dental insurance as follows: the first three months will be at the employee's current rate, and the remaining 15 months will be at the full COBRA rate.

### **Benefits**

1. An employee on Personal Leave of Absence may elect to continue medical and dental insurance at COBRA rates for up to 18 months.
2. Life and personal accident insurance may be maintained at the employee's option.
3. During an approved Personal Leave of Absence, an employee participating in the Retirement Income Plan for Employees (ERIP) will not continue to contribute, but the previously credited income will not be affected.
4. Employees cannot participate in a Flexible Spending Account or the University's Educational Assistance Plan while on a Personal Leave of Absence.
5. Paid time-off accruals cease while on a Personal Leave of Absence; accrued sick leave remains intact.

## **SCHOOL VISITATION**

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### **Purpose**

To establish guidelines for staff employees to attend their children's school conferences and activities in compliance with the [Illinois School Visitation Rights Act](#).

### **Policy**

The University encourages staff employees' involvement in their children's school-related activities. Staff employees who have children in primary and/or secondary school may receive an additional eight (8) hours of unpaid school visitation time per school year after accrued vacation and personal holiday leave time have been exhausted.

### **Guidelines**

1. In general, benefits-eligible employees may elect to use accrued vacation or personal holiday time for school visitation at any time, following University policies [U509 Vacation](#) and [U511 Personal Holidays](#). However, after six (6) months of employment, employees can use an additional eight (8) hours of unpaid leave for school visitation after their accrued vacation and personal holiday leave time have been exhausted.
2. Additional unpaid time off will be given in increments of no more than four (4) hours. A staff employee is not required to make up time lost. However, supervisors should make a good faith effort to permit (non-exempt) employees to make up this time.
3. An employee must consult with his/her supervisor to schedule the leave so as not to disrupt the operations of the unit unduly. Requests for time off for school visitation purposes must be made in writing at least seven (7) days in advance. In case of emergencies, up to 24-hours advance notice should be given.
4. A staff employee may be required to provide documentation for the requested time off to his/her supervisor. Failure to submit a verification statement from the school may be considered an unexcused absence and may result in disciplinary action.
5. A non-exempt staff employee should indicate any unpaid school visitation time taken on his/her timecard. While an exempt staff employee will not receive a salary deduction in less than full-day increments under the [Fair Labor Standards Act](#), he/she should indicate school visitation time taken on the Monthly Absence Report.

## **SHORT-TERM DISABILITY**

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### **Purpose**

To provide guidance regarding an employee's status and compensation when a non-work related injury or illness renders the employee unable to work.

### **Policy**

A benefits eligible employee, who has completed six months of continuous and active employment, is eligible to apply for Short Term Disability (STD) when he or she is unable to perform the duties of his or her job due to a non-work-related injury or illness (including a pregnancy-related disability). STD pays 60% of an employee's regular salary minus all regular deductions. STD payments begin once an employee is totally disabled for a continuous period of fourteen (14) days or an employee's accrued sick leave is exhausted, whichever is longer. STD ends after 13 weeks of disability.

### **Guidelines**

1. To apply for STD, an eligible employee must submit the Short Term Disability Leave Request form to the employee's supervisor and the department/unit's Human Resource Partner (HRP) for signature as soon as the employee becomes aware of the need for leave. Upon receipt of the supervisor's and the HRP's signature, the employee must submit the completed Short Term Disability Leave Request Form to Human Resources (HR) Leave Administration.

2. The employee also must submit directly to HR Leave Administration a completed Short Term Disability – Health Care Provider's statement describing the reason for the leave, diagnosis, and anticipated date of return.
3. STD leave will be counted toward the twelve (12) week allotment of Family and Medical Leave. For guidelines on Family and Medical Leave of Absence, see [522-Family and Medical Leave of Absence](#).
4. Following the first day of absence, there is a waiting period of fourteen (14) calendar days before STD payments begin. If an employee does not have accrued sick leave to use during the waiting period, then accrued personal holidays and vacation must be used as provided under University policy or collective bargaining agreement, if applicable. Otherwise, the waiting period is unpaid. Employees may reserve a total of five (5) days of vacation and personal holiday to use at another time.
5. An eligible employee may receive STD payments beginning fourteen (14) days after the first day of absence and the exhaustion of sick leave, whichever is longer, through the thirteenth week of disability, i.e. a maximum of eleven (11) weeks of STD paid benefits. The following are examples:
  1. An employee is approved for 6 weeks STD leave for a new disability and has 10 weeks accrued sick leave. The employee will use 6 weeks of sick leave and will not receive STD payments because the employee has enough sick leave accruals to cover the duration of the absence.
  2. An employee is approved for 13 weeks of STD leave for her own disability and has 3 days accrued sick leave. The employee must use 3 days of accrued sick leave and other accrued paid time off during the fourteen day waiting period and thereafter will receive 11 weeks of STD payments.
6. Unless there are medical complications, six (6) weeks after the birth of a child is the approved timeframe for STD payments. However, a cesarean delivery will be approved for eight (8) weeks.
7. HR Leave Administration is responsible for approval or denial of STD payments. If approved, payments begin after accrued sick leave has been exhausted or after the fourteen (14) day waiting period, whichever is longer. The University reserves the right to require a medical examination of any employee applying for STD at any time by a health care provider selected by the University. The cost of such examination shall be borne by the employee's department.
8. In addition to receiving STD payments, an employee:
  1. Maintains all benefits for which s/he is enrolled, provided s/he continues to pay the employee's share of the premiums, subject to applicable policies and plans;
  2. Maintains his or her original benefits-eligible (service) date; and
  3. Maintains previously-earned personal holiday and vacation accrual balances.
9. An employee receiving STD payments is NOT permitted to:
  - Accrue sick leave, vacation or personal holidays;
  - Apply for STD payments within two weeks following a return to work from STD;
  - Receive University holiday pay; or
  - Supplement STD payments with vacation or personal holidays.

10. Employees on STD leave are expected to reasonably communicate with and be responsive to their supervisors and department during their leave and regarding their return to work.
11. An employee on STD leave must contact HR Leave Administration immediately upon learning of the need for an extension. An employee on a STD leave who has a medical release to return to work earlier than expected should contact HR Leave Administration and his/her supervisor immediately.
12. Before returning to work from STD leave, an employee must provide his or her supervisor and the HRP with a release to return to work by a health care provider indicating that he/she is able to perform the essential functions of the job with or without reasonable accommodation. The supervisor or HRP will forward the original release to return to work to HR Leave Administration. An employee who fails to provide a release to return to work as of the first scheduled workday after a medical or other approved leave will not be allowed to return to work and subsequent absences will be deemed unexcused or unscheduled, which may result in termination of employment.
13. An employee who returns to work and suffers a relapse of the same disability may apply for and use his or her remaining STD benefits without satisfying another fourteen (14) day period so long as the employee has not exhausted his or her STD allotment.
14. To be eligible for STD payments for a different disability or a new medical condition, an employee must return to work following the receipt of STD payments and work continuously for at least two weeks. The employee also is subject to a new fourteen (14) day waiting period.
15. An employee remains financially responsible for payroll deductions such as taxes, insurance, credit union and other deductions. These deductions are made against STD payments in accordance with payroll schedules.
16. If an employee has not returned to work when the STD leave expires and has not applied for Long Term Disability or been approved for an additional leave of absence or other reasonable accommodation as required by law, employment will be terminated effective on the first scheduled workday that is missed following the expiration of the STD leave.

## SICK LEAVE

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### **Purpose**

To provide for the administration of sick leave accrual and usage.

### **Policy**

Employees begin accruing sick leave at their most recent date of hire. Sick leave may be used in accordance with the procedures set forth below for absences due to the employee's own illness or injury, or for receiving medical care, treatment, diagnosis, or preventive medical care and for absences due to a Family Member's illness or injury, or to care for a Family Member receiving medical care, treatment, diagnosis or preventive medical care. Employees may also use sick leave if they or a Family Member are a victim of domestic violence or a sex offense, or if they need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency.

## **Guidelines**

- A. Benefits Eligible Staff Employee Sick Leave Information
  1. A benefits eligible staff employee accrues two (2) standard workweeks of sick leave per year.
    - i. For example: a benefits eligible staff employee with a standard workweek of 37.5 hours per week accrues 75 hours of sick leave per year; a benefits eligible staff employee with a standard workweek of 40 hours per week accrues 80 hours of sick leave per year; and a benefits eligible staff employee with a standard workweek of 20 hours per week accrues 40 hours of sick leave per year.
  2. A benefits eligible staff employee is credited with earned sick leave in the amount of one-twelfth (1/12) of his/her annual accrual after each completed month of service to the University.
  3. A benefits eligible staff employee scheduled to work irregular hours each week will accrue at a rate based on the average weekly hours scheduled per month, with a minimum accrual rate of 40 hours per year.
  4. A benefits eligible staff employee will not accrue sick leave during any month in which he/she is in an out-of-pay status (i.e., on leave of absence), on sick leave, on Workers' Compensation, or on Short-Term/Long-Term Disability, for more than one-half (1/2) his/her standard working hours. (See Policy U513 Short-Term Disability and U514 Long-Term Disability.)
  5. A benefits eligible staff employee who transfers to a non-benefits eligible, temporary, or student employee position may retain a maximum of 60 hours of their accrued, unused sick leave. Upon transfer the employee will accrue sick leave as described under Section B of this Policy.
- B. Non-Benefits Eligible Staff, Temporary Staff, Seasonal Staff and Student Employee Sick Leave Information
  1. Any employee not eligible for benefits (including non-benefits eligible staff, temporary staff, seasonal staff, and student employees) accrues sick leave at a rate of one hour of sick leave for every 40 hours worked. For exempt employees in these categories, the accrual is calculated using their total scheduled weekly hours for active jobs as indicated in the human resources system.
  2. Sick leave accruals will be available for employees covered by this Section B after the close of the payroll where the accrual occurred.
  3. For employees covered by this Section B, the sick leave year is each January through December.
    - i. Sick leave accrual is capped at 40 hours per year.
    - ii. A maximum of 60 hours of accrued sick leave may be carried over from year to year.
    - iii. A maximum of 60 hours of accrued sick leave may be used within one year.
  4. An employee covered by this Section B who transfers to a benefits eligible position will retain their accrued, unused sick leave, and upon transfer the employee will begin accruing sick leave as described under Section A of this Policy.
- C. Administration of Sick Leave for All Employees
  1. Each unit is responsible for ensuring the accuracy of an employee's record of accrued and used sick leave. Each unit should establish and communicate rules for requesting sick leave and call-in procedures.

2. Employees must record sick leave that is taken on the appropriate time off calendar.
3. An employee who has been granted time off under the Family and Medical Leave Act (FMLA) or Victims' Economic Security and Safety Act (VESSA) may use sick leave to be paid for what would otherwise be unpaid time under the FMLA or VESSA. (See Policy U522 Family and Medical Leave of Absence and Policy U526 Victims' Economic Security and Safety Leave.)
4. For an exempt employee absences of less than one full day are neither to be charged to accumulated sick leave time, nor to be deducted from pay. Exempt employees who use sick leave to be paid while granted time off under FMLA may have sick leave accruals deducted on an hour-for-hour basis.
5. Sick leave use for an exempt employee is based on the employee's average scheduled hours per day. An exempt employee who takes a full-day absence will have accruals deducted at a rate equal to the employee's average scheduled hours per day for each day of sick leave taken.
  - i. Example #1: An exempt employee who works a five (5) day, 37.5 hour standard workweek will have 7:30 hours deducted from his/her sick leave accrual balance for each day of sick leave taken. To calculate: 37.5 hours per week ÷ 5 days per week = 7:30 hours per sick day.
  - ii. Example #2: An exempt staff employee who works a four-day, 20-hour standard workweek will have 5.0 hours deducted from his/her sick leave accrual balance for each day of sick leave taken. To calculate: 20 hours per week ÷ 4 days per week = 5.0 hours per sick day.
6. A non-exempt employee will have accruals deducted on an hour-for-hour basis. Accrued sick leave must be used in increments of at least 30 minutes.
7. When an employee is absent for a reason covered by this Policy, and sick leave accrual is exhausted, the employee is in out-of-pay status unless he/she is benefits eligible, elects to use accrued vacation and/or personal holiday time, and has received supervisory approval to do so. (See Policy U509 Vacation and U511 Personal Holidays.)
8. An employee who is absent and who is compensated under the Illinois Workers' Compensation Act or the Illinois Occupational Diseases Act will not have sick leave accruals deducted. In these cases, an employee can use sick leave accruals to supplement the difference between Workers' Compensation payments and the employee's regular salary.
9. Pay for sick leave will be at the employee's regular base rate of pay at the time the sick leave is used. Bonuses and other variable compensation are not included in calculating sick leave pay. Sick leave hours are not considered "hours worked" in calculating overtime. (See Policy U304 Compensable Time, Record-Keeping, and Tracking Absences.)
10. An employee's accrued sick leave balance expires upon termination of employment, unless the employee is rehired within thirty (30) days. Accrued, unused sick leave is not paid out upon termination of employment.
11. When the need to use sick leave is reasonably foreseeable, such as a scheduled appointment with a healthcare provider, the employee should notify the unit seven days in advance when possible. When the need to use sick leave is not reasonably foreseeable, the employee should notify the unit as soon as is practicable.
12. When using sick leave, an employee must follow unit sick leave request and call-in procedures. The notification required may be via phone, email or text message.

13. Employee attendance records may be reviewed to determine if there has been an excessive use of sick leave. Excessive use of sick leave may result in corrective action. (See Policy U703 Progressive Corrective Action.)
14. An employee who is absent for more than three (3) consecutive work days may be required to provide certification that the use of sick leave was permissible under this Policy. Failure to provide such certification if requested may result in corrective action. An absence of this length may also implicate time off under the Family and Medical Leave Act. (See Policy U703 Progressive Corrective Action and U522 Family and Medical Leave of Absence.)

## UNIVERSITY HOLIDAYS

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### **Purpose**

To provide University-recognized paid holidays for benefits-eligible staff employees.

### **Policy**

The University recognizes eight (8) days during the year as paid holidays for its regular, benefits-eligible staff employees. Those holidays are New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, and Christmas Day.

### **Guidelines**

1. A staff employee who is scheduled to work twenty (20) or more hours per week is eligible for University holiday pay.
2. University holiday pay is the regular, straight-time rate for the number of hours in an average workday. If a staff employee's schedule is irregular or part-time, holiday pay will be equal to one-fifth (1/5) the number of regularly scheduled hours in the workweek.
3. A staff employee must be in pay status on the day before and the day following the holiday to be eligible for University holiday pay.
4. When a regular holiday falls on Saturday, the preceding Friday will be considered the University holiday. When the regular holiday falls on Sunday, the following Monday will be considered the University holiday.
5. A staff employee is not allowed holiday pay while in an out-of-pay status, such as leave of absence, layoff or while receiving Short-Term disability payments.
6. A benefits-eligible, biweekly staff employee, who may be required to work on a University holiday, will be paid at one and one-half (1.5) times his/her regular rate. A benefits-eligible monthly staff employee who is required to work on a University holiday will be paid his/her regular salary and is entitled to another day off.
7. A biweekly staff employee, who is required to work on a University holiday that falls on his/her regularly scheduled day off, will be paid at twice his/her regular rate and will also receive another day off with pay, either thirty (30) days before or after the holiday.

8. When a holiday falls on a staff employee's day off in conjunction with a flexible work option, the employee is to be given another day off with pay either thirty (30) days before or after the holiday.
9. Holiday pay is not to be considered hours worked in the computation of overtime.
10. A staff employee covered by a negotiated agreement will receive paid time-off for holidays in accordance with that agreement.

## **VACATION**

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### **Purpose**

To provide eligible staff employees with paid vacation time and to establish guidelines for vacation time accrual and use.

### **Policy**

Benefits-eligible staff employees begin accruing vacation time at their most recent date of benefits eligibility.

It is intended that eligible staff employees take the annual vacation to which they are entitled each year.

### **Guidelines**

#### A. General Vacation Guidelines

1. A benefits-eligible staff employee begins accruing vacation time at his/her most recent date of benefits eligibility.
2. Each unit is responsible for maintaining and communicating to each eligible employee his/her record of accrued and used vacation time. Each unit should establish and communicate to employees the guidelines for requesting vacation time. All vacation leave is subject to supervisory approval.
3. An eligible staff employee should request vacation leave in advance, following unit guidelines for requesting vacation time. An eligible, exempt staff employee (monthly-paid employee) must record vacation time taken on his/her monthly absence report. An eligible, non-exempt staff employee (bi-weekly-paid employee) must record vacation time taken on his/her timecard.

For units that use the University's time and attendance system, UChicago Time, vacation accruals and usage for employees are maintained within the system. UChicago Time allows non-exempt employees to report time worked and absences, and to track their accruals. UChicago Time allows exempt employees to report absences and to track their accruals. An employee's supervisor will review and approve vacation time usage through the system.

Non-exempt employees are expected to report time worked and/or to record and submit absences daily via UChicago Time. Non-exempt employees who fail to report time

worked and/or to record and submit absences daily could forfeit an accrual award when the employee is either close to or at the allowable vacation maximum.

Exempt employees are expected to record and submit absences on the last working day of each month via UChicago Time. Exempt employees who fail to submit their absences on the last working day of the month could forfeit an accrual award when the employee is either close to or at the allowable vacation maximum.

## B. Accruing Vacation

4. An eligible employee accrues three (3) standard workweeks of vacation per year for the first eight (8) years of continuous service.
5. Upon completion of eight (8) years of continuous service, an additional standard workweek of vacation will be added to the employee's vacation balance and vacation is accrued, thereafter, at the rate of four (4) standard workweeks per year through the twentieth (20th) year of continuous service.
6. Upon completion of twenty (20) years of continuous service, an additional standard workweek of vacation will be added to the employee's vacation balance and vacation is accrued, thereafter, at the rate of five (5) standard workweeks per year.
7. An eligible employee is credited with accrued vacation time after each completed month of service to the University.
8. Vacation is accrued monthly at the rate of one-twelfth (1/12) the employee's annual accrual. Monthly vacation accruals for an eligible full-time and part-time staff employee are calculated by multiplying the number of the employee's standard workweek hours by the number of annual accrued standard workweeks of vacation and then dividing by twelve (12).
9. For example, an eligible staff employee with a standard workweek of 37.5 hours per week accrues three (3) standard workweeks of vacation per year: 37.5 hours per week x 3 weeks per year ÷ 12 months per year = 9: An eligible employee scheduled to work irregular hours each week will accrue at a rate based on the average weekly hours scheduled per month.
10. An eligible staff employee cannot accrue more than one and one-half (1.5) times his/her annual vacation accrual. For example, an employee with a standard workweek of 37.5 hours accrues three (3) standard workweeks of vacation per year; he/she cannot maintain an accrual balance of more than 168.5 hours of vacation, the equivalent of four and one-half (4.5) standard workweeks.
11. An eligible employee will not accrue vacation during any month for which he/she is in an out-of-pay status (i.e., on leave of absence including FMLA), on sick leave, on Workers' Compensation or on Short-Term/Long-Term disability for more than one-half (1/2) the standard working hours for that month. [See [U512 Sick Leave](#), [U513 Short-Term Disability](#), [U514 Long-Term Disability](#), [U522 FMLA](#)]
12. An employee may take no more vacation at any one time than is earned in one year, even if the number of vacation hours accrued exceeds this amount.
13. An eligible employee who is newly hired or terminated but works at least one-half (1/2) the standard working hours during his/her first or last month of service will

- accrue vacation time for that month. An eligible employee who is newly hired or terminated but works less than one-half (1/2) the standard working hours during his/her first or last month of service will not accrue vacation time for that month.
14. Pay for vacation time shall be at the eligible employee's regular base rate of pay when vacation time is used. Bonuses and other variable compensation are not included in calculating vacation pay. Vacation hours are not considered "hours worked" in calculating overtime.
15. Vacation accrual records for an eligible, exempt employee may be maintained in hourly increments. Vacation usage for an eligible, exempt employee is based on the employee's average scheduled hours per day. An eligible, exempt employee who takes a full-day absence will have accruals deducted at a rate equal to the employee's average scheduled hours per day for each day of vacation taken.
- Example #1: An eligible, exempt employee who works a five-day, 37.5-hour standard workweek will have 7:30 hours deducted from his/her vacation accrual balance for each day of vacation taken. To calculate:  $37.5 \text{ hours per week} \div 5 \text{ days per week} = 7.5 \text{ hours per vacation day}$ .
- Example #2: An eligible, exempt employee who works a four-day, 20-hour standard workweek will have 5.0 hours deducted from his/her vacation accrual balance for each day of vacation taken. To calculate:  $20 \text{ hours per week} \div 4 \text{ days per week} = 5.0 \text{ hours per vacation day}$ .

### C. Utilizing Accrued Vacation

16. For an eligible, exempt staff employee, absences of less than one full day are neither to be charged to accumulated vacation time, nor deducted from pay. An eligible, non-exempt (hourly paid) employee will have accruals deducted in hourly increments.
17. Accrued paid time off cannot be used for time off of less than 30 minutes.
18. If an authorized University holiday falls within an employee's vacation period, and the employee is eligible for paid holiday allowance for that particular day, it shall be counted as a holiday rather than a vacation day.
19. It is intended that each eligible employee take the annual vacation to which he/she is entitled each year. An employee may be reimbursed in lieu of vacation time if the unit requests the employee to forego all or any part of his/her accrued vacation and the employee has requested vacation time according to unit rules and procedures. An eligible employee's vacation accrual balances must be reduced by the amount of vacation accruals paid out. The payment request must be submitted during the pay period the vacation was cancelled.
20. At an eligible employee's request, and upon the exhaustion of all sick leave, absence due to non-work-related illness or injury may be taken as vacation time. [See [U512 Sick Leave](#)]
21. Units may grant paid or unpaid time-off as part of a newly hired employee's job offer. This time-off can only be for a one-time arrangement within the first year of employment (for example, if the employee has predetermined travel plans prior to

- accepting the position), it cannot be made into an on-going arrangement, and it may be recorded as an excused absence in lieu of vacation time.
22. Otherwise, when an eligible employee is absent due to personal reasons and vacation accruals are exhausted, the employee is in out-of-pay status unless he/she elects to use accrued personal holiday time and has received supervisory approval to do so. [See [508 Personal Leave of Absence](#)]
  23. Paid vacation must not be used as compensatory time off in lieu of overtime pay. [See [U304 Compensable Time and Compliance with Fair Labor Standards Act \(Overtime\)](#)]
  24. When an eligible employee transfers between University departments, his/her vacation accrual dollars must be transferred using Comptroller Form 60, Journal Voucher. The form should be forwarded to the Payroll Department for processing.
  25. Vacation accrual balances for employee transfers from the University of Chicago Hospitals are governed by Human Resources Policy [U209 Staff Employee Hires to the University of Chicago from the University of Chicago Hospitals](#).
  26. When a reduction of work hours occurs, the vacation accrual rate and corresponding balance will be reduced to align with the new scheduled weekly hours. Any vacation time that exceeds the new balance, plus two full months' worth of accruals (based on the new accrual rate) will be paid out to the employee upon reduction of hours. Upon termination of employment, an eligible employee is to be paid for any accrued and unused vacation.

## VICTIMS' ECONOMIC SECURITY AND SAFETY LEAVE (VESSA)

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### **Purpose**

To provide guidelines when employees need time off due to domestic or sexual violence.

### **Policy**

The University will grant employees who are victims of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence unpaid leave under the Victims' Economic Security and Safety Act (VESSA) for up to 12 weeks during any rolling 12-month period to address issues arising from domestic or sexual violence. The University will protect the confidentiality of documentation and information provided as part of a VESSA leave.

### **Guidelines**

- All employees of the University are eligible to take VESSA leave.
- Employees may request VESSA leave for absences for the following reasons:
  1. Medical treatment;
  2. Victim services;
  3. Counseling;

4. Safety planning including temporary or permanent relocation or other actions to increase the safety of the victim;
  5. Court proceedings; or
  6. Legal or other assistance.
- To request a leave, an employee must submit a completed VESSA Leave Request Form and related documents to the employee's supervisor, the department's Human Resource Partner (HRP), or the Benefits Analyst - HR Leave Administration ([leaveadministration@uchicago.edu](mailto:leaveadministration@uchicago.edu)). Employees should submit the request at least 48 hours prior to the need for leave. If an employee cannot provide advance notice, the employee must submit the request as soon as feasible under the circumstances.
  - In addition to the completed request form, an employee must submit the following documentation to HR Leave Administration:
    1. Documentation from a victim services organization, attorney, health care provider, or other professional from whom assistance has been sought;
    2. A police record; or
    3. Other corroborating written evidence of the need for leave.
  - If a department/unit acquires knowledge that an employee's absence may be for a VESSA-qualifying reason, the employee's supervisor or HRP should contact HR Leave Administration immediately. The leave tentatively may be designated as VESSA leave pending the employee's completion of the application process and notification from HR Leave Administration.
  - VESSA leave may be taken in a block of time, on an intermittent basis, or in the form of a reduced work schedule.
  - Employees on VESSA leave are expected to be reasonably responsive to and communicate with their supervisor and department during the leave. Employees may be required to provide certification for absences. Employees also must follow attendance guidelines and call-in procedures for reporting an absence. Otherwise, the absence may be deemed unexcused or unscheduled.
  - An employee may use his/her accrued sick leave during VESSA leave for his/her own illness. Accrued vacation and personal holidays also may be used during any VESSA leave for the employee or an employee's family or household member. [Refer to Human Resources Policy [U509 Vacation](#) and [U511 Personal Holidays](#).] An employee may be eligible for Short-Term Disability payments for VESSA leave for his/her own illness. [Refer to [U513 Short-Term Disability](#) and [U512 Sick Leave](#) for guidelines regarding the use of accrued sick leave and STD as part of VESSA and/or FMLA leave.]
  - If the VESSA leave also qualifies for FMLA leave, the leaves will run concurrently.
  - During VESSA leave, the University will maintain benefits on the same conditions as if the employee is working subject to applicable plan documents and law. During VESSA leave, an employee must continue to pay the employee's portion of insurance benefit premiums if the employee wishes coverage to continue during the leave.

- An employee returning from a VESSA leave of up to twelve (12) weeks will be reinstated to his/her former or an equivalent position with the same pay, benefits, and conditions of employment unless the employee is unable to perform the essential functions of his/her former job with or without reasonable accommodation.
- If an employee does not return to work when the VESSA leave expires and has not been approved for an additional leave of absence or other reasonable accommodation as required by law, employment will be terminated effective on the first scheduled workday that is missed following the expiration of the VESSA leave.
- If this policy conflicts with applicable law, the law governs.

## **VOTING**

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### **Purpose**

To permit staff employees to exercise their right and responsibility to vote in national, state or municipal elections.

### **Policy**

Staff employees are expected to vote during their non-working hours. In those situations when a staff employee is unable to vote during non-working hours and also works the regular scheduled hours, up to two (2) hours off with pay may be allowed to vote.

### **Guidelines**

1. Permission for paid time off to vote should be requested by a staff employee early enough to permit adjustment in the work schedule, in no case later than two (2) days prior to election day.
2. A staff employee may be required to show evidence of eligibility to vote, (a current voter registration card) when requesting time off for this purpose.
3. Time off without pay may be granted to a staff employee wishing to serve as judge, clerk or official watcher, provided that the request is made at least two (2) weeks in advance and is verifiable.

## **MISCELLANEOUS**

### **AMERICANS WITH DISABILITIES ACT (ADA)**

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The University of Chicago complies with all federal and state laws concerning the employment of persons with disabilities and acts in accordance with such regulations and guidance including the Americans with Disabilities Act (ADA) as amended. Employees with any questions or requests related to the these laws and guidelines, including the ADA as amended, should contact their unit/division Human Resources point of contact, the University's Director of Employee Relations or the Affirmative Action Officer.

### **BENEFITS ELIGIBILITY & DEPENDENT COVERAGE**

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Depending on your position and job classification, you may be eligible for a variety of benefits offered to employees of the University of Chicago. Details on benefits eligibility and the benefits offered such as medical and other insurance, Staff and Faculty Assistance Program, flexible spending accounts, educational assistance, retirement, and many other benefits are available on the Human Resources website at

<http://humanresources.uchicago.edu/fpg/policies/index.shtml>.

Hours Per Week	Status	Duration	Benefits Eligibility
35 or more	Full-Time	Regular	Yes
		Temporary	No
Less than 35, but greater than 20	Part-Time	Regular	Yes
		Temporary	No
Less than 20	Part-Time	Regular	No
		Temporary	No

Dependents of staff employees may be eligible for medical and dental benefits, educational assistance, and other University benefits and privileges. Staff employees must inform HR Benefits within thirty-one days of any change in dependent status that may affect their eligibility. Staff employees must submit appropriate documentation proving dependent eligibility to HR Benefits. For the purpose of determining eligibility for University benefits, a "dependent" typically is defined as follows:

- Spouse (if not legally separated);
- Registered same gender domestic partner;

- Children to age 26 (natural children, stepchildren, legally adopted children, children for whom the staff employee is the legal guardian, children placed with the staff person for adoption, children of the staff employee's registered domestic partner who live with and depend on the staff employee for support in a regular parent-child relationship);
- Unmarried children for whom the staff employee is legally responsible to provide health coverage under the terms of a Qualified Medical Child Support Order (QMCSO); and
- Unmarried child over 26 if the child depends on a staff employee for primary financial support and maintenance due to a physical or mental disability, is incapable of self-support, and was disabled before reaching age 19.

Please refer to the Human Resources website and applicable plan documents for information regarding dependent definitions and eligibility for University benefits and privileges.

## EMPLOYEE WORK SCHEDULES

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### **Purpose**

To define the schedules of staff employees.

### **Policy**

The University's standard schedule begins on Sunday at 12:00:00 a.m. and concludes on Saturday at 11:59:59 p.m. Units have the flexibility to use different schedules and to offer flexible work arrangements.

### **Guidelines**

1. The University's standard work schedule for base pay purposes begins on Sunday at 12:00:00 a.m. and concludes on Saturday at 11:59:59 p.m.
2. The normal business hours of the University are 8:30 a.m. - 5:00 p.m., Monday through Friday. Units have the flexibility to set different business hours to meet their unit needs.
3. Most employees work a weekly schedule of 37.5 hours per week which consists of 5, 7.5-hour days, Monday through Friday, including one unpaid hour for lunch.
4. Unit leaders will determine work schedules, communicate expectations, and notify employees of changes.
5. Units have the flexibility to offer flexible working arrangements. Please refer to Policy 307 Flexible Work Arrangement for additional details.
6. Circumstances may arise in which a non-exempt staff employee is required to work overtime with little or no advance notice. Please refer to Policy 304 Compensable Time for rules and guidelines on overtime.
7. Both employment status and benefit eligibility is determined by the number of hours worked, the regularity of the work schedule, and the duration of the position. Please refer to Employment Policy 203 for additional details.

## EMPLOYEE ACCESS TO PERSONNEL RECORDS

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### **Purpose**

To provide guidance regarding personnel document retention and to provide employees, upon proper request, the right to inspect their personnel records. Generally, personnel records are University documents that capture an employee's qualifications for employment, promotion, transfer, compensation, discharge or other disciplinary action.

### **Policy**

There is one university personnel file housed within University HR. Personnel documents should not be stored in the department or unit.

Current or former employees or their representatives may review certain personnel records twice per calendar year at reasonable intervals, upon making a request to University HR. Former University of Chicago employees have access to their personnel records for one year after separation, according to Illinois state law. The University of Chicago complies with applicable Illinois state laws.

### **Guidelines**

#### **Personnel Document Retention**

Effective January 1, 2015 and after, personnel documents should be stored only in Workday, the University's HRIS, using the relevant Workday [document categories](#). Documents dated prior to January 1, 2015 are stored in the University's personnel record management system. Personnel documents should not be stored anywhere other than these two locations.

#### **Employee Access to Personnel Records**

- Personnel records that are accessible for review by current or former employees are any documents which have been used or which are intended for use in determining the employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action.
- Certain documents are not subject to employee access.
- A current employee who wants to inspect his/her personnel records must make a written request to the [Workdaysupport@uchicago.edu](mailto:Workdaysupport@uchicago.edu), which will coordinate the granting of access to the personnel records through the university's secure HR Information System (Workday), generally within seven working days of the request. A former employee or their representative has the option to (1) have their personnel records securely emailed, (2) have the records delivered via home address or (3) can arrange for the records to be picked up from Human Resources.
- An employee who is involved in a current grievance can designate, in writing, a representative to inspect the employee's personnel records which may have bearing on the resolution of the grievance.

- Valid identification must be presented by the employee and/or the employee's representative before being allowed access to the employee's personnel records, unless the records are being accessed through the university's secure HR Information System by the employee.
- An employee may have single photocopies of any documents inspected. The University may charge a reasonable fee for copies, if a large number of copies is requested.
- To correct or remove information from a personnel record, there must be a mutual agreement to do so between the employee and the employee's unit or HR.
- An employee may attach an explanatory statement to any disputed document in his/her personnel records.

## **FLEXIBLE WORK ARRANGEMENTS**

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### **Purpose**

To provide guidance for managers in establishing flexible work arrangements for staff employees whose work can be performed outside of a University office and/or traditional work schedule for part or all of the workweek.

### **Policy**

The University recognizes that there may be situations where flexible work arrangements are appropriate. Flexible work arrangements offer alternative approaches to getting work done through nontraditional work hours, locations, and/or job structures. They offer employees creative approaches for completing work, while promoting balance between work and personal commitments.

Typical flexible work options include flextime, flexplace, compressed work schedules, part-time, and job-sharing assignments. These arrangements must support unit goals and must be approved by unit leadership.

### **Guidelines**

1. A flexible work arrangement is valuable tool for supporting an employee's efforts to balance work responsibilities and personal life commitments.
2. Employees on a flexible work arrangement remain obligated to comply with all University rules, policies, and procedures.
3. Typical flexible work arrangements include:
  - a. **Flextime:** is the most requested, easiest to manage, and the most affordable option, flextime offers flexibility in arrival, departure, and/or lunch times, typically with a designated core midday schedule during which employees are customarily at the work site.
  - b. **Flexplace:** often referred to as telecommuting assignment, this arrangement allows for a portion of the job to be performed off-site, on a regular, recurring basis. The majority of work time is spent at the office and the off-site work typically is performed at home. It may be the most complicated flexible work option to arrange, since it involves special issues (i.e., workers' compensation considerations, and purchase and/or management of equipment and systems away from the workplace).

- c. **Compressed Work Schedule:** traditional 37.5- to 40-hour workweek is condensed into fewer than 5 days of work. Common compressed work schedules for the traditional workweeks include: four 10-hour days for a 40-hour week; and three 10-hour days and one 7.5-hour day for a 37.5-hour workweek.
  - d. **Part-time work:** is a regular arrangement for workweek of 34 hours or fewer. Part time work is different from a temporary work assignment, which is where an employee is expected to have a temporary, nonrecurring relationship to the workplace. Regular part-time employees who work 20 hours per week or more are eligible for benefits.
  - e. **Job sharing** allows two staff employees to share the responsibilities of one full-time position. Each staff member shares a specific proportion of a full-time position. Creative and innovative schedules can be designed to meet the needs of the job sharers and the unit. The two employees are considered regular part-time employees.
4. Employees may submit written flexible work arrangement requests to both the manager and unit HR Partner for consideration. If accepted, the manager, unit HR Partner and the employee will create a flexible work arrangement agreement.
- a. A flexible work arrangement agreement should provide details of the arrangement, including any change in job responsibilities (time commitments, availability) and/or condition of employment (i.e., compensation, benefits, work location, work schedule, and/or duration of the arrangement).
  - b. Additionally, the agreement should include provisions to recognize how busy timeframes or special projects will be addressed (i.e., may need to return to original schedule during these times).
  - c. If, at any time a flexible work arrangement no longer serves the employee's purposes or the needs of the University, the arrangement may be discontinued.
  - d. The agreement should include a provision for the modification or termination of the agreement should either the University or the employee need to change it. Two calendar weeks' notice of modification or termination will be given to the employee, unless such notice is impractical.
  - e. In the case of a flexplace arrangement, the agreement should also include clear delineation of responsibility for telephone costs, supplies, computer set-up and maintenance, security of any University-owned equipment that would be used away from University premises (including responsibility for loss), and any additional applicable items.
5. A pilot should be conducted to evaluate a requested flexible work arrangement before a long-term commitment is made by either the University or the employee.
- a. The manager and employee should meet periodically (for example, every two weeks) to discuss the arrangement, and to make adjustments as needed.
  - b. The pilot should be reviewed after a period of 3 - 6 months to make appropriate adjustments and to determine whether or not the flexible work arrangement should be continued.
6. A copy of the approved flexible work arrangement agreements should be sent to the unit HR Partner.

7. In allowing flexible work arrangements, the University will abide by all federal, state and local wage and hour laws.
8. An employee working in a flexible work arrangement remains an at-will employee, meaning he/she or the University can terminate employment at any time and for any reason, with or without advance notice. If, for any reason, the flexible work arrangement is terminated, and the employee decides not to return to his/her former traditional work schedule/arrangement and leaves the position, the employee will be considered to have resigned.

## IDENTIFICATION CARD

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The I.D. card remains the property of the University and must be returned to the University upon request or termination of employment. If you lose your I.D. card, notify the I.D. and Privileges Office immediately at 773-702-3344. You will be charged a fee to replace your lost card. Misuse of an I.D. card may result in deactivation and/or corrective action up to and including termination of employment. The University will deactivate your I.D. card upon termination of employment or other circumstances as deemed appropriate.

## INFORMATION SYSTEMS

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The University's information technology systems and the information served by those systems are valuable and vital assets to the University. The Information Systems Security Policy includes all computer systems (hardware and software), communication systems (networks, telecommunications, video, and audio broadcast systems), and information (data, text images, etc.) in any form on any media.

The University's information technology systems and data that reside on them are University property and may only be used in compliance with applicable law and University and department policy. As a user of information resources, you are responsible for knowing about appropriate and ethical use of information in all environments you access, protecting the information you are using from corruption or unauthorized disclosure, working in such a manner as to consider the access rights of others, and following applicable guidelines concerning the use and nondisclosure of passwords and other means of access control.

The University has the right to monitor all of its information technology system and to access, monitor, and intercept any communications, information, and data created, received, stored, viewed, accessed or transmitted via those systems. Staff employees should have no expectation of privacy in any communications and/or data created, stored, received, or transmitted on, to, or from the University's information technology systems.

For more information, please review the [University of Chicago Policy on Information Technology Use and Access](#), or find answers to commonly asked questions by reading the [policy FAQs](#).

## INVENTIONS, DISCOVERIES, AND SOFTWARE

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### **Purpose**

To inform employees about the University's rights to intellectual property created by employees as part of their jobs.

### **Policy**

Any invention, discovery, product, or device-like software which results from activities carried out at the University or with substantial aid of its facilities or funds must be disclosed to the University, will become the property of the University, and will be assigned to the University or a University-designated organization.

For the University's full policy regarding inventions, discoveries, and software, see Statute 18 of the [University Statutes](#).

### **Guidelines:**

1. If a researcher, staff employee, or student develops an invention in the course of his/her work, and/or with the aid of unit/University facilities and/or funds administered by it, there is an obligation to disclose the invention or discovery to the University.
2. Inventions should be disclosed at the earliest possible date in their development.
3. Disclosure should be made using the [Invention Disclosure Form](#) on the [UChicagoTech](#) Web site.
4. For more information about the University's policies and procedures related to inventions, see the [UChicagoTech](#) Web site.

## NURSING MOTHERS IN THE WORKPLACE

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### **Purpose**

To provide guidance regarding break time and locations for nursing mothers to express breast milk while in the workplace.

### **Policy**

Supervisors, colleagues, and co-workers should be supportive, respectful, and sensitive to an employee's choice to nurse. The University will provide suitable private locations and reasonable break time for employees to express breast milk. The University prohibits discrimination against and harassment of nursing employees who exercise their rights under this Policy.

### **Guidelines**

1. An employee who plans to express milk during the workday should discuss her plans with her supervisor or the department/unit Human Resource Partner (HRP) in advance to allow adequate time to plan and identify a suitable private location.

2. Reasonable break time will be provided for expressing milk. Employees may use their regular rest and meal break time for this purpose. Employees should discuss scheduling with their supervisors, and supervisors are encouraged to be flexible.
3. The supervisor or HRP will identify a private room or other suitable location, other than a restroom, in close proximity to the employee's work area for the employee to express milk. The supervisor or Human Resource Partner (HRP) should contact HR – Employee Relations if assistance is needed to identify a suitable private location.
4. Employees may report any concerns related to this policy to their supervisor, HRP, Human Resources (staff employee related), or the Office of the Provost (faculty or other academic appointee related).

## PAY PRACTICES (COMPENSABLE TIME, RECORD-KEEPING AND TRACKING ABSENCES)

### **Purpose**

To ensure University compliance with laws governing compensable time and overtime, including the Fair Labor Standards Act (FLSA), Illinois Minimum Wage Law, and Illinois One Day Rest in Seven Act.

### **Policy**

The University's pay practices and procedures are governed by the FLSA and its regulations, relevant state and local laws and University policy.

### **Definitions**

**FLSA:** a federal law which establishes requirements for minimum wage, overtime pay, recordkeeping, and child labor standards affecting full and part-time employees in the private sector and in Federal, State and local governments. Under the FLSA, employees are generally presumed to be non-exempt and entitled to overtime pay when they work more than 40 hours in a workweek unless their duties, responsibilities, and salaries meet specific, defined exemption criteria. Exempt employees are not entitled to receive overtime even if they work more than 40 hours in a workweek.

- To determine exempt status, please refer to FLSA Exemption Review Protocol.
- For additional information about the FLSA, please refer to publications of the Wage and Hour Division of the Department of Labor at <http://www.dol.gov/whd/flsa/>.

**Illinois Minimum Wage Law:** guarantees a minimum hourly wage for most non-exempt employees 18 years of age and older and provides for overtime payments consistent with the FLSA; workers under 18 years of age may be paid a specific amount less than the adult minimum wage. For additional details, please refer to the Illinois Department of Labor website at <http://www.illinois.gov/idol/Laws-Rules/FLS/Pages/minimum-wage-law.aspx>.

**Illinois One Day Rest in Seven Act (ODRISA):** provides that most FLSA non-exempt employees must have a minimum of 24 consecutive hours rest in each calendar week and a meal period of

20 minutes for every 7.5 hour shift, with the meal period beginning no later than 5 hours after the start of the shift. Meal periods for employees represented by a union are typically defined in the union bargaining agreement. For additional details, please refer to Illinois Department of Labor website at <http://www.illinois.gov/idol/Laws-Rules/FLS/Pages/ODRISA.aspx>.

## **Guidelines**

1. The FLSA regulations establish criteria for exemption from the FLSA's overtime payment requirements. The University must follow these regulations in determining whether a position is exempt or non-exempt from the FLSA's overtime requirement.
2. The FLSA Exemption Review Protocol describes the process for reviewing and determining the FLSA exemption status of positions at the University of Chicago.

### A. Overtime

1. Non-exempt employees are subject to the overtime provisions of the FLSA and must be compensated for all hours worked, either at a straight time or overtime rate as defined below. By contrast, exempt employees are not eligible for overtime payment.
2. As governed by the FLSA, a non-exempt employee who works more than 40 hours in a workweek, must be paid an overtime rate of 1.5 times his/her regular hourly rate of pay for all time actually worked in excess of 40 hours in the workweek. If a non-exempt employee works more than the regularly scheduled hours in a workweek, but less than forty 40 hours per week, the employee is paid at the hourly straight-time rate.
3. When calculating overtime at 1.5 times the regular rate of pay for time worked in excess of 40 hours in a given workweek, only actual time worked is used. Time charged to vacation, sick, personal holiday, University holiday or other paid/unpaid time-off must not be included in this calculation.
4. A non-exempt employee should not work in excess of his/her regularly scheduled work hours without prior manager approval. When overtime hours are required, the University will communicate to the employee as early as possible. Additionally, the University will seek to equalize overtime opportunities among employees performing similar work within a unit, as appropriate.
5. Where an employee, in a single workweek, works at two or more different jobs at the University for which different straight-time rates have been established, the rate to be used for paying the employee for any overtime worked is the weighted average of both rates (i.e., the earnings from all such rates are summed together and the total is divided by the hours worked in all jobs). If there are two or more units involved, the unit where the overtime work occurred will pay for the overtime hours.
6. The FLSA does not permit private institutions to give compensatory time-off in lieu of overtime pay, so employee overtime may only be compensated with pay and may not be compensated with additional time off.

### B. Deductions from Pay

1. The University may make deductions from an exempt employee's pay for:

- a. full day absences for personal reasons or sickness if vacation, personal holiday, and/or sick leave accruals have been exhausted;
  - b. any days not worked in the initial and final weeks of employment;
  - c. for hours taken as unpaid Family Medical Leave Act (FMLA) leave; or
  - d. violations of major safety rules.
2. Deductions from an exempt employee's pay are not permitted for disciplinary problems (i.e., as a form of corrective action), for performance deficiencies, or for excused absences caused by jury duty, subpoenaed attendance as a witness in court, or temporary military leave in any week in which an exempt staff employee performs any work. Base pay deductions in less than full-day increments are not permitted except to the extent authorized under the FMLA.

#### C. Rest/Meal Periods

1. A non-exempt employee who works 7.5 continuous hours or more must be provided with a 20 minute meal period within the first five (5) hours of work. Departments may choose to count meal periods as compensable time but an employee may not skip a meal period to offset late arrival or early departure from work. If an employee receives a 30 minute to 1 hour lunch period within the first 5 hours of work, this satisfies this meal period requirement.
2. The University generally provides an employee with a lunch period of 30 minutes to 1 hour. Under the FLSA, meal periods of 30 minutes or longer generally do not count as compensable time if the non-exempt employee is completely relieved from work. During an unpaid meal period, a non-exempt employee may not perform any work.

#### D. Training

1. If an employer requires a non-exempt employee to attend training, meetings, or lectures during the employee's regular work hours, the time is compensable.
2. Training time is paid unless all of the following criteria are met:
  - a. Attendance is voluntary;
  - b. The training is scheduled outside of the employee's regular work hours;
  - c. The training is not directly related to the employee's job; and
  - d. The employee does not perform any productive work during such training.

#### E. On-Call Time

1. A non-exempt employee who is required to remain on-call on University premises is working while on-call and must be compensated.
2. An employee who is required to remain on-call at home, or who is allowed to leave a message where he/she can be reached, is not working (in most cases) while on-call and may not need to be compensated. Additional constraints on the employee's freedom could make this time compensable.

#### F. Travel Time

1. To determine whether time spent in travel is compensable time for a non-exempt employee, the type of travel involved must be considered. For example:
  - a. A non-exempt employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel (i.e., commuting), which is not work time and is not compensable.

- b. If a non-exempt employee regularly works at a fixed location and commutes to a different location to work, the time spent traveling to and from the other location is work time and it is compensable. The University may deduct (not count) that time the non-exempt employee would normally spend commuting to the regular work site.
  - c. Time spent by a non-exempt employee in travel as part of his/her principal activity, such as travel from job site to job site during the workday, is work time and is compensable.
  - d. Travel that keeps a non-exempt employee away from home overnight qualifies as work time if it takes place during the non-exempt employee's regularly scheduled workday. This travel time qualifies as work time even if it occurs during the employee's corresponding working hours on nonworking days. Time spent traveling outside of the employee's regular working hours is not considered work time and is not compensable.
  - e. Regular meal period times are not considered compensable time while traveling.
2. An exempt staff employee is not subject to the travel time provisions of the FLSA. Since an exempt staff employee is not paid per hour, he/she does not receive additional pay for time spent traveling.

#### F. Record-Keeping/Tracking Absences

1. Each unit is required to maintain a record of each employee's paid and unpaid absences.
2. An exempt staff employee must record full-day absences and the reason for each absence (i.e., vacation, personal holiday, sick leave, bereavement leave, jury duty) on a Monthly Absence Report for every monthly pay period. If an exempt employee's pay is to be reduced, the unit must submit a copy of the Monthly Absence Report to Payroll in accordance with University published guidelines.
3. A non-exempt staff employee must record time worked according to unit procedures. A non-exempt staff employee tracks hours worked using UChicago Time or on a timecard for every two-week pay period. Exceptions to normal scheduled hours must be noted.

### PROBATIONARY PERIOD

The probationary period is an initial period of employment during which the University carefully assesses new employee performance to determine whether the employee is able to adequately perform the role for which the employee was hired and thus should be retained as a "regular" employee. During this time, the University assesses the full spectrum of job performance, including but not limited to the employee's ability to perform job duties, to learn a new work environment, the quality of work, attendance, professionalism. Any probationary employee who is not meeting the requirements of the job may be released at any time during the probationary period.

The probationary period lasts six months for staff employees paid monthly and three months for staff employees paid biweekly but may be extended upon the written approval of HR-Employee and Labor Relations.

The job performance of staff employees who apply and are promoted, demoted or transferred into new positions will be closely reviewed (similar to a probationary period) during the first six months for staff employees paid monthly and three months for staff employees paid biweekly.

## **PROGRESSIVE CORRECTIVE ACTION**

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### **Purpose**

To define the University's policy on Progressive Corrective Action and to establish guidelines for the Corrective Action Process.

### **Policy**

Corrective action is a process designed to identify and correct problems that affect an employee's work performance and/or the overall performance of the department. The progressive corrective action process should be handled consistently within each unit and for each problem.

### **Guidelines**

1. The Progressive Corrective Action Process refers to the following actions:
  1. counseling or verbal warning;
  2. written reprimand and warning;
  3. suspension;
  4. suspension pending investigation and final determination;
  5. specific warning of discharge; and
  6. discharge.
2. Depending on the situation, any step may be repeated, omitted, or taken out of sequence; however, the University reserves the right to effect immediate termination should the situation be warranted. Each case is considered on an individual basis by the department and HR.
3. Typically, a preliminary meeting is held with the employee to allow the employee an opportunity to understand the nature of the concern and to explain his/her position on the matter. If necessary, the corrective action documentation would then be put together which would summarize the issue, taking into account any additional information the employee may have provided during the preliminary meeting.
4. When issuing corrective action, there should be clear and direct communication between the employee and his/her immediate supervisor (or other University official with responsibility for the unit in which the employee works). This communication should include a meeting between the employee and the supervisor (usually after an investigative meeting described in (3) above is held between the employee and the supervisor). The supervisor should discuss the nature of the problem and how it affects the employee's overall performance and/or the overall performance of the department. During the meeting, the supervisor should

make it clear to the employee that there are specific performances/behavioral expectations of the position, that he/she has failed to meet the outlined expectations, and a corrective action is being issued. It should also be clearly established that the employee must work on correcting the problem within a defined time period to avoid more serious progressive discipline.

5. Disciplinary action should be taken within a time frame that will allow for a positive change in the employee's behavior or work performance. All disciplinary actions should be documented in writing, preferably on the Notice of Corrective Action form, which includes instructions for the approval and routing process.
6. Except for serious offenses, the progressive corrective action ordinarily should not be advanced if six (6) months or more have elapsed since the previous corrective action. The employee's prior disciplinary record is never expunged from his or her personnel file. However, when the progressive correction action occurs six (6) months or more after the previous discipline, the last disciplinary step taken should be repeated.
7. In the case of serious misconduct, an employee may be suspended and/or discharged on the first offense. Serious workplace misconduct includes, but is not limited to:
  - a. theft (to include unauthorized removal and/or use of University property);
  - b. sleeping on the job;
  - c. fighting;
  - d. behavior/language of a threatening, abusive or inappropriate nature;
  - e. misuse, damage to or loss of University property;
  - f. falsification, alteration or improper handling of University-related records;
  - g. unsatisfactory customer service (mishandling of or unsatisfactory service to the public, students, patients, staff or faculty) as defined by the department;
  - h. disclosure or misuse of confidential information, including government-mandated regulations that outline the [treatment of confidential information](#) (i.e., HIPAA, Medicare compliance, etc.);
  - i. unauthorized possession or concealment of weapons;
  - j. possession, use, sale, manufacture, purchase or working under the influence of non-prescribed or illegal drugs, alcohol, or other intoxicants; refusal to submit to a required drug screen; and tampering with the drug testing process in any manner;
  - k. insubordination (e.g., refusal to carry out a direct assignment); and
  - l. misuse of the University's electronic information systems, including:
    - i. deleting or altering electronic information without authorization;
    - ii. generating false, misleading or defamatory information;
    - iii. disregarding copyright and other intellectual property rights;
    - iv. unreasonable use of available information technology which is not relevant to the employee's assigned task or to core University purposes; and
    - v. other actions that conflict with ITS's Eligibility and Acceptable Use Policy.

8. Supervisors initiating corrective action should consult with their own immediate supervisor and/or their divisional Human Resources representative prior to issuing discipline. HR should be contacted in order to give measured feedback, suggest alternative action(s) or approve the impending corrective measure.
9. In cases of suspension, suspension pending investigation/outcome or of termination, HR's approval is required prior to any action being taken against the employee. Disciplinary action that is issued may be reversed, amended or negated by HR, pending a review with the appropriate supervisor or departmental Human Resources representative.

## **TERMINATION OF EMPLOYMENT**

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### **Purpose**

To provide guidelines for the termination of staff employees from the University.

### **Policy**

Terminations should be handled consistently pursuant to the guidelines that follow. Before proceeding with any termination action, a supervisor should review all appropriate policy statements and consult with Human Resources (HR).

For employees working in a position covered by a collective bargaining agreement, refer to the agreement which governs the terms and conditions of employment. All other employees are what the law terms "at will" employees. This means that employment is a matter of continuing agreement between the employee and the University. Either the employee or the University may decide to end the employee's employment here for any reason not prohibited by law, at any time. Nothing in this policy changes either an employee's "at will" employment or the collective bargaining arrangement.

### **Guidelines**

- Reasons for staff employee terminations include:
  - Resignation
  - Discharge for violation of University policies\*:
    - [Attendance](#) (Absenteeism, Tardiness, and Job Abandonment);
    - [Conflict of Interest](#);
    - [Treatment of Confidential Information](#);
    - [Substance Abuse](#);
    - [Harassment, Discrimination & Sexual Misconduct](#)
    - [Workplace Violence](#);
    - [Personal Leave of Absence](#) (i.e., failure to return to work); and
    - [Progressive Corrective Action](#).
  - Other involuntary termination\*:
    1. [Layoff](#);

- 2. [Long-Term Disability](#); and
- 3. Unsuccessful completion of probationary period (see the University of Chicago Employee Handbook).
- Retirement
- Death

\* This is not an exhaustive list.

- All involuntary terminations must be approved in advance by HR. Employees terminated for the following reasons will not be considered for future employment at the University of Chicago or the University of Chicago Medical Center:
  - 1. Unsuccessful Completion of Probationary Period;
  - 2. Failure to Report;
  - 3. Falsification of Information;
  - 4. Attendance (Absenteeism and Tardiness);
  - 5. Job Abandonment;
  - 6. Possession of/Concealing a Weapon;
  - 7. Working Under the Influence;
  - 8. Misuse of Data Systems;
  - 9. Violation of Call-in Policy;
  - 10. Theft;
  - 11. Fighting;
  - 12. Insubordination;
  - 13. Sleeping on the Job;
  - 14. Disclosure/Misuse of Confidential Information;
  - 15. Damage/Loss/Misuse of University Property;
  - 16. Absence from Work Area;
  - 17. Abusive/Threatening Behavior/Language;
  - 18. Failure to Comply with University Policies and Procedures;
  - 19. Possession/Use of Intoxicants; and
  - 20. Unsatisfactory work performance.
- The HR Partner must initiate the termination process for any worker whose contract or appointment ends, does not have a current employment relationship with the university, and is not otherwise on an approved leave of absence. Human Resources may initiate the termination if it is not initiated in a timely manner by the HR Partner.
- When a staff employee voluntarily resigns from the University, it is expected that he/she will give the University sufficient notice in advance. A staff employee who fails to give sufficient notice as part of his/her voluntary termination may not be eligible for re-employment.

Sufficient notice constitutes:

1. at least one (1) month advance notice for staff employees paid monthly;

2. at least two (2) week's advance notice for staff employees paid biweekly.
  3. No stated advance notice is required (although notice would be appropriate) for staff employees paid from the Temporary Payroll.
- A staff employee who transfers from one position to another within the University is also expected to comply with the above guidelines or to coordinate an alternative arrangement agreed upon by both the current and prospective supervisor.
  - A staff employee's voluntary resignation is effective as soon as it is submitted.
  - The department should send a written acknowledgment to any benefits-eligible employee, who terminates his/her employment verbally.
  - A terminating staff employee is required to turn in all University property, including I.D., keys, uniforms, tools, parking permits, library books, electronic equipment, and electronically stored data prior to the date his/her final paycheck is issued. A terminating staff employee is expected to make arrangements for clearing all of his/her University debts.
  - Upon termination of employment, a benefits-eligible staff employee shall be paid for his/her accrued vacation and personal holidays allowable under University policy. Accrued sick leave is not paid upon termination. A terminating staff employee must be paid no later than the next regularly scheduled payday.
  - For a terminating staff employee, including a laid-off staff employee, an exit interview or use of an outplacement services firm may, on occasion, be appropriate. HR conducts exit interviews upon request.
  - A terminating staff employee should be advised by his/her supervisor to contact the Benefits Office regarding his/her pension benefits and insurance coverage, including retiree health insurance, health care continuation under COBRA or the purchase of a conversion policy for life insurance, and other coverage from an outside provider.
  - A staff employee who becomes unable to work due to an illness or injury should be encouraged to contact the Benefits Office regarding eligibility for certain disability programs prior to making a decision to terminate employment.
  - The unit should initiate the [termination](#) in Workday on or before the date of termination to allow efficient handling of a staff employee's final paycheck, Unemployment Compensation Insurance claims, COBRA notifications, and/or other relevant matters.
  - When a staff employee terminates, the supervisor should ensure that information systems technology access codes are disabled in a timely manner.
  - The supervisor should inform the Benefits Office upon first learning of the death of a staff employee. Survivors of a deceased staff employee should be referred to the Benefits Office to complete the necessary documents for insurance claims and for release of a deceased employee's final paycheck.

## UNSCHEDULED CLOSINGS

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### **Purpose**

To establish notice and pay procedures for both unscheduled University-wide and non-University-wide instances when unusual conditions such as extreme weather, power outages, and equipment failures make it impracticable to operate the workplace.

## **Policy**

Certain conditions that affect the safety and well-being of employees may be reason to close an operation.

## **Guidelines**

- In the event of a University-wide condition, procedures can be found in the University's [Emergency Management Plan](#).
- In the event of a site-specific condition, the unit administrator at the site is responsible for making a decision with respect to the operation of the site. Factors to consider are the safety of employees, departmental property, and the critical need for the operation.
- Some emergency conditions may result in assigning alternative duties or work space to staff employees to avoid loss of work, pay, or accruals. If an assigned staff employee has not received any required safety and performance training, the employee should receive it before beginning alternative duties. Such duties should be as consistent as possible, under the circumstances, with the staff employee's current job duties. In the event that a staff employee's work space at the University is unavailable and an alternative work space is unavailable, a staff employee should be excused with pay.
- In the event a site-specific condition occurs before a staff employee reports to work and alternative work or work space is unavailable, a unit may excuse the employee and provide regular pay for the full day. (Note: in such cases, union employees are not paid when advised in advance, unless they use personal or vacation time.)
- In the event of a site-specific condition, a unit should enact emergency notification procedures (i.e., phone trees) to advise staff employees where or whether to report for work.
- A unit administrator may contact the Employee/Labor Relations Office of Human Resources (702-4411) regarding pay or notification issues, and the Safety and Environmental Affairs Office (702-9999) regarding questions concerning safety processes.
- In the event of extraordinary weather conditions, reasonable tardiness should be excused.

## WORKERS COMPENSATION

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### **Purpose**

To provide guidelines for Workers' Compensation required insurance payments to employees for injury or illness which arises out of and in the course of employment.

### **Policy**

The University will provide compensation for lost wages when an employee is found to have suffered a compensable injury or illness which arises out of and in the course of employment. Reimbursement for associated medical bills and services for treatment and recovery is included.

## **Guidelines**

- If an injury or illness is severe, immediate medical care should be sought through the University Occupational Medicine Clinic or a local Emergency Room.
- A University employee is required to notify a supervisor or administrator of an accident and submit a written statement of the injury or illness as soon as it occurs (and no later than 45 days later than the date of occurrence) and complete the [Employee Statement of Injury or Illness](#).
- A supervisor or a Human Resource Partner (HRP) for the department will be required to complete the [Supervisor's First Report](#) of the accident.
- The supervisor or HRP must submit the report of the injury or illness to the University Safety and Environmental Office (SEO) for investigation. The SEO may provide plans to correct any defects or problems found, if so warranted.
- An employee who has a compensable injury or illness and is unable to report to work in order to recover and receive treatment, will be eligible to receive compensation for lost wages based upon a rate of 66-2/3% of his/her Average Weekly Wage established by the State of Illinois Workers' Compensation Commission, up to a maximum amount set by the Commission. (See <http://www.iwcc.il.gov/benefits.htm>.) Payments are made independent of payroll and are not taxed.
- Compensation payments begin on the fourth day of lost time, unless lost time is 14 days or more, at which time the first three days will be compensated retroactively.
- Related medical and rehabilitation expenses including medications, therapy, supportive devices, and doctors' appointments will be paid directly by the University or an employee with a compensable injury or illness will receive reimbursement if expenses were paid.
- An employee may, but is not required to, use any accrued sick leave, vacation or personal holiday to supplement Workers' Compensation payments.
- FMLA leave will run concurrently with Workers' Compensation Lost Time.
- Prior to returning to work, an employee will be required to provide a release to return to work from the treating physician if there was any lost time from work.
- The University prohibits retaliation against any employee who, in good faith, seeks Workers' Compensation benefits.

## **TALENT ACQUISITION**

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### **Purpose:**

To describe University's policies for staff talent acquisition throughout the four core phases of workforce planning, strategic sourcing, talent pool assessment, and successful selection.

The University is committed attracting and engaging a high performing, diverse workforce.

To facilitate achievement of our talent acquisition philosophy, we apply the following design objectives:

Enable strategic talent delivery and optimization of talent investment.

- Fill positions with the best qualified candidates based on job-related factors including work experience, applicable education, knowledge, skills and abilities.
- Provide opportunity for internal mobility for qualified candidates to build strong institutional capacity.
- Continually extend and support a diverse workforce and to create equal opportunities for underrepresented groups as part of our affirmative action efforts.

The University is an Affirmative Action/Equal Employment Opportunity/Disabled/Veterans Employer (AA/EEO). Searches, promotions, and lateral movements are conducted in compliance with the laws of the United States, the State of Illinois, local jurisdictions, and the Affirmative Action Plans of the University. Either the employee or the University may decide to end the employee's employment at the University for any reason not prohibited by law, at any time.

## **Policy Statement**

### *Overall*

All staff talent acquisition efforts must be coordinated through the Center of Expertise - Talent Acquisition. The HR Partner (HRP) and hiring manager have the flexibility to partner with University HR for full service offerings (i.e., workforce planning through successful selection), or single service offerings (i.e., talent pool assessment).

As a federal contractor, the University has legal obligations to develop and implement affirmative action programs to recruit, hire and promote women, minorities, people with disabilities and Vietnam era and disabled veterans. The Center of Expertise - Talent Acquisition maintains a dedicated online library of resources to support diversity and excellence.

### *Posting Requirements*

All new and vacant benefits eligible staff positions must be posted on UChicago Jobs. As an AA/EEO employer, promotional opportunities require a competitive process and posting must occur when there are similarly situated employees.

Under extremely rare circumstances, an HRP can request a posting exception on behalf of the hiring unit. In those instances, the HRP must submit documented rationale of this request to both the Chief Human Resources Office (CHRO) and Affirmative Action Officer (AAO) for consideration. Only the CHRO and AAO, in conjunction with review by the Office of Legal Counsel, have the exclusive authority to review and grant posting exceptions. The final decision will be communicated to the HRP, and request and outcome documentation will be included in the University's annual Affirmative Action Audit, and reflected as a non-competitive promotion.

## **Workforce Planning**

### *Position Description*

After the hiring unit identifies a talent acquisition need, and the roles and responsibilities of the position have been documented as described in University Policy 302 – Job Descriptions, the HRP and hiring manager collaborate in developing and documenting objective nondiscriminatory criteria for a job posting. Qualifications including mental and physical demands must be bona fide occupational qualifications. All criteria and qualifications must be

position-related. The Shared Services Office will review the submitted description prior to posting.

#### *Posting Length*

Each position must be posted for a **minimum of seven calendar days**, but no longer than six months. A unit may not hire an applicant or close a requisition prior to the seventh calendar day. Any position posted for six months will be closed and removed from UChicago Jobs.

### **Strategic Sourcing**

#### *External Advertising*

A unit may advertise a job opening with an external vendor after it is posted on UChicago Jobs. Advertising and other notification of a vacancy or new position must reflect the same qualifications and job requirements as listed in the posting on UChicago Jobs and must be nondiscriminatory. All external advertising must be reviewed by Center of Expertise - Talent Acquisition in advance of posting. All external advertising must include reference to the University's commitment to affirmative action through equal employment opportunity using exactly the following language:

"All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, protected veteran status or status as an individual with disability."

The University of Chicago is an [\*\*Affirmative Action / Equal Opportunity\*\*](#) / Disabled / Veterans Employer.

Job seekers in need of a reasonable accommodation to complete the application process may contact the Shared Services Office by calling 773-702-5800 or by emailing [sharedservices@uchicago.edu](mailto:sharedservices@uchicago.edu) with their request.

To enhance sourcing efforts, in addition to UChicago Jobs, all postings automatically appear on America's Job Exchange (AJE), which also spiders out to additional job sites.

#### *Internal Applicants*

The University encourages the consideration of current employees for open positions (i.e. promotions and lateral movement). HRP s and managers are encouraged to allow staff employees to take reasonable time off for interviews. Pursuit of a job opportunity within the University should not in any way jeopardize a staff employee's present position.

Refer to Policy U215 Probationary Period for Staff Employees or Policy U703 Progressive Corrective Action, as appropriate, for additional details.

#### *Additional AA/EEO Outreach Requirements*

As part of the University's AA/EEO efforts, additional outreach may be needed for some positions. In those cases, at the time of posting, the Shared Services Office will send a message outlining the AA/ EEO requirements to the hiring unit. Prior to commencing sourcing efforts, the HRP or hiring manager must submit a specific plan for expanded outreach efforts to Center of Expertise - Talent Acquisition and then execute the plan. HRP s and hiring managers are responsible for expanding outreach efforts and recruiting applicants if the availability of women or minorities is significantly greater than their incumbency in a job or group.

#### *Search Firms*

A unit considering the use of a search firm or employment agency must consult with HR and use the standard University [\*\*search firm agreement template\*\*](#) before making any arrangements.

- All searches conducted by an outside agency or search firm must meet the same federal, state, local, and University guidelines as searches conducted directly through the Center of Expertise - Talent Acquisition.
- Units must consult with both the Center of Expertise - Talent Acquisition and the Office of Legal Counsel before agreeing to any substantive changes to the search firm agreement template.
- The search firm works on behalf of the University and is responsible for the same applicant tracking the HRP, hiring manager and the Center of Expertise - Talent Acquisition would otherwise do, including keeping records of Affirmative Action outreach efforts, and the talent acquisition process.
  - The unit that contracts with a firm or agency is responsible for ensuring that any firm or agency is fully informed regarding its responsibilities for meeting the University's (AA/EEO) search documentation responsibilities.
  - The search firm must submit a copy of all search records to the HRP or hiring manager before the University processes payment of the final invoice or expense reimbursement.

## **Talent Pool Assessment**

The HRP or hiring manager may consider candidates immediately upon receipt of all application materials, including reviewing resumes for basic qualifications. A job seeker who does not meet all the required qualifications as provided in the job posting is not an applicant and should not be considered.

Talent pool assessment must be based on job-related qualifications including, but not limited to:

- Required and preferred education;
- Experience;
- Knowledge, skills, and abilities as identified in the job description;
- References.

An applicant who is hired must meet all required qualifications listed in the job description, and may not, directly or indirectly, provide the University with funding to support the position.

### *Online Application Process*

To be considered for a position, a job seeker, including any University staff employee, must complete the [online application process](#). Unsolicited resumes cannot be considered. The Shared Services Office will provide reasonable accommodations to complete the application process upon request by any applicant with a disability.

To comply with affirmative action requirements, certain data is requested as part of the online application and new hire process. This information is provided at the individual's discretion and cannot be used in the decision making process. However, the applicant will be required to provide such information (i.e., race and gender) as part of the employment process at time of hire.

### *Applicant Pool*

The applicant pool should be sufficient to enable selection of qualified applicants for interviews. To broaden the applicant pool, the HRP or hiring manager can partner with the Center of Expertise - Talent Acquisition to discuss additional sourcing strategies.

If there are no well qualified candidates for a position, then the requisition must be cancelled.

- Reposting: In an effort to increase the applicant pool, the HRP or hiring manager has the flexibility to modify qualifications. In these cases, the position must be re-posted for at least seven calendar days, and all applicants for the re-posted position must be considered.
- Reopening: As an AA/EEO employer, we cannot take actions which would potentially impact the applicant pool. To ensure compliance, positions cannot be closed and re-opened, regardless of the passage of time.
- Language Updates: Similarly, as an AA/EEO employer, we are not able to update job title, job profile, or adjust the language in the job requisition once it has been posted as this would potentially impact the applicant pool.

### *Interviews and Testing of Applicants*

The employment interview is a critical step in the talent acquisition process since it provides the hiring manager the opportunity to review applicant qualifications and to determine their suitability for the position. It also provides applicants with the chance to learn about the position and its requirements and to present information on their skills and experience.

The HRP or hiring manager must ensure consistent administration of the interview process. The interviewer's questions should address the candidate's qualifications and ability to meet the requirements of the position. Consistent administration includes equal treatment of applicant's avoidance of discriminatory questions, and uniform interview content.

An applicant may be tested for job-related competencies using a properly validated test or other selection procedure. If appropriate, job related assessments can be facilitated through the Shared Services Office, who administers a computer based testing system. Assessments include business math, MS Office Suite, data entry, typing, and administrative skills.

- Prior to administering a job-related assessment, the HRP or hiring manager must disclose the use to the Center of Expertise – Talent Acquisition.
- To ensure compliance with federal guidelines for employee selection procedures, the Center of Expertise – Talent Acquisition in conjunction with the HRP or hiring manager will partner with third parties such as industrial psychologists or other appropriate experts to review and validate test scores.
- The hiring unit is responsible for the cost of review and validation by third party vendors.

When used, approved tests and selection procedures must be given to applicants under equivalent conditions, must be scored, evaluated, and used as a selection factor equally for applicants, and must be maintained with other application and selection materials.

Upon request by an applicant with a disability, the HRP or hiring manager must provide reasonable accommodations, as determined by the Center of Expertise - Employee Labor and Relations or the Provost's Office during the interview and testing processes.

### *Reference and Background Checking*

For guidance regarding reference and background checks, please refer to [U204 Reference and Background Checks](#).

### **Successful Selection**

#### *Offers of Employment*

An applicant may not be offered or start in a position until the required seven-day posting period has been completed and a proper search has been conducted.

In addition, the Shared Services Office will verify that a proposed hire is eligible for University employment (e.g., meets the basic qualifications, has applied to the position, has completed the background check, and any other job requirements and has not been terminated for cause if previously employed by the University).

The HRP or hiring manager must use the approved standard [offer letter](#).

- The Center of Expertise - Talent Acquisition does not review or approve offer letters. The Center of Expertise - Talent Acquisition authors standard templates to ensure consistency in appearance and to define benefits and other broad employment terms in a consistent manner. Units can share language variations which the Center of Expertise - Talent Acquisition will maintain for auditing purposes.
- HR-Compensation does not review or approve offer letters. HR-Compensation provides base pay references (i.e., external market data and internal peer data via Workday, when available) to inform the level of base pay. If base pay falls outside of the competitive range (i.e., +/- 10%), units can share the rationale, which HR-Compensation will maintain for auditing purposes.

Offers including tuition reimbursement in a way not provided for by the University's Educational Assistance Plan, must first be reviewed and approved by the Office of Legal Counsel, as there are serious tax issues associated with tuition reimbursement outside of the Plan. These offers cannot be extended without an agreement that the employee remains with the organization for at least two years after obtaining a degree, maintains an agreed upon GPA or grade level, and the degree is related to the industry or area of expertise of the position being offered. Any tuition reimbursement language that does not follow this criterion must be receive approval from Office of Legal Counsel, the VP, Operations and Chief Financial Officer.

The HRP or hiring manager must notify an unsuccessful applicant who was interviewed by indicating the applicant's status in UChicago Jobs and also may send a letter or call the applicant. The HRP or hiring manager must dispense of the applicant pool (i.e. update the status of applicants in UChicago Jobs to accurately reflect non-selection reason). The HRP or hiring manager may not use a reason of "did not meet basic qualifications" if minimum experience and education requirements as reflected in the posting have been met by the applicant. It is imperative to communicate applicant status in a timely fashion throughout the talent acquisition process, as this directly impacts the candidate experience and the University's brand.

#### *Lateral Movement*

After accepting a position, a University staff employee is responsible for giving sufficient notice to his/her former unit; notification for lateral movement involves at least one month advance notice for exempt level employees and at least two weeks advance notice for non-exempt employees. Notification for employment termination is as stated in [U208 Termination of Employment](#).

Upon beginning a new position in another unit or department, a current employee will maintain accrued but unused [sick](#), [vacation](#), and [personal holiday](#) time, which will be transferred to the new unit.

## SPONSORSHIP OF FOREIGN NATIONALS

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#### **Purpose:**

To provide guidelines for sponsoring full-time benefits-eligible staff employees who are foreign nationals for permanent residency and to ensure compliance with applicable law governing immigration and the employment of foreign nationals.

**Policy:**

The University only sponsors full-time, benefits-eligible staff employees for permanent residency under limited and unique circumstances. A department or unit pursue sponsorship when doing so is in the best interest of the University.

**Guidelines:**

1. Only a University department or unit, not an employee, may initiate the sponsorship process. The Human Resources Partner (HRP) for the department or unit evaluates and submits requests for sponsorship for permanent residency to HR-Talent Acquisition.
2. Requests for sponsorship of a staff employee must be in writing and meet the following minimum requirements:
  - The position requires at least thirty-seven and one-half (37.5) hours per week;
  - The position requires a bachelor's or higher degree or its equivalent and specialized and complex knowledge;
  - The uniqueness of the position has made it difficult to recruit qualified applicants; and
  - There is sufficient justification that the proposed foreign national is uniquely qualified through experience, skill, and background for the position.
3. In addition, the foreign national must be an employee of the University for a minimum of four consecutive years (i.e., completed four consecutive years). HR- Talent Acquisition may waive this requirement if the request is endorsed in writing by the responsible Dean, unit Vice President, or their designee.
4. In those instances where the University decides to sponsor a staff employee for permanent residency, there is no guarantee that permanent residency can be obtained. The process depends upon approval by multiple government agencies, employee eligibility, and factors outside of the University's control.
5. Thus, no one is authorized to promise a current or prospective employee that the University will obtain permanent residency on the individual's behalf.
6. Privately retained attorneys may represent the University in immigration matters only if they are first authorized in writing by the Office of Legal Counsel.
7. Costs associated with this process normally will be borne by the employee except costs the employer is required to pay by law.
8. University sponsorship does not have any relationship with e sponsored employee's status as an at-will employee.

## **ACKNOWLEDGEMENT**

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I acknowledge that I understand how to access the University of Chicago Human Resources policies that are housed on the University's website which I have access to at <http://humanresources.uchicago.edu/fpg/policies/index.shtml>, including the policies listed below. I understand that the University has the right to modify any policy at any time without prior notification.

I understand that by signing below, I acknowledge that I have been given the website information necessary to familiarize myself with the University's policies - including those listed below - and that it is my responsibility to become fully informed on their content.

- 104 - Business Conduct
- 600 - Conflict of Interest Policy
- 601 - Treatment of Confidential Information
- 603 - Smoking/Non Smoking
- 604 - Substance Abuse
- 606 - Workplace Violence
- 609 - The University of Chicago Policy on Harassment, Discrimination and Sexual Misconduct
- 1009 - Mandatory Reporting of Child Abuse
- The University of Chicago Policy on Information Technology Use and Access

**Name** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Please sign, date, and return to Human Resources – Operations, 6054 South Drexel Avenue.**