

C. *Conditions of Employment*

1. Documents describing conditions of employment and appointment:

- a. Civil Service Employees. The general conditions of employment of Civil Service personnel are as set forth in the following documents:
 1. the State Universities Civil Service System Statute;
 2. the Rules of the State Universities Civil Service System as approved by the Merit Board;
 3. the Civil Service Personnel Policies promulgated by Chief Campus Personnel officer and approved by the Chancellor; (3/13/03)
 4. any applicable collective bargaining contract as filed with the Board of Trustees. (3/13/03)
- b. Student Appointees. The general conditions of appointment of student appointees are as set forth in the State Universities Civil Service System *Statute and Rules* and in the Student Appointee Personnel Policies promulgated and approved by the executive officer to whom the appointee reports.
- c. Faculty and Professional Staff. The general conditions of employment of faculty and professional staff are as set forth in the Faculty and Professional Staff Personnel Policies promulgated by the chief academic officer and or the chief campus personnel officer and approved by the Chancellor. These policies may be promulgated in a single document or as two separate documents. These policies do not apply to individuals holding only restricted term appointments for non-credit activities, under which the appointee is not otherwise employed as a faculty or staff member within any unit of the University and assumes no obligation to perform services for the University except those related to the specific non-credit activity or event for which the restricted term appointment is made. For short term, non-credit activities, the restricted term appointment must be used in lieu of a purchase requisition for services, shall provide no expectation of reappointment and shall in no circumstances exceed three months in length. The following distinctions shall be maintained between provisions for faculty and for professional staff. (2/28/07), (3/24/16, 3/28/19)
 1. Only faculty may become eligible for sabbatical leaves.
 2. Only faculty may become eligible for tenured appointments.

3. The general conditions of employment of faculty are also as set forth in any applicable collective bargaining contract as filed with the Chancellor. (3/13/03)
 4. The usual faculty contract shall be for the academic year, and shall carry with it the obligation to perform ancillary duties, such as syllabus development, grading, and student advisement, which may require actions just before or after the calendar dates of academic terms.
 5. Faculty shall have the right and duty to participate in the formulation of academic policy affecting the performance of their duties, both by direct participation within their academic unit and through their elected representatives to the Faculty Senate and Graduate Council. (3/13/03)
- d. Personnel policies requiring the President's approval shall be filed with the President at least two weeks prior to their effective date. Each Chancellor is authorized to develop and approve personnel policies affecting employees under that executive officer's supervisory authority which are not inconsistent with the provisions of this chapter (Chapter 2, Faculty and Staff Service) or with personnel policies approved by the President and which do not otherwise require Board of Trustees or President approval. (3/24/16, 3/28/19)
 - e. The Board has the authority to declare a fiscal emergency and to provide specific direction to cope with such emergency. (3/13/03)
 1. The Board shall determine that a fiscal emergency exists and assess the extent of that emergency. (3/13/03)
 2. The Board may recognize a fiscal emergency ranging from a temporary financial crisis to a long-term loss of resources. (3/13/03)
 - a. A short term fiscal emergency is the condition of financial necessity, which results when a decline in financial support is such as to require a reduction within the fiscal year in the personal services budget exceeding that which may be accomplished by attrition or non-renewal of term positions or other such measures after all workable reductions in support and operational costs have been made.
 - b. A long-term fiscal emergency is the condition of financial exigency, which results when an imminent financial crisis will require long-term programmatic reductions and termination of tenured faculty.

- f. The Board of Trustees will consider a declaration of fiscal emergency for either institution or for the University when such a proposal from the President is placed on the Board agenda.
(3/13/03)
1. Representatives of the concerned SIUC or SIUE constituencies shall be consulted as far in advance as possible and continuously involved in making the decision to ask that the Board declare a condition of fiscal emergency.
 2. A matter proposing the declaration of a fiscal emergency and approval of a plan developed to deal with that emergency shall contain the following information:
 - a. A description of the fiscal situation which makes the action advisable.
 - b. A description of specific economy measures, such as the reduction of support costs, freezing of vacancies, non-renewal of term positions, and the like, which have already been invoked in an effort to deal with the situation.
 - c. A description of the proposed action.
 - d. An explanation of how the proposed scope and manner of execution of the proposed measures are proportional to the fiscal emergency and will cause the least possible disruption of the educational process and will inflict minimal hardship on employees.
 - e. An indication of how employees will be notified of the measures to be implemented by the proposed action and the method and period of notice to apply before that implementation.
 - f. A specification of the exemptions from the proposed action, if any, which will be required to safeguard the campuses and the conduct of uninterrupted activity if the proposed action is authorized, and an indication that the proposal otherwise has general application across the University employment spectrum, including administrative personnel.
 - g. A report on the manner in which the constituencies have had an opportunity both to review the situation and the proposed action and to advise the executive officer.

- h. An indication of how the proposed action will apply to Civil Service employees in terms of established Civil Service Rules and Regulations.
- g. The Board will authorize actions to adjust University operations to the limitations of a declared fiscal emergency.
 - 1. The Board must be satisfied that all reasonably possible economic measures have been taken before authorizing a reduction in personnel services.
 - 2. The Board will authorize procedures commensurate with the magnitude of the fiscal emergency. Such procedures may include but are not limited to measures such as invoking a mandatory leave without pay for all employees in a declared financial necessity situation or such measures as long-term programmatic reductions requiring termination of appointment for employees with and without tenure in a declared financial exigency situation. Such procedures will be open to review and comment by administration and constituency bodies.
 - 3. In a fiscal emergency situation, if budget reductions across-the-board are mandated by the Board, each basic academic or service unit will be involved in distributing its specific program and personnel changes.
 - 4. In a financial exigency situation, if budget reductions mandated by the Board are to be made programmatically, the administration will involve an appropriate faculty or constituency body in determining where within the overall academic or other program termination of appointments may occur.
- h. Any actions affecting an institution resulting from a declaration of fiscal emergency shall recognize the personnel policies of that institution so far as they are not in conflict with the fiscal procedures approved to cope with the emergency.
- i. A declaration of fiscal emergency will be in effect only during the fiscal year for which it is declared.
- j. Employees who receive notices that their appointments are to be terminated or who are placed into a leave of absence status because of a fiscal emergency shall have the right to appeal through appropriate SIUC or SIUE grievance procedures.
- k. Pursuant to 2 *Policies* of the Board C.1.c.3), the basic term of faculty appointment remains the academic year, and individual contract renewals which reduce the period of employment to not

less than an academic year will continue to be at administrative discretion.

2. All employees shall fully comply with all
 - a. applicable State and Federal laws;
 - b. policies, regulations, and decisions of the Board of Trustees, and as amended; (3/13/03)
 - c. policies, guidelines, regulations, and decisions promulgated by the President, or Chancellor on his or her respective campus, or the executive officer to whom the employee reports, as amended. (3/13/03, 3/24/16, 3/28/19)
3. Personnel policies shall adhere to the following standards:
 - a. Publication: Such policies will be regularly published and made available to affected employees and their supervisors.
 - b. Paid absences: Such policies will provide for holidays, vacations for Civil Service and fiscal-year appointees, and leaves.
 1. Paid holidays shall not exceed five, in addition to those prescribed by law, except for emergencies, or as provided in any notice of administrative closure. The executive officers shall designate one of those holidays as the Dr. Martin Luther King, Jr. holiday, and individually determine designations for the others. In lieu of the days of paid leave for faculty and staff which may be authorized during the period of December 26 through December 31 pursuant to 2 Policies of the Board C-3-b-4, the Chancellor of Southern Illinois University Carbondale may declare up to two additional designated holidays for Civil Service and fiscal year appointees of the School of Medicine-Springfield and its satellite clinical operations. Paid holidays and designated holidays for Civil Service and fiscal year appointees of the School of Medicine-Springfield shall not exceed seven, in addition to those prescribed by law, except for emergencies, or as provided in any notice of administrative closure which is specifically designated by the Chancellor to also apply to the School of Medicine-Springfield. (5/13/99)
 2. Vacation: Vacation earned shall not exceed 28 working days per year; no accrued vacation beyond two years' credit shall be accorded.
 3. Sick Leave: Unused sick leave may be accumulated to provide for extended sick leave and disability benefits in an amount not exceeding 15 days per year.

4. Administrative Closure: Closure of any or all parts of a campus may be declared by an executive officer with the approval of the President in response to a natural emergency, in support of national or State policy, for reasons of health and safety, or in response to a budgetary shortfall, including significant delays in state reimbursements. Announcement of such closure will specify campus guidelines regarding paid leaves during such closure. Administrative closure may also be declared for a period of up to three working days during the period December 23 through January 2, upon the determination of the President that such closure is economically justified. Days designated for administrative closure during this period will be considered days of paid leave for all affected faculty and staff. Days designated for administrative closure in response to a budgetary shortfall, including delays in state reimbursements, shall be considered days of unpaid leave for all affected faculty and staff and shall be limited to no more than one day per bi-weekly pay period or two days per month but not to exceed six days in a fiscal year. Unpaid administrative closures shall not be scheduled during time periods when classes are in session. Each campus may establish its own procedures to implement unpaid administrative closures. (09/16/10)
5. Sabbatical and Professional Development Leaves: Personnel policies concerning faculty and professional staff will provide for such leaves. Sabbatical leaves for faculty and professional development leaves shall be granted only on the basis of an approved plan designed to improve the professional performance of the applicant which contains a recognition of an obligation to report in writing the execution of the plan and return to an assignment of duties wherein the leave experience will benefit the institution for a reasonable period of time but not less than the duration of the leave. No such leave shall exceed one calendar year in duration, and the rate of compensation during the leave shall not exceed the regular monthly rate of the applicant at the time the leave commenced plus annual increments computed on the same basis as for the applicant's peers. Full sabbatical leaves, not to exceed six months at full pay or a calendar year at half pay, may only be granted after the

completion of a six-year period of consecutive full-time employment measured from the commencement of employment as a faculty member or six years after the termination of a previous sabbatical leave. Policies concerning faculty may also provide for partial sabbatical leaves, not exceeding six months at half-pay, which may only be granted after the completion of a three-year period of consecutive full-time employment or three years after the termination of a previous sabbatical leave.

6. Other paid absences: Other paid absences, such as those required for jury duty, certain military service, including active duty service during periods of national need, etc. shall also be addressed in the personnel policies as developed and approved by the Chancellors of his or her respective campuses, and shall be consistent with the provisions of this Chapter 2. (2/14/02)
- c. Nepotism: Such policies will prevent relatives within the third degree of consanguinity or spouses from making final personnel determinations for each other. Such relatives include, but are not limited to, parents, siblings, grandparents, aunts and uncles, nieces and nephews, and offspring including adoptees. (3/13/03)
- d. Grievances: Such policies will provide for prompt resolution of grievances by means of
 1. informal negotiations to be followed by, if necessary,
 2. a formal process through which an officer or panel makes findings or recommendations or both, and for which a record is compiled;
 3. a final determination by a responsible officer; and
 4. notice concerning the procedure for application for discretionary review by the Board.
- e. Conflicts of interest and commitment: Such policies will address the problems of conflict of interest and commitment and concurrent employment by other employers. (3/13/03)
- f. Tenure: Faculty and professional staff personnel policies will provide for tenured appointments of faculty.
 1. Eligible academic ranks: Tenure may be granted to persons holding the faculty rank of professor, associate professor, or assistant professor. (3/13/03)
 2. Probationary service: The length of probationary service periods shall be specified in SIUC and SIUE policies on tenure, as approved by the President and in the initial

employment contract. The maximum probationary service period is six years.⁽¹⁾ except for faculty at the School of Medicine having a clinical and education commitment greater than their research component, in which case the maximum probationary service period is eight years. Shorter probationary periods may be specified in campus policies on tenure or in the initial employment contract but should normally not be less than two years. By the end of the last year of the probationary service period of a faculty member the faculty member shall be notified in writing either that tenure has been awarded pending ratification by the Board of Trustees or that the faculty member's appointment will not be renewed after the following year. The requirement of a minimum period of probationary service may be waived under conditions as specified in each institution's policy.

3. Recommendation for tenure:
 - a. The primary criteria to be utilized in the tenure decision process are performance in teaching, research, and service.
 - b. The primary responsibility for the evaluation of the academic qualifications of an individual candidate for tenure rests with tenured faculty in the appropriate unit. If an individual has tenure at another institution and becomes employed full-time as a tenured member of the SIU faculty or a member of SIU's administration the individual must relinquish tenure at the other institution before commencing employment at SIU. (3/13/03)
 - c. It is the responsibility of the head of each appropriate unit to evaluate annually each non-tenured faculty member in a tenurable rank within that unit and to individually inform such faculty members of their professional performance as measured by such evaluation.
 - d. Grievances arising out of a recommendation that tenure be denied shall be filed in writing and resolved through the approved faculty grievance procedures of SIUC including the School of Medicine or SIUE. In such cases, the burden of

proof rests on the individual faculty member.
(3/13/03)

(1) Assistant professors having job descriptions with a clinical and education commitment greater than their research commitment shall be notified in writing that tenure has been awarded at the end of the eight-year probationary period or that the appointment will not be renewed at the end of the ninth year.

- g. Professional positions.
 - 1. Tenure does not apply to positions on the professional staff. A person shall not be deprived of tenure or the highest academic rank attained because of assignment to a professional staff position under the authority of the Board of Trustees. Such appointment shall not deprive a person of service credit attained toward the achievement of tenure or limit a person's normal progress toward tenure or promotion. The functions, titles, salaries, and annual periods of employment of persons in professional staff positions shall be distinct and severable from their faculty status.
 - 2. Upon reassignment to duty in the tenured position, the monthly salary therein shall be determined after consultation with the individual on the basis of the nature of the position, the experience, academic qualifications and previous service of the individual, and the salary range within the department, school or college to which reassignment is made. Reassignment of duties may occur at any time. Adjustments in salary may occur at the end of any fiscal year or within a fiscal year if for cause duly stated. (3/13/03)
- h. Notice of non-reappointment: The Faculty and Professional Staff Personnel Policies will provide for such notice for faculty in tenure-eligible ranks and other employees on continuing appointments. Term appointments are for a specified period of time and expire at the end of the term stated in the notice of appointment; no separate notice of non-reappointment need be given for such appointments. Notice of non-reappointment of

professional staff and untenured faculty on continuing appointments shall be given in writing as follows:

First appointment year	No less than 3-months notice
Second appointment year	No less than 6-months notice
Third and subsequent appointment years	No less than 1-year notice

- i. No notice period need exceed the length of the appointment. The notice periods shall be proportionally shortened for appointments of less than an academic or fiscal year. Notice periods longer than those stated above may be incorporated in the Faculty and Professional Staff Personnel Policies.
- j. Outside professional activities: Such policies will provide for the reporting to and regulation by the executive officers of extramural research, consulting, and employment of faculty and professional staff so that such activities complement professional performance. When such activities are of a nature that administrative involvement in their conduct is necessary or desirable to facilitate the complementary effect on professional performance, additional or supplementary policies may be promulgated by the executive officer, subject to the approval of the President. Such policies may govern administrative involvement and provide for the payment or reimbursement of the administrative expense from the proceeds of the external activity. Examples of the latter include, without limitation, patents, copyrights, and clinic practice of professionals conducted pursuant to the educational mission of SIUC or SIUE.
- k. Such policies will provide for a drug-free workplace which shall meet the minimum standards of applicable statutes or rules having the force of law and will be promulgated by the Chancellors at their respective campuses. (3/13/03)
- l. Such policies will provide for Family and Medical Leave which shall meet the minimum standards of applicable statutes or rules having the force of law.
- m. At SIUC, an assistant professor who has served previously as an instructor at SIUC may serve a total probationary period in both ranks not to exceed seven years. At SIUE, this maximum period may be extended by one year by mutual written agreement of the academic unit and the individual.