

WEST VIRGINIA UNIVERSITY INNOVATION CORPORATION

EMPLOYEE HANDBOOK

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INTRODUCTION

WVUIC Mission Statement

Solve emerging government and industry challenges by delivering innovative, applied research and technical solutions through an agile, non-traditional approach.

WVUIC Vision

To be recognized as the premier applied research partner producing:

- Outcome focused
- Results driven
- Customer-focused
- Measureable value
- With unsurpassed integrity and highest quality and value.

WVUIC Purpose

Serve as an economic engine driving the long-term growth of WV and success of WVU by leveraging university research capabilities and building strong, serviced-based relationships with industry and government.

WVUIC Core Values

- Entrepreneurial culture
- Customer needs focused
- Act collaboratively
- Recognize/share success

This Handbook is intended to provide helpful information to WVUIC employees. Please note that the contents of this Handbook do not create an express or implied contract or employment, nor should its contents be construed to constitute contractual obligations of any kind or a contract of employment between WVUIC and any employee. The provisions of this Handbook have been developed at the discretion of management and may be amended or cancelled at any time at the sole discretion of WVUIC. From time to

time or assignment to assignment, these requirements may change dependent upon the terms of the contract under which you have been hired.

Any questions that are not answered by this Handbook may be posed to your supervisor.

EQUAL OPPORTUNITY & AFFIRMATIVE ACTION

WVUIC is committed to fairness, equity, and inclusion. Our workplace and our mission to do world-class research is enhanced by a diverse workforce. Fair treatment and opportunity for all employees in an environment free from harassment is the only way to do business. As Executive Director of WVUIC, I reaffirm its commitment to Equal Employment Opportunity and Affirmative Action.

It is WVUIC's policy to:

- Provide equal employment opportunities to all applicants and make employment decisions that further the principles of affirmative action and equal employment opportunity.
- Recruit, hire, train, promote, retain, and compensate all employees without regard to age, disability status, ethnicity, gender identity, national origin, race, religion, sex, sexual orientation, or veteran status unless otherwise prohibited by law.
- Make reasonable accommodations for qualified employees with disabilities.
- Advise employees of their rights to refer violation of these policies to their supervisor, appropriate departments, any senior manager, or directly to the Executive Director.
- Ensure that no person engages in retaliatory behavior, or discriminates against any individual who has filed a complaint or assists in an investigation, compliance review, hearing or other activity related to the administration of these policies.

For more information, please see the [Employment Policy](#), which is incorporated into this Handbook by reference. Overall, responsibility for directing and implementing these policies has been assigned to the Executive Director or his designee. Your feedback and contributions are always welcome.

ABOUT YOUR JOB

Selection

WVUIC aims to select the best qualified candidate for an available position, with consideration given to candidates in the following order of priority: (1) present employees within the department, with preference to those within the immediate work group; (2) present employees within WVUIC as a whole; and (3) outside candidates.

The determination of the best qualified candidate for available positions will be based upon education, experience, and other job-related criteria. Such factors will be evaluated and measured against the demonstrable requirements of the available vacancy, as well as WVUIC's **Affirmative Action objectives**.

WVUIC is committed to a policy of Equal Opportunity in all aspects of employment without regard to age, disability status, ethnicity, gender identity, national origin, race, religion, sex, sexual orientation, or veteran status unless otherwise prohibited by law. Please refer to the Equal Opportunity section and the [Employment Policy](#) for additional information.

Employee Type

FULL-TIME employees are employees who are not in a temporary position AND who are regularly scheduled to work 30 hours or more per week. Full-time employees are paid on a salaried basis. Full-time employees are eligible for all WVUIC benefit programs, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are employees who are not in a temporary position AND who are regularly scheduled to work less than 30 hours per week. Part-time employees are paid on an hourly basis. Part-time employees in positions with intermittent, need-based work schedules are considered to be on leave of absence when not working, therefore, are ineligible for holiday pay if they do not work the day prior and the day after a holiday. While part-time employees receive all legally mandated benefits (such as Social Security and workers' compensation insurance), and prorated holiday pay, they are ineligible for all other optional WVUIC insurance and benefit plans.

Age

All persons employed shall be at least 18 years of age.

Employment of Relatives and Personal Relationships in the Workplace

By definition, a relative is considered any person who is related to, who resides with, or has an intimate relationship with a WVUIC employee. Generally, relatives include those who are related by blood, law, or marriage as a spouse, parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, or first cousin.

An employee may not initiate or participate in an institutional or institutional affiliate, employment decision involving a direct benefit to a relative, nor may they accept a direct benefit from a relative at the institution or institutional affiliate. Such employment decisions include, but are not limited to, hiring, retention, transfer, promotion, appointment to an interim or acting position, salary, performance reviews, disciplinary action, assignment of resources, and leave requests.

A supervisory employee, prior to any offer of employment to an internal or external applicant, must complete and provide a signed statement to the Division of Talent & Culture, Talent Strategy Unit, certifying that he/she is not hiring a relative.

Deans/directors and their business officers are responsible for monitoring changes in reporting lines of authority to ensure compliance by the colleges and departments with this procedure. When there is a change in circumstances during the course of employment that may create a conflict with this procedure, the potential conflict of interest should be reported immediately to the Dean/Director and Employee Relations/HR Partner for the creation and coordination of a management plan.

Any employee with knowledge of a potential conflict related to the employment of relatives should report the situation to their Department/College Leader and/or Employee Relations/HR Partner for further review and resolution.

Benefits

WVUIC offers a 401k retirement plan to benefits eligible employees and matches up to the first 6% of employee contributions.

Other fringe benefits available to Benefits Eligible employees are described in the [Appendix](#) on page 21.

Benefits Eligible employees are defined as full time employees who are not in a temporary position AND who are regularly scheduled to work 30 hours or more per week. Full-time employees receiving benefits are subject to the terms, conditions, and limitations of each benefit program.

Part-time employees receive all legally mandated benefits (such as Social Security and **workers' compensation** insurance) and prorated holiday pay. Part-time employees are ineligible for all other optional WVUIC insurance and card benefit plans.

Dependents of benefits eligible employees are defined as:

- **The employee's legal spouse;**
- **The employee's biological or adopted children under age 19;**
- Children under age 26 who are members of your household and fully dependent upon you for support and maintenance and;
- Biological or adopted children over age 19 who are incapacitated and cannot support themselves due to a physical or mental disability which began before age 26

Physical Examinations

From time to time, WVUIC may require employees to undergo physical examinations if operational necessity requires.

Driving and Use of Vehicles

No employee shall operate a vehicle for WVUIC without a valid driver's license. If the employee is operating their own vehicle while in the course of their job, it is the **employee's responsibility to ensure that the vehicle is properly registered, insured, and has a valid inspection.** No employee may use a vehicle for WVUIC business that is not properly registered, insured, and inspected.

Absences

Employees must keep their supervisors informed when an emergency necessitates an absence or tardiness that has not been previously approved. Unauthorized absences in excess of three (3) days may be considered an interruption of employment and may be considered voluntarily resignation by the employee.

Employee Records

At the time of your employment, you supplied the confidential information necessary to maintain your payroll, tax, and personal records. To ensure the maintenance of accurate and current information, please notify your supervisor and the Executive Director or his designee of any changes in your home address, telephone number, marital status, number of dependents, education or training, emergency contact person, or other relevant personal information. For more information, see the [Employment Policy](#).

Classification

Your job classification is determined by the level of job complexity, performance, and overall contribution to WVUIC. Additional information can be found [in policy].

Your functional job title as used within your department describes your duties and organizational status within your department. Functional titles may vary from one department to another.

Performance Appraisal

Productive and constructive communication between supervisor and employee should be a daily occurrence. However, formal performance appraisals will occur annually to

create an open forum in which supervisor and employee can discuss areas of strength and capacity for improvement, as well as current work and workload, environmental safety and health performance, achievement expectations and individual developmental goals for the future. Performance appraisals are also designed to assist supervisors in making personnel decisions affecting salary, promotion, discipline and reassignments. Performance appraisals will be objective assessments of job performance only and will be written without regard to race, color, religion, national origin, sex, age, sexual orientation, disability or veteran status.

Promotions

Promotions may result from a change in job duties or be based **on an employee's** ability to perform increasingly complex work. Promotions may be made at any time that substantial changes occur and will be approved by the Executive Director or his designee.

Transfers

You may be transferred from one position to another either at your own request, at your **department's request**, or as operational necessity requires. Employees will be given at least ten (10) business **days' notice prior to a transfer.**

Termination

Employment may be terminated as a result of the end of an employment agreement; upon voluntary resignation by the employee; because of a reduction in force or layoff; for unsatisfactory job performance or attendance, or for such other reasons as WVUIC deems appropriate; or as the result of retirement.

Upon termination of employment, employees will be paid at the following pay period for unused PTO that the employee has accrued.

WVUIC requests that an employee's **resignation notice be provided two weeks' prior** to the final day the employee will physically be at work.

Pursuant to the Consolidated Omnibus Budget Reconciliation Act (COBRA), upon termination of employment benefits eligible employees and their dependents may continue enrollment in WVUIC group health insurance for up to 18 months after the employee's last day of work. In the event of death, divorce, legal separation or loss of child dependent status, qualified beneficiaries may be entitled to 36 months of continued coverage. Under COBRA insurance, the terminated employee or beneficiary must cover **both the employer's and employee's premium.**

Foreign Nationals

The employment of foreign nationals is contingent upon their possession of a visa that is valid for work in the United States. Foreign nationals are responsible for maintaining proper visa status while employed at WVUIC.

Care of Equipment

You are expected to demonstrate proper care when using the company's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

HOURS OF WORK

The workweek begins Sunday at 12:00AM and ends Saturday 11:59PM. The normal workweek consists of Monday through Friday with an unpaid one hour lunch period. Work schedules normally provide for at least two consecutive days off, although these days may not both fall within the same workweek. The normal workday commences at 8:00AM and ends at 5:00PM

It is recognized that deviations from the normal hours of work are necessary in some areas of operations, but it is the policy of WVUIC to hold such deviations to a minimum consistent with efficient, safe, and economical operation.

All WVUIC employees are paid semimonthly. If a regularly scheduled payday falls on a weekend or holiday, employees will be paid on the last work day before the regularly scheduled payday. Each payroll includes earnings for all work performed through the end of the previous payroll period. WVUIC requires all employees to enroll in direct deposit. Itemized statements will be available online to employees.

Please see the [Payroll Policy](#), which is incorporated into this Handbook by reference, for more information.

Time Records

All WVUIC employees must record their time according to the procedure identified in the [Time Keeping Policy](#), which is incorporated into this Handbook by reference. Time keeping **is a crucial element of employees' work at WVUIC**, as it ensures that WVUIC meets its obligations under federal law related to the preparation of invoices for government-funded contracts.

Overtime

There may be times when you will need to work overtime so that we may meet the needs of our clients. Although you will be given advance notice when feasible, this is not always possible. If you are a non-exempt employee, you must have all overtime approved in advance by your supervisor.

Non-exempt employees will be paid at a rate of time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek, unless state law provides a greater benefit in which case, we will comply with the state law.

Only actual hours worked count toward computing weekly overtime.

If you have any questions concerning overtime pay, check with human resources.

AUTHORIZED ABSENCES WITH PAY

Policy

WVUIC provides Paid Time Off (PTO) to eligible employees. PTO is an all-purpose time-off policy. You can use PTO for leisure activities, illness or injury, and personal business. PTO combines traditional vacation and sick leave plans into one flexible, paid time-off program. Regular full-time employees are eligible to earn and use PTO as described in this policy.

After you are hired into a full-time regular position with the WVUIC, you begin to earn PTO the first of the month following your month of hire. PTO accruals are credited to your account at the end of each eligible pay cycle. Eligible employees earn PTO on a prorated basis. PTO accruals may not be used until after they are earned and authorized. The amount of PTO you receive each year depends on how long, and in what government reporting category you are employed. Most eligible employees accrue PTO at a rate of 1.5 days (12 hours) per month. A maximum of 18 days (144 hours) of PTO may be accrued in a twelve-month period.

PTO is to be charged for all absences from work according to your employment type. Exempt employees are required to report time away from the workplace if absent a half day or more of the scheduled workday. PTO will be deducted for any time that non-exempt employees are absent from the workplace. Employees are paid for PTO at their base pay rate as of the time of the absence. WVUIC will not include PTO hours for purposes of calculating overtime pay for non-exempt employees. If an employee does not have PTO hours available to cover an absence, they will be removed from the payroll for an equivalent time period.

If you need to be absent from work unexpectedly, you should tell your supervisor before the scheduled start of your workday. You must also contact your supervisor prior to each additional day of unexpected absence.

To schedule planned PTO, you are to first request advance approval from your supervisor. Each request will be reviewed based on a number of factors, including business needs and staffing requirements. If a request for planned PTO is not approved, the employee is expected to report to work as scheduled. PTO hours are to be logged into the Paychex Time and Attendance system as such.

Eligible employees are to submit PTO and leave without pay situations to the WVUIC Executive Director or his designee within seven days following the pay period in which absence occurs. Failure to report time off work is considered fraud.

Employees may carry over a maximum amount of PTO equivalent to fifty-six hours at the end of the calendar year (December 31). PTO accrued but unused, in excess of fifty-six hours at the end of the calendar year, is forfeited.

If your employment terminates, you will be paid for any unused PTO that has been accumulated through the last day of work.

Holidays

WVUIC follows **West Virginia University's holiday calendar**, which can be found at: <https://talentandculture.wvu.edu/benefits-and-compensation/holiday-schedule>.

Funeral Leave

When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued PTO as required by the employee to arrange for and attend the funeral and related services, including travel time. Immediate family is defined as: parents, siblings or children by blood or law; spouse; grandparents and grandchildren; or others considered to be part of the household living under the same roof. **“Reasonable” amount of time is determined at the discretion of the supervisor based upon geographic distance, workload, and similar factors.**

Jury Duty or Witness Leave

Employees are eligible for jury duty or witness leave with pay for such duty and for such periods of absence when the employee is subpoenaed or otherwise directed by a proper legal authority to appear as a witness or serve as a juror in any Federal, State, or local court. Employee wages are not offset by juror reimbursements received for court services. Jury duty or witness leave is work release time, and will be appropriately

reported on an **employee's time record**. A copy of the subpoena or court validation should be provided for records.

The employee shall initially report to work if scheduled to work prior to the court or hearing start time. The employee shall report to work if excused by the Court before the end of his/her scheduled workday. Reasonable travel time to and from court and the work site will be considered work release time.

When attendance in court is in connection with the employee's official WVUIC duties, it is considered actual hours worked.

Employees who are called to testify as expert or consulting witnesses and who are paid for their witness services, or, employees involved as parties to a personal lawsuit will not receive work release time for their time away from the work site. PTO is to be charged for absence under such circumstances.

Doctor/Dentist Visits

PTO may be used for medical and dental appointments. An employee should submit a request for PTO for medical or dental appointments at least one week in advance of the appointment if possible. PTO for these purposes will be granted. Supervisors may authorize these absences, with regard to the workload, an excused absence during working hours.

Parental Leave

West Virginia University Innovation Corporation follows West Virginia Universities' Parental Leave Policy. The policy is as follows:

West Virginia University Innovation Corporation adheres to the requirements of the West Virginia state Parental Leave Act. Parental Leave provides qualified employees up to 12 weeks of unpaid family leave during a twelve-month period following exhaustion of all their annual leave.

Parental Leave may be used for the following reasons: Birth or adoption of a son or daughter, placement of a son or daughter for adoption, to provide care of a son, daughter, spouse, parent or dependent (any person who is living with or dependent upon the income of an employee, whether related by blood or not) who has a serious health condition.

Parental Leave may be taken intermittently only when medically necessary. It may be taken on a part-time basis but may not exceed 12 consecutive months. This leave must be scheduled so as not to unduly disrupt the operation of the employer. Employees that meet the eligibility requirements of Parental leave are entitled to return to their original position as long as they return at the end of their leave.

In order to meet eligibility requirements for Parental Leave, employees must have been hired for permanent employment and worked at least 12 consecutive weeks. In addition, employees must submit a Request for Parental Leave to their supervisor for approval at least two weeks in advance of the leave. The employee must provide documentation of the birth, adoption or serious health condition to the Medical Management Unit.

Eligible employees taking Parental Leave may continue their group health insurance provided they pay the full employee and employer premium costs of such health insurance.

Inclement Weather or Emergency Closure

For employees affected in the regional area, if West Virginia University is closed due to inclement weather or an emergency, the WVUIC will be closed as well. If West Virginia University is not closed, the Executive Director has the authority to close WVUIC due to inclement weather or other emergencies. Official start and end times for the closures will **be determined by either West Virginia University's schedule or the Executive Director of**

WVUIC. Employees should check West Virginia University's official site for notification of closure.

Employees are expected to work remotely during inclement weather or emergency closures, if possible. If employees are unable to work remotely, they must contact their supervisor. Work time lost during inclement weather should be made up during the same pay period. **If that isn't possible, employees that normally charge time directly to projects should contact their supervisor to inquire about how to charge the lost hours.**

Employees may be required to work during an inclement weather/emergency closure by the Executive Director. All employees required to work on-site during an inclement weather/emergency closure will be compensated with STO on an hour-for-hour worked basis, in addition to regular pay. Absent the written agreement with the non-exempt employee, compensation must be in pay. Inclement weather/emergency closure compensation is separate from overtime compensation.

AUTHORIZED ABSENCES WITHOUT PAY

Family Medical Leave of Absence

WVUIC provides up to 12 weeks of unpaid family medical leave of absence within a 12 month period to eligible employees who need time off from work duties to address a personal serious health condition, or to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child. Family leave may also be requested to care for a child, spouse, or parent with a serious health condition. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility. It also includes continuing treatment by a health care provider. Eligible employees must have been employed for at least 12 months and have provided at least 1,250 hours of service to WVUIC to qualify for a family medical leave request.

Military Leave of Absence

WVUIC will grant a military leave of absence to employees who are absent from work because they are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You are required to give your supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

The military leave will be unpaid. However, you may use any available accrued paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which you are otherwise eligible. Benefit accruals, such as PTO or holiday benefits, will be suspended during a military leave and will resume when you return to active employment.

Employees who are on military leave for up to 30 days must return to work on the first regularly scheduled work period after service ends (allowing for reasonable travel time). Employees who are on military leave beyond 30 days must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees who return from military leave (depending on the length of military service in accordance with USERRA) will be placed either in the position they would have attained if they had remained continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, such employees will be treated as if they had been continuously employed. Employees with questions about military leave should contact the Executive Director of the WVUIC or his designee for more information.

Personal Leave of Absence

WVUIC will consider a request from an eligible employee to take an unpaid personal leave of absence to fulfill personal obligations. All WVUIC employees are eligible to request a personal leave of not more than 10 calendar days within a twelve month period.

In order to give your personal leave request adequate consideration, requests should be submitted in writing to your supervisor as far in advance as possible. Each request will be given individual consideration in consultation with the WVUIC Executive Director. The decision to approve a personal leave will be based on a number of business factors such as anticipated workload needs and staffing considerations during the proposed absence.

Benefit accruals such as PTO or holiday benefits, will be suspended during a personal leave and will resume when you return to active employment.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will continue during the leave of absence. The employee will remain responsible for their share of the premium costs.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position if it is available. However, WVUIC cannot guarantee reinstatement in all cases.

If an employee does not report to work promptly at the end of a personal leave, it will be accepted as a resignation.

Medical Leave of Absence

WVUIC provides unpaid medical leaves of absence to eligible employees who become temporarily unable to work due to a serious health condition or disability. In order to receive medical leave, you must specifically request it. If you think you will need a medical leave, submit your request in writing to the Executive Director or his designee at least 30 days in advance of the date the leave would start. This will help us plan for your possible absence, including processing of proper paperwork and coordination with the employing unit. If it is an unexpected situation, the employee should make the request as soon as the circumstances are known.

A health care provider's statement will be required to verify the need for medical leave and the start and expected end dates. Such documentation must be received within 5 business days of the initial date of absence and for each extension period. If such documentation is not received, return to work with possible performance management up to and including termination could occur. An employee is responsible for telling his or her supervisor about any subsequent changes to that information. Before an employee can return to work, WVUIC will require verification from a health care provider stating that the employee is fit to return.

Medical leaves are normally for the period of the restriction. Before beginning an unpaid medical leave, the employee must first use any available accrued PTO. Benefit accruals, such as PTO or holiday benefits, will be suspended during a medical leave and will resume when the employee returns to active employment.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will continue during the medical leave. The employee will remain responsible for their share of the premium costs.

If the employee incurs a work-related injury, he or she is eligible for a medical leave for **the period of disability in accordance with the laws covering worker's compensation absences.**

To help WVUIC plan for the **employee's return from leave, WVUIC requests at least two weeks' notice before the employee's expected return date. When the employee** returns from medical leave, every reasonable effort will be made to return the employee to the same position if it is available. However, WVUIC cannot guarantee reinstatement in all cases.

If an employee does not report to work promptly at the end of a medical leave, it will be accepted as a resignation.

YOUR HEALTH AND SAFETY

The success of any safety program depends on the alertness and personal commitment of everyone. WVUIC is committed to supporting a safe and healthy work environment.

WVUIC employees are required to comply with the safety requirements, including but not limited to procedures, equipment, and clothing as conveyed by their supervisor for the workplace. In addition, all requisite workplace training requirements must be met, and techniques and instructions for the workplace implemented by WVUIC employees. In addition, you may receive information and guidance through supervisor-employee meetings, bulletin board postings, memos, or other written communications.

You are expected to obey all safety rules and use caution in your work activities. You must immediately report any unsafe condition to the appropriate supervisor. If you violate safety standards, cause a hazardous or dangerous situation, or fail to report, or, where appropriate, remedy such situations, you may be subject to disciplinary action, up to and including termination of employment.

In the case of an accident that results in an injury, regardless of how insignificant the injury may appear, you should immediately notify your supervisor and the WVUIC Executive Director or his designee. Prompt reporting can ensure legal compliance and quick **initiation of insurance and worker's** compensation benefits procedures.

Alcohol and Substance Abuse Policy

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited at WVUIC. Employees found to have engaged in these activities will be subject to discipline, up to and including termination. Reporting for work under the use of a controlled substance is prohibited. Drug and alcohol abuse in the workplace endangers you, your fellow employees, and WVUIC's **ability to maintain and receive** grants from federal agencies. It is the policy of WVUIC to maintain a drug-free work place. In that vein, WVUIC understands that alcoholism and drug addiction are diseases that require treatment. In an effort to foster the health and well-being of employees, WVUIC can facilitate assistance for employees who need treatment for these illnesses through the West Virginia University Faculty and Staff Assistance Program: <http://www.hsc.wvu.edu/fsap/>. For WVUIC's **complete Drug-Free Workplace Policy**, which is incorporated into this handbook by reference, please see: [Drug-Free Workplace Policy](#).

EMPLOYEE CONDUCT

Threatening or Violent Behavior

WVUIC expects employees to conduct themselves in ways that protect the interests and safety of all employees and WVUIC. Further, WVUIC employees work within closely with employees of West Virginia University and are often considered members of the University community. Therefore, WVUIC employees are also obligated to comply with the work related performance, conduct and policy expectations of the university, and those conveyed by their employing supervisors.

While it is impossible to identify every behavior that could result in corrective action, the following lists some examples. Employees who act in such ways may be subject to discipline, up to and including termination of employment:

- * Violation of personnel policies
- * Violation of safety or health rules
- * Unsatisfactory performance or conduct
- * Unauthorized use of employer or work-related resources
- * Theft or inappropriate removal or possession of property
- * Falsification, unauthorized disclosure, or misuse of work-related records or confidential information
- * Disruptive, harassing, or threatening behavior in the workplace or while on duty
- * Working under the influence of alcohol or illegal drugs
- * Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer or affiliate owned vehicles or equipment
- * Possession, distribution, sale, transfer or use of dangerous or unauthorized materials, such as explosives or firearms, in the workplace or while on duty
- * Negligence or improper conduct leading to damage of employer-owned or customer-owned property

Employees are prohibited from engaging in threatening or violent behavior in the work place.

Such behavior may include, but is not limited to, physical assault, verbal abuse, obscene or threatening telephone calls, and forms of harassment such as following, shouting at or otherwise attempting to intimidate others. Employees engaging in this type of behavior will be subject to discipline up to and including termination.

SEXUAL AND OTHER UNLAWFUL HARASSMENT

WVUIC is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's race, color, religion, sex, marital status, familial status, gender identity,

sexual orientation, national origin, age, mental or physical disability, veteran status, or genetic information, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- * Unwanted sexual advances
- * Offering employment benefits in exchange for sexual favors
- * Making or threatening reprisals after a negative response to sexual advances
- * Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- * Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes
- * Verbal sexual advances or propositions
- * **Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations**
- * Physical conduct that includes touching, assaulting, or impeding or blocking movements

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

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact WVUIC Executive Director or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any WVUIC or affiliate supervisor or manager who becomes aware of possible sexual or other unlawful harassment involving WVUIC employees must immediately advise the WVUIC Executive Director's office or any member of management so it can be investigated in a timely and confidential manner. Any employee engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Should an abuse of a minor be reported, West Virginia University Innovation Corporation employees would be subject to the adherence of policies and procedures **created by West Virginia University's BOG Rule 1.6 and BOG Rule 1.7**. All allegations should be immediately reported to the appropriate authorities for immediate investigation. **Please note that these are West Virginia University policy's and UIC employees are subject to compliance of these policies.**

DISCIPLINE

This section describes the policy for administering discipline for unsatisfactory performance, conduct, or policy compliance at WVUIC. We believe that the best disciplinary measure is the one that does not have to be enforced and comes from good leadership and proper supervision at all employment levels.

We also believe that it is in the best interests of WVUIC to ensure consistent treatment of similarly situated employees and assure that disciplinary actions are prompt, uniform, and impartial. The primary purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory performance in the future.

Although your employment is based on mutual consent, and both you and WVUIC have the right to terminate employment at will, with or without cause or advance notice, WVUIC may use various disciplinary measures at its discretion. Disciplinary action may include any of the following actions— verbal warning, written warning, suspension with or without pay, or termination of employment— depending on the severity of the problem and the number of occurrences.

With respect to most disciplinary situations, progressive discipline will be used, and includes the following steps: a first offense results in a verbal warning; a subsequent offense results in a written warning; an additional offense may result in termination of employment.

WVUIC recognizes that there are employee behaviors and impacts that are serious enough to justify suspension or termination of employment, without the typical progressive discipline steps. While it is impossible to list every situation that may be considered a serious offense, the Employee Conduct and Work Rules policy includes examples that may result in immediate suspension, termination of employment or other disciplinary action.

Disciplinary documentation will be written by WVUIC Executive Director or his designee, following investigation which will include opportunity for input by the employee and supervisor. The documentation will be provided for signature by the employee and **supervisor, and maintained in the employee's personnel file where it will be retained as part of the person's employment history.**

We hope that most employee problems can be corrected at an early stage, benefiting both employees and WVUIC.

Appropriate Use of Computing and Networking Facilities

All inappropriate and illegal use of WVUIC's **computing and networking facilities** must cease immediately. Employees found violating these guidelines will be subject to disciplinary actions.

Please note that there is no guarantee of individual privacy on WVUIC computer systems. Contents of files and e-mails may be subject to review.

The guidelines for acceptable use beyond official WVUIC-related business are as follows:

- Use of the Internet to obtain information or conduct research, such as reading newspaper and magazine articles, checking airline prices and schedules, and purchasing tickets.
- Use of e-mail for non-official communications.
- For educational purposes if the course work is for an approved degree program
- Use of information technology to check credit union or retirement plan accounts
- Retention of personal data in electronic files.
- Occasional personal use of laptop computers.
- Incidental use of the Internet for browsing sales catalogs, comparing prices of automobiles, or obtaining road maps.

Examples of Unacceptable Use

- Computer usage that reasonably offends other employees, users or outsiders, or results in public embarrassment to WVUIC.
- Computer usage that is not specifically approved and which consumes significant amounts of computer resources not commensurate with its benefit to WVUIC's mission or which interferes with **the performance of an employee's assigned job responsibilities**.
- Leaving the means of authentication in a location where it can be readily obtained by another **individual, for example, writing one's password on a note affixed to one's monitor or keyboard.**
- **Stepping away from one's computer without securing it by, for example, locking it with a screen saver or logging out.**
- Sharing a personal password or other means of authentication with another individual.
- Providing another person access to WVUIC technology and data resources under your authentication.
- Failing to keep media containing confidential or limited access data resources secure. Such media might include portable devices, CDs, DVDs, or paper.

- Failing to destroy media containing confidential or limited access data resources when it is no longer needed. For example, printouts of such data should be shredded and data on magnetic media should be thoroughly erased.
- **Using another person's credentials to gain access to WVUIC technology or data resources.**
- Using WVUIC technology and data resources to gain unauthorized access to resources of other institutions, organizations, or individuals. This includes the unauthorized downloading of copyrighted materials.
- Accessing confidential or limited access data resources for reasons unrelated to **one's job.**
- Using false or misleading information to acquire access to WVUIC technology or data resources.
- Bypassing, subverting, or otherwise rendering ineffective the security or access control measures for any WVUIC technology or data resource.
- Intentionally, recklessly, or negligently damaging any technology or data resource by any means, for example, introducing malicious software into a computer system.
- Altering, moving, or removing software, system logs, configuration files, or other files needed for the proper operation of a computer system without prior authorization.
- Using any technology or data resource in a manner that adversely affects the work of others.
- Using WVUIC **technology or data resources for one's own commercial gain, or for other commercial purposes not expressly approved by WVUIC.**
- Using WVUIC technology or data resources to operate or support a personal or other non-WVUIC-related business.
- Use of WVUIC resources in a manner inconsistent with WVUIC's **contractual** obligations to suppliers of those resources or with any published WVUIC policy.
- Accessing pornography.
- Gambling.
- Violation of license, copyright, or other computer-related contract provisions, particularly those that expose WVUIC, as well as the individual, to significant legal costs or damages.

Allowable and Unallowable Costs

Proper use of grant funds is required by law. Direct and indirect costs should be monitored in accordance with the Cost Differentiation Policy, which is incorporated into this Handbook by reference, and available here: [Policy on Unallowable Costs](#).

Business Ethics/Conduct

We expect WVUIC employees to be professional, honest and ethical in their conduct. It affects our reputation and success. The WVUIC requires employees to carefully follow

all laws and regulations and have the highest standards of conduct and personal integrity. Our continued success depends on our customers' trust. Employees owe a duty to the WVUIC, our customers, and stakeholders to act in ways that will earn the continued trust and confidence of the public.

As an organization, the WVUIC will comply with all applicable laws and regulations. We expect all officials, agents, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to not do anything that is illegal, dishonest, or unethical.

Employees are required to notify the WVUIC Human Resources Office in writing of his or her conviction for any violation of a criminal statute not later than five (5) calendar days after such conviction.

If you use good judgment and follow high ethical principles, you will make the right decisions. However, if you are not sure if an action is ethical or proper, you should discuss the matter openly with your supervisor. If necessary, you may also contact the WVUIC Human Resources Office for advice and consultation.

It is the responsibility of every WVUIC employee to comply with our policy of business ethics and conduct.

Conflicts of Interest

As an employee of the WVUIC, you have the obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. In this Policy, the WVUIC is establishing the framework within which we wish to operate. These guidelines are intended to provide a general direction so that you can get further clarification on areas that affect you:

Existence of a Conflict of Interest

- A Conflict of Interest occurs when there is a divergence between a WVUIC **Employee's private, personal relationships or interests and their professional obligations to WVU or WVUIC** such that a reasonable observer might question **whether the individual's professional actions or decisions are determined by or substantially altered by considerations of personal benefit, gain, or advantage.**
- Whether a Conflict of Interest or the appearance of a Conflict of Interest exists depends on the situation, not on the character or actions of the individual. The determination of the existence of a Conflict of Interest or the appearance of a Conflict of Interest is done objectively on a case-by-case basis. Because the appearance of a Conflict of Interest can be as damaging or detrimental as an actual Conflict of Interest, apparent Conflicts of Interest are treated the same as

actual Conflicts of Interest. As a result, any appearance of a Conflict of Interest must also be disclosed and reviewed

Conflicts of Interest in Research.

A Conflict of Interest in Research may exist where a Significant Financial Interest for Research could directly affect or reasonably appear to affect the design, conduct, or reporting of research or other activity sponsored by an outside entity.

- Disclosure Requirements. All Investigators of any WVUIC or WVU research project must disclose any Significant Financial Interests for Research (as defined below) to the Conflict of Interest Office or its successor in accordance with the relevant rolling deadlines set by the Conflict of Interest Office. All Investigators must submit a Conflict of Interest in Research Disclosure at least annually.
 - All Investigators must submit a Conflict of Interest in Research Disclosure regardless of whether or not he or she has a Significant Financial Interest for Research to report.
 - All Investigators must submit and certify the disclosure as accurate and complete.
 - All Investigators must update their disclosure within thirty (30) days of the development of a new Significant Financial Interest for Research.
 - If an Investigator has not previously submitted an annual Conflict of Interest in Research Disclosure, the Investigator must submit a Conflict of Interest in Research Disclosure prior to submitting a research proposal seeking external funds or otherwise participating in any research activity regardless of the source of funding.
- Significant Financial Interest for Research. **“Significant Financial Interest for Research” means a financial interest consisting of one or more of the following interests of an Investigator or Family Member of the Investigator that reasonably appears related to the Investigator’s operational responsibilities:**
 - With regard to any publicly traded entity, the value of any remuneration received from the entity in the 12 months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, that when aggregated exceeds Five Thousand Dollars (\$5,000.00).
 - With regard to any non-publicly traded entity, the value of any remuneration received from the entity during the 12 months

preceding the disclosure, that when aggregated exceeds Five Thousand Dollars (\$5,000.00), or when the Investigator or Family Member holds any equity interest in the entity.

- Any intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
 - For an Investigator who applies for or receives funding through a Public Health Service grant, cooperative agreement, or contract, any reimbursed or sponsored travel (i.e., paid on behalf of the Investigator rather than being reimbursed) that reasonably appears related to their institutional responsibilities. Excluded is travel that is reimbursed or sponsored by a Federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, or a medical center or a research institute that is affiliated with an institution of higher education.
 - The term Significant Financial Interest for Research does not include the following types of financial interests: salary, royalties, or other remuneration paid by the WVUIC to the Investigator or family member if the Investigator is currently employed or otherwise appointed by the WVUIC; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency; or income from service on advisory committees or review panels for a Federal, state, or local government agency.
- Review of Conflict of Interest in Research.
 - Conflict of Interest in Research Disclosures submitted by Investigators shall be reviewed by the Conflict of Interest Office. This Office shall determine if an Investigator has a Conflict of Interest in Research or the appearance of a Conflict of Interest in Research. If a Conflict is identified, the Office may determine that the Conflict can be managed through an appropriate Management Plan. If the Office determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict.
 - **An Investigator's Conflict of Interest in Research Disclosure will be reviewed and managed by the Conflict of Interest Office.**
 - An Investigator may request a review by the Conflict of Interest Committee of the decision of the Conflict of Interest Office. **The Committee may then review the Investigator's Conflict of Interest Disclosure and make a final determination on whether a Conflict**

exists, whether such a Conflict can be managed, or whether the proposed Management Plan is appropriate. If the Committee determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict. The decision of the Committee is final.

Institutional Conflicts of Interest

- Disclosure Requirements. WVUIC Employees within the Office of Tech Transfer or employees with affiliation to Vantage Ventures must annually disclose Significant Financial Interests for Institutional Conflicts of Interest to the Conflict of Interest Office by July 31 each year.
 - Each WVUIC Employee within the Office of Tech Transfer and Vantage Ventures must submit an Institutional Conflict of Interest Disclosure regardless of whether or not the individual has a Significant Financial Interest for Institutional Conflicts of Interest to report.
 - Each WVUIC Employee within the Office of Tech Transfer and Vantage Ventures must sign and certify the annual disclosure as accurate and complete.
 - Each WVUIC Employee within the Office of Tech Transfer and Vantage Ventures must update their annual disclosure within thirty (30) days of the development of a new Significant Financial Interest.
 - Each WVUIC Employee within the Office of Tech Transfer and Vantage Ventures must complete an initial disclosure form within sixty (60) days upon commencing employment.
- Review of Disclosure Forms. Institutional Conflict of Interest Disclosures submitted by WVUIC Employees shall be reviewed annually, and on an ad hoc basis as necessary, by the Conflict of Interest Office to determine if an individual has an Institutional Conflict of Interest or the appearance of an Institutional Conflict of Interest. If a Conflict is identified, the reviewing body may determine that the Conflict can be managed through an appropriate Management Plan. If the reviewing body determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict.

Conflicts of Commitment

A full-time WVUIC Employee's primary commitment of time and intellectual effort must be to the research and service missions of the WVUIC.

- A full-time WVUIC Employee's attempts to balance their primary commitment to the WVUIC with external, non-University/WVUIC activities can result in a real or apparent conflict regarding commitment of time and effort. When external activities exceed reasonable time limits or become primary professional responsibilities, then a Conflict of Commitment exists.
 - Any WVUIC Employee who fails to abide by the requirements within this Policy shall be subject to appropriate disciplinary action, including warning, suspension, termination, or other disciplinary action as may be appropriate.
- Furthermore, although conduct may not violate this Policy, it may still be prohibited by WVUIC under a different rule, policy, or standard of behavior. Accordingly, in such cases, WVUIC reserves the right to take any necessary action.

Outside Consulting Arrangements

- **Applicability.** Full-time WVUIC Employees may engage in Consulting Arrangements outside of their employment responsibilities to the University on subjects that are within their area of professional expertise. The provisions of this Section do not apply to part-time Employees, who are not required to seek approval for Consulting Arrangements or other employment that they conduct outside of their part-time employment with the University.
- **Definition of Consulting Arrangements.** For the purposes of this Policy, **"Consulting Arrangement"** means any outside employment, arrangement, or contract where a full-time WVUIC Employee provides their expertise to a non-University or non-WVUIC third party as an independent contractor and in which the expertise is, directly or indirectly, **related to the Employee's employment or job duties with WVUIC.**
- However, for full-time employees during their appointment term, such outside Consulting Arrangements must, at minimum, meet the following requirements:
 - it must further develop the individual professionally or serve the **community, state, or nation in an area related to the individual's assignment or professional expertise;**
 - it must not constitute a Conflict of Commitment with the **individual's WVUIC responsibilities, nor interfere with the individual's research and service to the WVUIC; and**
 - it must not be in conflict with the mission and objectives of the WVUIC.
- Professional services provided by full-time WVUIC Employees that are **appropriately considered as part of the individual's institutional duties do not constitute outside Consulting Arrangements and thus are not subject to the provisions of this Section.**

- As an example, participation in a federal agency grant review committee, if considered part of your institutional duties, does not constitute an outside Consulting Arrangement.
- Part-Time Employment. All full-time WVUIC Employees during their yearly appointment term, are permitted to engage in part-time employment unrelated to their institutional duties outside of their normal WVUIC working hours, e.g. weeknights, weekends, holidays, so long as the Employee continues to dedicate their primary responsibilities to the WVUIC and the part-time employment does not create a Conflict of Interest or Commitment or the Appearance of a Conflict of Interest or Commitment that cannot be managed.
- Volunteering. All full-time WVUIC Employees, during their appointment term, are permitted to engage in volunteering outside of their normal University working hours, e.g. weeknights, weekends, holidays, so long as the Employee continues to dedicate their primary responsibilities to the University and the volunteering does not create a Conflict of Interest or Commitment or the Appearance of a Conflict of Interest or Commitment that cannot be managed.
- If the Employee is unsure whether such part-time employment or volunteering constitutes a Conflict, Employees are encouraged to raise this issue with their supervisor.
- Guidelines for Outside Consulting Arrangements. The following types of outside activities are prohibited for full-time WVUIC Employees:
 - An individual cannot, as part of an outside Consulting Arrangement, endorse a commercial product or service.
 - **If an individual's compensation is fully funded by a federal grant** requiring the individual to commit 100% of their reported effort to the grant, that individual cannot participate in outside Consulting Arrangements, unless the individual uses pre-approved paid time off (PTO) or the work is performed outside the **individual's normal** WVUIC working hours.
- WVUIC Employees engaging in outside Consulting Arrangements are not permitted to use the University or WVUIC name, logo, or marks. However, WVUIC Employees may use the University or WVUIC name to convey biographical information.
- An individual cannot use WVUIC or University resources to advertise or endorse their personal Consulting Arrangements.
- Approval of New Outside Consulting Arrangements.
 - Prior to agreeing to any outside Consulting Arrangement, an individual must submit a [Consulting Arrangement Approval Form](#) to their Director, Dean, or Vice President, as appropriate (collectively hereinafter referred to as "Department Leader").

- The individual must fully complete the required Form and provide other reasonable information to the Department leader upon request. At minimum, the Form must include a description of the Consulting Arrangement, entity with whom the arrangement resides, and the anticipated time commitment for the arrangement. The individual must certify that the information contained within the Form is complete and accurate.
 - Upon review, the Department Leader shall determine if the request is appropriate, does not constitute a Conflict of Commitment or create a Conflict of Interest, and abides by the guidelines provided within this Policy.
 - Should a Department Leader deny a request for an outside Consulting Arrangement, the individual may request that decision be reviewed or appealed to a designee of the Secretary of the WVUIC.
- Annual Disclosure of Outside Consulting Arrangements.
 - All WVUIC Employees who have engaged in outside Consulting Arrangements within the past fiscal year (i.e., July 1 to June 30) must submit a [Consulting Arrangement Annual Disclosure Form](#) to the individual's Department Leader by August 31 each year. The individual must sign and certify the Form as accurate and complete. This Form must, at minimum, summarize all Consulting Arrangements that the individual has participated in within the last calendar year providing for each arrangement individually, a brief description of the arrangement, the entity whom the arrangement is with, and the total time committed within the term of their yearly appointment.
 - a. Compliance with this Policy does not relieve any WVUIC Employee of their obligation to comply with all other professional disclosure requirements.

WVUIC-Affiliated Sponsored Agreements

- WVUIC-Affiliated Sponsored Consulting Arrangements may only be entered into with the approval and permission of a Department Leader. The agreements must be reduced to writing and signed by the appropriate Official.
- WVUIC Employees are permitted to commit their time to the third party under these arrangements. Providing services under these arrangements is considered **part of the Employee's employment responsibilities** to the WVUIC. However, the Employee should ensure that their time commitment is consistent with the terms of the written agreement.

Non-Disclosure

In the course of your work, you may receive or have access to intellectual property, trade secrets and practices. It is vital to the interests and success of the WVUIC and WVU that we protect our confidential business information, intellectual property, and trade secrets. Such confidential information includes, but is not limited to, the following examples:

- computer processes
- computer programs and codes
- customer lists
- customer preferences
- financial information
- marketing strategies
- new materials research
- program/process development
- proprietary production processes
- pending projects and proposals
- research and development strategies
- scientific data
- scientific formulae
- scientific prototypes
- technological data
- technological prototypes
- other information identified as confidential, proprietary, intellectual property, or a trade secret

You are required to sign a non-disclosure agreement as a condition of your employment. You are responsible for maintaining the confidentiality of information as outlined above, and the WVUIC strictly prohibits the release or disclosure of such without the prior express written permission of an authorized representative. Because we consider security breaches very serious, improper use or disclose of such without proper consent will result in disciplinary action, up to and including termination of employment. Further, the WVUIC reserves the right to take appropriate legal action to prevent and remedy unauthorized release and/or disclosure of protected information, including circumstances after your WVUIC employment ends.

Use of WVUIC's Name, Representing WVUIC

In written communications, use the full name at first mention. **WVUIC's official logo is an integrated graphic unit that contains elements with certain size and spatial relationships and includes West Virginia University's federal registered trademarks.**

Employees should use discretion and common sense when expressing their personal opinions in political or other situations in which they could be identified as representing WVUIC. Exercise particular care in communicating with public officials. Employees contacted directly by a member of the news media must refer the call to the Executive Director. Employees speaking for WVUIC may not endorse commercial products.

Immigration Reform and Control Act

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, our company is committed to employing only individuals who are authorized to work in the United States.

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

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the company.

Garnishment/Child Support

When an employee's wages are garnished by a court order, our company is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. Our company will, however, honor applicable federal and state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

Pregnancy Accommodation

The company, consistent with state law, will provide reasonable accommodations to female employees related to pregnancy, childbirth or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, the company shall explore with the employee the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- allowing more frequent breaks;

- assistance with manual labor;
- modifying job duties;
- modifying work hours/schedules;
- temporary transfer to a less strenuous or less hazardous position; or
- providing a leave of absence.

The company may require the employee to provide a certification in connection with a request for reasonable accommodation that includes the following:

- the date the reasonable accommodation became medically advisable;
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of the reasonable accommodation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with any leave where permitted by state and federal law.

For more information, or if you require an accommodation, please contact your supervisor.

APPENDIX Fringe Benefits

Type of Insurance Coverage	Coverage Provider	# of Plans offered:	Coverage Details	Amount of Coverage	Coverage Start Date	Coverage End Date	Portability	Coverage Tiers Available	Premium paid by:	Open Enrollment Month	Enrollment outside of Open Enrollment	# of Days from Qualifying Event to submit Documentation
Medical and Prescription Drug	Aetna	2	See Summary of Plan Benefits	See Summary of Plan Benefits	If an employee is hired on the first day of the month, coverage begins on that day.	Midnight on the last day of the month of the date of termination	After separation, paydex automatically generates COBRA insurance package for employee. After COBRA time period expiration, the employee cannot retain any group insurance, even if they offer to pay full premium.	<input type="checkbox"/> Employee Only <input type="checkbox"/> Employee + Spouse <input type="checkbox"/> Employee + Children <input type="checkbox"/> Family	Employee and employer share in the cost of the premium.	December 1st to January 1st		Within 30 days
Dental	The Guardian Life Insurance Company of America	1	See Summary of Plan Benefits	100% of annual salary up to \$110,000	If an employee is hired on the first day of the month, coverage begins on that day.	Midnight on the last day of the month of the date of termination	After separation, paydex automatically generates COBRA insurance package for employee. After COBRA time period expiration, the employee cannot retain any group insurance, even if they offer to pay full premium.	<input type="checkbox"/> Employee Only <input type="checkbox"/> Employee + Spouse <input type="checkbox"/> Employee + Children <input type="checkbox"/> Family	Employee and employer share in the cost of the premium.	January 15-February 15.	Only with Qualifying Event and required documentation. See Chart below.	Within 30 Days
Vision		1								60% of salary to maximum \$1,000/week		
Basic Life and Accidental Death & Dismemberment	The Guardian Life Insurance Company of America	1	See Summary of Plan Benefits	60% of salary to maximum \$1,000/week	If an employee is hired on the first day of the month, coverage begins on that day.	Midnight on the last day of the month of the date of termination	After separation, paydex automatically generates COBRA insurance package for employee. After COBRA time period expiration, the employee cannot retain any group insurance, even if they offer to pay full premium.	<input type="checkbox"/> Employee Only <input type="checkbox"/> Employee + Spouse <input type="checkbox"/> Employee + Children <input type="checkbox"/> Family	Employee pays 100% of the premium.	February 15-February 15.	Only with Qualifying Event and required documentation. See Chart below.	Within 30 Days
Short Term Disability		1								60% of salary to maximum \$5,000/month		
Long Term Disability		1										Within 30 Days

EMPLOYMENT POLICY

Approved by: Matt Harbaugh, Executive Director
Effective Date: January 4, 2016
Revised Date: N/A
Distribution of Copies: All Employees & Policy Manual

I. Equal Opportunity

WVUIC affirms its commitment to equal employment opportunity as demonstrated by its development of an Affirmative Action Plan. WVUIC does not condone or tolerate harassment of its employees with regard to race, religion, color, sex, age national origin, disability, status as a disabled, Vietnam Veteran or other eligible veteran, marital status, sexual orientation, or any other basis prohibited by federal, state, or local law. Any incident or situation that potentially involves discrimination should be brought to the immediate attention of the Executive Director or his designee.

II. Americans with Disabilities Act (ADA)

WVUIC complies with the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendments Act (ADAA) and applicable state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. The Company also provides reasonable accommodation for such individuals in accordance with these laws. It is the Company's policy to, without limitation:

- Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment.
- Keep all medical-related information confidential in accordance with the requirements of the ADA and retain such information in separate confidential files.
- Provide applicants and employees with disabilities with reasonable accommodation to perform the essential functions of their job positions, except where such an accommodation would create an undue hardship on WVUIC.
- Notify individuals with disabilities that WVUIC provides reasonable accommodation to qualified individuals with disabilities, by including this policy in the Company's employee handbook.

III. Personnel Records

WVUIC will maintain certain records on each employee, which are directly related to the employee's position within WVUIC.

Each employee has an official personnel file. Each personnel file will contain only such information as is required by WVUIC in conducting its business or by Federal, State or local law. This information will include:

- application and new hire paperwork

- payroll information
- performance assessments
- performance and or development plans

Employees may view their personnel files by making an appointment with the Executive Director or his designee. Files may be viewed in the presence of the Executive Director or his designee.

In order to guarantee the security of the personnel records, all files are kept in one area. The files are locked during non-working hours. Access to the files is on a need-to-know basis.

The Executive Director and his designee(s) considering an employee for promotion, transfer or other personnel action are authorized to inspect the personnel records.

In order to keep personnel, benefits, and payroll records up-to-date, employees are responsible for notifying the Executive Director or his designee of any changes to the following:

- Name
- Address
- Telephone Number
- Marital Status
- Number of dependents
- Beneficiary designations
- Emergency contacts

Personal information will only be released under court order or with written consent from the employee.

Benefits information will be kept in strict accordance with the Health Insurance Portability and Accountability Act (HIPAA).

IV. Employment At-Will

Employees may, at any time, tender their resignation. However, common practice and protocol generally suggests a two-week notice period for non-management positions and four weeks for **management positions**. **WVUIC may terminate an employee's employment with WVUIC for any reason with or without cause or notice at any time.**

The policies and practices contained in this handbook are in compliance with West Virginia law **and do not alter the "employment-at-will" relationship between employee and WVUIC, nor do they create an expressed or implied contract or promise concerning future employment.**

V. Reference Checks

Information related to employment is the property of WVUIC and is not to be disclosed outside of the company. It is the policy of WVUIC that all reference requests be in writing and forwarded to the Executive Director or his designee for processing. Only those designated by the Executive Director are permitted to respond to reference requests.

In response to written requests from sources outside of WVUIC, information related to dates of

employment and position held will be released. Salary information will be verified after written consent from the individual who is the subject of the inquiry is obtained. No data regarding performance or ability will be made available to outside sources except as required by law.

To assist employees with future career pursuits, managers are encouraged to complete and provide employees with thorough performance assessments during the annual assessment cycle and during other key periods of employment with WVUIC. Employees are free to share these assessments with potential future employers.

While job performance will not be shared outside of WVUIC, it is a critical component of the internal recruiting process and will be made available to internal hiring managers.

PAYROLL POLICY

Approved by: Matt Harbaugh, Executive Director
Effective Date: January 4, 2016
Revised Date: N/A
Distribution of Copies: All Employees & Policy Manual

I. Policy

Payroll is processed on a semi-monthly basis and paid to employees on the business day following the end of the previous timesheet period. All employees are paid via direct deposit.

The Senior Accountant inputs employee data in the Employee Center of QuickBooks and assigns Payroll Items to indicate their status (Salary or Hourly) as well as what pools they have access to charge (Direct, Overhead, G&A, Leave, etc.) The Senior Accountant assigns the appropriate wage to each Payroll Item for each employee.

Approved Paychex timesheets are imported into QuickBooks by the Accountant. The Accountant processes labor to record labor costs for the period. Once the labor has been processed in QuickBooks, the Accountant runs the Payroll Summary to use as documentation for payroll processing in Paychex Flex (Paychex).

Employees enter their hours into their Time Sheet in the Paychex Time and Attendance system. Once their time sheet is completed for the pay period, they approve their time sheet. Their supervisor or designee also approves **the employees' time sheets**. The Accountant runs the Paychex Payroll Register report to compare gross wages and total hours to ensure accuracy. The Senior Accountant compares the Payroll Summary report from QuickBooks and the Paychex Payroll Register report and approves the payroll for payment. Paychex processes and files all necessary federal, state and local tax payments as well as all employee direct deposits on behalf of WVUIC.

The Accountant prepares all payroll entries in QuickBooks based on the reports generated from Paychex. The Senior Accountant reviews for accuracy once entered.

WVUIC Time Keeping Policy & Procedure for Government Contracts

Approved by: Matt Harbaugh, Executive Director
Effective Date: January 4, 2015
Revised Date: N/A
Distribution of Copies: All Employees & Policy Manual

I. Statement of Purpose

WVUIC prepares invoices for government-funded contracts from employee timesheets. In order to prevent violations of federal law, it is imperative that these timesheets be maintained accurately. The purpose of this policy is to set forth the guidelines by which timesheets must be completed, reviewed, and submitted by all employees.

II. Policy

All WVUIC employees are required to follow the procedures below when filling out timesheets. Falsifying your timesheet or otherwise failing to comply with this policy may result in disciplinary action, up to and including termination of employment.

It is the expectation of WVUIC management that all full-time employees will work a minimum of 40 hours each week unless the deviation is approved by management prior to the occurrence taking place.

III. Procedure

Employees in the Governmental Contracting Unit of UIC are responsible for maintaining a daily record of their time. With the exception of the last day of the pay period, daily recording is to be completed by 10AM EST for work performed the prior business day. On the last day of the pay period time is to be recorded by 5PM EST. Electronic timesheets will be made available to employees through the Paychex website. It is the responsibility of all employees to accurately complete and submit their own timesheets for the hours they have worked during the payroll period.

Employees unable to complete their timesheet on the due date will have their timesheet completed by their supervisor and approved by another designated signer. The supervisor must explain the reason for their action in the comments section. The employee will review the completed timesheet upon return, verify the hours charged, and approve/electronically sign the timesheet, after which the supervisor will review and approve the employee-signed timesheet. If it is not correct, the employee must contact the Finance and Accounting Office and initiate a change or correction procedure.

Employees on an approved leave of absence will complete and submit their timesheet prior to the beginning of their leave with the appropriate leave marked.

Timesheets must be carefully and accurately prepared, assigning all hours to the correct labor expense item (e.g., direct contract labor, proposal labor, indirect labor, vacation, etc.).

Non-Exempt (Hourly) employees: All hours worked are recorded and paid. All time worked in **excess of 40 hours in any work week will be paid at a premium rate of 1.5 times the employee's regular hourly rate for that pay period.**

Exempt (Salaried) employees. All hours worked are recorded.

Charge Code Authorization:

An employee must receive authorization from the program manager prior to charging a contract (direct hours).

Indirect hours such as General Overhead (OH), General & Administrative (G&A), Bid & Proposal (B&P), etc. must be approved prior to their submission **on the employee's timesheet. Failure to obtain this approval may result in disciplinary action, up to and including termination of employment.**

Signatures

Employees must sign their timesheets (done via Paychex website), thus certifying that the information recorded is complete and accurate, by 5PM EST the last day of the pay period in order to provide sufficient time for supervisory review and approval prior to payroll processing. Under no circumstances may an employee sign a blank or incomplete timesheet.

If an employee cannot complete his or her timesheet online, it is the employee's responsibility to inform his or her supervisor and the Finance and Accounting Office of the number of hours worked prior to payroll being processed.

Timesheet Approvals

The employee's Supervisor must review and sign all timesheets by 10AM EST the day following the end of a pay period. The reviewer certifies that, to the best of his or her knowledge, the information provided by the employee on the timesheet is complete and accurate, and has been prepared in accordance with all relevant WVUIC policies and procedures. If the Supervisor is unavailable, then the review may be performed by their supervisor or a designated alternate reviewer.

Supervisors should not review **an employee's timesheet until it has been completed and signed by the employee unless the employee is absent.**

Reviews

Payroll personnel within the Finance and Accounting Office will review timesheet charges at a summary level to check for possible data entry errors. When necessary, they will contact employees to verify hours charged.

Timesheet Change or Correction Procedures:

Corrections to a timesheet will be done through Paychex on the original timesheet submitted. An explanation for the change must be recorded in the comments section. The signature of the **employee's Supervisor approving the timesheet certifies that they approve the correction.**

Changes that are required after a timesheet has been approved and entered into the accounting system must be made within five (5) working days after the error is discovered. The employee must notify the Finance and Accounting Office in writing, explaining the circumstances and the action necessary to correct the error.

If Finance and Accounting discovers the error, the employee will be notified. The employee must submit corrections in writing in order to correct the error. Any timesheet correction that has not been returned to the Finance and Accounting Office within thirty (30) days of the date of notice will generate a major timesheet deficiency.

Responsibilities

(1) Employee Responsibilities

- (a) Timesheet entries must be made correctly and on a daily basis.
- (b) Timesheet entries must accurately reflect the work that was actually performed.
- (c) Work that is charged directly to a job or to Bid and Proposal activity may not be performed without a proper work authorization.
- (d) Employees must obtain prior approval from their direct supervisors for any planned deviations from standard work hours within a pay period.
- (e) Corrections to timesheets must be made in accordance with WVUIC policy. All changes must be processed within five (5) working days of the discovery of the error.
- (f) Timesheets must be signed and dated at the end of each pay period, and delivered to the supervisor on the date specified.

(2) Supervisor Responsibilities

- (a) Supervisors are responsible for ensuring new employees are trained how to correctly and accurately record time in accordance with this policy.
- (b) With respect to their programs, supervisors must ensure that charge codes, tasks, and subtask descriptions are provided to each employee.
- (c) Supervisors must perform systematic reviews of the time-charging practices as necessary to ensure compliance with this policy.

- (d) Supervisors must review and sign all timesheets after confirming that they are complete and accurate.
 - (e) **Supervisors should not review an employee's timesheet until it has been completed and signed by the employee, unless the employee is absent.**
 - (f) If an employee is not able to complete his or her timesheet by the due date, the **employee's supervisor must complete the timesheet. The supervisor must explain the reason for their action in the comments section or on the back of the timesheet.**
 - (g) Supervisors must ensure that all changes that are submitted are clearly explained, and in compliance with all relevant policies.
- (3) Finance and Accounting Office Responsibilities
- (a) Provide explanation of this policy and training in the proper completion of timesheets to new employees during orientation.
 - (b) Notify all employees of timekeeping policy updates.
 - (c) Review timesheet charges.
 - (d) Download timesheets into the accounting system.
 - (e) Notify employees when timesheets contain errors.
 - (f) Adjust timesheets that do not comply with other related policies (e.g., vacation leave, sick leave, leave of absence, etc.).
 - (g) Notify management if the timesheets submitted by any employee repeatedly contain errors, or are indicative of conditions requiring management attention.
 - (h) Perform internal floor checks as deemed necessary and reasonable by management. Results will be documented and non-conforming conduct will result in appropriate action, up to and including discharge should circumstances merit such penalty.
 - (i) Ensure that all employees and approvers understand their responsibilities.

POLICY ON UNALLOWABLE COSTS

Approved by: Matt Harbaugh, Executive Director
Effective Date: January 4, 2016
Revised Date: N/A
Distribution of Copies: All Employees & Policy Manual

I. Statement of Purpose

Because WVUIC is a Government contractor, costs requested for reimbursement are to comply with Federal Acquisition Regulations (FAR). FAR 31.205 provides specific guidance regarding the types of costs that are not eligible for reimbursement (Unallowable Expenses) by the Federal Government.

II. Policy

The Accounting department is responsible to ensure unallowable costs, as determined by FAR Part 31 plus applicable directly associated costs, are specifically identified and excluded from any billing, claim or proposal applicable to a U.S Government contract.

Accounting staff is to be adequately trained on FAR Part 31 to ensure identification of unallowable expenses.

III. Procedure

General ledger accounts are set up to accumulate unallowable costs. Unallowable expenses are identified in the Chart of Accounts with an account number designated as 9###.

In the normal course of business, all Accounting employees are responsible for identifying expenses or circumstances that would result in unallowable expenses.

IV. Responsibility

Accounting personnel are responsible for identifying unallowable costs when expenses are entered into the accounting system. If allowability of the expense is not evident with the information provided, they are the responsible group which must request additional information from the employee incurring the cost to ascertain allowability.

The Senior Corporate Accountant is responsible for reviewing monthly financial data and/or asking questions as necessary to ensure unallowable expenses are being correctly identified, quantified and reported.

DRUG-FREE WORKPLACE POLICY

Approved by: Matt Harbaugh, Executive Director
Effective Date: January 4, 2016
Revised Date: N/A
Distribution of Copies: All Employees & Policy Manual

I. Statement of Purpose

As a federal contractor and a recipient of federal grants, WVUIC must comply with the Drug-Free Workplace Act of 1988.

II. Policy

- A. All UIC employees are subject to this Policy. UIC is a drug-free workplace.
- B. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited at UIC.
- C. Employees may not abuse controlled substances. UIC asks that employees whose doctors prescribe prescription drugs or other over-the-counter drugs that **may impair an individual's ability to perform consult their physicians about side effects** and how such medications may affect their work. If employees are impaired or likely to be impaired by such medications, the employee must be medically cleared by a physician in order to return to work.
- D. The consumption of alcohol or unauthorized possession of alcohol on UIC property is prohibited, unless an exception is made by the Executive Director for a specific UIC event.

III. Procedure

- A. Employee Obligations. As a condition of employment, every employee shall (1) abide by the terms of this policy and (2) notify his/her supervisor and the Executive Director of WVUIC or his designee of any conviction of drug or alcohol related charges resulting from any activity occurring in the workplace or otherwise on UIC premises no later than five (5) days after such conviction.
- B. UIC Obligations. UIC will notify the federal contracting agency or the granting **agency within ten (10) days of receiving notice of an employee's conviction.** Any employee found in violation of this Policy will be subject to any combination of

the following: disciplinary sanctions, the satisfactory completion of a drug abuse assistance or rehabilitation program, and/or termination.

- C. Substance Abuse Resources. The UIC is dedicated to the health and wellness of its employees and seeks to create a safe and healthy work environment for all. UIC encourages employees who suffer from drug or alcohol addiction to seek **help and is committed to assisting in its employees' recovery however it can.** The UIC suggests the following resource: <http://www.hsc.wvu.edu/fsap/home/>.