



**TOPIC:** Comprehensive Technical Review of USM Human Resources Policies

**COMMITTEE:** Finance

**DATE OF COMMITTEE MEETING:** September 29, 2015

**SUMMARY:** Over many months, human resources professionals across the USM institutions have undertaken a comprehensive technical review of the USM's human resources policies (Chapter VII of the USM Policies and Procedures). Each of more than 60 policies was scrutinized and updated as part of this process. Attached is a spreadsheet summary of the proposed amendments to the human resources policy chapter resulting from that systematic effort. The detailed amendments to the policies appear on the USM website at – <http://www.usmd.edu/regents/bylaws/drafts/>

The amendments are all technical in nature. The purpose of this review was to update the policies to comply with current law and practice and to significantly enhance their “user-friendliness.” Where substantive questions arose during this effort, those issues were noted for consideration on a policy-by-policy basis in the future. As such, the attached revisions fall into the following categories:

- Removal of provisions that no longer apply;
- Updating of terminology to reflect current usage of terms across the USM;
- Acknowledgment of the appropriate role of collective bargaining in USM human resources activities;
- Combining of overlapping policies and duplicative provisions within policies;
- Reformatting of long, narrative-style provisions into modern outline-style policy formats;
- Clarification of ambiguous and hard-to-interpret language;
- Alignment of policy language with long-standing practice; and
- Updating to reflect changes in federal or state law.

In addition, when the USM's personnel autonomy was authorized by the General Assembly and its human resources policies were first adopted, it was understood that certain pre-existing policies of the prior University of Maryland and Board of Trustees institutions would continue to apply. As part of this policy review, any such grandfathered provisions with continued application have been incorporated directly into the proposed USM policies, thus eliminating any future need to refer to otherwise obsolete policy manuals.

The proposed amendments noted in the attached summary have been reviewed by the human resources staff of each institution, the Office of the Attorney General, the USM Vice Presidents for Administration and Finance, the Council of University System Staff, the Chancellor's Council and AFSCME. Many of these groups provided comments and suggestions, resulting in further refinement of the proposed amendments. The amendments are now before the Committee for consideration and recommended approval.

**ALTERNATIVE(S)**: The Board could decline to recommend the proposed technical amendments.

**FISCAL IMPACT**: Because the proposed amendments are technical in nature, the fiscal impact will be minimal, if any.

**CHANCELLOR'S RECOMMENDATION**: That the Finance Committee recommend that the Board of Regents approve the amendments to the policies as submitted.

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COMMITTEE RECOMMENDATION:

DATE:

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BOARD ACTION:

DATE:

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SUBMITTED BY: Joseph F. Vivona (301) 445-1923

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**BOR Policy Review  
Section VII Human Resources**

| Policy Number             | Policy Title  | Update Terms | Reformat | Title Change | Delete Obsolete Provisions | Merge with Other Policy | Clarify Practice or Language | Update to reflect changes in Law | Incorporate USM-wide existing practice | Incorporate Pre-USM Policy | Fill gap in Policy | Add Definitions | Other Revisions | Notes   |
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| <a href="#">VII-i</a>     | Clarification Notice  |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 | x               | Obsolete: recommend deletion of policy.   |
| <a href="#">VII-N.001</a> | USM Policy on Wellness Programs - VII - 3.00  |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | New Policy to reflect current practice.   |
| <a href="#">VII-N.002</a> | Policy on Employee Development for Nonexempt and Exempt Staff Employees - VII - 3.10  |              |          |              |                            |                         |                              |                                  |  | x                          |                    |                 |                 | Converted from former UM &or BOT Policy Manuals   |
| <a href="#">VII-N.003</a> | Policy on Professional Conduct of Nonexempt and Exempt Staff Employees - VII - 8.05   |              |          |              |                            |                         |                              |                                  |  | x                          |                    |                 |                 | Converted from former UM &or BOT Policy Manuals   |
| <a href="#">VII-N.004</a> | Policy on Separation of a Nonexempt Staff Employees - VII - 1.23  |              |          |              |                            |                         |                              |                                  |  | x                          |                    |                 |                 | Converted from former UM &or BOT Policy Manuals   |
| <a href="#">VII-P1.00</a> | Policy on Establishment and Assignment of Job Groups  |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 | x               | Renumber to VII-9.30  |
| <a href="#">VII-1.01</a>  | Policy on Recruitment and Selection   | x            |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Added language on consideration of Contingent Employees for regular status positions required by 2014 legislation.      |
| <a href="#">VII-1.10</a>  | <del>University of Maryland System</del> Policy on a Drug and Alcohol-Free Work Place for Employees   |              |          | x            |                            |                         | x                            | x                                |  |                            | x                  |                 |                 |   |
| <a href="#">VII-1.21</a>  | Policy on Probation for Regular Nonexempt and Exempt Staff Employees  | x            |          | x            |                            |                         |                              |                                  | x                                      |                            |                    | x               | x               | Added Section IV from VII-1.22 regarding Exempt Probation   |
| <a href="#">VII-1.22</a>  | Policy on Separation for Regular Exempt Staff Employees   | x            | x        | x            |                            |                         |                              |                                  |  |                            |                    |                 | x               | Section II.C., changed notice of resignation from 30 days to 14 days.   |
| <a href="#">VII-1.24</a>  | Policy on Termination with Prejudice  |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | 2014 Policy; no revisions.  |
| <a href="#">VII-1.30</a>  | Policy on Layoff for Nonexempt Staff Employees <del>Unclassified and Classified Personnel</del>   | x            |          | x            | x                          |                         |                              |                                  |  |                            |                    | x               |                 |   |
| <a href="#">VII-1.31</a>  | Policy on Reemployment  |              |          |              |                            | x                       |                              |                                  |  |                            |                    |                 |                 | Incorporated into 9.61  |
| <a href="#">VII-1.32</a>  | Policy on Layoff and Recall of Regular Exempt Staff Employees   | x            |          | x            |                            |                         |                              |                                  | x                                      |                            |                    | x               |                 |   |
| <a href="#">VII-1.40</a>  | Policy on Contingent Status Employment for Nonexempt and Exempt Staff Employees   | x            | x        | x            | x                          |                         |                              | x                                |  |                            |                    |                 |                 | Added language on consideration of Contingent Employees for regular status positions required by 2014 legislation.      |
| <a href="#">VII-2.10</a>  | Policy on Employment of Members of the Same Family (Nepotism)   | x            | x        |              |                            |                         |                              |                                  | x                                      |                            |                    |                 |                 | Clarifies that policy includes faculty.   |
| <a href="#">VII-2.20</a>  | Policy on Soliciting Personnel During Working Hours   | x            | x        |              |                            |                         | x                            |                                  |  |                            |                    |                 |                 |   |
| <a href="#">VII-2.30</a>  | Policy on Employee and Applicant Disclosure of Misconduct for Exempt and Nonexempt Staff Employees and Applicants for USM Staff Jobs Positions                                  | x            | x        | x            | x                          |                         | x                            |                                  |  |                            |                    |                 |                 | Clarifies avenues for complaint of retaliation to align with State whistleblower law.                                   |
| <a href="#">VII-4.10</a>  | Policy on Tuition Remission and Tuition Reimbursement for Regular and Retired Exempt and Nonexempt Faculty and Staff and Faculty Employees of the University System of Maryland | x            | x        | x            | x                          |                         |                              |                                  |  | x                          |                    | x               |                 | Adds Tuition Reimbursement provisions currently practiced from UM Personnel Policies and Rules for Classified Employees |

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Section VII Human Resources**

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| <a href="#">VII-4.20</a> | Policy on Tuition Remission for Spouses and Dependent Children of USM Employees and Retirees   |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Policy amended 2014; no revisions.   |
| <a href="#">VII-4.30</a> | Policy on Salary Advances for <b>USM Employees</b>   | X            | X        | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-4.40</a> | Policy on Payment of Moving Expenses   |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 | X               | Recommend moving to Sect VIII  |
| <a href="#">VII-4.60</a> | Policy on Shift Differential for-<br><b>Nonexempt Staff</b> Classified Employees   | X            | X        | X            |                            |                         |                              |                                  |  |                            |                    | X               |                 |  |
| <a href="#">VII-4.62</a> | Policy on On-Call and Call-Back for<br><b>Nonexempt Staff</b> Classified Employees   | X            | X        | X            |                            |                         |                              |                                  |  |                            |                    | X               |                 |  |
| <a href="#">VII-5.00</a> | Policy on Performance Evaluation of the Chancellor and the Institution Presidents/ <del>Center Directors</del> of the University System of Maryland/ <del>System</del> | X            | X        |              |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-5.01</a> | Policy on the Five-Year Review of USM Presidents   | X            | X        |              |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-5.10</a> | Policy on Associate of the Chancellor and Presidents   | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-5.20</a> | Policy on the Performance <b>Management Evaluation</b> Program   | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 | X               | Section III.B. Removed Specific date to allow institution flexibility. III.E. Incorporated common practice regarding policies grandfathered from former UM and/or BOT personnel manuals. |
| <a href="#">VII-6.00</a> | <del>Interim</del> Policy on <b>the USM Human Resources Management Program</b>   | X            | X        | X            |                            |                         |                              |                                  | X                                      |                            |                    |                 | X               | Change number to VII-1.00; acknowledges the relationship between collective bargaining & USM Policy.   |
| <a href="#">VII-6.02</a> | Policy on Personnel Files for Nonexempt and Exempt Staff Employees   | X            | X        | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-6.10</a> | Policy on Work Schedules for Regular <b>Nonexempt and Exempt Staff</b> Employees   | X            | X        | X            |                            |                         |                              |                                  |  | X                          |                    |                 |                 | Incorporated language covering Nonexempt Employees   |
| <a href="#">VII-7.00</a> | Policy on Annual Leave for <b>Regular Nonexempt and Exempt Staff Employees</b> <del>Administrative and Classified Personnel</del>                                      |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Amended in 2014; no revisions.   |
| <a href="#">VII-7.10</a> | Policy on Personal Leave for Regular Exempt <b>and Nonexempt Staff</b> Employees   |              |          | X            |                            |                         | X                            |                                  |  |                            | X                  | X               |                 | Added Nonexempt Staff to policy; clarifies transfer/separation procedures.   |
| <a href="#">VII-7.11</a> | Policy on Leave Reserve Fund for <b>Exempt and Nonexempt Staff Employees on Regular Status</b> <del>Administration and Classified Employees</del>                      | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 | X               | Document need to use Holiday Leave as part of available leave for eligibility for Leave Reserve Fund leave.  |
| <a href="#">VII-7.12</a> | Policy on Leave of Absence Without Pay for <b>Exempt and Nonexempt Staff Employees</b>   | X            |          | X            |                            |                         | X                            |                                  |  |                            |                    |                 |                 |  |

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| <a href="#">VII-7.20</a> | Policy on Administrative Leave for <del>Administrative and Classified Personnel</del> <b>Nonexempt and Exempt Staff Employees</b>   | X            |          | X            |                            |                         | X                            |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.21</a> | Policy on Jury Service for <del>Administrative and Classified Personnel</del> <b>Regular Exempt and Nonexempt Staff Employees</b>   | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.22</a> | Policy on Leave for Legal Actions for <del>Administrative and Classified Personnel</del> <b>Exempt and Nonexempt Staff Employees</b>  | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.23</a> | Policy on Military Leave with Pay for <del>Administrative and Classified Personnel</del> <b>Exempt and Nonexempt Staff Employees</b>  | X            |          | X            |                            |                         | X                            |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.24</a> | Policy on Call-Up to Active Military Duty During a National or International Crisis or Conflict for <del>USM Exempt and Nonexempt Staff Employees on Regular Status.</del> <b>Regular Status Exempt and Nonexempt Staff Employees</b> | x            |          | x            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.25</a> | Policy on Leave For Service As Election Judge For <del>Regular Status Exempt And Nonexempt Staff Employees On Regular Status</del> <b>Regular Status Exempt And Nonexempt Staff Employees</b>   | x            |          | x            |                            |                         |                              |                                  |  |                            |                    |                 |                 |  |
| <a href="#">VII-7.26</a> | Policy on Leave for Disaster Service for <del>Regular Status Exempt and Nonexempt Staff Employees</del> <b>Regular Status Exempt and Nonexempt Staff Employees</b>  |              |          | x            |                            |                         |                              |                                  |  |                            |                    |                 | x               | Adding ability for President to approve service for other bona fide service organizations.                   |
| <a href="#">VII-7.30</a> | Policy on Holiday Leave for Regular <del>Exempt and Nonexempt Staff Employees</del> <b>Exempt and Nonexempt Staff Employees</b>   | x            |          | x            |                            |                         |                              |                                  |  | X                          |                    |                 | x               | Documented procedure for transfer of holidays and ability of President/Chancellor to add holiday observance. |
| <a href="#">VII-7.40</a> | Policy on Accident Leave for Exempt and Nonexempt Personnel   |              | X        | X            |                            |                         |                              | X                                |  |                            |                    | X               |                 | Section VI.C.to reflect change in State of MD Workers Compensation Law.                                      |
| <a href="#">VII-7.41</a> | Policy on Modified Duty   | X            | X        |              |                            |                         |                              | X                                |  |                            |                    |                 |                 | Adding pregnancy disability accommodation language to align with 2014 legislation.                           |
| <a href="#">VII-7.45</a> | Policy on Sick Leave for Exempt and Nonexempt Staff Employees   |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Amended in 2014; no revisions.   |
| <a href="#">VII-7.50</a> | Policy on Family and Medical Leave for Exempt and Nonexempt Staff Employees   | X            | X        | X            |                            |                         |                              | X                                |  |                            |                    | X               |                 | Includes 2013 updates from Federal Regulations.  |
| <a href="#">VII-8.00</a> | Policy On Grievances For Exempt And Nonexempt Staff Employees   | X            | X        | X            |                            |                         | X                            |                                  | X                                      | X                          | X                  | X               |                 |  |
| <a href="#">VII-8.10</a> | Policy on Special Action Appeals for Classified Employees   |              |          |              |                            | X                       |                              |                                  |  |                            |                    |                 |                 | Incorporate into 8.00  |
| <a href="#">VII-9.00</a> | Policy on <b>Vesting of Certain Rights Upon</b> Implementation of Phase I Non-Exempt of the USM Pay Program   | X            |          | X            | X                          |                         |                              |                                  |  |                            |                    |                 |                 | Updated to remove obsolete provisions.   |

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| <a href="#">VII-9.01</a>  | Policy on <del>Vesting of Certain Rights Upon Implementation of Phase II Exempt Employees of the USM Pay Program</del>   | X            |          | X            | X                          |                         |                              |                                  |  |                            |                    |                 |                 |   |
| <a href="#">VII-9.10</a>  | Policy on <del>the Pay Program for Nonexempt Staff Employees</del> Adjustment of Salary Structures, Assignment of Job Classes to Salary Ranges, Administration of Salaries, Impact of Adjustment of Salaries, and the Development and Maintenance of Job Evaluation Programs | X            |          | X            | X                          |                         | X                            |                                  |  |                            |                    |                 |                 | Section III.B.3. clarified practice of one-time payment in lieu of merit increase when employee's salary exceeds maximum of salary range. |
| <a href="#">VII-9.11</a>  | Policy on Pay Administration for Exempt Positions  | X            |          |              |                            |                         | X                            |                                  |  |                            |                    |                 |                 | Clarifies subjects to be addressed by institutions.   |
| <a href="#">VII-9.20</a>  | Policy on <del>Salary Increases and Bonuses</del> Pay Administration for Nonexempt Staff Employees   | X            | X        | X            |                            | X                       |                              |                                  |  |                            |                    | X               |                 | Merge VII-9.30, VII-9.40 and VII-9.60   |
| <a href="#">VII-9.30</a>  | Policy on Salary Upon Entry into UMS Service   |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Incorporate into 9.20   |
| <a href="#">VII-9.40</a>  | Policy on Salary Upon Transfer or Reclass  |              |          |              |                            |                         |                              |                                  |  |                            |                    |                 |                 | Incorporate into 9.20   |
| <a href="#">VII-9.50</a>  | Policy on Temporary Assignments and Acting Appointments <del>For Regular Status Exempt and Nonexempt Staff Employees</del>   | X            |          | X            |                            |                         | X                            |                                  |  | X                          |                    |                 |                 | Clarify applicability of policy to Exempt Staff.  |
| <a href="#">VII-9.51</a>  | Policy on Reassignment for Regular Exempt <del>Staff</del> Employees   | X            |          | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |   |
| <a href="#">VII-9.60</a>  | Policy on Salary Upon Reinstatement  |              |          |              |                            |                         |                              |                                  |  | X                          |                    |                 |                 | Incorporate into 9.20   |
| <a href="#">VII-9.61</a>  | Policy on <del>Reemployment and Reinstatement for Regular Status Exempt and Nonexempt Staff Employees</del>  |              | X        | X            |                            | X                       |                              |                                  |  | X                          |                    |                 |                 | Merged with VII - 1.31; added Reinstatement language from policies and procedures for Classified Employees                                |
| <a href="#">VII-9.70</a>  | Policy on Requesting a <del>Position Job-Classification Review for Nonexempt Staff Positions</del>   | X            | X        | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |   |
| <a href="#">VII-9.80</a>  | Policy on Impact of Changes in the Minimum Qualifications of <del>Nonexempt Job Class Specifications</del>   |              |          | X            |                            |                         | X                            |                                  |  |                            |                    |                 |                 |   |
| <a href="#">VII-10.00</a> | Policy on Board of Regents Review of Certain Contracts and <del>Employment Agreements for Highly-Compensated Personnel</del>   |              | X        | X            |                            |                         |                              |                                  |  |                            |                    |                 |                 |   |