University of Idaho
2016-2017 FACULTY SENATE AGENDA

Meeting #4

3:30 p.m. - Tuesday, September 13, 2016
Brink Hall Faculty-Staff Lounge & Skype for Business

Order of Business

I. Call to Order.

II. Minutes.

III. Minutes of the 2016-17 Faculty Senate Meeting #3, September 6, 2016 (vote)

IV. Chair’s Report.

IV. Provost’s Report.

V. Other Announcements and Communications.

VI. Committee Reports.

Committee on Committees:
Summer/Fall Committee Changes/Vacancies (Hrdlicka)

VII. Special Orders.

- Prioritize Retreat Items

VIII. Unfinished Business and General Orders.

- Senate Elections to Campus Planning and Student Appeals
- FS-17-002: FSH 3360 Probation, Promotion, Demotion and Transfer of Classified Employees & 3930 – Separation of Classified Employees (Crowley)
- FS-17-003: FSH 3070 – Employment Procedures to Comply with Immigration and Naturalization Laws (Terwilliger/Craig)

IX. New Business.

X. Adjournment.

Professor Liz Brandt, Chair 2016-2017, Faculty Senate

Attachments: Minutes of 2016-2017 FS Meeting #3
Summer/Fall Committee changes
Retreat Item List
Election memo
FS-17-002 through 003
Chair Brandt called meeting #3 to order at 3:31. The Faculty Secretary noted that he had accepted Executive Director Wes Matthews’ request for a slight rewording to last week’s minutes on page 2. The last part of the sentence, of the third to last paragraph, now reads: “we are well below the market rate on average.” A motion (Morrison/Brewick) to approve the minutes (as amended) for the August 30, 2016 meeting passed unanimously.

Chair’s Report: Chair Brandt took the opportunity to note that since the Senate is a representative body, we are dependent upon each Senator finding appropriate ways to keep our colleagues informed about Senate activities and to report back on important issues arising in the colleges and across campus.

Professor Brandt also called everyone’s attention to President Staben’s recent letter which refers to the creation of a new committee entitled the Institutional Planning and Effectiveness Committee. This committee will serve as a key committee to put the recently developed strategic plan into effect. We have been asked to nominate two faculty members to be on this committee. Please send the Senate Leadership the names of those you would like to nominate. She would like to have these nominations by September 14th. Vice Chair Hrdlicka added that the committee was expected to work closely with the President’s Cabinet and UBFC to implement the strategic plan and institutionalize the program prioritization process required by the State Board.

Chair Brandt announced that on September 22nd from 2-5 there will be an information session on the spread pay issue. There should be an email coming out on this soon. There are some significant planning issues to consider for people moving from spread pay to standard pay.

Refering to the Senate discussion last week with the Compensation Task Force, Chair Brandt reminded everyone that we are working with V.P. Foisy to create a parallel task force to focus on issues related to faculty compensation. She asked that nominations for faculty to serve on this committee be sent to her. The Chair also asked if Senators felt they had enough time to ask questions during the task force presentation last week. If not, we could request V.P. Foisy and Mr. Matthews to return in the near future.

Professor Brandt’s last item related to requests to discuss the most recent climate survey. President Staben plans to discuss this survey in his State of the University Address. After that we will have an opportunity to discuss the survey results.

Provost’s Report: Provost Wiencek picked up on the last item. He noted that last year we did review the HERI survey results in the Senate. The most recent survey is associated with the Chronical of Higher Education. This survey is broader than the HERI survey in that it includes both faculty and staff. He stated that the results from this survey were consistent with previous results. The President would like the opportunity to discuss the results at Provost Council and a planned retreat, before his State of the University address. The Provost stated that there won’t be any surprises and while he was generally encouraged by the results there was room for improvement.
Provost Wiencek noted that we have just hired a new Vice Provost for Strategic Enrollment Management. Dean Kahler is currently the Vice-Chancellor for Enrollment Management at the University of Arkansas, Little Rock. Dr. Kahler plans to start at the UI in mid-October.

The Provost commented on the most recent enrollment data. Enrollment of first year students is up 4.5%. We are up 4.4% with new transfer students. Enrollment is up 14.3% with students from under-represented groups and up 7.2% with in-state students. We are down 2.6% with non-resident students, which includes international students. While we are down around 2% overall, this data suggests a strong recruiting cycle for the year. He expects the final numbers to look better than these initial numbers.

The Provost stated that we will be searching for a new Vice Provost for Academic Initiatives. He expects to make an internal hire for this year while we begin a national search.

Lionel Hamption Jazz Festival: Chair Brandt invited Professors Torrey Lawrence, Vanessa Sielert and Vern Sielert from the Lionel Hamption School of Music to discuss proposed changes to the Lionel Hampton Jazz Festival (Festival).

Professor Lawrence (Director of the Lionel Hampton School of Music) made some introductory remarks about the current status of the Festival. This coming year will mark the 50th anniversary of the Festival. The Festival has received a Presidential Award for the Arts making the UI the only public institution to receive this award. Operating control of the Festival has been returned to the School of Music and they are planning some major changes this year with the primary hope of returning to its roots. The Festival has four main components:

- Students from elementary school through college come to campus to perform
- Workshops given by performers are open to the public
- Evening performances
- Jazz in school programs

In the past the Festival has drawn up to 10,000 guests to the UI. In recent years the number attending the Festival has been closer to 3,000. Professor Lawrence stated that the decision has been made to return the Festival to the Hampton School. Professor Vern Sielert will serve as the artistic advisor and Professor Vanessa Sielert will be the educational advisor. In addition, Aaron Mayhugh will be the Festival manager. Their plan is to:

- focus on the educational experience of the Festival
- improve the artistic connections
- rightsize the Festival—reduce the evening performances to three days
- return the Festival to the UI campus.

Professor Vern Sielert commented that the theme for this year is “Grounded in Tradition: Breaking New Ground.” He stated that all three evening performances will be in the Kibbie Dome from 7:30-10 pm. They have had many discussions with local educators about what works best for the visiting students. They will be returning to a competitive format with the winners appearing during the evening performances.

Professor Vanessa Sielert elaborated on the return to a competitive format. They will be using a tablet-based scoring system for the judges. They will also use voice-recorded, rather than written comments, from the adjudicators. She also discussed issues related to the return to campus. Rather than using off-campus sites for the competitions and workshops, they hope to try to keep these events on campus to
provide visiting students with the experience of a university campus. It is thought this will help with recruiting students. The majority of students that come to campus are not music majors and they hope to provide information to aid departments across campus in recruiting these students. The major challenge in returning the Festival to campus is in assuring that there is sufficient classroom space. They estimate that 23% of classes on Thursday and Friday will be impacted. To deal with this issue there seems to be two options:

- cancel specific classes and offer alternative educational opportunities
- cancel all classes for both days.

While cancelling all classes allows for everyone to participate fully in the event, they are concerned that this could serve as an excuse to leave campus. Given that Monday is a holiday (President’s Day), students might take the opportunity for an early spring break. Also, they would like the community to be lively in order to enhance recruiting.

A Senator asked about student attendance and whether these changes would help improve attendance. Professor Lawrence stated that it was hard to determine what led to the decline in student attendance. He noted that the responses they have gotten from schools to the proposed changes have been very positive. They were hopeful that these changes would help with increasing the attendance.

Another Senator stated that the proposed changes were exciting and voiced the view that it would not be desirable to cancel all classes. She wondered if the Registrar’s Office might be able to identify faculty, who were willing to find alternatives on those days, and assign them to the classrooms that would be needed for the Festival. Representatives from the Registrar’s Office noted that this might be difficult, but they could look into it.

A Senator asked how many UI students got involved in the Festival. Professor Lawrence stated that this was not easy to count. Students participated as performers, volunteers, and by attending workshops and performances. This is something they are interested in increasing. Bringing all the Festival activities on campus should help.

A Senator asked the Provost if there were financial implications to canceling classes. [N.B. Faculty-Staff Handbook sections 4610 and 4620 address class cancelations.] The Provost stated that one of the proposals he had seen involved changing the academic calendar. The Registrar’s office noted that one way to do this would be to start the spring semester on Monday instead of Wednesday. There was a general discussion of the relative merits of canceling all classes v. canceling just those classes directly impacted by the need for classroom space. Various Senators expressed concerns about canceling all classes as this might lead some students to simply take the entire week off. The Provost stated that he wanted to support the Jazz Festival, but he was also concerned about impacting many students and professors who were not at the Senate to voice their objections. Eventually a motion (Folwell/Panttaji) was offered that the Senate should endorse the general concept and plans offered by the School of Music to bring the Jazz Festival back to campus. The motion took no position on the thornier question of whether to cancel all courses, or just those directly affected by the need for classroom space. The motion passed without objection. The Provost stated that he would like to take the issue to Dean’s Council and seek to obtain general support across campus. He expected that there would be considerable support for the new direction for the Jazz Festival.

A Senator expressed his concern that we ought to gather data about the cost and the degree of support for the Festival on campus. He would like to see better evidence of how many students were recruited by the Festival, and how much support there was for Festival. Another Senator countered these
concerns by stating that the Festival was a signature event on campus and presented a significant opportunity for the University to fulfill its role as a curator of culture. The Festival is squarely within the University’s mission, regardless of whether it serves as a recruiting mechanism.

The Chair thanked everyone for the discussion and comments and noted that we look forward to see how this develops.

**2015-16 Senate Annual Report:** Faculty Secretary Crowley presented the report of the activities and actions of last year’s Senate. Professor Crowley stated that the report was compiled through the efforts of Ann Thompson (with an assist from Joan Jones). The Report allows people to track the activities of the Senate and locate when various issues were discussed. Our office frequently receives requests from faculty to locate the discussions held by the Senate on particular issues and this report helps people to find the relevant information.

**Retreat Review:** Chair Brandt asked Senators to note the summary of the Retreat contained in the senate packet. Senate Leadership will be delegating some of the items raised in the retreat to the relevant committees. Her goal today is to remind Senators of what was discussed on that hot day, and ask if there are any comments about how we should proceed. She also explained that we will be using this list of issues to inform us on who we should be inviting to the Senate. A Senator asked about the question of funding for TA’s and how we might proceed. Chair Brandt stated that the College of Graduate Studies would be coming back to the Senate on the expansion of leave benefits for graduate students. It was also suggested that we needed to be considering ways to help advance the proposal to fund increases for TA’s. A question was also asked about progress on last year’s report regarding contingent faculty. Chair Brandt stated she would add this issue to the list and report back to the Senate. Another Senator asked about who was looking at the faculty evaluation pilot forms. Chair Brandt stated that she had talked to the Faculty Affairs Committee about the pilot forms and to consider the compensation form that was not acted upon at the end of last year. The student evaluation forms will be taken up by the Teaching & Advising Committee.

**Election to Specific Senate Committees:** Chair Brandt stated that she was resigning from UBFC and recommending appointing Senator Patrick Hrdlicka to fill the rest of her term. She was also recommending that Senator Mike Anderson be appointed to fill the 2019 term of UBFC. A motion (Folwell/Caplan) to approve these appointments passed unanimously. Chair Brandt also stated that she was still looking for someone to fill the vacancies on the Campus Planning Advisory Committee and the Student Appeals Committee. These are important positions that we need to fill.

**Adjournment:** With no new business Chair Brandt accepted a motion (Brewick/Folwell) to adjourn. This motion passed unanimously at 4:50 pm.

Respectfully submitted,
Don Crowley, Faculty Secretary and Secretary to the Faculty Senate
## 2016-17 Committee Appointment Changes/Vacancies

Changes to Senate Committees since those approved at Spring 2016 senate meeting.

<table>
<thead>
<tr>
<th>Committee/reason</th>
<th>Vacancy/appointment</th>
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<tr>
<td><strong>Academic Petitions</strong> – Faculty (dean)</td>
<td>Traci Craig (2017)</td>
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<td><strong>Borah</strong> – Anthony Davis left UI</td>
<td>Marco Deyasi (2017)</td>
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<td><strong>Campus Planning</strong></td>
<td>Dean Panttaja (2019)</td>
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<td><strong>Honors Program</strong> – vacant Academic Dean</td>
<td>Mark Nielsen (2019)</td>
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<td><strong>Officer Education</strong> – Alton Campbell retiring</td>
<td>Erin Stoddart (2017)</td>
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<td><strong>Safety &amp; Loss</strong> – Guy Knudsen left UI</td>
<td>Vacant (CALS) (2018)</td>
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<td><strong>Student Appeals Committee</strong></td>
<td>John Cannon (2019)</td>
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<td><strong>Student Disciplinary Review Board</strong></td>
<td>Tom Bitterwolf (2017)</td>
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<td><strong>Teaching &amp; Advising</strong></td>
<td>Helen Joyner (2019)</td>
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<td><strong>Univ. Budget &amp; Finance</strong></td>
<td>Kerri Vierling (2019)</td>
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<td>Dinara Storfer (2017)</td>
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<td><strong>UCGE: Business</strong></td>
<td>Dan Hickman (2019)</td>
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<td><strong>A&amp;A</strong></td>
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<td><strong>CALS</strong></td>
<td>Vacant (2017)</td>
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### Student Bar Association

| 20 Univ. Budget & Finance | Paul Hawkins |

### Graduate Student Appointments

| 10 Americans with Disabilities Act Advisory Committee | Tenzin Dural |
| 60 Library Affairs | Vankata Koganti |
| 76 Safety & Loss Control | Charles Nwamba |
| 20 Univ. Budget & Finance | Jillepalli Ananth |
| 91 University Curriculum Committee | Rick Leathers |
| 83 Student Appeals Committee | vacant |
| 93 Student Disciplinary Review Board | Oluwatomisin Orisadipe |
| 95 University Security & Compliance | Kushal Patel |

### Staff Affair Appointments/Changes

<p>| Parking | Jose Almada | ITS/3155 |
| Student Appeal Committee | Julia Keleher | LGBTQA/ |
| Student Appeal Committee | Sean Scoggin | Graduate Studies/3019 |
| Student Disciplinary Review Board | Cari Espenshade | LHS of Music/4015 |</p>
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<td>Univ. Budget &amp; Finance</td>
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<td>Committee on Committees</td>
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| Retreat suggestions for 2017             | • Hold in Commons (air conditioned)  
• Name tags  
• Have annual report completed in time  
• Schedule day/time before Senate leaves in spring (typically Tuesday before classes begin)  
• Better/more poster/clip boards to hold large pads | August 15th pm/am???

| Morale:                                  | • Business systems, how do we get things done?  
• Need report on HERI & other climate surveys.                                                                                                                                                                         | Provost will report on surveys following president’s address |

| TAs                                      | • Comprehensive report on TA’s  
• how used  
• salary (see contingent task force below)  
• numbers  
• allocation amount of current tuition waivers | Faculty Affairs                                      |

| Contingent Faculty Task Force (benefits) | • Assign to committee – which one? Some deans have made changes to these appointments but not all. See 2015-16 Senate Mtg. #21, Dean Stauffer requested the suggestions of the task force be further explored by a senate committee. | Faculty Affairs |

| Salary                                   | • Faculty Taskforce on Market Salaries  
• Compensation form - FAC  
• How do performance evaluations fit in here, especially with the new evaluation pilot form  
• If not linked, how will merit be determined  
• Ask new HR Director Wes Matthews | Faculty Task Force - 8 colleges, Faculty Secretary |

| Enrollment                                | • How will $ follow this, what is the patch  
• UBFC Report  
• Enrollment strategy for other campuses, how does it fit | |

| Student Code of Conduct                   | FSH vs. APM  
9 hours training SDRB & SAC | |

| Video Conferencing/Distance Education     | • Tech Support for  
• Leadership’s view on Distance Learning  
• Registration for Distance Learning – tracking  
• Lots of mystery  
• Committee (connect to Provost & to DEE & Registrar)  
• composed of people with vested interested in distance ed (i.e., people from disciplines teaching them, off-campus sites interested in using them) + IT/infrastructure people who can speak to the technical viability of approaches + a representative from the Provost office + somebody from marketing | |

| Faculty Performance                        | Faculty Affairs: | Work in progress. Pilot |
| Evaluations                                      | • AE & PD pilot forms & policy  
|                                                | • How is teaching evaluated  
|                                                | • Compensation form  
|                                                | • disparate uses within dept., how to handle  
|                                                | form sent out January 2016  |
| Teaching Center report                        |                            |
| Student Evaluation of Teaching                 | current pilot, 2 forms will run  |
| Grade inflation, plus/minus.                   | Look at Teaching & Advising Report Mtg. #28 2015-16 Senate  |
MEMORANDUM

TO: Faculty Senate
FROM: Don Crowley
DATE: September 11, 2016
RE: Election of Senate Members to Committees

The Faculty Senate will need to elect senators for the vacancies as noted below:

**Benefits Advisory Group**
- Patrick Hrdlicka, (2018)

**Campus Planning Advisory Committee:**
- Greg Donohoe (2017)
- Dean Panttaja (2019)

**Student Appeals Committee:**
- John Cannon (2019)
- Caroline Payant (2017)
- Eligible Senators: Any faculty senator.

**University Budget & Finance Committee:**
- Patrick Hrdlicka (to confirm)(2017)
- Alan Caplan (2018)
- Mike Anderson (to confirm)(2019)

**President’s Athletics Advisory Council:**
- Annette Folwell (2017)
POLICY COVER SHEET

(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

[3/09]

Faculty/Staff Handbook [FSH] ☐ Addition ☒ Revision* ☐ Deletion* ☐ Emergency

Minor Amendment ☐

Chapter & Title: FSH 3360 – Probation, Promotion, Demotion & 3930 Separation of Classified Employees


Minor Amendment ☐

Chapter & Title:

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): Don Crowley, Faculty Secretary June 2016

Policy Sponsor: Wes Matthews, Exec. Dir. Human Resources

Reviewed by General Counsel _Y__es __N__o _____________________

I. Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

Address a contradiction between 3360 B-2 (keep language) and 3930 C-3, deleting last sentence that causes the contradiction.

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have?

None.

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change.

IV. Effective Date: This policy shall be effective immediately upon final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ___________________________________________

Track # _______________ 
Date Rec.: _____________
Posted: t-sheet ______
web ________
Register: ______________

Policy Coordinator 
Appr. & Date: 

APM 
F&A Appr.: 

[Office Use Only]

FSH 
Appr. ____________
FC ____________
GFM ____________
Pres./Prov. ____________

[Office Use Only]

[Office Use Only]
PROBATION, PROMOTION, DEMOTION, AND TRANSFER OF CLASSIFIED EMPLOYEES

PREAMBLE: An original part of the 1979 Handbook, this section underwent a full revision in 2003 to bring it in line with Regents policy. In 2009 a definitions section was added, APM 50.15 was incorporated into this policy and various minor edits were made. For further information, contact Human Resources (208-885-3638). [ed 7-97, 7-03, rev. 7-09]

CONTENTS:
A. Definitions
B. Probation
C. Promotion
D. Demotion
E. Transfer

A. DEFINITIONS.  

A-1. Certified Status. In this section and related policy statements, reference to “certified status” means that the employee has successfully completed the probationary period.

A-2. Demotion. Reassignment of an employee from his or her present position to one that is in a lower pay grade and in which the employee has previously held certified status or for which he or she has the minimum qualifications.

A-3. Probation. A working test period to provide unit administrators with an opportunity to evaluate a person’s work performance and suitability for the position. The probationary period for classified employees beginning a new position is six months.

A-4. Promotion. A career opportunity that involves greater responsibilities, and may also involve an increase in salary and a change in title. Promotions are not intended to be used where duties are changed on a temporary basis. A promotion is distinct from a reclassification in that it moves the employee into a different position, retaining little, if any, of the responsibilities of his or her previous position, as long as the employee meets the minimum qualifications of the position.

A-5. Reclassification. An employee retains the majority of his/her original responsibilities while accepting duties requiring a higher level of knowledge, skills or abilities.

A-6. Transfer. An opportunity for an employee to move into a different unit at the university with the same classification and title.

B. PROBATION.  

B-1. Each employee, following initial appointment or promotion to a classified position, must successfully complete a probationary period of at least six full months. The probationary period in a given class must be completed within a single unit and not be interrupted by resignation or dismissal. An employee who has been separated during the probationary period, other than by “layoff” [see 3930 B], must begin a new probationary period upon being rehired or promoted to that class. [ed. 7-03, 7-09]

B-2. The unit administrator is encouraged to complete an employee performance development plan available on the Human Resource Development website at www.hr.uidaho.edu/hrd, and a 3-month and 6-month evaluation using the “Staff Personnel Evaluation” form [see 3340] available on the HR website at http://www.uidaho.edu/humanresources.aspx. The 6-month evaluation must be completed, discussed with the probationary employee, and reviewed by the second-level supervisor before the probationary period ends. A
probationary employee may be dismissed or returned to his or her former classification, without cause being assigned, upon the recommendation of the unit administrator at any time before the completion of the probationary period with prior approval of the executive director for human resources or designee. Normally, a probationary employee whose appointment is to be terminated will be given two weeks’ notice. Dismissal under these circumstances is not a basis for recourse to the grievance procedures described in 3860. [rev. 7-02, 7-03, 7-09]

C. PROMOTION.

C-1. An employee may be considered for promotion on the basis of his or her past record, length of service, performance in the present position, and qualification to perform the duties of the higher position. [See also 3380D.] [ren. 7-09]

C-2. A supervisor may promote an employee into a vacant position in the unit if the employee has demonstrated exceptional competency and skill for that position. [rev. & ren. 7-09]

C-3. A promotion may occur in a unit that is undergoing reorganization. In this case, an explanation of the office or unit changes and the reasons why the employee is qualified for the promotion is necessary. [rev. & ren. 7-09]

C-4. If the employee is promoted into a classification for which he or she is not certified, a 6-month probationary period is required (see FSH 3360, B-1). [rev. 7-03, ed. 7-09]

C-5. When there is more than one internal candidate who meets the minimum qualifications for the position within the unit, the hiring administrator must, at a minimum, conduct a UI-only search to document the candidate’s qualifications and identify the most qualified individual. The hiring administrator must send an email to the Director of Human Rights, Access and Inclusion as hrai@uidaho.edu requesting a UI-only search stating that there is one promotional opportunity and more than one qualified internal candidate. [add. 7-03, rev. 7-09]

C-6. Process. The Director of Human Rights, Access and Inclusion is the approving authority for all promotions of classified employees. [add. 7-03, ed. 7-09]

a. To promote an employee, the unit follows all affirmative action and equal employment opportunity policies by posting the position in the Applicant Tracking System (ATS) and evaluating the applicants. The employee applies for the position using the ATS. See APM 50.02. [add. 7-09]

b. Exceptions to posting internal promotional opportunities require the review and approval of the Director of Human Rights, Access and Inclusion. The unit administrator must e-mail the Director of Human Rights, Access and Inclusion at hrai@uidaho.edu to request an internal promotion, stating the justification for waiver of a search. The unit must provide:

1) A current Results Oriented Job Description (ROJD), reviewed and approved by the classification and compensation analyst in Human Resources;
2) A resume from the promotion candidate;
3) The plans for the "to be vacant" position;
4) A salary recommendation (optional).

C-6. The unit must complete a standard Position Authorization Form, which must then be processed through regular approval channels. This includes any processes unique to the unit. [add. 7-09]

C-7. The Director of Human Rights, Access and Inclusion or designee will review and provide a written response to the request for promotion. The unit CANNOT offer the position until it receives approval from the Director of Human Rights, Access and Inclusion. For additional information call (208) 885-4285. [add. 7-09]
D. DEMOTION.

[ed. 7-02]

D-1. An employee may be demoted, subject to the approval of the unit administrator and the executive director for human resources or designee. The unit administrator may recommend the demotion of an employee for any of the following reasons: [ed. 7-02, ren. & ed. 7-09]

a. The reallocation or reclassification of a class or position to a lower pay grade.

b. The elimination of the employee's position because of lack of work or lack of funds.

c. Expiration of a temporary promotional assignment. [add. 7-03]

d. The failure of the employee to complete successfully the probationary requirements of a higher position.

e. Disciplinary action for causes stated in 3930 C-1 but not of a degree of severity that would warrant suspension or dismissal.

f. At the request of the employee. [rev. 7-02]

D-3. Procedure. A unit administrator's recommendation that an employee be demoted is submitted through the dean or equivalent administrator. Concurrently, written notice is given to the employee and to the executive director for human resources or designee. An employee with certified status must be given notice of demotion at least 15 calendar days before its effective date and must be given the reasons for the demotion. [ed. 7-03, ren. & ed. 7-09]

D-4. Effect of Demotion on Salary. When an employee is demoted, his or her salary is reduced to a step in the lower pay grade as recommended by the unit administrator and the executive director for human resources or designee. If demotion is due to failure to successfully complete the probationary requirements of the higher position to which he or she had been provisionally promoted, the salary after demotion will normally coincide with the salary the employee was receiving before promotion. [ed. 7-02, ren. & ed. 7-09]

E. TRANSFER.

E-1. An employee may voluntarily transfer from one unit to another in the exact same title and pay grade. An employee who wishes to be transferred should make a written request to his or her unit administrator and Employment Services. UI may involuntarily transfer an employee as long as there is no loss of compensation. [rev. 7-02, 7-03, rev. & ren. 7-09]

E-2. An employee requesting transfer between units must complete application materials through Employment Services in HR before a transfer request will be considered. [rev. 7-03, ren. & ed. 7-09]

E-3. An employee-requested transfer between units also requires the written approval of the unit administrators concerned, the employee, and the director of employment services. [add. 7-03, ren. & ed. 7-09]

E-4. A transfer is made without reduction in hourly wage unless such reduction is agreed to by the employee and the unit administrator. [ed. 7-02, ren. 7-03, ren. & ed. 7-09]

E-5. The transfer of an employee does not affect his or her prior earned credited state service. However, the transfer may affect the employee's leave accrual rate, which is based on years of service, hours worked, and percentage of appointment. [rev. 7-02, 7-03, ren. 7-03, 7-09]
3930

SEPARATION OF CLASSIFIED EMPLOYEES

PREAMBLE: This section outlines procedures for the separation, by resignation or dismissal, of classified employees. It underwent significant revisions in 2002. Further information may be obtained from Human Resources (208-885-3609). [ed. 7-97, 6-09, rev. 7-02]

CONTENTS:

A. Resignations
B. Layoffs
C. Discipline Up To and Including Dismissal

A. RESIGNATIONS. Full-time classified employees who wish to resign are expected to give at least two weeks’ notice.

B. LAYOFFS. [See also 3970.]

B-1. In the absence of sufficient work or sufficient funds or in the event of a reorganization of a unit that results in the elimination of one or more positions, employees may be laid off according to the following procedure:

a. The departmental administrator determines which position classification is to be reduced.

b. Departmental employees in that classification are categorized as follows (1) disabled war veterans, (2) employees with permanent status [see 3360 A-3] in the class, (3) probationary employees who have permanent status in a lower class, and (4) probationary employees without permanent status in any class.

c. Departmental employees in the classification are awarded retention points as follows: (1) one point for each month of state service, (2) one point for each month of state service rated satisfactory, and (3) one-half point for each month of state service rated above satisfactory.

d. Employees in category (4) are to be laid off before any in category (3) are laid off, and so on, with highest priority for retention assigned to those in category (1). Within each category, the employee with the lowest number of retention points is the first to be laid off.

B-2. In every case of layoff, except as provided in 3970 G-2, the departmental administrator must give two weeks’ notice to the employee and concurrently to the assistant vice president for human resources. [rev. 7-02]

B-3. The assistant vice president for human resources will make every effort to place an employee being laid off in a position of the same classification and pay grade. If another position is not available, the employee’s name is placed on a “layoff roster.” An employee whose name is on this roster and who is qualified for the position must be offered reinstatement to a position in the class from which he or she was laid off, or in a lower class in the same series, or in a class in which the employee has held permanent status with UI, before any other person may be promoted, transferred, reinstated, or hired for that class by any UI unit. Preference for reemployment from layoff rosters is determined as in B-1, i.e., those in category (1) are to be reemployed before any in category (2) and so on, and, within a category, the employee with the largest number of retention points is the first to be reemployed. Names of employees laid off remain on the layoff roster for one year. [rev. 7-02]

B-4. An employee who resigns voluntarily, is terminated for cause, or fails to satisfactorily complete the required probationary period is not eligible to be placed on the layoff roster.
C. DISCIPLINE UP TO AND INCLUDING DISMISSAL.

C-1. Adequate cause. The regents have defined adequate cause for discipline up to and including dismissal: "Adequate cause" means one (1) or more acts or omissions which, singly or in the aggregate, have directly and substantially affected or impaired an employee’s performance of his professional or assigned duties or the interests of the Board, institution, agency, school, or office. In addition, any conduct seriously prejudicial to the Board, an institution, agency, school or office may constitute adequate cause for discipline, up to and including dismissal. Examples include, but are not limited to, one or more instances of sexual harassment or other form of harassment prohibited by law; immorality; criminality; dishonesty; unprofessional conduct; actions in violation of policies, directives, or orders of the Board, an institution, agency, school, or office; unsatisfactory or inadequate performance of duties, or failure to perform duties. [ed. 7-02]

C-2. Specific examples of behaviors that constitute adequate cause for discipline up to and including dismissal are: [ed. 7-02]

   a. Failure to perform the duties and carry out the obligations imposed upon him or her by the state constitution, state statutes, or UI rules and regulations.

   b. Inefficiency, incompetence, or negligence in the performance of duties.

   c. Physical or mental incapability of performing assigned duties.

   d. Refusal to accept a reasonable and proper assignment from an authorized superior.

   e. Insubordination, conduct unbecoming an employee, or conduct detrimental to good order and discipline in his or her department.

   f. Intoxication on duty.

   g. Careless, negligent, or improper use or unlawful conversion of UI property, equipment, or funds.

   h. Use of any influence that violates the principles of the merit system in an attempt to secure a promotion or privileges for individual advantage.

   i. Conviction of official misconduct in office, conviction of any felony, or conviction of any other crime involving moral turpitude.

   j. Acceptance of gifts in exchange for influence or favors given in his or her official capacity.

   k. Habitual pattern of failure to report for duty at the assigned time and place.

   l. Habitual improper use of sick-leave privileges.

   m. Unauthorized disclosure of confidential information.

   n. Absence without leave.

   o. Misstatement or deception in his or her application for UI employment.

   p. Failure to obtain or maintain a current license or certification lawfully required as a condition for performing his or her duties.

   q. Prohibited participation in political activities [see 6220 C].
C-3. Disciplinary Procedures. These procedures apply to discipline up to and including dismissal. Whenever a department administrator considers it necessary to discipline a classified employee, the administrator must provide the employee with written notice of the contemplated discipline and provide the employee an opportunity to respond and be heard. Such notice should also be sent to the assistant vice president for human resources. The notification is to clearly set forth the specific reasons for the contemplated disciplinary action. After the employee has exercised the opportunity to respond, or declined either affirmatively or through inaction, the department administrator may impose the discipline. If the discipline is dismissal the president or his designee must notify the employee in writing either personally served on the employee or sent by first-class mail, postage pre-paid to the employee at the last known address on file for the employee. When practical, notice of dismissal will be given at least two weeks’ in advance of the effective date of dismissal. During the period between notification and effective date, the department administrator may require the employee to use accrued annual leave. No specific requirement for advance notice of dismissal is necessary for probationary employees, but when practical at least five working days’ notice should be given.

C-4. Administrative Leave or Suspension. (ed. 7-02)

a. Suspension Defined. Suspension means an enforced period of absence from the workplace, with or without pay, for disciplinary purposes or pending investigation of allegations about employee behavior. All disciplinary actions including suspension and dismissal are matters that may be considered under employee grievance procedures [see 3860].

b. A departmental administrator may place a classified employee on administrative leave or suspension, with pay, immediately upon notice to the employee of contemplated disciplinary action, or pending investigation of charges that, if substantiated, would constitute adequate cause for dismissal.

c. Suspension on Felony Charges. A departmental administrator may place a classified employee on suspension, with pay, upon the issuance of an indictment for felony charges relating to conduct outside his or her employment and upon concurrent notification of the employee and the assistant vice president for human resources. Such suspensions may remain in effect during the time such charges are pending. Full reinstatement of all benefits and salary to which the employee would have otherwise been entitled will be provided to the employee upon a subsequent finding that the charges or information were without grounds or were dismissed.

d. Disciplinary Suspension. A departmental administrator may place a classified employee on suspension, without pay, for discipline, upon concurrent notification of the employee and the assistant vice president for human resources. Such suspensions must not exceed 30 calendar days.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

Faculty/Staff Handbook [FSH] □ Addition X Revision* □ Deletion* □ Emergency
Minor Amendment □

Chapter & Title: FSH3070/ Employment Procedures to Comply With Immigration and Naturalization Laws

Minor Amendment □

Chapter & Title: __________________________________________

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): Brandi Terwilliger May 3, 2016
(Telephone & Email: 885-3008 brandit@uidaho.edu)

Policy Sponsor: (If different than originator.) Brian Foisy May 3, 2016-Reviewed and Approved
(Telephone & Email: 885-6174 brianfoisy@uidaho.edu)

Reviewed by General Counsel Yes No Name & Date: ___________________________________

I. Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual. Minor edits that are necessary for federal compliance and/or to reflect the accurate information.

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have? Nothing beyond the potential fines imposed if compliance is not adhered to.

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change.

IV. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy. As soon as possible.

If not a minor amendment forward to: __________________________________________

Track # ____________ Date Rec.: ____________
Posted: t-sheet ____________ h/c ____________
web ____________
Register: ______________

Policy Coordinator Appr. & Date:
[Office Use Only]

FSH
Appr. ____________
FC ____________
GFM ____________
Pres./Prov. ____________
[Office Use Only]

APM
F&A Appr.: ____________
[Office Use Only]
EMPLOYMENT PROCEDURES TO COMPLY WITH IMMIGRATION AND NATURALIZATION LAWS

PREAMBLE: This section outlines procedures by which UI complies with immigration and naturalization laws. This section appeared in the 1979 Handbook and has been revised from time to time since so as to keep it abreast of current federal regulations. Further information may be obtained from Human Resource Services (208-885-3609-3638). [ed. 7-97]

A. POLICY. It is UI’s policy to comply fully with the requirement of the United States Citizenship and Immigration Service that all employers complete a copy of Form I-9 for each employee hired after November 6, 1986 (and for employees initially hired before that date who have been terminated and rehired). [ed. 1-06]

B. PROCEDURES.

B-1. Each person being hired (faculty, staff, and students, including those on work study) completes and signs part 1 of Form I-9. The employer, after examining one document from list A [see copy of form on pages 2 and 3] or one document from list B and one from list C, completes and signs part 2 of the form. The Payroll Office/Human Resource Office is responsible for this procedure except for employees identified in B-2.

B-2. The responsible administrator HR designated authorized representative at the place of employment completes and signs the form for irregular-help employees hired off-campus. The representative administrator may retain a copy of the form and forwards the original, along with Form W-4 and any other required paperwork, to the Payroll-Human Resources Office. Any copy is to be destroyed upon verification of the receipt of the original by the Payroll Office/Human Resource Office. [rev. 1-06]

B-3. Section 1 of the Form I-9 must be completed on the first day of work. Section 2 of the Form I-9 must be completed within three days of hiring (or, in the case of hiring for less than three days, before the end of the first day of work). If it cannot be completed within the required time, employment of that person must be terminated. [rev. 1-06]

B-4. No employee is to be paid at off-campus locations by sight draft or through the UI payroll system until the Form I-9 has been completed.

B-5. It is important that prospective employees be advised to view the list of acceptable documents so they are able to complete the Form I-9 within the required time. [rev. 1-06]

B-6. The employer is not required to verify the authenticity of documents presented. It is only necessary to ensure that they appear to be genuine and that a good-faith effort has been made to comply with the INS requirements. If a document is obviously not genuine, the employee should be required to provide an alternative one. If there is any question at all about the employee’s status, he or she should not be employed. The employer must examine the original document(s) in the physical presence of the employee, and if the documents reasonably appear on their face to be genuine and to relate to the person presenting them, you must accept them. To do otherwise could be an unfair immigration-related employment practice. If the document(s) do not reasonably appear on their face to be genuine or to relate to the person presenting them, or if they are expired, you must not accept them.

B-7. The employer must keep an employee’s Form I-9 three years after his or her initial employment or one year
after the employment is terminated, whichever is later. [rev. 1-06]

(Please see the U.S. Citizenship and Immigration Service website at uscis.gov for the official form.)