



NON-FACULTY EMPLOYEE HANDBOOK

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1. INTRODUCTION

1.1. ABOUT THIS HANDBOOK

The purpose of this Handbook is to provide non-faculty employees with information about Mercer University and its employment policies. It is important that all employees take the time to read it thoroughly. The policies described in this Handbook are subject to change at any time and at the sole discretion of the University. Employees who have questions concerning any policies should ask their supervisor or contact a Human Resources representative.

This Handbook is not a contract guaranteeing employment for any specific duration. Although we hope employment relationships with Mercer will be long-term, either the employee or the University may terminate the employment relationship at any time.

This Handbook is intended for non-faculty employees of the University. While many of the policies and benefits described in this Handbook are the same for all employees of the University, there are some differences in the terms and conditions of employment for faculty and employees at the Mercer Engineering Research Center (MERC). As such, faculty should refer to the University Faculty Handbook found on the Provost's website and MERC employees should refer to their employee handbook found on MERC's employee intranet.

1.2. MISSION AND VISION

Our Mission

To teach, to learn, to create, to discover, to inspire, to empower and to serve.

Our Vision

To change the world, one student at a time.

In fulfilling this mission, the University supports undergraduate, graduate, and professional learning as well as basic research and its application in service to others. As a university committed to excellence and innovation, Mercer challenges members of its community to meet and exceed high standards in their teaching, learning, research, scholarship and service.

Founded by Baptists in 1833, Mercer is an independent university that remains grounded in a tradition that embraces freedom of the mind and spirit, cherishes the equal worth of every individual, and commits to serving the needs of humankind. As a reflection of this heritage, our core values include the following:

- We encourage our students to discover and develop fully their unique combination of gifts and talents to become leaders who make a positive difference in the world.
- We seek to inspire members of our community to live virtuous and meaningful lives by using their gifts and talents to serve the needs of humankind as an expression of their love for God and neighbor.

- We seek to enrich the mind and spirit by promoting and facilitating an open and rigorous search for truth and understanding, including an examination of the moral, religious and ethical questions of this and every age.
- We affirm and respect the dignity and sacred worth of every person and celebrate both our commonalities and our differences.

Learn more at <https://www.mercer.edu/about-mercer/mission-and-vision>.

2. NON-DISCRIMINATION, ANTI-HARASSMENT AND EQUAL OPPORTUNITY POLICIES

Mercer University is committed to maintaining a fair and respectful environment for living, work and study. To that end, and in accordance with federal, state and local law and University policies, the University prohibits harassment of or discrimination against any person because of race, color, national or ethnic origin, disability, marital status, veteran status, sex (including pregnancy, child birth or a medical condition related to pregnancy or childbirth), sexual orientation, gender identity, gender expression, genetic information, age, or religion (except in limited circumstances where religious preference is permitted by law), or any other protected status or characteristic as defined by law. Mercer University is also committed to providing an educational and workplace environment free from all forms of sexual misconduct, including sexual harassment, sexual assault, dating or domestic violence, gender discrimination or harassment, sexual exploitation, stalking, or retaliation.

To uphold the University's values of fostering a climate of opportunity, mutual respect, and understanding and striving for a campus that is absent of discrimination and sexual misconduct, the Office of Equity and Compliance will address and remediate reported forms of discrimination and sexual misconduct and provide policies, training, and education in an effort to prevent discrimination and sexual misconduct. You may contact the Associate Vice President of Equity and Compliance/Title IX Coordinator at 478-301-2788 or at stellato_sl@mercer.edu or learn more by visiting <https://equityandcompliance.mercer.edu>. All Mercer University employees are required to disclose information about suspected or alleged sexual misconduct or discrimination to the Title IX Coordinator. If the Office of Equity and Compliance receives information about an incident of sexual misconduct or discrimination, they will reach out to provide information on your options, rights, and supportive measures that are available to you as a member of the Mercer University community.

2.1. EQUAL EMPLOYMENT OPPORTUNITY POLICY

Mercer University's Human Resources Office has developed and manages the [Equal Employment Opportunity Policy](#).

2.2. NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Mercer University's Office of Equity and Compliance has developed and manages the [Non-Discrimination and Anti-Harassment Policy](#).

2.3. SEXUAL MISCONDUCT POLICY

Mercer University's Office of Equity and Compliance has developed and manages the [Sexual Misconduct Policy](#).

2.4. AMERICANS WITH DISABILITIES POLICY AND PROCEDURES

Mercer University's Human Resources Office has developed and manages the [Americans with Disabilities Act](#) policy.

2.5. PAY TRANSPARENCY NONDISCRIMINATION PROVISION

Mercer University will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the university's legal duty to furnish information.

3. EMPLOYMENT POLICIES AND PROCEDURES

3.1. CATEGORIES OF EMPLOYMENT

For purposes of human resource administration, including eligibility for overtime and employee benefits, the University categorizes its employees as follows:

3.1.1. Full-time Regular Employees

Employees hired to work a minimum of thirty (30) hours a week on a regular basis and may be exempt or nonexempt as defined in section 3.4 of this handbook.

3.1.2.Part-time Employees

Part-time employees may be exempt or nonexempt as defined in section 3.4 of this handbook. There are two categories of part-time employees:

3.1.2.1. Category I (Regular employment)

Employees hired to work less than thirty (30) hours a week on a regular basis, but who work at least 1000 hours a year. Employees in this category are sometimes referred to as regular part-time employees.

3.1.2.2. Category II (Casual employment)

Employees hired to work less than 1000 hours a year, including those who work an irregular schedule or varied hours, or who work on an on-call, as needed, basis. Employees in this group on not eligible for benefits, other than those federally mandated and service is not credited for purposes of benefits or seniority if the employee is subsequently employed as a regular employee, excepted as required by federal or state law.

3.1.3.Temporary Employees

Employees engaged to work full-time or part-time on the University's payroll with the understanding that their employment will be terminated no later than upon completion of a specific assignment, or when the supervisor determines the services provided by the temporary employee are no longer needed. Temporary assignments are generally for durations of less than six months. Such employees may be exempt or nonexempt as defined below. Temporary employees are not eligible for benefits, other than those federally mandated, and service as a temporary employee is not credited for purposes of benefits or seniority if the temporary employee is subsequently employed as a regular employee, except as required by federal or state law.

Individuals who are working for the University on a specific assignment from a temporary employment agency are an employee of the respective agency and not an employee of the University.

3.2. TYPES OF EMPLOYEES

3.2.1.Non-exempt Classified Staff

In accordance with federal wage and hour laws, non-exempt employees are not exempt from the overtime provisions of the Fair Labor Standards Act. As such, non-exempt employees must report all leave and hours worked through formal time-keeping methods and must be compensated for overtime at the rate of one and one-half times their regular rate of pay for all hours worked beyond forty hours in a workweek. Overtime compensation may be in the form of pay via a paycheck or as time off (flex time) taken within the pay period (at the one and one-half times rate) in which it is earned. All overtime must be approved in advance by the employee's direct supervisor.

3.2.2.Exempt Professional/Administrative Staff

Exempt employees are paid a salary and perform duties that meet the criteria for exemption as outlined in the Fair Labor Standards Act. Exempt employees are not required to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty (40) hours in a workweek. As such, exempt employees are not required to report hours worked, but must report any leave taken.

Honorific appointments include courtesy appointments to the faculty. Honorific appointments do not confer the special rights of faculty established in the University faculty handbook or the supplemental handbooks of the colleges or schools. Regular employees receiving such an appointment will continue to be considered an Exempt Professional/Administrative employee.

3.2.3.Faculty

Faculty appointments are at the discretion of the President and are subject to the University Faculty Handbook and the supplemental handbooks of the colleges or schools.

3.3. RESTRICTIONS ON EMPLOYMENT

3.3.1.Personal Relationships

Mercer University's [Personal Relationships Policy](#) can be found on the Human Resources website.

3.3.2.Employment of Minors

The employment of all persons under the age of 18 years must comply with applicable federal and state laws, including the University's [Minors on Campus Policy](#), and must be approved in advance by the Associate Vice President for Human Resources.

3.4. OUTSIDE EMPLOYMENT

An employee's job at the University is generally expected to be their primary occupation. However, employment outside of Mercer may be acceptable if it does not interfere with the individual's University responsibilities and does not occur during the employee's regular University work schedule. Outside employment is not permitted where, in the opinion of the University, the outside job creates an actual or perceived conflict of interest or brings discredit to the University. Employees should notify their supervisor and/or Human Resources that they are considering outside employment opportunities that could potentially cause a conflict.

No University funds, equipment, or facilities may be used in outside employment without appropriate payment or reimbursement to the University, unless otherwise authorized by the President of the University.

Non-exempt employees are not allowed to accept employment or perform services for additional compensation from any department within the University without prior approval from their current supervisor and the Associate Vice President for Human Resources. If approved, non-

exempt employees must accurately report time worked on additional projects in compliance with the Wage and Hour Laws of the Fair Labor Standards Act. Non-exempt employees are not eligible for a one-time payment for additional work and must be paid on an hourly basis for hours worked and reported in Workday. Non-exempt employees are not permitted to teach university for-credit classes.

3.5. ONBOARDING AND NEW EMPLOYEE ORIENTATION

On or before the first day of employment, employees must complete their I-9 as required by the Immigration and Naturalization Act as amended, as well as all other required onboarding employment information.

New full-time and Category I part-time employees will be scheduled for a New Employee Orientation which will provide them with information regarding University policies, University culture, employee safety, benefit programs, and other information to acquaint them with the University. Employees are encouraged to ask any questions they may have during this orientation so that they will understand all the policies and benefits that affect and govern their employment relationship with the University.

3.6. PROBATIONARY PERIODS

Full-time and Category I part-time non-faculty employees (except for those designated as administrative/academic leadership) will be placed in an initial probationary status upon hire for the first 90 calendar days of their employment. However, new law enforcement employees will be placed in an initial probationary status for the first 180 calendar days of their employment. In certain circumstances, such as when there has been a change of supervisors or when there have been deficiencies in performance, the initial probationary period may be extended.

Non-faculty employees may also be placed in a probationary status for disciplinary and/or performance reasons at any time during their employment with the approval of the Associate Vice President for Human Resources. Employees will receive written notification advising them of the reason and duration of the probationary status. A copy of this notification will be placed in the employee's official file in Human Resources.

During a probationary period, an employee is generally not eligible for a transfer or promotion outside of their current department or receive a merit pay increase.

The successful completion of a probationary period should not be construed as creating a contract or as guaranteeing employment for any specific duration.

3.7. PROMOTIONAL AND TRANSFER OPPORTUNITIES

The University provides opportunities for internal transfers and promotions for current employees. Vacancies are normally posted on the Mercer University Careers website and interested employees may apply. As vacancies occur, employees interested in transfer or promotion should follow the procedures for application in the posting notice.

Non-faculty staff who are on probation may not apply for transfer or promotional opportunities to other departments, but may be considered for opportunities within the department in which they are currently employed, upon approval by Human Resources.

Employees who are applying for transfer or promotional opportunities outside of their department should notify their current supervisor if they are selected as a finalist. If a current employee is the selected candidate, the employee's current supervisor must be contacted by the new supervisor prior to an offer being extended.

Employees who are transferring or receiving a promotion must provide at least ten (10) working days advance notice, unless both the current and prospective supervisors agree to waive this requirement. For some positions, additional notice may be required.

3.8. RESIGNATION OR TERMINATION

Non-faculty employment relationships at Mercer are on an at-will basis and an employee may resign at any time during their employment. The University encourages employees to give at least 10 working days' notice to their supervisor. For those in leadership roles, it is requested that at least 30 days' notice be given to the supervisor. Accrued vacation is not regarded as part of the notice and as such cannot be used as terminal vacation to extend the last date of employment. Employees are expected to be at work on their last day of employment. A written resignation with the effective date of resignation should be sent to the supervisor with a copy sent to Human Resources.

Although the University hopes that its relationships with employees are long-term and mutually rewarding, the University reserves the right to terminate the employment relationship at any time. Advance notice to the employee of the termination is not required.

The recommendation for termination must be reviewed by the Associate Vice President for Human Resources before it is implemented.

3.9. UNAUTHORIZED RECORDING

The University is committed to the free exchange of ideas that should be found at any institution of higher learning. The [Unauthorized Recording policy](#) is designed to protect the privacy and confidentiality of all University employees and to maintain a professional work environment by prohibiting the recording of conversations within the workplace without prior consent. This policy also ensures compliance with applicable laws and regulations.

3.10. OFFICIAL EMPLOYEE FILES

Mercer University's Human Resources Office has developed and manages the [Official Employee Files Policy](#).

4. COMPENSATION RELATED POLICIES

4.1. WORK HOURS

For employees paid monthly, the workweek is based on the calendar week, Sunday through Saturday. For employees paid biweekly, the workweek is based on the calendar week, Thursday through Wednesday.

The normal workweek schedule for full-time, non-exempt employees is 37.5 or 40 hours, depending upon specific departmental and/or college requirements. While exempt employees are salaried and not paid by the hour, it is expected they will work the hours necessary to complete their assigned responsibilities. Generally speaking, exempt employees normally work at least 40 hours per week.

Employees are expected to report to work at their scheduled time and remain on the job throughout their regular working hours as established by their supervisor. Employees must receive prior approval from their supervisor for any work outside of their regular work schedule, including working through a lunch period.

4.2. TIME RECORDS

In order to comply with the provisions of the Fair Labor Standards Act, federal laws, and related regulations, the University requires employees who are designated as non-exempt (see Categories of Employment - Section 3.2) to submit a time record in Workday for each pay period. The time record is the official documentation for determining the amount of pay an employee is due for work performed during a given pay period. After reviewing the time submitted in Workday and resolving any discrepancies, the supervisor must approve the time record in Workday which will forward it to the payroll office.

Employees must ensure that their actual hours worked and leave time taken are recorded accurately. Falsification of a time record is a breach of University policy and is grounds for disciplinary action, up to and including termination. Where time clocks are used, employees are responsible for clocking in at the appointed starting time, clocking out for lunch, clocking in after lunch, and clocking out at the end of work time.

4.3. PAYCHECKS

Non-faculty employees are paid by check or direct deposit either on a biweekly or monthly basis. Employees paid on a bi-weekly basis normally receive their pay every other Friday. Employees paid on a monthly basis normally receive their pay on the university's last official working day of the calendar month. All required and authorized voluntary deductions will be withheld automatically from employee paychecks.

For those without direct deposit, paychecks are generally sent to a designated departmental representative for distribution to individual employees. Exceptions may be made when the employee designates in writing another individual to receive the check or when the employee will be on an extended leave of absence.

All employees may authorize direct deposit of their paychecks to their personal bank accounts by setting up those elections through their employee account in Workday. Information on how to set up direct deposit and view paystubs in Workday can be found in the job aids under the Payroll Training Module in Canvas.

All employees should review their paycheck for errors. If a mistake is found or there are questions, the employee should contact the Payroll Office or the Human Resource Office immediately to answer questions and to make any needed corrections.

Questions regarding time and/or hours worked, PTO, sick, holiday or any other time-off type can be discussed by the employee with his/her supervisor or department head, or the Payroll Office.

4.4. SALARY DEDUCTIONS

Mercer University is required by law to make certain mandatory deductions from employee paychecks, such as Social Security, Medicare, State and Federal taxes, etc. Other voluntary deductions will be deducted as approved by the employee. Finally, other required deductions will be made when the Payroll office is notified by the appropriate authority in accordance with a garnishment, judgment, or court order that authorizes the University to withhold or deduct wages.

Mercer University intends to pay salaried, exempt employees on a salary basis and will not make deductions from salary that are prohibited under the Fair Labor Standards Act. Employees who believe that improper deductions from their salary have been made should notify the Payroll Administrator or the Associate Vice President of Benefits and Payroll as soon as possible. If an investigation reveals a salary was reduced in error, the University will reimburse the employee for any improper deductions and take good faith measures to prevent improper deductions in the future.

4.5. OVERTIME

Non-exempt employees may be required to work overtime when the need arises. When overtime is necessary, supervisors will attempt whenever possible to provide reasonable advance notice to the affected employees. Overtime work must be authorized in advance by the appropriate supervisor. Overtime is all work performed by an employee in excess of the employee's regular budgeted hours per workweek (Sunday through Saturday). All overtime up to and including 40 total hours worked in a workweek will be compensated at the employee's regular hourly rate of pay. All overtime in excess of 40 total hours worked in a workweek will be compensated at one and one-half times the employee's regular hourly rate of pay.

When overtime hours have been worked, those hours must be recorded on the employee's time record for each workweek. Compensation for overtime is normally paid on the overtime payroll run for monthly employees and on the regular payroll run for bi-weekly employees, unless the overtime hours are offset by a proportionate number of time-off hours in accordance with the following Time-Off Plan.

Time-Off Plan for Overtime: A supervisor may schedule time off within the same pay period to offset the overtime hours worked by non-exempt employees, as long as all the following conditions are met:

- The time off granted must be at the rate of one hour off for every hour of overtime worked up to 40 hours in a workweek, and at the rate of one and one-half hours off for every hour of overtime worked in excess of 40 hours in a workweek. Time off should be granted at a time agreeable to both the supervisor and the employee.
- The offsetting time off must be taken during the same pay period in which the overtime was worked. Any overtime which has not been offset by time off taken within the pay period cannot be carried forward to the next pay period and must be compensated as paid time.
- The time report submitted in Workday must accurately record hours worked on the days they are actually worked, as well as any time off taken.

4.6. SUPPLEMENTAL PAY

To maintain judicious stewardship and appropriately compensate employees, Mercer University's [Supplemental Pay policy](#) defines eligibility requirements and specific guidelines to request, process, and disburse supplemental pay.

5. EMPLOYEE CONDUCT

5.1. GUIDELINES FOR APPROPRIATE CONDUCT

Employees of the University are expected to accept certain responsibilities, adhere to acceptable principles in matters of personal conduct, and exhibit a high degree of integrity at all times. Whether they are on duty or off, their conduct reflects on Mercer University. Employees are, therefore, encouraged to observe the highest standards of professionalism at all times and must abide by University policies and federal, state and local laws.

Types of behavior and conduct that are considered inappropriate for University employees and may be in violation of University policies and/or federal, state and/or local laws, include, but are not limited to, the following:

- Falsifying employment or other University records, including time records
- Violating the University's nondiscrimination and/or harassment policies
- Soliciting or accepting money and/or gratuities from students or vendors as outlined in section 6.8 Gifts and Gratuities
- Excessive absenteeism or tardiness
- Excessive, unnecessary or unauthorized use of University supplies or equipment, especially for personal purposes
- Reporting to work with prohibited substances or alcohol in employee's system
- Violating the University's Drug-Free Workplace and Campus Program
- Fighting or using obscene, abusive, or threatening language or gestures
- Theft of property from other employees, students or the University
- Unauthorized possession of firearms, weapons of any kind, or explosives on University premises or while on University business
- Disregarding safety, fire, traffic or parking rules

- Smoking in an unauthorized area
- Insubordination
- Willful failure to perform assigned duties or to follow instructions
- Lending or permitting the duplication of University keys to an unauthorized person
- Permitting others to use employee's University ID or login access to University systems
- Manipulation of computer data by causing false input or removal of computer data
- Gambling on University premises
- Charging personal telephone calls or personal expenses to University accounts

Should the employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of the University, based on violations of the above or of any other University policies, rules or regulations, they will be subject to disciplinary action, up to and including termination.

5.2. ABSENTEEISM AND TARDINESS

Employees are required to report and be prepared to work at the start of their approved work schedule as established by their supervisor. If an employee needs to be absent or tardy, they must notify their supervisor before their scheduled report time. If due to unforeseen circumstances, an employee is unable to provide notification to their supervisor prior to the start of the scheduled report time, they must do so as early as circumstances permit. For known, planned absences, employee should provide as much notice as possible to their supervisor, generally 30 days prior to the planned time off.

Absent a known serious health condition, Mercer considers the consistent use of more than one day of sick leave a month as potential abuse of the sick leave policy. Employees with a potential qualifying event under the Family Medical Leave Act must contact Human Resources.

Absenteeism or tardiness that is unexcused or excessive may be grounds for disciplinary action, including termination.

Employees having an urgent reason for leaving the work site must notify their supervisor(s) prior to departure. Failure to notify the supervisor may result in disciplinary action.

5.3. SAFEGUARDING UNIVERSITY PROPERTY

All employees who use University property are responsible for its care and security while it is subject to their control.

Employees are not permitted to use University property for personal purposes, and unauthorized use or removal of such property may be cause for immediate termination.

Employees who willfully or carelessly destroy University property will be required to pay for the repair, recovery, or replacement of such equipment. In addition, such activity may be construed as cause for immediate termination.

5.4. PERFORMANCE EVALUATIONS

The purpose of the performance evaluation is to provide non-faculty employees with a summary of the expectations and feedback that generally have already been shared with them by their supervisor(s). Performance evaluations are an ongoing process that contributes to positive communication, mutual respect, improved performance, individual growth, and career development.

Non-faculty employees in the initial probationary period should be evaluated by their supervisor(s) at the completion of the probationary period as indicated in Section 3.6. Such evaluations should contain specific recommendations for either continued employment, extending the probationary period or termination.

Non-faculty employees (except for those designated as administrative/academic leadership) are generally evaluated on an annual basis through the Workday performance evaluation process, usually on or near the employee's Mercer anniversary date. Some departments or divisions of the University may have other evaluation periods as approved by Human Resources.

Those non-faculty employees designated as administrative/academic leadership are generally given regular feedback on an ongoing basis with a formal performance evaluation occurring at least every three years.

After completing the evaluation, the supervisor should discuss the contents with the employee and set objectives and goals for the coming period. The employee should acknowledge this discussion by submitting their acknowledgement through Workday, which serves as their electronic signature. The employee's acknowledgement does not imply agreement with the evaluation, but only acknowledges that the content has been reviewed by the employee. If the employee refuses to acknowledge the evaluation, the supervisor should notify the Human Resources office. However, the content of the expectations and objectives will remain in effect.

The employee will be given an opportunity through the evaluation process in Workday to add their own comments and feedback on the content of the evaluation. This information will become a part of the final evaluation which will be saved to the employee's Workday profile and will be considered part of the employee's official file.

5.5. REPORTING SUSPECTED IMPROPER CONDUCT

In all its business practices, and particularly in its dealings with the United States Government, the University seeks to conduct itself with the highest degree of integrity and honesty. Through its Internal Audit Department and through external audits, the University periodically reviews its business practices, policies, procedures and internal controls for compliance with standards of business ethics and with the special requirements of Government contracting.

Any employee who suspects that improper or illegal conduct or any other irregularities have occurred, especially in connection with government contracts, is expected and encouraged to promptly report such concerns so that the matter may be investigated and corrective action taken where appropriate. Such reports may be made to the employee's supervisor, who will refer the matter to the Internal Auditor for investigation, or the employee may report suspected improper conduct directly to the Internal Auditor. Employees may file an anonymous report through an independent provider, NAVEXGlobal's Ethics Point. The link for filing a report can be found on the [Audit & Compliance website](#) and selecting EthicsPoint Fraud and Abuse Hotline.

The University will not discharge or otherwise retaliate against any employee for disclosing information to appropriate University or Government officials which the employee reasonably believes evidences a violation of any Federal law or regulation relating to federal contract procurement, charges to the Government, or the subject matter of federal contracts.

5.6. RETALIATION

Any adverse action taken by an employee in response to an individual who has filed a report, testified, assisted, or participated in any manner in an investigation or proceeding under any University Policy is strictly prohibited and subject to disciplinary action up to and including termination of employment. Retaliation includes intimidation, threats, harassment, or any type of adverse action taken against an individual in the attempt to deter them from addressing, reporting, or testifying on adverse conduct.

5.7. SOLICITATION AND DISTRIBUTION OF LITERATURE

In the interest of maintaining a proper campus environment and preventing interference with work and inconvenience to others, the University regulates solicitation and distribution of literature on its campuses.

For purposes of this policy, solicitation includes (1) soliciting business of any type, including the selling of products or services; (2) soliciting funds, including debt collection, or political or petitionary support of any kind; and (3) conducting opinion, investigatory or other types of surveys or polls. Distribution includes posting, placing on cars, stuffing university mailboxes, handing out or otherwise distributing any type of literature, pamphlets, product samples or other materials.

Unauthorized solicitation or distribution for any purposes on the University's property by non-employees is prohibited. Business contacts by unauthorized sales representatives during normal business hours with University employees are not permitted.

Solicitation by the University's employees in working areas during the working time of either the person soliciting or the person being solicited is prohibited. Distribution by employees of materials unrelated to work performance is not permitted in working areas of the University at any time. Solicitation and distribution during non-working time in non-working areas (e.g. cafeterias, break rooms and similar areas) are permitted.

Banners and posters which announce events of interest to students and employees may be displayed in designated areas on the campus after approval. Individuals who have approval to put up banners and posters must take them down at a designated time agreed upon when approval is granted.

5.8. GIFTS AND GRATUITIES

Mercer University requires all employees to act with integrity and good judgment and to recognize that accepting personal gifts from current or prospective vendors may cause legitimate concerns about a conflict of interest. In order to avoid a perceived conflict of interest, at no time should an officer or employee of Mercer University solicit or accept any gift, gratuity,

or offer of entertainment having a value in excess of \$250 from any individual or company that is doing, or seeking to do, business with the University.

Exceptions to this policy may be considered on a case-by-case basis, subject to the requirement that the employee discloses the proposed gift or gratuity in advance, and that acceptance of the gift or gratuity is pre-approved by the employee's supervisor.

5.9. INTELLECTUAL PROPERTY

5.9.1. Policy on Inventions, Patents and Licensing

5.9.1.1. Preamble and Objectives

Mercer University is dedicated to teaching, research and the expansion of knowledge. Although the University does not undertake research or developmental work principally for the purpose of developing patents and commercial applications, patentable inventions sometimes result from the research activities carried out wholly or in part with University funds and facilities. It is the policy of the University to assure the utilization of such inventions for the common good and, where appropriate, to pursue patents and licenses to encourage their development and marketing.

Mercer University has established the following policies and procedures with respect to inventions, patents and licensing in order to:

- promote the University's academic policy of encouraging research and scholarship;
- serve the public interest by providing an organizational structure and procedures through which inventions which arise in the course of University research may be made available to the public through established channels of commerce;
- encourage, assist, and provide tangible rewards to members of the University community — faculty, staff, and students — who make inventions processed under this policy;
- establish principles and uniform procedures for determining the rights and obligations of the University, inventors, and research sponsors;
- enable the University to retain title to inventions resulting from federally sponsored research; and
- produce funds for further investigation and research and for the overall needs of the University.

5.9.1.2. Ownership of Inventions

Inventions arising from research financed by the Government are controlled by the terms of the applicable grant or contract. Where the University is permitted to retain title to such inventions and chooses to do so, University patent policies will control.

Inventions arising from research or other work sponsored by nongovernmental entities are controlled by the terms of the sponsored agreement, if applicable, and if not, by University patent policies.

Inventions arising from research or other work conducted by University employees or students on their own time and without significant use of University funds or facilities shall be considered the sole property of the inventor and may be commercialized by the inventor at their own expense. However, by mutual agreement such inventions may be managed by the University under the terms of this policy. The University will not construe the payment of salary from unrestricted funds or the provision of office or library facilities as constituting significant use of University funds or facilities.

Inventions resulting from research or other work conducted by University employees or students on University time or with significant use of University funds or facilities shall be considered the property of the University. Any income received by the University as a result of licensing or otherwise commercializing these inventions shall be shared with the inventor as provided below. If the University does not wish to undertake patenting and commercialization of such an invention, and if there are no restrictions by any outside sponsor, the University may release its proprietary interest to the inventor.

Any use of the University's name in connection with the commercialization of an invention by an individual shall be approved in advance by the University.

5.9.1.3. Division of Income

Any income resulting from inventions managed by the University under this policy shall be shared as follows:

First \$10,000 of Net Income received:

- 75% to the inventor
- 15% to the inventor's College or School
- 10% to the University

Net Income received above \$10,000:

- 50% to the inventor
- 25% to the inventor's College or School
- 25% to the University

"Net Income" is defined as gross royalties and/or other receipts minus the costs incurred by the University for the patent application, interferences, development, licensing and patent enforcement.

Co-inventors share the inventor's portion in proportions agreeable to themselves.

The College or School share shall be administered by the Dean to support research programs in the inventor's department or division.

Fifty percent (50%) of the University's share, after defrayment of patent-related costs not otherwise covered, shall be used to support, or offset the costs of, research in the inventor's College or School, with the advice and counsel of the Dean.

5.9.1.4. Disclosure

Inventions arising in the course of sponsored projects should be promptly disclosed to the Office of the Senior Vice Provost for Research, with simultaneous disclosure to the principal investigator or project supervisor where applicable. The circumstances of the invention will be reviewed with those involved and the inventor will be notified in writing of the proposed disposition.

Inventions falling within Section D of Article II above, or about which there is a doubt as to ownership, or which the inventor wishes to have managed by the University, should be promptly disclosed to the Office of the Senior Vice Provost for Research. Within six weeks of the receipt of the disclosure, the inventor will be notified in writing of the determination of ownership (if in doubt) and the proposed disposition.

5.9.1.5. Invention Management

For all inventions managed by the University under this policy, the University will at no expense to the inventor make reasonable efforts to evaluate the interest of others in commercializing the invention, seek licenses and options for licenses, have applications for patents filed and prosecuted, and otherwise manage the inventions or arrange for their management by recognized patent management organizations.

The University will normally evaluate potential commercial use of an invention prior to the filing of a patent application. Options to license and other contractual arrangements appropriate in the circumstances will normally be sought as early as possible as a validation of potential commercial use. If the University determines that neither commercial possibilities nor the potential contribution to the public good warrants proceeding further, the invention will be returned to the inventor and shall belong to the inventor unless such action is precluded by prior agreement with sponsors.

In licensing, sale or other disposition of rights to inventions, the University will seek to guard against repressive practices. Royalty rates shall be reasonable and consistent with the goal of effectively transferring technology in the public interest. Where feasible, the University will grant nonexclusive, reasonable royalty-bearing licenses to all qualified licensees. The University recognizes, however, that nonexclusive licensing may not always be effective in bringing the invention to the commercial market in a satisfactory manner, and thus may grant an exclusive license if it determines that such is required in the public interest to encourage the marketing and eventual public use of the invention. In all cases, the University shall reserve to itself a non-exclusive, royalty-free license to make or have made and to use the invention within Mercer University for its own purposes.

In those cases where the University has obtained a patent without obligation to sponsors, if no arrangement has been made for commercial development within a reasonable period from the date of issuance of the patent, ownership of the patent will revert to the inventor upon request.

5.9.1.6. Publication

Inventors should be aware that a publication disclosing the invention prior to the filing of a U. S. patent application is a bar to the grant of certain foreign patents and can bar the grant of a U. S. patent if the publication occurred a year prior to the filing date. Accordingly, the University may

request a temporarily delay in a publication which discloses an invention to permit a United States patent application to be filed, but in no event longer than three months.

5.9.1.7. Disputes

Any disagreement between an inventor and the Office of the Senior Vice Provost for Research concerning rights in an invention shall be resolved by the President, who may appoint an ad hoc committee to make findings of fact and recommendations to him.

5.9.1.8. Revision or Termination

This policy may be changed or discontinued at any time by action of the Board of Trustees. Any such change or discontinuance shall not affect rights accrued prior to the date of such action.

5.9.1.9. Patent Agreements

This policy, as amended from time to time, shall be deemed to be a condition of initial or continuing employment of every University employee and a condition of enrollment and attendance of every student who works on any research project under University control. All such employees and students will be expected, upon request, to sign agreements incorporating the terms of this policy. Failure to sign such agreements, however, shall not affect the applicability of the policy nor relieve any employee or student from the obligations imposed.

5.9.1.10. Copyright Policy

Mercer University's academic mission is to teach, to learn, to create, to discover, to inspire, to empower, and to serve. This mission is best promoted by creating an intellectual environment that encourages and rewards creativity and innovation. Mercer supports the development, production, and dissemination of intellectual property by its faculty, staff, and students.

Mercer affirms its commitment to the personal ownership of original works of authorship by their individual creators, whether the creators work alone or with others, and whether they work privately or as members of the Mercer community (faculty, staff, and students). Accordingly, copyright to unpublished works is held by the author or creator, or heirs or assigns, unless a written transfer of copyright has been made to another party.

6. GRIEVANCE PROCEDURES

The University has established the following grievance procedures in an effort to resolve complaints by non-faculty employees:

6.1. REPORTS/COMPLAINTS INVOLVING SEXUAL MISCONDUCT (TITLE IX)

In compliance with Title IX, federal mandates, and University policy, cases involving sexual misconduct/sexual harassment may require and involve additional investigatory, procedural, and adjudication standards that supersede any listed in this handbook. Please refer to the

procedures outlined in the Sexual Misconduct Policy and Procedures (see Section 2.3). Should any other policy or procedural guidelines conflict with this policy, the Associate Vice President for Human Resources, in consultation with the Title IX Coordinator, is the final arbiter of procedural decisions.

6.2. REPORTS/COMPLAINTS INVOLVING DISCRIMINATION OR HARASSMENT

Students and employees alleging violation by a University employee or contractor of the University's Non-Discrimination and Anti-Harassment Policy (see Section 2.2) prohibiting harassment of or discrimination against any person because of race, color, national or ethnic origin, disability, marital status, veteran status, sex (including pregnancy, child birth or a medical condition related pregnancy or child birth), sexual orientation, gender identity, gender expression, genetic information, age or religion (except in limited circumstances where religious preference is permitted by law) should refer to the reporting procedures as outlined in the policy.

The University encourages any Member of the Community to report any unresolved incidents of discrimination or harassment to the Office of Equity and Compliance.

6.3. OTHER REPORTS/COMPLAINTS

In cases not alleging discrimination or harassment as outlined in Sections 7.1 and 7.2, or improper conduct as outlined in Section 6.5, the complaining employee should first meet with their immediate supervisor for an informal discussion of the matter within fifteen (15) calendar days of the date the employee knew or should have known of the alleged action or decision upon which the complaint is based. If the complaint is about the employee's supervisor, then the employee should schedule a meeting with the next supervisor in line within the management chain. The supervisor(s) seeking to resolve the matter may consult with others as appropriate. All parties are expected to make a good faith effort to resolve the matter informally.

If the matter is not resolved by informal discussion, the employee may pursue a formal complaint with the Associate Vice President for Human Resources by submitting a written statement sent either by email or delivered to the Human Resources Office that includes the following information:

- a. A full description of the problem and any relevant facts, including but not limited to, when the alleged action(s) occurred, by whom, and what was specifically done or not done, and its impact or consequence to the employee.
- b. A summary of the steps, if any, the employee has already taken in an attempt to resolve the issue informally, including the names of persons involved;
- c. The requested resolution and the employee's rationale for the requested resolution;
- d. Any supporting documentation; and
- e. The name and contact information of the person initiating the complaint.

Once the Associate Vice President for Human Resources receives the statement, it will be reviewed and a follow-up meeting will be scheduled with the employee to discuss the alleged issues and determine next steps.

Any complaint must be brought by an individual and shall not be brought on behalf of a class.

7. EMPLOYEE HEALTH AND SAFETY

7.1. DRUG-FREE WORKPLACE AND CAMPUS PROGRAM

Mercer University's full [Drug-Free Workplace policy](#) can be found on the Human Resources website.

7.2. TOBACCO AND SMOKE-FREE ENVIRONMENT POLICY

Mercer University's full [Tobacco and Smoke-Free Environment policy](#) can be found on the Human Resources website.

7.3. CRIME AWARENESS AND CAMPUS SECURITY

Mercer University places a high priority on keeping its campus safe for its students, employees and visitors. The Mercer Police Department has primary responsibility for the security of the campus. Mercer Police officers are all certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and training requirements for police officers in Georgia, and they are authorized to exercise law enforcement powers on the campus, including the power of arrest.

More information on campus security policies, crime prevention programs, and campus crime statistics is provided and distributed annually in a Crime Awareness and Campus Security Report for each campus and is available on the [Mercer Police Department website](#). A printed copy of the report is available upon request in the Mercer Police Department or Human Resources Office.

7.4. OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

The University offers programs and plans to recognize and minimize the risks to specific employees or groups of employees who may be exposed to specific hazards while performing assigned tasks and regular duties. The [Environmental, Health & Safety Office](#) offers an OSHA Hazard Communication Program, OSHA Bloodborne Pathogens Program, General Laboratory Safety Program, and other associated Occupational Health Programs which are custom designed for the various specialized work environments within the University. Employees and/or job classifications identified to have potential exposure to hazardous conditions in the workplace can receive information concerning their rights and responsibilities from the Human Resources Office, the Environmental, Health & Safety Office, and the Office of Research Compliance.

7.5. JOB RELATED EMPLOYEE ACCIDENT AND INJURY/WORKERS' COMPENSATION

For information on Workers' Compensation, please visit the [Benefits/Payroll website](#).

8. TIME AWAY FROM WORK

Please refer to the individual policies related the following Time-Off Benefits:

- [Personal Leave Policy \(Sick & Vacation\)](#)
- [Holiday Policy](#) and [Schedule](#)
- [Jury Duty](#)
- [Bereavement Leave](#)
- [Military Leave](#)

8.1. FAMILY AND MEDICAL LEAVE (FMLA) POLICY

In accordance with the Family and Medical Leave Act of 1993 (FMLA), as amended, Mercer University provides up to 12 workweeks of FMLA leave to eligible employees for specified family and medical reasons or up to 26 workweeks for the care of a covered service member during a rolling 12-month calendar. The leave may be paid, unpaid or a combination of paid and unpaid leave as specified Mercer's full [FMLA policy](#).

8.2. INCLEMENT WEATHER

Mercer University has operations throughout the state and the decision to close each facility due to inclement weather will be made by the Dean of the respective school or college, and/or Presidential designee, after consultation with the President or his designee. The University will release information about any closures via social media, local news, email and the University's [Alert website](#). Employees should contact their direct supervisor if they have any questions regarding whether they should report to work.

9. ADDITIONAL POLICIES FOR EMPLOYEES

A complete listing of all university, federal, and state policies related to university employees can be found on the [Mercer University Policies website](#) and the [Human Resources website](#).

10. OTHER EMPLOYEE SERVICES AND BENEFITS

Please visit the [Benefits/Payroll website](#) and the [Human Resources website](#) for additional information.