

## 8. HUMAN RESOURCES PRACTICES

### 8.1 Equal Employment Opportunity/Affirmative Action Policies

The University of Tennessee does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran status in provision of educational programs and services or employment opportunities and benefits. This policy extends to both employment by and admission to the University.

The University does not discriminate on the basis of race, sex or disability in its education programs and activities pursuant to the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990.

Inquiries and charges of violation concerning Title VI, Title IX, Section 504, ADA or the Age Discrimination in Employment Act (ADEA) or any of the other above referenced policies should be directed to the Office of Equity and Diversity (OED), 1840 Melrose Avenue, Knoxville, TN 37996-3560, telephone (865) 974-2498 (V/TTY available) or 974-2440. Requests for accommodation of a disability should be directed to the ADA Coordinator at the UTK Office of Human Resources (HR), 600 Henley Street, Knoxville, TN 37996-4125.

### 8.2 Welcoming Statement

In addition, the following is a statement of campus policy for The University of Tennessee, Knoxville:

The University of Tennessee, Knoxville, in its efforts to ensure a welcoming environment for all persons, does not discriminate on the basis of sexual orientation in its campus-based programs, services, and activities. Inquires and complaints should be directed to the Office of Equity and Diversity.

## 8.3 Hiring Staff

### 8.3.1 Non-exempt Staff

- Department completes and submits a "Personnel Requisition" found at <http://www.tennessee.edu/humanresources> to Human Resources-Employment, 221 Conference Center Building, - 4125. If the vacancy is a new position, an electronic Position Create/Change Request and Position Description Questionnaire must be attached and approved by the appropriate vice-chancellor, vice-president, and/or business-officer.
- Position is posted by HR Employment on the UT Position Vacancy List, found on the Human Resources website at <http://iris.tennessee.edu/employment/> and on the weekly printed version of the list. The position must be listed a minimum of five (5) working days.
- An employment counselor will contact the department to discuss the position and how the department wishes to review applications.
- The employment counselor will establish an applicant pool for the vacancy and will select the best-qualified applicants for referral to the department. The applications of the selected candidates will be emailed to the department.
- Department conducts interviews, checks references, and makes hiring decision. Department contacts the employment counselor, completes the authorization to hire, and sends this to the employment counselor (fax: 974-0659).
- Department completes the applicant referral forms and returns them to Human Resources - Employment, 221 Conference Center Building, -4125. All applicant referral forms must be returned to comply with EEO policies.
- Employment counselor makes the official job offer. This is done so that the candidate's questions can be answered, salary confirmed, orientation scheduled, the probationary period explained (if a new hire), and tests scheduled if required.
- Human Resources will prepare the Personnel Information Form (PIF).
- To comply with the Immigration & Naturalization Service regulations, eligibility to work in the U.S. must be confirmed within the first three workdays for a new hire. An I-9 form must be completed and appropriate documentation produced, copied, and attached to the I-9 form and sent to Human Resources - Records, 224A Conference Center Building, -4125.

### 8.3.2 Exempt Staff (Including Post-docs)

- Department completes a requisition which requires PI's and Department Head's signatures. (Dean/Business Officer may also have to sign depending on College/Unit requirements.) Note: For new regular or term positions a Position Create/Change Form and a Position Description Questionnaire must be attached.
- Department sends requisition to Human Resources – Employment, 221 Conference Center Building, -4125, for posting.
- Requisition is processed by Employment, a copy is sent to OED, and the position is posted by HR Employment on the UT Position Vacancy List, found on the Human Resources website at <http://iris.tennessee.edu/employment/> and on the weekly printed version of the list. The position must be listed a minimum of five working days.
- Human Resources send memorandum to department confirming receipt and posting of vacancy and encloses a Staff Exempt Employment Authorization, application packet and Affirmative Action Identification Invitation.
- Department places advertisements in journals/newspapers if required, or instructs Human Resources - Employment to do so.
- Applicants are encouraged to apply directly to department.
- Department sends out Affirmative Action information form upon receipt of applications with instructions for return to Human Resources. Human Resources retains these forms with other search documents. The department retains resumes and other applicant materials.
- Department screens applications, conducts interviews, and makes hiring decision.
- Department forwards completed "Staff Exempt Employment Authorization" to Human Resources.
- Human Resources generates official offer letter. Department/new hire contacts Human Resources - Employment (974-6642) to schedule orientation.
- Human Resources generates PIF for new hire.

**NOTE:** OED reserves the right to ensure that Affirmative Action guidelines are followed in restricted account regular exempt searches.

### 8.3.3 Regular Faculty (Non-Tenure-Track Clinical Faculty, Research Faculty, Lecturers, Instructors)

- When the department is ready to make an official offer, it sends the request to the Chancellor's Office once the request has been approved by the dean's office. The request is accompanied by the appropriate hiring documents, e.g. Recommendation for Faculty Appointment, job description, curriculum vitae, the English Competency Form for teaching faculty, and a record of the faculty vote for research, clinical, and adjunct professors.
- The offer letter is produced and mailed by the Chancellor's Office. The candidate signs and returns the acceptance letter to the Chancellor's Office. The Chancellor's Office forwards the signed acceptance letter to the department and a copy of the signed letter to OED.
- The department contacts the new faculty member to communicate information about joining the department and informs the candidate of the steps required to complete the hiring process. The department or new faculty member contacts Human Resources at (865) 974-6642 to schedule a New Employee Orientation Session.
- The department prepares the Personnel Information Form (PIF) and forwards the PIF, the original acceptance letter, and the curriculum vitae to the dean's office for signature.
- The dean's office submits the approved PIF, the curriculum vitae and the original acceptance letter directly to HR.
- HR enters the PIF into IRIS after the faculty member has attended orientation and completed necessary hiring documents. This entire process must be completed before the new faculty member can receive a check from the University.

### 8.3.4 Faculty (Tenure Track)

Follow the steps outlined at: <http://provost.tennessee.edu/hiring>

### 8.3.5 Term Employment

Two options exist for hiring employees on a short-term basis. The first option is to hire an employee on a term basis. Term employment is expected to be less than 12 months. Term employees do not accrue leave and are not eligible for the insurance programs available to regular staff.

Consult the University's IRIS website for the current method for preparing and processing hiring paperwork for term employees.

The second option is to hire term employees through Human Resources Temporary Help Pool (THP). The THP provides quality temporary support to University departments in many different jobs such as clerical/secretarial, financial, information technology, maintenance, and skilled and unskilled labor. The THP is responsible for doing all hiring documents and payroll functions. The department is charged an hourly rate based on the job duties being performed. To place a request with THP, call Human Resources-Employment at 974-6642.

### 8.3.6 Student Employees

A student employee is one whose primary function is to be enrolled in an academic program and includes job titles of UT Student Assistant, Non-UT Student Assistant, and Graduate Assistant. Employees so designated receive no benefits other than those legally required such as Workers' Compensation. Upon termination, Non-UT Student Assistants may be eligible for Unemployment Compensation. The work schedule of a Graduate Assistant should not exceed twenty (20) hours per week without specific approval of the Graduate School. When terminating UT student employees, the procedures outlined in [Hilltopics: A Student Handbook](#) should be followed.

Consult the University's IRIS website for the current method for preparing and processing hiring paperwork for student assistants.

### 8.3.7 Graduate Assistantships

There are four different categories of assistantships:

- Graduate Assistant: appointed to perform various duties other than those related directly to teaching or research.
- Graduate Research Assistant: appointed perform duties in support of university research, which may or may not be related directly to the student's thesis or dissertation.
- Graduate Teaching Assistant: appointed to perform only duties related directly to instruction.
- Graduate Teaching Associate: advanced graduate students primarily responsible for teaching undergraduate courses.

Current Graduate Student Stipends are listed at: [\(Link\)](#)

Consult the University's IRIS website for the current method for preparing and processing hiring paperwork for graduate assistantships.

### 8.3.8 International Employees

U.S. Citizens and Permanent Residents may be employed in the U.S. without additional work authorization from the U.S. Department of Homeland Security. However, others will require some form of work authorization before being employed by The University of Tennessee.

If the prospective employee is currently outside the U.S., he/she will need to apply for a visa to enter the U.S. The visas usually used are the J-1 Research Scholar and H-1B Temporary Worker. The J-1 visa is most appropriate for a researcher who is coming to the U.S. from his/her home country for three years or less and who plans to return to his/her home country when the research position ends. While the J-1 paperwork is very easy to process, and a J-1 visa can usually be obtained relatively quickly, it is extremely difficult to get a J-1 visa in certain countries, if the U.S. Consulate predicts that the researcher will not return home at the end of the period of employment. The J-1 is also not recommended for a researcher who is not currently living in his/her home country because it will be difficult to prove intent to return home (Note: A J-1 researcher will be required to pay a SEVIS fee of \$100 in addition to the normal visa application fee, before applying for the J-1 visa. A host department may choose to pay this fee on behalf of the researcher.)

The H-1B visa requires considerably more paperwork and longer processing times, as well as fees to be paid by the host department (Currently \$685 for regular processing and \$1,685 for premium processing. The premium processing fee, paid to the U.S. Department of Homeland Security, reduces the period of time for the actual processing of the petition, but it does not change the time needed for the preparation of the petition or the visa application.) The H-1B visa, however, is often more appropriate if the position is expected to last longer than three years, or if the researchers wants to have the option of pursuing further employment in the U.S. (An applicant for an H-1B visa does not have to prove that he/she will return home at the end of the research. H-1B status can usually be extended up to six years.)

If the employee will be graduating from a U.S. institution and is pursuing post-doctoral research in the area of the most recent degree, he/she will usually be eligible for "Optional Practical Training" (OPT) or work authorization. Application for OPT must be filed before graduation, through the International Student Office at the university where the student is studying. OPT is normally valid for one year and may not be extended. In order to continue working for The University of Tennessee beyond the period of OPT, the employee would normally need to change to H-1B status.

A prospective employee who is at another U.S. institution with J-1 or H-1B status may usually transfer to The University of Tennessee, as long as there is time remaining for his/her immigration status (three years for J-1 status; six years for H-1B). However, J-1 or H-1B paperwork must be processed in the UT Center for International Education before the employee begins working at UT.

To discuss the most appropriate visa or immigration status for a prospective employee, contact the International Scholar Service office at the Center for International Education (865) 974-3177 or <http://web.utk.edu/~globe/>.

To initiate a J-1 visa or transfer a J-1 researcher, complete a J-1 Request Form available on the Center for International Education website. To initiate an H-1B petition, contact the Center for International Education to request an application package.

Additional information regarding hiring international employees and forms needed may be found on the Center for International Education website at <http://web.utk.edu/~globe/scholars/>

### 8.3.9 Export Control

**Statement on Export Control** -- The University of Tennessee, Knoxville states that, absent extraordinary circumstances, teaching, research, and service will be accomplished openly and without prohibitions or restrictions on the publication and dissemination of the results of academic and research activities. Certain federal regulations, however, may require the University to obtain permission from the Department of State or the Department of Commerce before allowing foreign nationals to participate in research involving specific technologies or before sharing research information with persons who are not citizens of the United States or permanent resident aliens.

Additional information on Export Control issues may be found at on the Office of Research's web site at <http://research.utk.edu>.

## 8.4 Employee Benefits

The University of Tennessee offers a competitive and comprehensive benefits package to regular employees. Information on specific benefits and benefits eligibility is located on the University's website at <http://www.tennessee.edu/retirement>.

## 8.5 Employee Compensation

The University's objective is to provide employees with a total compensation package, comprised of both salary and fringe benefits that recognizes and rewards performance and productivity while maintaining a competitive market position and internal equity. Official salary schedules which include pay grades and salary ranges for jobs at the University may be found at <http://www.tennessee.edu/compensation>.

## 8.6 Job Families and Job Descriptions

Human Resources has developed job families for the University. A complete list of all job families may be found at <http://www.tennessee.edu/compensation>. For the majority of grants and contracts the following job families will be applicable:

- Academic and Instructional Support
- Faculty
- Information Technology
- Other Professional
- Research
- Technical

Official job descriptions have been developed for each individual job within a job family. These descriptions are located at <http://www.tennessee.edu/compensation> and will be useful when creating new jobs and developing position descriptions.

## 8.7 Health and Safety

The University's goal is to provide a safe and healthful environment for University faculty, staff, students, and guests. The University of Tennessee will maintain a climate conducive to the safe conduct of the University's various missions. The University of Tennessee adheres to the laws of the state of Tennessee and to local and federal codes, ordinances and regulations as required.

Any unsafe situations or practices should immediately be reported to a supervisor or to the campus safety officer. The safety officer for the Knoxville campus is Mark Smith, phone number 974-5084. The web site for the Environmental Health and Safety Office is <http://web.utk.edu/~ehss/>.

For information about the University of Tennessee Safety and Health Plan for Employees click on the link below: (Link)

The University's Health and Safety policies are found at (Link) and include information on the safety and environmental health program; emergency management; ionizing radiation, hazardous materials, biological, and laser safety; reporting safety and health concerns; safety and environmental health responsibilities; and the organization and composition of the University's safety committee.

## 8.8 Employee Conduct

To promote a harmonious, safe and collaborative work environment at The University of Tennessee general guidelines for faculty and staff conduct and behavior have been established. Each member of the university community is expected to exhibit a high degree of professionalism and personal integrity consistent with the pursuit of excellence in the conduct of his or her responsibilities. The University as a community holds to certain shared values by which our actions are to be measured and governed. The University's Code of Conduct is located at: <http://www.tennessee.edu/policy> and search for "code of conduct."

This policy identifies certain of those commonly held values and associated behaviors. Violations of the Code of Conduct may be cause for disciplinary action up to and including termination of employment.

Disciplinary action of any kind and for any reason is to be taken with extreme care to assure fairness for all parties involved. Disciplinary action is defined by one of the following actions: corrective action (oral/written); suspension without pay, demotion, and termination. As warranted by circumstances, an employee may be terminated at any point in the disciplinary process.

If an employee is to be disciplined or discharged, supervisors must contact the human resources (HR) officer or designee prior to discharging any employee to ensure that such action is appropriate and consistent with University policy. The HR officer must determine University policy has been followed before an employee is disciplined or discharged. The Disciplinary Action Policy is located at: <http://www.tennessee.edu/policy> and search for "disciplinary action."

## 8.9 Ending Employment

### 8.9.1 Resignations

Employees who are resigning from the University should submit a letter of resignation to the department. A copy of the resignation letter must be submitted to Human Resources for the Personnel file. Employees should provide a minimum of two weeks notice. In the case of exempt employees, the notification period should be a minimum of one month. The department must provide the employee with the Authorization for Release of Final Paycheck form to clear the employee from any outstanding university debts and to return all assigned University property. The department will need to prepare the appropriate Personnel Action document to remove the employee from the University payroll.

When an employee whose salary is paid by the funding agency leaves the University, the grant or contract must pay for any annual leave benefits accrued by that employee, including annual leave accrued during employment prior to being hired on the grant. Annual leave payout can constitute a substantial financial obligation, depending on the amount of annual leave accrued.

## 8.9.2 Ending of a Grant/Contract

If positions are being eliminated due to a reduction in funding or the end of a grant/contract, University policies and guidelines define the steps in this process.

- Review Personnel Policy #145, Reduction in Force, located at <http://www.tennessee.edu/policy> and search for "reduction in workforce."
- Contact Human Resources to initiate the planning process.
- Human Resources will assist the department in identifying functions that will be eliminated or reduced and will determine positions to be affected.
- The department will develop a written plan to justify the action and should plan to give as much time for notice to employees as possible.
- The department will submit the written plan to the Office of the Chancellor or appropriate administrator for review and approval to proceed.
- Upon approval, Human Resources will provide the department with Reduction in Force information, which will include templates for notification letters, suggested timeline, and other related materials.
- The department prepares the employee notification letters about the Reduction in Force.
- Department contact and/or supervisor will meet individually and privately with the employee(s) to present the notification letter.
- Upon request, Human Resources will prepare the separation notice to file for Unemployment Compensation insurance with the Department of Labor and Workforce Development.