



**UMass Boston/Department of Human Resources**  
**CONTINGENT WORKER (CWR)**  
**Non Employee Paperwork and Instructions**

The Department of Human Resources has established a procedure for individuals who occasionally assist the University of Massachusetts Boston with grant functions, activities development and other services as requested. In most cases, these services require an Employee ID number and Employee ID card that would permit access and various services provided by the University (i.e., e-mail, telephone, business cards, fitness center, etc).

**CWR/Contingent Worker:** A person providing services to the organization and does not have an official relationship with the organization (i.e. Consultants, Adjunct faculty, etc).

In order to gain access to these university services you must have the appointee complete a non-employee instruction packet, which includes:

1. Contingent Worker (CWR) Release of Liability Form and Checklist

Items to be given to CWR:

- **Guide to the Conflict of Interest Law**
- **Guide to Political Activity (Public Employees and Fundraising)**
- **Sexual Harassment Policy**
- **Drug-Free Workplace Policy**
- **University of Massachusetts Policy on Fraudulent Financial Activities**
- **University of Massachusetts Principles of Employee Conduct**

**CWR signature at bottom of form acknowledges receipt of these items.**

2. Personal Data Questionnaire (PDQ): The appointee must complete, sign and date the bottom of the form.

Department then completes a ePAF and forwards through HRDirect to obtain the appropriate approvals.



**UMass Boston/Department of Human Resources  
Contingent Worker (CWR)  
Non-Employee Release of Liability Form and Checklist**

I \_\_\_\_\_ am an affiliate/non employee at the University of Massachusetts Boston as (working title) \_\_\_\_\_ in the (Department/College) \_\_\_\_\_. I am participating not as an employee or agent of the University of Massachusetts Boston.

I hereby assume any and all risk connected with my participation whether such participation occurs on the property of the University of Massachusetts Boston or elsewhere, and agree to indemnify and hold harmless the University of Massachusetts Boston, its Trustees, officers, employees, students or agents, and the Commonwealth of Massachusetts, from all claims for damages as a result of personal injury or property damage which I might sustain, or for which I may be responsible, arising out of such participation including any damages which may be caused by the negligent, reckless, or gross negligence of the University of Massachusetts Boston, its Trustees, officers, employees, students or agents.

I recognize that I have no authority to make contracts, offers of employment, or other commitments on behalf of the University and that I remain personally responsible for any contracts, offers of employment, or other commitments I may make during the course of my participation.

I acknowledge receipt of the University of Massachusetts Boston's, policy and procedures and hold myself responsible for understanding their contents.

I also acknowledge that I have fully read this Release, that I understand and agree with its terms and that I am signing this of my own free will.

**Received by appointee:**

- Guide to the Conflict of Interest Law
- Guide to Political Activity (Public Employees and Fundraising)
- Sexual Harassment Policy
- Drug-Free Workplace Policy
- University Policy on Fraudulent Financial Activities
- University of Massachusetts Principals of Employee Conduct

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



UNIVERSITY OF MASSACHUSETTS BOSTON  
DEPARTMENT OF HUMAN RESOURCES

PERSONAL DATA QUESTIONNAIRE

Social Security Number

First Name	Middle Name	Last Name	
Street Address			Telephone
City	State/Country	Zip Code	Marital Status Single      Married
Birth Date**	Place of Birth		Gender Male      Female

\*\*If you are currently age 60 or over and starting a benefited position, you will be affected by Section 5 of Chapter 32 of the M.G.L. Please bring this fact to the attention of the Benefits Office Staff when you attend the New Employee Orientation.

<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleIV/Chapter32/Section5>

Educational Data				
Educational Level	Degree	Major	School Name	Year Awarded
High School/Equivalent				
Technical Certificate				
College/University				
Master's Level Degree				
Doctorate				

**EMERGENCY CONTACTS**

	Name	Address	Telephone	Relationship
PRIMARY				
SECONDARY				

**PRIOR SERVICE IN ANY MASSACHUSETTS GOVERNMENT AGENCY**

If retired from any government agency: (CHECK)

Name of Agency	From	To

"I attest that I have read and understood all of the contents of this form and that all of the information provided on this form is correct and complete to the best of my knowledge."

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Self-Identification Form**

The University of Massachusetts Boston is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws and regulations, it is important that our recordkeeping and reporting information is accurate. The information collected via this form will be entered in UMass Boston's Human Resources' information system (but will be kept separately from your personnel file) and may be used in accordance with the applicable laws and regulations concerning equal employment opportunity. The university's policy on the collection, maintenance, and reporting of such information is available at: [www.w.u.mb.ed.u/od.i](http://www.w.u.mb.ed.u/od.i).

**Instructions:** New hires and re-hires, please complete Sections I and II of this form in their entirety. Section III is voluntary. Current employees requesting changes, please complete all of Sections I and II and only the information you wish to update on Section III. Upon completion please return this form to the Office of Diversity and Inclusion (ODI.) Additionally, any data collected as part of this process will not be used to make employment-related decisions. PLEASE PRINT.

**Section I: Name and Status**

Select One:  New Hire/Rehire Start Date or Effective Date of Change: \_\_\_\_\_  
 Current Employee (ID#: \_\_\_\_\_)

Name: \_\_\_\_\_  
 Last First Middle

**Section II: Department and Position Information**

Department: \_\_\_\_\_

Position Title: \_\_\_\_\_

Position Classification:  Faculty  Professional  Classified

**Section III: Personal Information and Self-Identification** (Please refer to definitions on reverse side of this form. Completion of the following information is v o l u n t a r y, and choosing to not self-identify will not subject you to any adverse treatment.)

**Gender:**  Female  Male

**Race/Ethnicity** (Provide both):  
 1. Hispanic Ethnicity:  Hispanic or Latino  Not Hispanic or Latino

**2. Racial Identity:**  
 American Indian or Alaska Native  Asian  
 Black or African American  White  
 Native Hawaiian or Other Pacific Islander  Two or more

**Military Status** (Select one):  No Military Service  Veteran of the Vietnam Era  
 Recently Separated Veteran  Pre-JVA Veteran  
 Armed Forces Service Medal Veteran  Active Duty or Wartime Campaign Badge Veteran  
 Other Protected Veteran

**Disability Status:**  I Do Not Have a Disability  Individual With a Disability  
 Disabled Veteran  Special Disabled Veteran  
 NOTE: For accommodations please contact the Director for Diversity and ADA Compliance, (617) 287-6587.

**Section IV: Signature and Date**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  I do not wish to self-identify.\*

**SELF-IDENTIFICATION DEFINITIONS:** Completion of this information is voluntary. All information is confidential and will be reported in aggregate form only. Declining to provide this information will not subject you to any adverse treatment.

**RACE AND ETHNICITY** This two-part question is requested for statistical reporting purposes to government agencies, including the U.S. Department of Education.

- Hispanic Ethnicity—Hispanic or Latino is a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
- American Indian or Alaska Native - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Black or African American - A person having origins in any of the black racial groups of Africa.
- White - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- Native Hawaiian or Other Pacific Islander - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands
- Two or more - A person who primarily identifies with two or more of the above race/ethnicity categories.

#### **MILITARY STATUS AND DISABILITY STATUS SELF-IDENTIFICATION**

**Veteran of the Vietnam Era** Defined as a person who served on active duty for a period of more than 180 days, and was discharged or released therefrom with other than a dishonorable discharge, if any part of such active duty occurred:

- In the Republic of Vietnam between February 28, 1961, and May 7, 1975; or
- Between August 5, 1964, and May 7, 1975, in all other cases; or
- Was discharged or released from active duty for a service-connected disability if any part of such active duty was performed in the Republic of Vietnam between February 28, 1961, and May 7, 1975; or between August 5, 1964, and May 7, 1975, in all other cases.

**Recently Separated Veteran** Any veteran who served on active duty in the U.S. military, ground, naval or air service during the one year period beginning on the date of such veteran's discharge or release from active duty.

**Pre-JVA Veteran** Defined as an individual who is an employee of or applicant to a contractor with a contract of \$25,000 or more entered into prior to December 1, 2003 and unmodified since to \$100,000 or more, and who is a special disabled veteran, veteran of the Vietnam era, pre-JVA recently separated veteran, or other protected veteran.

**Armed Forces Service Medal Veteran** Defined as any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

**Active Duty or Wartime Campaign Badge Veteran** Defined as a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the Department of Defense.

#### **Individual with Disabilities**

Defined as a person who (1) has a physical or mental impairment which substantially limits one or more of his or her major life activity(s), (2) has a record of such impairment(s), or (3) is regarded as having such impairment(s). For purposes of this definition, an individual with disability(s) is substantially limited if he or she is likely to experience difficulty in securing, retaining, or advancing in employment because of the disability(s).

**Disabled Veteran** Defined as (1) a veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) a person who was discharged or released from active duty because of a service-connected disability.

**Special Disabled Veteran** Defined as a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Department of Veterans Affairs for a disability:

1. Rated at 30 percent or more; or
2. Rated at 10 or 20 percent in the case of a veteran who has been determined under 38 U.S.C. 3106 to have a serious employment handicap; or
3. A person who was discharged or released from active duty because of a service-connected disability.

**\*If you choose to not self-identify your race/ethnicity and/or gender, the federal government requires the University of Massachusetts Boston to determine this information by visual survey and/or other available information.**



## Department of Human Resources

### POLICY & GUIDANCE MEMORANDUM

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#### **#2008-07: State Ethics Law**

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This memorandum contains the annual notice of significant features of the State Ethics Law c.268A).

The conflict of interest law, M.G.L. c. 268A imposes "standards of conduct" on all state, county and municipal employees.

#### **Incompatible Employment**

First, § 23 (b)(1) prohibits public employees from accepting other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office.

Example: a police officer would be prohibited from serving as a private security guard in his town because his duties as a law enforcement official are incompatible with the demands of his private employer.

#### **Unwarranted Privileges**

Section 23(b)(2) prohibits a public employee from using or attempting to use his or her official position to secure for himself or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;

Example: A governmental official may not use his governmental time or resources, such as office space, word processors, telephones, photo copiers or fax machines, to conduct a private business. Section 23(b)(2) dictates that the use of public time and resources must be limited to serving public rather than private purposes.

The Commission has also emphasized that the use of one's public position to solicit or coerce special benefits, of substantial value, for oneself or others will constitute a use of one's official position to secure unwarranted privileges or exemptions not properly available to similarly situated individuals. In addition, the Commission has advised municipal officials that they must apply objective criteria to their official duties and that if, for example, a board member cannot be objective about a matter, he should abstain.

## **Appearance of Conflict**

Section 23(b)(3) prohibits a public employee from acting in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy the public employee's favor in the performance of his or her official duties, or that he or she is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his or her appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.

Section 23(b)(3) has often been described as the section that covers "appearances" of conflicts of interest. The statute as it currently reads, however, does not use the term "appearance." It is worth emphasizing that §23(b)(3) prohibits acting "in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude" that the official would be unduly influenced or unduly favor any party or person.

Example: A reasonable person could conclude that a board of health member might favor or disfavor his cousin's application. Although the cousin is not a member of his immediate family under §19, the family link would implicate §23(b)(3). To dispel such a reasonable conclusion, the board of health member should make a written disclosure to his appointing authority, describing the relevant facts of the family relationship and the official action, prior to his acting as a board member. If the board member were popularly elected, she must make a disclosure that is "public in nature." The Commission has advised that elected municipal officials should make such disclosures in writing and file them as public records with their municipal clerk. In some circumstances, it may also be prudent to reiterate the disclosure as part of the meeting minutes.

## **Confidential Information**

Section 23(c)(1) prohibits a current or former municipal employee from accepting "employment or engag[ing] in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position." Section 23(c)(2) prohibits him from "improperly disclos[ing] material or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest."

## **Adequate disclosure**

Section 23(d) provides that "any activity specifically exempted from any of the prohibitions in any other section of this chapter shall also be exempt from the provision of this section. The state ethics commission . . . shall not enforce the provisions of this section with respect to any such exempted activity."

Example: Because adequate disclosure may be part of complying with §§19 or 20 (which were discussed in previous Ethics Primers), a municipal employee may comply with the disclosure requirements of §23(b)(3) by complying with the former. For further guidance regarding whether more than one disclosure is required, you should review the matter with municipal counsel or contact the Ethics Commission.

For additional information, call the State Ethics Commission at (617) 727-0060 or visit their website at: <http://www.state.ma.us/ethics>.





## Department of Human Resources

### POLICY & GUIDANCE MEMORANDUM

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#### **#2009-07: Political Activity**

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With the election approaching, it is important to understand what we, as public employees, may or may not do in support of political candidates or ballot questions. Massachusetts General Law Chapter 55 generally covers campaign finance, but also includes sections covering the rights and limitations of public employees and the use of public buildings.

Public employees (other than elected officials) may not:

- Sell or distribute tickets for a fundraising event to benefit any political candidate or political committee or solicit attendance at such an event;
- Otherwise ask for contributions to support any candidate or political committee (federal, state, county or local) or a ballot question;
- Host a political fundraising event;
- Accept donations or payment for admission at a political fundraising event or accepting money at the door of a political fundraising event;
- Sign a fundraising letter or advertisement on behalf of a candidate or political committee;
- Permit his/her name to be listed on campaign stationery as an officer, member or supporter, if the stationery is used to solicit funds for a political purpose;
- Provide persons raising money for a candidate or committee with the names of individuals who would then be solicited;
- Providing general or specific advice to a political campaign with regard to fundraising strategies

However, a public employee may:

- Make a contribution to a candidate or political committee or attend a political fundraiser;
- Serve as a member of a political committee or hold a committee position (other than treasurer or any other position that involves fundraising);

- Perform any service for a campaign that does not involve fundraising, such as holding signs, stuffing envelopes, signing endorsement letters (as long as those letters do not also ask for money) or working at political fundraisers in a non-fundraising capacity, such as setting up tables or preparing food (not collecting money at the door).
- Meet with anyone, including other public employees, for political purposes, as long as no fundraising activity takes place;
- Raising money for humanitarian, charitable or educational causes or other issues not related to elections.

The use of public buildings is more restrictive: No one may use a public building:

- to ask for or receive contributions to *any* political committee or candidate;
- as a return address for contributions or use a phone number in the building as a contact for buying tickets to a fundraiser;
- to post an advertisement or a circular selling tickets to a fundraiser or otherwise seeking contributions

Finally, no public resources (including paid time, telephones, computers, copiers, and/or office supplies) may be use for political campaign purposes.

A complete guide to campaign finance is available on the Office of Campaign & Political Finance's website at [www.mass.gov/ocpf/guides/guide\\_pub\\_emp.pdf](http://www.mass.gov/ocpf/guides/guide_pub_emp.pdf). Specific questions can be directed to the Office at (617) 979-8300.

**UNIVERSITY OF MASSACHUSETTS BOSTON  
SEXUAL HARASSMENT POLICY AND PROCEDURES  
(Doc. T92-037)**

**I. POLICY**

Sexual harassment is sex discrimination and, therefore, a violation of federal and state law. It is the policy of the University of Massachusetts that no member of the University community may sexually harass another. For purposes of this policy and consistent with federal regulations, sexual harassment is defined as follows:

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

It is the policy of the University to protect the rights of all persons within the University community by providing fair and impartial investigations of all complaints brought to the attention of appropriate officials. Any member of the University community found to have violated this Sexual Harassment Policy will be subject to disciplinary action.

**II. PROCEDURES**

The University of Massachusetts at Boston will administer the Sexual Harassment Policy and Procedures under the Sexual Harassment Office.

These procedures are available to any person who, at the time of the acts complained of, was employed at or was enrolled as a student at the University of Massachusetts Boston. However, any person who files a complaint with any outside agency or court shall be deemed to have waived his/her rights to an internal University proceeding.

No individual shall be penalized by the University for participating in the procedures stipulated here, nor shall any retaliation be permitted. Complaints of retaliation should be addressed to the Sexual Harassment Office or, where formal proceedings have been initiated, to the respondent's Vice Chancellor, who, in consultation with the Sitting Panel, shall immediately attempt to address and resolve the issues (see section B.7).

**Informal Resolution**

Because of the emotional and moral complexities surrounding most sexual harassment incidents, every effort should be made to resolve the complaint on an informal basis.

- A. Complaints of sexual harassment should, whenever possible, be discussed informally in the first instance by the complainant with the respondent's department head or staff supervisor, in hopes that the department head/supervisor may effect an informal resolution.
- B. If this approach is either unacceptable to the complainant or unavailing, the complaint should be reported to the Sexual Harassment Officer. The Sexual Harassment Officer will inform the complainant concerning the Sexual Harassment Policy and Procedures and will counsel him or her concerning options for proceeding.

The Sexual Harassment Officer may rule that a complaint is (a) frivolous, or (b) outside the purview of the Sexual Harassment Policy and Procedures and decline to pursue it further; such ruling is subject to appeal by the complainant to the Sexual Harassment Hearing Board, which is empowered to instruct the Sexual Harassment Officer to entertain the case.

Upon certification that a complaint is non-frivolous and within the purview of this Policy and Procedures, the complainant may elect to file a written Informal Complaint Form. Upon the filing of this form, the Sexual Harassment Officer shall **attempt** an informal resolution of any complaint of sexual harassment, provided it is brought **within 180 calendar days of the alleged act**. In his/her neutral capacity, the Sexual Harassment Officer shall inform the parties of all possible courses of action, such as informal resolution and formal hearing, and of campus support and counseling services.

**Steps of the Informal Resolution Process:**

1. The Sexual Harassment Officer will counsel the complainant concerning options for responding to the problem on his/her own initiative (e.g. through oral or written communication to the respondent). If the complainant expresses willingness to proceed in this fashion, the Sexual Harassment Officer shall provide guidance and support to the complainant, throughout the process.
2. If this approach is either unacceptable to the complainant or unavailing, the Sexual Harassment Officer will undertake an Informal Hearing Process, in an attempt to reach a disposition agreeable to both complainant and respondent, to include the following.
  - a. a private informal hearing with the complainant;
  - b. a private informal hearing with the respondent;
  - c. if deemed necessary, an informal hearing among the Sexual Harassment Officer, the complainant and the respondent.
  - d. The Sexual Harassment Officer shall normally complete his/her investigation and all efforts to arrive at an informal resolution within thirty (30) calendar days of receipt of the complaint, unless extraordinary circumstances dictate otherwise. When it is determined, as a result of the Sexual Harassment Officer's review, that an incident of sexual harassment has in fact occurred, the Sexual Harassment Officer's attempts to arrive at informal resolution shall be guided by concern to provide appropriate relief to the aggrieved party while sensitizing the person at fault to the effects of such behavior.
  - e. Upon completion of the review, the Sexual Harassment Officer shall send a confidential report to both parties and to the Chancellor, outlining his/her findings. If a resolution is reached that has been agreed to by both parties, the Sexual Harassment Officer shall include the terms of that resolution in the report. The Chancellor shall move to implement any sanctions called for by the terms of the resolution.

The Sexual Harassment Officer shall ensure that all communications shall be kept confidential. He/she may not be called to testify at any University hearing regarding these privileged communications unless otherwise agreed by both parties.

If no Informal Complaint Form is filed by the complainant, no written records shall be kept. Where an informal resolution process is initiated, written records indicating the nature of the complaint, the names of the parties, and a dated copy of the terms and the resolution (if any) shall be kept by the Sexual Harassment Officer for a period of eight years. Such records shall normally be available only to the complainant, the respondent, the Sexual Harassment Officer and the Chancellor; they shall be made available to the respondent's Vice Chancellor in the event that, in accordance with these procedure, this or any subsequent charge of sexual harassment against the respondent or any charge of retaliation by the respondent is brought before the Vice Chancellor for review. These records are also available pursuant to a judicial subpoena, subject to the provisions of the University's Fair Information Practices Regulations (Doc. T77-059).

In extraordinary circumstances and for good cause, the Sexual Harassment Officer may, at his or her discretion, rule that the Informal Resolution Process may be omitted, and a complainant may move directly to Formal Proceedings.

## **Formal Proceedings**

### **1. Hearing Process**

#### **a. Filing a Complaint**

If informal proceedings do not result in resolution, or if the resolution agreed upon is not carried out, or if the Sexual Harassment Officer rules that the Informal Resolution Process may be omitted, the Sexual Harassment Officer shall advise the complainant of his/her right to a formal hearing. The Sexual Harassment Officer shall review the formal procedures for both parties.

If the complainant decides to proceed with a formal hearing, a formal written complaint shall be filed with the respondent's Vice Chancellor. The complaint shall state, clearly and concisely, the facts which are the grounds for the proceeding and the relief sought. Within two (2) working days the complaint shall be forwarded by the Vice Chancellor to the Sexual Harassment Officer in his/her capacity as coordinator of the Sexual Harassment Hearing Board and to the respondent, with notice that an answer must be filed with the Vice Chancellor within ten (10) calendar days.

The respondent's answer shall contain full, direct and specific responses to each claim in the complaint, admitting to, denying or explaining the material facts. The Vice Chancellor shall forward the answer to the complainant within two (2) working days of its filing.

It shall be the Sexual Harassment Officer's responsibility to appoint a Sitting Panel, schedule a hearing date, and notify the respective parties at least twenty-one (21) calendar days before the hearing. The hearing will be schedule and held no later than forty-five (45) calendar days after the formal written complaint has been filed, unless continued by the Board pursuant to Section d, ii, 6 or 7 below.

b. Composition of the Hearing Board

The Chancellor, in consultation with the appropriate governing and administrative bodies, shall appoint a 12-member Sexual Harassment Hearing Board. The Sexual Harassment Officer shall act as the coordinator of the Board.

The Hearing Board shall be composed of 3 faculty members, 3 members of the professional staff, 3 classified employees and 3 students.

Appointments will be guided by consideration of continuity, experience, and sensitivity to the concerns of those most profoundly affected by sexual harassment. Insofar as possible the Board shall reflect the diversity of the campus community. The membership of each constituency shall include at least one woman and one man. Members are to serve for staggered terms of three years.

The members of the Board shall act at all times to preserve the confidentiality of complainants and respondents. Board members shall participate in sexual harassment training workshops designed to sensitize them to the issues encompassing sexual harassment, including confidentiality, and the hearing procedures herein.

c. The Sitting Panel

Upon notice of a formal complaint, the Sexual Harassment Officer shall designate 5 members of the Board to serve as Sitting Panel. The Sitting Panel shall normally include two Board members from the respondent's constituency (faculty, professional or classified staff, students), two from the complainant's, and a fifth drawn from a neutral constituency. In such case as the complainant and respondent come from the same constituency, or Board members disqualify themselves in sufficient numbers to make the normal configuration of the Panel impossible, the Sitting Panel shall normally include three Board members from that constituency, the remaining membership to be chosen by the Sexual Harassment Officer from neutral constituencies; but in no case shall a student sit on a case which does not involve students. The Sitting Panel shall elect a Presiding Officer at its first meeting.

The function of a Sitting Panel is to hear and consider testimony and other relevant, reliable evidence, to make findings of fact, to determine whether the University Policy on Sexual Harassment has been violated, and, if so, to recommend appropriate penalties and relief.

d. Duties and Powers of the Presiding Officer and the Sitting Panel

i. The Presiding Officer shall have the following specific duties:

1. To ensure an orderly presentation of evidence and issues;
2. To ensure that a record is made of the proceedings; and
3. To ensure that a fair, independent, impartial decision based on the issues and evidence presented at the hearing is issued by the Sitting Panel no later than fourteen (14) calendar days, or thirty (30) calendar days when briefs are submitted, after the conclusion of the hearing.

- ii. The Sitting Panel shall have the following specific duties or prerogatives:
  - 1. To conduct a fair hearing to ensure that all the rights of the parties are protected;
  - 2. To define issues;
  - 3. To receive and consider all relevant and reliable evidence of the kind which reasonable people are accustomed to rely upon in the conduct of serious business;
  - 4. To assist all those present in making a full and free statement of the facts in order to bring out all the information necessary to decide the issues involved;
  - 5. To ensure that all parties have full opportunity to represent their claims orally, or in writing, and to secure witnesses and evidence to establish their claims;
  - 6. To continue the hearing to a subsequent date to permit either party to produce additional evidence, witnesses, and other material;
  - 7. To change the date, time or place of the hearing on its own motion or upon request of any party, for good cause shown and upon due notice to the parties;
  - 8. To permit the parties or their representatives to submit briefs within fourteen (14) calendar days of the conclusion of the hearing, on the condition that notification of intent to files is made to the Presiding Officer of the Panel within three (3) calendar days of the conclusion of the hearing;
  - 9. By majority vote to rule on all questions of fact; interpretations of rules, regulations and policies; penalties and relief; and such requests as are made during the hearing.

e. Hearing Procedure

- 1. Unless otherwise agreed by a majority of the Sitting Panel (pursuant to Numbers 6, 7 or 9 of the preceding section), a closed hearing shall be held within forty-five (45) calendar days of the receipt of the formal complaint by the Sexual Harassment Officer.
- 2. Each party shall be afforded the opportunity to hear all the testimony; to examine all the evidence; to respond to any adverse testimony; to present evidence and witnesses; to advance any pertinent arguments on his/her own behalf; and to file a brief within fourteen (14) calendar days of the conclusion of the hearing, on the condition that notification of intent to file is made to the Presiding Officer of the Panel within three (3) calendar days of the conclusion of the hearing.
- 3. Each party shall have the right to be accompanied, advised and/or represented by up to two members of the campus community (not legal counsel) at any stage of the proceedings.<sup>1</sup>

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<sup>1</sup> N.B.: Each party is free to retain legal counsel for advise, but may not bring legal counsel to University proceedings.

4. The hearing shall be tape-recorded by the Sitting Panel, the tape to remain the property of the University. Subsequently, either party shall have supervised access to the tape through the Sexual Harassment Officer.
  5. The proceedings before the Sitting Panel shall be as follows (unless waived or modified by the parties at such point as the respondent admits his/her guilt):
    - a. The Presiding Officer shall read the charge(s) and allow the respondent to either admit to or challenge the allegations;
    - b. First the complainant, then the respondent may present a brief opening statement;
    - c. First the complainant, then the respondent will present any and all evidence and testimony germane to the allegations, with the following provisions:
      - i. each party may question evidence and testimony introduced by the other;
      - ii. each party may rebut any inferences drawn by the other
    - d. First the complainant, then the respondent may briefly summarize his/her case to the Board.
- f. Decision of the Sitting Panel

After the hearing and the filing of briefs (if any), the Sitting Panel shall convene for private deliberations to determine whether the University's Policy on Sexual Harassment has been violated. If so, the Panel will make findings of fact and propose penalties for the respondent and relief for the complainant.

The Panel's findings of fact and its proposal of penalty and relief shall be based solely on the testimony and evidence presented at the hearing and in the briefs (if any). In making its determination, the Panel will examine the totality of the circumstances, such as the nature of the sexual harassment and the context in which the alleged incident(s) occurred. Penalties should reflect the severity of the incident(s).

Possible penalties for employees shall include, but not limited to, oral admonition, written reprimand, to be included in the individual's personnel file, probation, suspension with or without pay, ineligibility to receive merit pay for a state period of time, involuntary demotion, removal from administrative duties within a department, required professional counseling, and dismissal.

Possible penalties for students shall include, but not be limited to, oral admonition, disciplinary reprimand, disciplinary probation, suspension from the University for a stated period of time, and expulsion from the University.

The Sexual Harassment Officer shall review the Panel's proposed penalty in conjunction with any records of previous sexual harassment violations by the respondent and, if evidence of recidivism is found, may adjust the severity of the Panel's proposal accordingly.

In cases (a) where the respondent has been found guilty of sexual harassment and (b) where the Panel finds substantial reason to believe that the complainant may have been unfairly treated with respect to a grade, the Panel shall have the power to mandate to the respondent's department or program that the department or program appoint a committee



of three faculty members to determine the student's grade. Unless extraordinary circumstances dictate otherwise, final determination of the student's grade by this committee shall be made within thirty (30) calendar days of the Panel's referral of the case to the department of program.

Within fourteen (14) calendar days, or, if briefs are to be submitted, within thirty (30) calendar days of the hearing, the Panel's written decision (including findings of fact and recommendations for penalty and relief, if any) shall be forwarded to the complainant, the respondent, and the appropriate Vice Chancellor.

The Sitting Panel's decision shall be implemented within ten (10) calendar days, unless a review at the Vice Chancellor's level is requested within that period.

## **2. Standard of Proof**

In cases where the allegations of sexual harassment are contested by the respondent, a violation of the Policy on Sexual Harassment shall be found only when there is a preponderance of evidence that a violation occurred. The Sitting Panel, the Vice Chancellors, and Chancellor shall be bound to make their determinations based on this standard of proof.

## **3. Vice Chancellor's Review**

Either party may request review within ten (10) calendar days of the date of the Panel's decision by filing a written petition with the respondent's Vice Chancellor. The petition shall set forth in detail the specific grounds upon which review is sought. The Vice Chancellor shall immediately forward a copy of the petition to the Sitting Panel and the other party. Upon review, the Vice Chancellor may affirm the decision of the Panel; request specific findings from the Panel; remand the matter for further hearing (either for reconsideration or because additional evidence has been presented which, for good reason, could not be presented at the hearing); or, following due consultation with the Sitting Panel, set aside or modify the decision, if he/she determines that the substantial rights of any party may have been prejudiced because the Panel's decision is:

- a. unsupported by substantial evidence; or
- b. in violation of constitutional provisions, academic freedom, or these procedures; or
- c. arbitrary, in abuse of discretion or in excess of the Panel's powers; or
- d. reflective of arbitrary or unreasonable adjustment in severity by the Sexual Harassment Officer on the basis of respondent recidivism.

The Vice Chancellor shall make his/her determination upon consideration of the entire record, indicating specific reasons for any change of the Panel's decision. Within twenty-one (21) calendar days of the request for review, his/her final written decision shall be sent to the complainant, the respondent and the Sitting Panel. This 21-day period shall include any time allotted to the Panel upon request of the Vice Chancellor for specific findings or further hearings. The final decision of the Vice Chancellor shall be implemented without delay.

## **4. Reconsideration by the Chancellor**

Either party may request reconsideration within ten (10) calendar days of the date of the Vice Chancellor's decision by filing a written petition with the Chancellor. The provisions and procedures of the Vice Chancellor's review (see previous section) shall apply to the Chancellor's reconsideration. The decision of the Chancellor shall constitute final University disposition of the matter, and the parties shall, upon the rendering of the Chancellor's final decision, have exhausted their administrative remedies within the University.

## **5. Retaliation**

No reprisal or retaliation of any kind shall be taken against any person participating in these procedures. Where there is an allegation that retaliatory action has been taken, immediate review of such allegation shall be granted by the respondent's Vice Chancellor. The person alleging retaliatory action shall set forth in detail, in a written petition, the facts which are the grounds for the allegation and the relief sought. The Vice Chancellor shall immediately notify the respondent of the charge and request a written response. If a case of retaliatory action is established to the satisfaction of the Vice Chancellor, in consultation with the Sitting Panel, the Vice Chancellor shall take immediate action to redress any and all negative consequences resulting from such retaliatory action.

## **6. Retention of Records**

Records of the hearing process and any review or reconsideration shall be kept by the Affirmative Action Office for eight years. During that period, the records shall be available only to the Sexual Harassment Officer, the respondent's Vice Chancellor or the Chancellor. The records are also available pursuant to a judicial subpoena, subject to the provisions of the University's Fair Information Practices Regulations (Doc. T77-059).



## Department of Human Resources

### POLICY & GUIDANCE MEMORANDUM

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#### **#2008-06: Drug-Free Workplace**

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University policy requires that the following notice be distributed each year throughout the UMass Boston community.

The University of Massachusetts Boston, in accordance with both federal legislation and existing University policy, is committed to providing a drug-free, healthful, and safe environment for all employees.

In the event that an employee is observed to be under the influence of drugs or alcohol during work hours, appropriate disciplinary action is to be taken. The progression of actions, from the least to the most severe, is the following:

1. The immediate supervisor will discuss his/her concerns and observations with the employee. He/she will recommend that the employee seek professional assistance and will suggest a referral to a substance abuse counseling/rehabilitation program. This will occur on an informal (verbal) basis and will not be included in the employee's personnel record. Appropriate arrangements will be made to ensure that the employee reaches his/her home safely that day.
2. Should there be a repeat occurrence, a formal written warning will be given, and again, the employee will be encouraged to utilize the services of a counseling/rehabilitation program.
3. Any continued use by the employee of drugs and/or alcohol at work will result in a suspension from work ranging from one to five days. At this time, the employee will be required to utilize the services of a counseling/rehabilitation program as a condition of employment.
4. Further use in the workplace of drugs and/or alcohol or failure to utilize the services of a counseling/rehabilitation program will result in a longer suspension and/or termination.

All employees will have available the appropriate hearing and grievance procedures during these disciplinary actions.

In addition, under the terms of the Drug Free Workplace Act, any employee engaged in the performance of a federal grant must, as a condition of employment, notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

Upon notification by an employee the University must, within 30 days of receiving such notification with respect to any employee who is so convicted:(1) Take appropriate personnel

action against such an employee, up to and including termination, or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program. The University recognizes alcohol and drug dependency as an illness and a major health problem. Alcohol is the number one drug problem in the country. Drinking alcohol has acute effects on the body. It impairs judgment, vision, coordination and speech and often leads to dangerous risk-taking behavior. These may include drunken driving, injuries and serious accidents. Nearly half of all accidental deaths, suicides and homicides are alcohol related. The misuse of alcohol is often involved in violent behavior, acquaintance rape, unintended pregnancies, and the exposure to sexually transmitted diseases. Long-term excessive drinking and drug use can lead to a wide variety of health problems in many different organ systems.

The use of drugs and alcohol can cause physical and psychological dependence. They can interfere with memory, sensation and perception. Drugs impair the brain's ability to synthesize information. Regular users of drugs develop tolerance and physical dependence often experienced by withdrawal symptoms. The psychological dependence occurs when the drug taking becomes central to the user's life.

### **Finding Help for Alcohol and Other Drug Problems**

Many people with alcohol or other drug problems can be treated successfully entirely on an outpatient basis and do not have to interrupt their work and home lives. Outpatient programs exist in a variety of settings, including community mental health centers, family service agencies, private physicians' and therapists' offices, and specialized treatment facilities.

Inpatient services, designed for those with more serious alcohol problems, can be found in hospitals, residential care facilities and community half-way houses.

### **Paying for Treatment**

If you are covered by an insurance plan through the Group Insurance Commission or another healthcare provider, your insurance will pay for a portion of treatment for alcohol or other drug problems. Each plan has different provisions, but all provide some level of coverage. Contact your plan for information as to how you access treatment.

### **Employee Assistance Program**

UMass Boston is pleased to offer LifeWorks to all its employees. LifeWorks is a comprehensive employee assistance program that provides confidential consultants you can call on the phone 24/7, as well as an award-winning website where you can read helpful articles, order free materials and resources, and much more.

To contact LifeWorks, call 888-267-8126 or visit LifeWorks online at [www.lifeworks.com](http://www.lifeworks.com) (user id:umass, password: lifeworks). To speak with a Spanish speaking consultant, call 888-732-9020. For TTY/TDD service, call 800-346-9188. For additional information about how

April 3, 2008

University of Massachusetts Boston  
Department of Human Resources  
100 Morrissey Blvd.  
Boston, Massachusetts 02125  
(617) 287-5150  
[www.umb.edu/hr](http://www.umb.edu/hr)

to use the program or about LifeWorks' management line for supervisors and managers, contact the Department of Human Resources at 617/287-5150.

### **The Health Education and Wellness Center of University Health Services**

The Health Education & Wellness Center is staffed by persons who can provide information about local referral resources available to you even if you do not have medical insurance. The Health Education & Wellness Center also has a variety of brochures and pamphlets, as well as general information related to alcohol and other substance abuse issues.

The Health Education & Wellness Center also provides training to the campus community on a number of topics related to substance abuse. For more information about the services of the Health Education & Wellness Center stop by the Campus Center room 2017, call 287-5680, or visit their website at [www.umbwellness.org](http://www.umbwellness.org).

### **Summary of Massachusetts Substance Abuse Laws**

- Massachusetts law prohibits the sale or delivery of alcoholic beverages to persons under 21 years of age, with a fine of up to \$2,000 and 1 year imprisonment, or both, for violations. Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages is punishable by a fine of \$200 and up to 3 months imprisonment.
- A first conviction for driving under the influence of alcohol has a penalty of a \$500 up to \$5,000 fine, a revocation of one's driver's license, up to two½ years in prison, and mandatory participation in an alcohol rehabilitation program.
- Cities and towns in Massachusetts prohibit public consumption of alcohol and impose fines for violations. The Metropolitan District Commission also prohibits public consumption of alcohol in its parks.
- Criminal penalties for the illicit use of controlled substances ("drugs") vary with the type of drug. In general, narcotics, addictive drugs, and drugs with a high potential for abuse, have heavier penalties.
- Possession of controlled substances is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both State and Federal laws, penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many of these laws dictate mandatory prison terms and require that the full minimum term be served.
- Massachusetts law makes it illegal to be in a place where heroin is kept and to be "in the company" of a person known to possess heroin. Anyone in the presence of heroin at a private party risks a serious drug conviction. Sale and possession of "drug paraphernalia" is also illegal in Massachusetts.

- It is illegal in Massachusetts to aid or abet a person under the age of 18 in dispensing, distributing or possessing with the intent to distribute or sell a controlled substance. Conviction leads to a minimum term of five years in prison.

### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

- 21 U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but no more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but no more than \$250,000, or both.

special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

- **21 U.S.C. 853(a)(2) and 881 (a)(7)**

**Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)**

- **21 U.S.C. 881(a)(4)**

**Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.**

- **21 U.S.C. 844a**

**civil fine of up to \$10,000 (pending adoption of final regulations.)**

- **21 U.S.C. 853a**

**Denial of Federal benefits, such as student loans, grants, contracts, and professional commercial licenses, up to 1 year for the first offense, up to 5 years for second and subsequent offenses.**

- **18 U.S.C. 922(g)**

**Ineligible to receive or purchase a firearm.**

- **Miscellaneous**

**Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies**

**UNIVERSITY OF MASSACHUSETTS  
FRAUDULENT FINANCIAL ACTIVITIES GUIDELINES  
(Doc. T00-051)**

**GUIDELINES**

These Guidelines are issued pursuant to the **Board of Trustees' Policy Statement on Fraudulent Financial Activities (Doc. T00-051, adopted August 2, 2000)**. Described herein are the steps to be taken when fraud, misappropriation, or similar dishonest activities are suspected.

Each campus will be responsible for developing procedures designed to comply with this University Guideline and informing all employees of the Policy on Fraudulent Financial Activities.

**GENERAL PROTOCOL – REPORTING PROCEDURE**

Anyone who believes fraud has occurred should report such incident. Employees are protected under Massachusetts General Law, Chapter 149, section 185, from retaliatory actions by the employer.

Use the channel of communication with which you are most comfortable. Accordingly, you may report your concerns to your immediate supervisor, department head, campus audit liaison, vice chancellor, chancellor, and/or directly to the University Auditor's Office or their campus police department.

Immediate supervisors, department heads, campus audit liaisons, vice chancellors, and chancellors must report all apparent cases of fraud brought to their attention to the University Auditor's Office, and if appropriate, to their campus police department. Please see the last section of this guideline for situations deemed Non-Fraud Irregularities, and reference the definition of fraud in Doc. T00-051.

**RESPONSIBILITIES**

University administrators and all levels of management are responsible for establishing and maintaining proper internal controls that provide security and accountability for the resources entrusted to them.

Administrators should be familiar with the risks and exposures inherent in their areas of responsibility and be alert for any indications of improper activities, misappropriation, or dishonest activity.

If the situation warrants immediate action – for example, obvious theft has taken place, security is at risk, or immediate recovery is possible – management and non-managerial staff receiving reports should immediately contact the responsible campus police department. In addition, follow the “General Protocol - Reporting Procedure.”

Responsibilities of management and non-managerial staff for handling fraudulent activities include the following:

- Insure that notification promptly reaches the University Auditor's Office and the campus police department. Refer to the “General Protocol - Reporting Procedure.”
- Do not contact the suspected individual to determine facts or demand restitution. Under no circumstances should there be any reference to “what you did”, “the crime”, “the fraud”, “the forgery”, “the misappropriation”, etc.
- Managers should consult with campus or University human resources departments and University Counsel to determine if any immediate personnel actions are necessary.



- *Do not discuss the case, facts, suspicions, or allegations with anyone, unless specifically directed to do so by the University Counsel, campus police, human resources, or the University Auditor's Office.*
- Direct all inquires from any suspected individual, his or her representative, or his or her attorney to the University General Counsel. Direct all inquiries from the media to the campus news office.

The University Auditor's Office may investigate any suspected dishonest or fraudulent activity, which, in its opinion, may represent risk of significant loss of assets or reputation to the University. The University Auditor's Office may work with internal or external departments, such as the University General Counsel's Office, University and campus human resources departments, campus police departments, and Commonwealth law enforcement agencies, as circumstances may require.

Campus management will support the University's responsibilities and will cooperate with the University Auditor's Office and law enforcement agencies in the detection, reporting, and investigation of fraudulent acts, including prosecution of offenders. The University Auditor's Office has full, free and unrestricted access to all records and personnel of the University. Every effort should be made to effect recovery of University losses from responsible parties or through University insurance coverage.

*Great care must be taken in dealing with suspected fraudulent activities to avoid any incorrect accusations, alerting suspected individuals that an investigation is under way, violating any person's right to due process, or making statements that could lead to claims of false accusation or other civil rights violation.*

## **INVESTIGATION RESPONSIBILITIES**

The University Auditor's Office will evaluate reported situations involving possible impropriety in financial matters pertaining to the University and make inquiries to the extent necessary to determine whether the allegation has substance. The campus audit liaison will be kept apprised of these activities. *The University Auditor's Office is available and receptive to receiving relevant information on a confidential basis and may be contacted directly whenever a fraudulent activity is suspected.*

When warranted, an internal investigation will be conducted. The Auditor's Office will proceed as follows if evidence is uncovered showing possible dishonest or fraudulent activities.

- Notify the campus audit liaison, respective area management and University General Counsel.
- Advise management to meet with the campus human resources director to determine if any immediate disciplinary personnel actions should be taken.
- Coordinate the notification of insurers and filing of claims with the Treasurer's Office Risk Manager. The Treasurer is responsible for notifying the bonding companies and filing bonding claims.
- Advise the campus on requirements to notify the Office of the State Auditor as required by Chapter 647 of the Acts of 1989.
- If federal funds are involved, determine the required federal reporting in cooperation with University General Counsel.

- If illegal activity is indicated, the responsible campus police department will be notified to coordinate the investigation. If illegal activity appears to have occurred, the findings will be reported to the appropriate agency for review, such as the District Attorney and/or Attorney General. This will be coordinated with University General Counsel.
- The University Auditor's Office will review the results of any investigations with responsible management and cognizant administrators as necessary, making recommendations for improvement to the systems of internal control.

### **NON-FRAUD IRREGULARITIES**

Identification or allegations of acts outside the scope of this policy, such as personal improprieties or irregularities, whether moral, ethical, or behavioral, safety or work environment related, or complaints of discrimination or sexual harassment, should be resolved by the respective area management in conjunction with human resources and/or reference to any other existing University guidance or resource. Examples include the scholarly and research misconduct policy, the principles of employee conduct, the policy against intolerance, the sexual harassment policy, and the MGL Chapter 268A conflict of interest law (this list is not all-inclusive). The campus Ombuds Office or Equal Opportunity Office may also be of assistance.

The University Auditor's Office or University General Counsel may be contacted if guidance is needed to determine if an action might constitute fraud as defined in this policy.

**DOC. T96-136, as amended**

**Passed by the BoT**

**12/4/96**

**PRINCIPLES OF EMPLOYEE CONDUCT  
UNIVERSITY OF MASSACHUSETTS**

Institutions of higher education are entrusted with great resources and commensurably great responsibilities. They must meet their mission of research, teaching, and service in ways that truly enrich the society that supports them and truly serve the students, parents, and alumni who in joining the university community become life-long members of the extended university learning family. College and university leaders play a key role in assuring that high standards of ethical practice attend to the delivery of services to their various constituents and to the custody and use by all their faculty, staff and students of the resources entrusted to them. The University of Massachusetts embraces the values expressed in these Principles of Employee Conduct and expects their observance by all its employees.

University employees are entrusted with public resources and are expected to understand their responsibilities with respect to conflicts of interest and to behave in ways consistent both with law and with University policy.

University employees are expected to be competent and to strive to advance competence both in themselves and in others.

The conduct of University employees is expected to be characterized by integrity and dignity, and they should expect and encourage such conduct by others.

University employees are expected to be honest and conduct themselves in ways that accord respect to themselves and others.

University employees are expected to accept full responsibility for their actions and to strive to serve others and accord fair and just treatment to all.

University employees are expected to conduct themselves in ways that foster forthright expression of opinion and tolerance for the view of others.

University employees are expected to be aware of and understand those institutional objectives and policies relevant to their job responsibilities, be capable of appropriately interpreting them within and beyond the institution, and contribute constructively to their ongoing evaluation and reformulation.

The University is responsible for communicating to University employees the content of these Principles of Employee Conduct and for ensuring that the standards of conduct contained herein are met.

The University expects to provide its employees:

a work environment that is professional and supportive;

a clear sense of the duties of their job, the procedures for performance review, and access to relevant University policies and procedures;

within the scope of each employee's assigned areas of authority and responsibility, the duty to exercise appropriate judgment and initiative in performing duties;

the right to seek appropriate review of matters that violate the ethical principles contained in these Principles.