

POLICY 1
ORGANIZATION OF DUTIES AND RESPONSIBILITIES

University Policy

Under the authority delegated by the University of Illinois Board of Trustees, the President, as the University's chief officer, is responsible for enforcing the rules and regulations of the University and for exercising final authority for all matters relating to human resources administration throughout the University, including the establishment and revision of compensation systems. The President may issue rules regarding the delegation and organization of duties and responsibilities for the human resources administration of Civil Service employees in the best interest of the University.

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Rule 1.01 - Delegation of Authority

The President has vested the authority for Civil Service human resources administration in the Vice President for Business and Finance. This authority includes the administrative review of the exercise of duties that are delegated to the Associate Vice President for Administration and Human Resources, the Assistant Vice President for Human Resources, each campus Chancellor, and the Chancellors' designees responsible for the campus human resources offices.

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Rule 1.02 - Assignment of Duties and Responsibilities/Associate Vice President for Administration and Human Resources

The University Office of Human Resources is responsible for the functional coordination and control of human resources policies and administrative matters that affect all campuses in order to insure consistency of University-wide operations. This office is under the direction of the Associate Vice President for Administration and Human Resources, who is also the University's Designated Employer Representative to the State Universities Civil Service System. Major responsibilities of the University office include:

Reviewing, evaluating, and developing human resources policies, rules, regulations, and practices.

Representing the campuses to the State Universities Civil Service System and the State Universities Civil Service System Merit Board regarding actions to be taken by the Chancellors and their staffs in the exercise of responsibilities relating to the State Universities Civil Service System Statute and Rules.

Advising Chancellors and/or their designees and University General Officers and their respective staffs on requests for exceptions to, or deviations from, established human resources policies, rules, regulations, standards, and practices; and taking or recommending action as appropriate.

Formulating appropriate action to assure compliance with federal and state legislation and conformance with rules and regulations issued by governmental regulatory agencies.

Directing the negotiations for all agreements with labor unions or other exclusive representatives.

Acting as principal liaison between the University and governmental agencies responsible for matters relating to Civil Service employees, such as the Illinois Educational Labor Relations Board and the State Universities Retirement System.

Consulting with the campus Chancellors, University officers, and human resources staff members, as well as with elected or appointed employee representatives, such as members of the University Employee Advisory Committee, regarding major human resources issues affecting Civil Service employees.

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Rule 1.03 - Assignment of Duties and Responsibilities/The Chancellor at Each Campus

The Chancellor, as the chief executive officer at each campus, is responsible for the administration of campus human resources operations and insuring compliance with University-wide policies, rules, and regulations, and with those State Universities Civil Service System responsibilities delegated by the University to the campuses. The Staff Advisory Council provides advice to the Chancellor on human resources matters relating to Civil Service employees.

Regulation

1.031 Delegation of Responsibilities

Each Chancellor may delegate responsibilities to other staff members except where specifically prohibited by the State Universities Civil Service System Statute and Rules or by the policies contained in Policy and Rules.

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Rule 1.04 - Assignment of Duties and Responsibilities/The Campus Human Resources Office

Within the framework of the State Universities Civil Service System Statute and Rules and University-wide policies, rules, and regulations, and under the direction of the Chancellor or the Chancellor's designee, each campus human resources office is responsible for managing the day-to-day human resources operations relating to Civil Service employees. Major responsibilities of the campus offices include:

Developing and implementing campus-level human resources administration programs, procedures, and guidelines.

Advising employing units and employees regarding compliance with State Universities Civil Service System, University, and campus human resources administration policies, procedures, and practices.

Recruiting, testing, and referring qualified candidates to employing units.

Classifying positions and administering University compensation plans.

Maintaining campus-level employee personnel records.

Assisting the University human resources office with labor union contract negotiations.

Consulting with employing units to resolve employee problems and complaints and to provide assistance with employee discipline and grievances.

Providing assistance and counseling to employees regarding employment opportunities or problems experienced in the workplace.

Providing avenues for consultation and participation by all levels of employees in the formulation and change of policies affecting them in their work.

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Rule 1.05 - Responsibilities of Employing Units for Civil Service Human Resources Administration

Deans, directors, and heads of academic, administrative, and service units are responsible for the management of Civil Service employees in positions assigned to their units. Such management includes responsibility and authority for applying University and campus human resources policies, rules, and regulations as well as supervising the work performance of employees. Unit heads may delegate supervisory responsibilities to other employees within the unit; however, such delegation shall not divest them from overall responsibility for human resources administration.

Regulations

1.051 **Major Responsibilities**

Major human resources administration responsibilities of unit heads and supervisors in employing units include:

Complying with Civil Service requirements and other University and campus human resources policies and procedures.

Defining the duties and responsibilities of positions and maintaining current and accurate job descriptions.

Selecting employees from qualified candidates referred by the human resources office.

Communicating organizational information to employees, including the organizational structure and reporting relationships of the unit, and the channels of communication and appeal.

Assuring that employees know the names of their immediate supervisors, the unit head, and those individuals designated to act for them in their absence.

Following campus and University guidelines with regard to administration of pay plans.

Providing materials, equipment, supplies, a safe working environment, training, and supervision.

Insuring that employees are aware of their duties and responsibilities and the standards of performance expected.

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Evaluating employee performance, and communicating with the employees to identify appropriate actions to develop individual skills and competencies and/or to correct deficiencies.

Responding to complaints and grievances.

Initiating employee counseling and progressive disciplinary action when necessary, seeking assistance from the campus human resources office in matters of employee relations when necessary.

Reporting employee work time and benefits used (sick leave, vacation) accurately.

1.052 **Equal Employment Responsibility**

Unit supervisors at all levels share responsibility for carrying out the University's commitment to diversity and equal employment opportunity for all employees and applicants. Heads of units are responsible for informing supervisors that equal employment efforts are considered in their performance evaluations.

1.053 **Communicating Performance Standards**

It is essential that the employee and the employee's supervisor have a common understanding of what duties the employee is expected to perform, and of the standards which should be met. Formal written standards of performance are not mandatory unless they are required by campus operational procedures; however, such standards are desirable.

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Rule 1.06 - Responsibility for Communication

Formal directives concerning University policies are to be communicated to employees through administrative channels, via deans, directors and heads of academic, administrative, and service units. Each unit shall establish procedures to disseminate information to individual employees through appropriate supervisors. In addition, informal communication of information and ideas among all employees is encouraged.

Regulation

1.061 Performance Appraisal Programs

Each campus may develop employee performance appraisal programs and operational guidelines for administration of such programs. Performance appraisal programs should foster communications among unit heads, supervisors, and employees regarding job expectations, identify employee development opportunities, and provide an avenue for evaluation of individual employee performance.

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Rule 1.07 - Responsibility for Safety of Employees

The University places a high priority on the safety and well being of all employees, students, and visitors. It is the responsibility of all employees to provide for safety in the environment and operations under their control and to consult campus offices responsible for security, health, and safety about safety issues in the campus environment. The University will comply with applicable laws and will implement programs to insure that employees are fit for duty and do not jeopardize the health and safety of themselves and others through misuse of drugs and alcohol.

Regulations

1.071 **Unsafe Conditions**

Employees who become aware of unsafe conditions within their work environment have the responsibility to report such conditions to their immediate supervisor or other officials responsible for the safety of the University community.

1.072 **Alcohol and Drug Testing of Employees**

Employees Required to Hold Commercial Drivers Licenses

The Omnibus Transportation Employee Testing Act of 1991 requires alcohol and drug testing of safety-sensitive employees in the aviation, motor carrier, railroad, and mass transit industries. The Federal Highway Administration rules, effective January 1, 1995, require random alcohol and drug testing of employees required to possess a commercial drivers license (CDL) by their employer. This Regulation shall refer to such employees as CDL employees. Applicants or employees testing positive under any of these mandated alcohol/drug tests will come under the provisions of the University Alcohol and Substance Abuse Policy.

Employees Required to Operate a Gas Transmission System

Chapter 49 of the Code of Federal Regulations (CFR) requires operators of pipeline facilities that are subject to part 192, 193, or 196 of 49 CFR to test employees that perform Operator Qualification Plan (OQ) covered tasks for the presence of prohibited drugs and alcohol.

1. **Alcohol Prohibitions for CDL Employees**

A CDL employee is prohibited from performing CDL activities for alcohol related conduct including: (1) while using alcohol, or possessing alcohol which is not manifested and transported as part of a shipment; (2) while having an alcohol concentration of 0.02 or greater; (3) within four hours of using alcohol; (4)

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refusing to submit to an alcohol test; and (5) using alcohol within eight hours after an accident or until after a required post-accident test.

Alcohol Prohibitions for OQ Employees

An OQ employee is prohibited from performing OQ activities for alcohol related conduct including: (1) while having an alcohol concentration of .04 or greater; (2) within four hours of using alcohol; (3) using alcohol within eight hours after an accident or until after a required post-accident test; (4) within eight hours of an alcohol test that produces an alcohol concentration of .02 or greater, but less than .04 unless he/she is retested and has a test result of less than .02; and (5) refusing to submit to an alcohol test.

Drug Prohibition for CDL and OQ Employees

CDL and OQ employees are prohibited from any unauthorized use of a controlled substance on or off duty.

2. Required Tests

Testing for alcohol/drug use is required under seven different situations including:

- A. Pre-Employment/Pre-Duty: Conducted before applicants are hired into positions that require a CDL and performance of safety-sensitive functions or positions that require the performance of OQ covered tasks, or before an employee is transferred from a position not requiring a CDL to a position that requires the possession of a CDL and the performance of safety-sensitive functions or from a position that did not require the performance of OQ covered tasks to a position that requires the performance of OQ covered tasks. A pre-duty test will be conducted on any CDL or OQ employee who is returning to duty after a 30 day or greater period of layoff or disability and who has not been subject to the requirement for a random drug test during the period of layoff or disability. OQ employees are only subject to pre-employment/pre-duty drug testing, not alcohol testing.
- B. Post-Accident: Conducted after accidents on CDL or OQ employees whose performance could have contributed to the accident. Testing on CDL employees is determined by issuance of a citation for a moving traffic violation and for all fatal accidents even if the CDL employee is not cited

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for a moving traffic violation. The University may rely on the results of breath, blood, or urine tests administered by on-site police or public safety officials to determine the presence of alcohol or controlled substances. Testing on OQ employees will be conducted after any reportable incident as defined by Parts 191 and 195 under 49 CFR.

- C. Reasonable Suspicion: Conducted when a supervisor observes CDL or OQ employee behavior or appearance that is characteristic of alcohol/drug misuse.

- D. Random Testing for CDL Employees: Testing for the misuse of alcohol shall be conducted throughout the year on a random unannounced basis just before, during, or after the employee's performance of CDL activities. Random testing for controlled substances shall be conducted at any time. Employees will be selected for random testing by a process that provides that each covered employee shall have an equal chance of being tested each time selections are made.

- E. Random Testing for OQ Employees (drug only): Random testing for controlled substances shall be conducted at any time for OQ employees. OQ employees will be selected for random testing by a process that provides that each OQ employee shall have an equal chance of being tested each time selections are made.

- F. Retesting for OQ Employees (alcohol only): After an OQ employee is administered an alcohol test that produces an alcohol concentration of .02 or greater, but less than .04, he/she will not be permitted to perform a covered function within eight hours of that test result unless he/she is retested and has a test result of less than .02.

- G. Return to Work and Follow-up: Conducted when an employee who has violated any prohibited alcohol/drug conduct standard returns to work in a capacity requiring a CDL or the performance of OQ covered tasks. Also, the employee is subject to at least six unannounced follow-up tests during the first 12 months after he/she returns to duty in a CDL or OQ position. This follow-up testing may be extended for up to 60 months following an employee's return to a CDL or OQ position.

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3. Conduct of Random Testing for CDL Employees - Alcohol

Random alcohol testing shall be conducted on unannounced dates and times and with unpredictable frequency throughout the year. Initially, the number of random tests conducted by the employer must equal a number that is at least 25% of all of the CDL employees.

- A. The rules require breath testing to be done on Evidential Breath Testing (EBT) devices approved by the National Highway Traffic Safety Administration (NHTSA) and administered by Breath Alcohol Technicians. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered negative. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted.
- B. A CDL employee who has a confirmed alcohol concentration when tested of 0.02 or greater must be removed from University CDL activities for 24 hours. An employee who is found to have engaged in prohibited alcohol conduct, as referenced in item 1 (Alcohol and Drug Prohibitions for CDL Employees), will be removed immediately from CDL activities. Such an individual, besides abiding by applicable State and local requirements, cannot resume the operation of a commercial motor vehicle for any employer until he/she (1) is evaluated by a substance abuse professional, (2) complies with any treatment recommendations, and (3) tests negative in a follow-up test.

4. Conduct of Random Testing for CDL and OQ Employee- Drugs

Random drug testing shall be conducted by the employer on an unannounced basis and must initially equal a number that is at least 50% of the CDL or OQ employees. The number of tests in a subsequent year is based on the number of positive drug test results in the preceding year.

- A. Drug testing is conducted by analyzing a CDL or OQ employee's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS) for the following

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drugs: (1) Marijuana (THC metabolite), (2) Cocaine, (3) Amphetamines, (4) Opiates (including heroin), and (5) Phencyclidine (PCP). The testing is a two-stage process. First, a screening test is conducted. If it is positive for one or more of the above drugs, then a confirmation test is conducted for each identified drug. The confirmation test is a gas chromatography/mass spectrometry (GC/MS) analysis.

- B. Test results shall be communicated to and interpreted by a physician who is designated by the University as its Medical Review Officer (MRO). Both positive and negative test results will be reported to the University. Prior to reporting positive test results, the MRO is required to contact the employee involved to determine whether there is any alternative explanation for the presence of the controlled substance. If the MRO determines that the presence of the prohibited drug is due to legitimate medical use, the test result will be reported as negative.
- C. Any CDL or OQ employee who has a positive result on the confirmation drug test will not be permitted to resume CDL or OQ duties until he/she (1) is evaluated by a substance abuse professional, (2) complies with any recommended rehabilitation, and (3) tests negative in a follow-up drug test.

5. **Confidentiality of Records**

All alcohol/drug testing results and records are maintained under strict confidentiality by the employer, drug testing laboratory, medical review officer, and, where applicable, the substance abuse professional. Such materials will not be released to others without the written consent of the employee. Exceptions prescribed by law to the confidential access provisions are: (1) DOT agencies, when license or certification actions may be required and (2) a decision maker in a grievance, arbitration, litigation, or administrative proceeding arising from a positive test result or employee initiated action.

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6. Condition of Employment - Release of Information

It is a condition of University employment for a CDL or OQ employee to provide upon request a written release to the University to obtain the following information from previous employers or a substance abuse professional.

- A. Information on the alcohol test with a concentration result of 0.04 or greater within the preceding two years.
- B. Positive controlled substances test results within the preceding two years.
- C. Refusals to be tested under applicable regulations within the preceding two years.
- D. Proof of a substance abuse professional evaluation.
- E. Compliance with a return-to-duty testing requirement.

7. Condition of Employment - Therapeutic Drug Use

It is a condition of University employment for a CDL or OQ employee to inform the University of any therapeutic drug use otherwise prohibited by this policy and federal regulations, and to provide the University with a physician's written certification that such therapeutic drug use will not impair the CDL or OQ employee in the performance of safety-sensitive functions for the University.

8. Refusal to Test

The refusal to test, engaging in conduct that clearly obstructs the testing process, or failure to provide a release will result in the employee being removed from performing CDL or OQ duties, not being allowed to perform CDL or OQ duties for the University, and may be cause for discipline, including discharge.

9. Removal from CDL/Safety-Sensitive or OQ Duties

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Employees who must be removed from CDL/safety sensitive or OQ duties for prohibited conduct involving drugs or alcohol are subject to discipline and/or a mandatory rehabilitation program. Referral for substance abuse problems is available through employee assistance and group insurance programs. Employees who are removed from duties due to suspicion of alcohol/drug abuse may be placed on approved leave of absence with pay, pending outcome of testing and determination of appropriate action, in accordance with Regulation 16.063, Disciplinary Action.