Faculty Resources

UAMS Campus Policies in the Administrative Guide

2. Selected Policies Governing Faculty Service and Responsibilities

Academic Visit Status for UAMS Campus (with Appointment Form) (Admin Policy 12.0.00)

Appointment of Academic Personnel (Admin Memorandum 410.1)

Distribution of Royalties From Patents, Copyrights and Licenses (Admin Policy 12.1.05)

Drug Testing (Admin Policy 3.1.04)

Early Retirement of Tenured Faculty (Admin Memorandum 430.2)

Employee Assistance Program (Admin Policy 3.1.09)

Employee Basic Code of Conduct (Admin Policy 4.4.01)

Ethical Conduct/Gift Policy (Admin Policy 4.4.09)

Ethical Standards in Research (Admin Policy 12.1.04)

Extra Compensation (Admin Memorandum 440.2)

Honorariums (Admin Guide 5.1.06)

Implementation of Board Policy on Political Activity (Admin Memorandum 455.1)

Lump Sum Terminal Pay (Admin Memorandum 440.4)

Media Relations (UAMS Medical Center) (Admin Policy 14.01.01)

Outside Employment for Faculty and Staff members for Compensation (Admin Memorandum 440.7)

Policy on Conflict of Commitment and Conflict of Interest

Policy Governing Service of Volunteer Faculty (Admin Memorandum 410.3)

Recommendation for Tenure (Admin Memorandum 420.1)

Review of Promotion and Tenure Criteria (Admin Memorandum 421.2)

Services for "Non-Employees" (Academic Visitors) (Admin Policy 4.5.28)

UAMS Institutional Policy on the Use of Copyrighted Materials (Admin Memorandum 12.0.2)

Voluntary Early Retirement for Non-Tenured Faculty and Staff (Admin Policy 450.2)
The complete UAMS Administrative Guide may be found at [http://uams.edu/AdminGuide/index.html](http://uams.edu/AdminGuide/index.html)

**Back**

10/13/2005
POLICY

In order to promote campus scholarly activities, there are many instances in which persons without a continuing formal status as student, faculty, or employee may engage in activities on campus and need to use campus facilities.

Persons who hold academic teaching appointments in an established college or university and who are appointed to a visiting teaching position at UAMS may be given a visiting appointment at UAMS at the same or equivalent rank they hold at their home institutions. Visiting faculty, fellows, and students who do not hold regular academic rank at another institution may be appointed as visiting lecturers or fellows.

PROCEDURES

A. A Visiting Staff Member Appointment Form is required (page 3 of this policy). The appointment form will be approved by the appropriate Dean or Cabinet level official and forwarded for approval to Vice Chancellor for Academic Affairs. Complete forms should indicate length of stay, scope of responsibilities, requested privileges and/or fringe benefits. The Vice Chancellor for Academic Affairs will route approval to appropriate departments for access and application of requested privileges.

1. All visiting staff with stays over 10 working days must be issued campus ID badges.

2. If requested and approved, visiting staff with ID badges may have access to campus facilities, such as the Library, Laboratories, Computing Services, Human Resources or Immigration, key or key card issuance, etc.

3. The host department is expected to assume financial backup responsibility for any privileges extended (dormitory damage, telephone bills, overdue or missing books, parking tickets, etc.).

B. Appropriate titles may include:

1. Standard faculty ranks, modified by the descriptor "Visiting":

   These titles may be used in cases where there is some compensation from some source, but do not automatically carry any eligibility to vote on faculty matters (unless otherwise specified in the College by-laws). Appointment request package must include FAF (Faculty Appointment Form).

2. Miscellaneous special titles, modified by the descriptor "Visiting" or "Guest":

   (Visiting Scholar, Visiting Researcher, Visiting Research Fellow, College of Pharmacy Guest, etc.). Access to privileges should be requested on appointment form. Privileges will be on an ad hoc basis as arranged by the host unit with the service provider.

3. Visiting Students or Clerks: Regulations will vary by College; the LCME has published
guidelines for visiting medical students, and these regulations will be considered to be in effect for such students - they may include requirements for registration, payment of some fees, proof of health insurance, issuance of grades, etc.

Visiting student status must be approved by the Dean of the appropriate college prior to arrival on campus. In the special case of graduate students, both College and Graduate School Deans must approve prior to the visitor arriving on campus.

Special Considerations for Visiting Housestaff:

A housestaff member (also termed intern, resident or fellow) is an individual selected through one of the matching programs or accepted selection processes for the residency/fellowship. The individual must intend to complete the entire training program. Elective or short-term rotations by trainees from institutions outside UAMS are discouraged. All requests for elective or short-term rotations by trainees from other institutions must be made by the departmental chair and approved by the GME Committee. Requests to the GME Committee must include the following information about each trainee:

1. Institution of current program
2. Length of rotation
3. Credentials including medical school graduation and/or ECFMG certification, or full and unrestricted license to practice in the US
4. Financial source of stipend, benefits
5. Person who assumes malpractice responsibility at UAMS

Name of Appointee: _____________________________________________
SSN or INS Number:______________________________
College: __________________________________ Date: __________________________________
Department: _______________________________ Requesting Chair: _______________________
Department Number: ________________________ Slot: ___________________________________
RequestedTitle:________________________________________________________________________
Requested Appointment Period-Starting Date: _______________Ending Date: ___________________
Requested Percent Time:________________________________________
Source of Compensation:_________________________________________________________
Reason/Justification of Appointment:_______________________________________________
________________________________________________________________________

http://uams.edu/AdminGuide/Win12000.html
Requested Privileges/Benefits (i.e. computer access, library, hospital courtesy privileges, malpractice coverage):

Home Account Number for Financial Backup: ________________________________

Approvals:

Department Chair: ________________________________ Date: _____________________

Dean: ________________________________ Date: _____________________

Vice chancellor for Academic Affairs: ________________________________ Date: _____________________

ALL SIGNATURES MUST BE OBTAINED AND CURRENT CURRICULUM VITAE MUST BE ATTACHED OR FORM WILL NOT BE ACCEPTED

Attach other documents as required (network security acknowledgment, Asst. Dean for GME authorization, other).
UNIVERSITYWIDE ADMINISTRATIVE MEMORANDUM

APPOINTMENT OF ACADEMIC PERSONNEL

1. Vitae must be attached to appointment forms for academic personnel who are being recommended for rank of Instructor or higher position. Complete campus files, including letters of recommendation, must be available for those being recommended for Department Chairperson (or Head), Assistant or Associate Dean, Dean, and Vice Chancellor, and must indicate that affirmative action guidelines have been followed.

2. The Chancellor will interview applicants and approve all appointments for Dean and Vice Chancellor.

3. Questions of rank and salary should be discussed with the Vice President for Academic Affairs prior to submitting the appointment.

4. No appointment is official until a signature has been affixed to the personnel action form in the President's Office.

5. Appointment with tenure will have prior Presidential approval.

January 9, 1984 (Revised)
October 30, 1978 (Revised)
December 5, 1975 (Revised)
November 17, 1975
PURPOSE

The purpose of this policy is to notify colleges and researchers within the University of Arkansas for Medical Sciences (UAMS) of the procedures that are followed when allocating the costs and the distribution of income resulting from a successful patent, copyright or license.

POLICY

It is the policy of the University of Arkansas to acquire and retain legal title to all inventions created by any person or persons to whom this policy is applicable. This policy is established in furtherance of the commitment of the University to the widest possible distribution of the benefits of University Research, the protection of Inventions resulting from such research, and the development of Inventions for the public good.

This policy shall apply to all persons employed, compensated, or appointed by the University and to anyone using facilities owned, operated, or controlled by the University. It shall also apply to all Inventions financed, in whole or in part, from funds under the control of UAMS.

PROCEDURE

1. All persons to whom this policy is applicable shall petition the UAMS Patent and Copyright Committee of their intent to seek a patent or copyright. The Patent and Copyright Committee will decide whether to seek the patent, copyright or license; release the petitioner; or take no action.
2. The UAMS Patent and Copyright Committee will notify the General Counsel of the University of Arkansas System if they wish to seek a patent or copyright. The General Counsel’s Office will obtain Counsel on behalf on the University and the petitioner. The legal costs related to the application of the patent, copyright, or license are charged back to UAMS.
3. Once a patent, copyright, or license is obtained, sale of the patent, copyright, or license is negotiated by the UAMS Office of Research Administration and the General Counsel of the University of Arkansas System together with the appropriate college or the researcher.
4. When a contract is approved and payment is received by the Controller’s Office it will be deposited into the Patent, Copyright and License Control Account. The Controller’s office will make distribution within 30 days of deposit of the royalty payment in the UAMS Treasurer’s Office. The Controller’s Office will reduce the payment amount by the actual costs for patenting, licensing, and the protection of patent rights and copyrights. If the cost of obtaining the patent, copyright, or license exceed 20% of the initial payment, only 20% will be charged against the initial payment. The balance of the costs will be charged against succeeding payments, with a maximum of 20% of any single payment being charged, until all costs are covered. The net distribution will be as follows:

For net royalty proceeds for income up to $200,000:

<table>
<thead>
<tr>
<th>Source of Royalty Proceeds</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>50% to the Inventor(s)</td>
<td>50%</td>
</tr>
<tr>
<td>5% to the U of A System</td>
<td>5%</td>
</tr>
<tr>
<td>31.5% to the Appropriate College</td>
<td>31.5%</td>
</tr>
<tr>
<td>13.5% to the Chancellor &amp; Processing Reserve</td>
<td>13.5%</td>
</tr>
</tbody>
</table>

For income over $200,000:

<table>
<thead>
<tr>
<th>Source of Royalty Proceeds</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>35% to Inventor(s)</td>
<td>35%</td>
</tr>
<tr>
<td>5% to the U of A System</td>
<td>5%</td>
</tr>
<tr>
<td>42% to Appropriate College</td>
<td>42%</td>
</tr>
<tr>
<td>18% to Chancellor &amp; Processing Reserve</td>
<td>18%</td>
</tr>
</tbody>
</table>

For example, if a patent is sold for $100,000, and legal costs were $10,000, the net proceeds of $90,000 will be distributed as follows:

<table>
<thead>
<tr>
<th>Gross Receipt</th>
<th>$100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less: Direct Costs</td>
<td>10,000</td>
</tr>
<tr>
<td>Available for Distribution</td>
<td>90,000</td>
</tr>
<tr>
<td>Distribute to Inventor (50%)</td>
<td>45,000</td>
</tr>
</tbody>
</table>
If a patent sold for $300,000, and legal costs were $10,000 the net proceeds of $290,000 will be distributed as follows:

- Gross Receipt: $300,000
- Less: Direct Costs: $10,000
- Available for Distribution: $290,000

**First $200,000 Additional $90,000**

- Distribute to Inventor (50%): $100,000 (35%) $31,500
- Distribute to UA System (5%): $10,000 (5%) $4,500
- Distribute to Appropriate College (31.5%): $63,000 (42%) $37,800
- Distribute to Chancellor (13.5%): $27,000 (18%) $16,200

5. Contact the Office of Research Administration for assistance and additional information.

1. UofA Board Policy 210.1 - Patent and Copyright Policy
To promote the health, safety and productivity of our employees, it is the policy of UAMS to provide a drug-free workplace. To support our goal of a drug-free environment, the UAMS drug testing program will consist of (1) pre-employment drug testing, (2) for cause drug testing, and (3) random drug testing. All procedures outlined herein should be deemed consistent with policies 4.4.05 (Drug Free Workplace), 4.4.06 (Substance Abuse Policy), and 4.5.18 (Post Employment Medical Screening) in the UAMS Administrative Guide.

DEFINITIONS

I. Pre-employment Drug Testing - Once an applicant in a testable position has been selected for employment, he/she will be required to submit to a drug test. Employment will be finalized only upon completion of a negative drug test. Refusal to submit to the drug test will be interpreted as a withdrawal of the application.

II. For Cause Drug Testing - An employee in a testable position whose behavior is consistent with substance abuse can be required by their immediate supervisor to submit to a drug test. Behavior indicating substance abuse may include:

A. Observed impairment of job performance.
B. Abnormal conduct or erratic behavior.
C. A serious workplace accident or number of minor workplace accidents.
D. Evidence of drug tampering in the employee’s workplace.
E. Arrest or conviction on an alcohol- or drug-related offense.

Suspicious behavior should be documented on the form appended to this policy (Attachment I). This form is to be retained in the departmental personnel file. Employees meeting any of the above criteria, or other reasonable criteria utilized by the supervisor, may be required to submit to a drug test. Refusal or failure to submit to a timely drug test is sufficient cause for termination of employment.

III. Random Drug Screening

At a specified interval, employees in testable positions will be selected for drug screening using a random sampling methodology. Employees will not receive notification of their selection and will be required to submit a sample at the specified location and time.

IV. Testable Positions

A position at UAMS that has been designated for drug testing. Testable positions include all direct patient care positions, all safety-sensitive positions and other special needs positions. An illustrative list of Testable positions are identified in Attachment II to this policy.

V. Medical Review Officers

The medical review officer is a physician responsible for receiving and reviewing drug test results. The medical review officer is designated by the Chancellor.
PRE-EMPLOYMENT DRUG TESTING PROTOCOL

A. Drug testing shall be completed prior to starting work. Managers who allow employees to begin work prior to receiving at least verbal confirmation from Human Resources of a negative drug test will be subject to disciplinary action.

B. At the time an offer of employment is extended, the potential employee will be given instructions on submitting a urine sample for drug testing. The sample will be tested qualitatively for at least the following substances: Marijuana, Cocaine, Opiates, Amphetamines, Phencyclidine (PCP), Barbiturates, or derivatives thereof. The sample may be tested for other drugs as necessary.

C. Within 24 hours of the submission of a urine sample, negative results will be communicated to Human Resources. Within a subsequent 24-hour period (excluding weekends), Human Resources will notify the department of negative results by phone and will follow with written notification by mail.

D. If an initial screen produces a positive result, a confirmatory test on the same sample will be conducted. If the confirmatory test is also positive, the result will be turned over to the MRO.

E. The Medical Review Officer will schedule an appointment with the applicant to discuss the results. The test results will be interpreted by the Medical Review Officer and reported to Human Resources. Upon the advice of the Medical Review Officer, the department will notify the applicant that the offer of employment is being withdrawn and will encourage the applicant to seek treatment.

II. FOR CAUSE DRUG TESTING PROTOCOL

A. If an employee’s behavior causes reasonable suspicion of alcohol or drug abuse, a supervisor will request to a department head that a drug screen be performed. The department head or acting department head has authority to direct a for cause drug test. Should the Supervisor or department head have questions whether to direct a for cause drug test, a call may be made to the Employee Assistance Program (EAP) at 686-2588. A staff member will be made available for consultation and assistance in making a decision to test for cause.

B. The employee to be screened shall be relieved of his/her duties and will be given a specific time and date (less than two hours) that he/she is to report to the testing facility. Failure to report at the specified time, without pre-approval of the supervisor, is sufficient cause for immediate termination. In the event that the employee is obviously impaired, the consulting staff member will make arrangements with UAMS Police to provide transportation to the testing facility.

C. The submitted sample (blood and/or urine, as appropriate) will be screened for the following substances: Marijuana, Cocaine, Opiates, Amphetamines, Phencyclidine (PCP), Barbiturates, or derivatives thereof and other drugs deemed necessary. If an initial screen returns a positive result, a confirmatory test on the same sample will be conducted. If the confirmatory test is also positive, the result will be turned over to the MRO.

D. The Medical Review Officer will schedule an appointment with the employee to discuss with him/her the results and inform the employee’s department head.

E. The department head will determine the action necessary when an employee tests positive for a drug of abuse. Options available to the department head will be up to and including immediate termination. The department head will consider corrective actions that may be initiated by the employee, including consultation and corrective treatment protocols in cooperation with outside professional expertise and/or with the Employee Assistance Program (EAP). The decision of the department head is final.

F. Any employee terminated for cause will be ineligible for rehire for at least six months.

III. RANDOM DRUG TESTING

A. Random screening will include all testable positions.

B. Employees will not receive prior notification of drug test. They will be escorted to the UAMS Laboratory for testing. The employee must immediately report for testing once receiving notification from the OHR representative.

C. Failure to submit the sample as directed is sufficient cause for termination.

D. The Medical Review Officer will schedule an appointment with the employee to discuss with him/her the results and inform the employee’s department head.

E. The department head will determine the action necessary when an employee tests positive for a drug of abuse. Options available to the department head will be up to and including immediate termination. The department head will consider corrective actions that may be initiated by the employee, including consultation and corrective treatment protocols in cooperation with outside professional expertise and/or with the Employee Assistance Program (EAP). The decision of the department head is final.
F. Any employee terminated for cause will be ineligible for rehire for at least six months.

IV. TESTING PROCEDURES

A. Employees identified for testing will not receive prior notification.
B. A representative from the Office of Human Resources will accompany all employees to the UAMS laboratory. Once approached, the employee will be escorted promptly to the UAMS Laboratory for testing. Employees must bring their photo identification (ID), e.g., driver’s license, ID badge, etc. Employees must report immediately.
C. Refusal to undergo required drug testing will result in disciplinary or adverse action up to and including removal. Attempts to alter or substitute a specimen will be treated as a refusal to take a drug test.
D. Individuals being tested may provide to the Medical Review Officer information on any prescription medication they are taking which could affect the test results. Such information will be kept confidential.
E. Urine Collection Procedures:
   1. Specimen will be provided in a secure collecting facility.
   2. Donor leaves unnecessary outer garments in secure holding area. Personal items (such as briefcases, handbags and packages) must be left in holding area.
   3. Collector provides donor a wrapped/sealed collection container and specimen bottle.
   4. Donor provides specimen in secured area.
   5. Collector receives specimen and places cap securely on container.
   6. Collector places seal over bottle and dates the seal.
   7. Donor initials security seal after attached to bottle.
   8. Collector initials and dates the seal area of the security bag and the shipping container (if used).
F. All positive results will be reported to the Medical Review Officer.

V. OTHER CONSIDERATIONS

A. Test results will be granted confidentiality in accordance with all federal and state laws and UAMS policy. Tests will be performed off-site and will be paid for by UAMS (unless the tests are performed in accordance with an employee contract that states otherwise). Notification of any other agency or licensing board will be accomplished by the department in accordance with state and federal law.
B. Applicants may be asked to provide information as necessary to interpret drug screen results. Such information will be considered confidential.
C. Attempts to alter or substitute a specimen will be cause for withdrawal of the application for employment or immediate termination, even if the attempt is discovered after the period of employment begins.
D. This policy shall not be construed to address aspects of substance abuse policy and procedure other than pre-employment, for cause, and random drug testing. See UAMS policy 4.4.05 for policies that govern the use, possession, manufacture, purchase, or distribution of controlled substances on campus.

ATTACHMENT 1

### Supervisor Documentation Form

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<thead>
<tr>
<th>Time of Supervisor Call:</th>
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<tbody>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>Organization: Department:</th>
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<tbody>
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</table>

<table>
<thead>
<tr>
<th>Supervisor: Telephone:</th>
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</thead>
<tbody>
<tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Title: Beeper/Other:</th>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>
### Behavior Observed

<table>
<thead>
<tr>
<th>Behavior Observed</th>
<th>Date</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

Staff Education 6/30/98/th

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**ATTACHMENT II**

**TESTABLE POSITIONS – SUBJECT TO CHANGE**

6714 Ambulatory Technician IV 6626 Clinical Nursing Specialist I
Z001 Assoc Admin of Patient Care 6832 Clinical Services Manager
0A16 Associate Director Hospital 6691 Clinical Social Worker
6664 Asst Dir Pharmacy 6706 Clinical Technician I
Z822 Ast Director Physical Plant 6705 Clinical Technician II
0F36 Asst Family Practice Coord 6704 Clinical Technician III
6633 Asst Head Nurse H025 Cook I
Y003 Auto/Diesel Mechanic H027 Cook II
H005 Baker II G039 Custodial Supervisor II
0B35 Biomedical Instrument Engineer G171 Custodial Worker I

http://uams.edu/AdminGuide/Win03114.html 11/1/2005
<table>
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<th>ID</th>
<th>Position</th>
<th>Code</th>
<th>Title</th>
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<td>6672</td>
<td>Blood Bank Donor Asst Manager</td>
<td>G035</td>
<td>Custodial Worker II</td>
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<tr>
<td>6673</td>
<td>Blood Bank Manager</td>
<td>E095</td>
<td>Day Care Attendant</td>
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<td>6820</td>
<td>Cardiac Non-Invas Tech I</td>
<td>E096</td>
<td>Day Care Teacher</td>
</tr>
<tr>
<td>6821</td>
<td>Cardiac Non-Invas Tech II</td>
<td>L025</td>
<td>Dental Assistant</td>
</tr>
<tr>
<td>6822</td>
<td>Cardiac Non-Invas Tech III</td>
<td>L184</td>
<td>Dietetic Technician</td>
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<tr>
<td>E001</td>
<td>Care Giver I</td>
<td>0B28</td>
<td>Dir Clinical Info Systems</td>
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<tr>
<td>E004</td>
<td>Care Giver II</td>
<td>6690</td>
<td>Dir Dialysis, Transplant Svc</td>
</tr>
<tr>
<td>E006</td>
<td>Care Giver III</td>
<td>0A69</td>
<td>Dir Environmental Hlth &amp; Safety</td>
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<tr>
<td>G149</td>
<td>Central Control Sys Operator</td>
<td>0B75</td>
<td>Dir Geriatric Serv &amp; Prof Pract</td>
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<td>G150</td>
<td>Central Control System Supv</td>
<td>0B11</td>
<td>Dir Hospital Applications</td>
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<tr>
<td>6708</td>
<td>Central Escort Manager</td>
<td>6662</td>
<td>Dir of Pharmacy</td>
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<td>6711</td>
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<td>Dir of Rehabilitation Services</td>
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<tr>
<td>6717</td>
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<td>Dir, AR Cares Children’s Div</td>
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<tr>
<td>6703</td>
<td>Certified Technologist I</td>
<td>6676</td>
<td>Director Clinic Nursing</td>
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<td>00F9</td>
<td>Director Dietary Interns</td>
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<td>Chemical Hygiene Officer</td>
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<td>Director of Child Care</td>
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<td>0A18</td>
<td>Chief Pharmacist</td>
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<td>Director of Patient Relations</td>
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<td>Child Care Director</td>
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<td>Clinic Director</td>
<td>Z842</td>
<td>Director of Social Services</td>
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<tr>
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<td>Clinic Instructor</td>
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<td>Director of Physical Plant</td>
</tr>
<tr>
<td>6638</td>
<td>Clinical Case Manager</td>
<td>0B05</td>
<td>Director Poison &amp; Drug Info</td>
</tr>
<tr>
<td>L016</td>
<td>Clinical Dietician</td>
<td>Y028</td>
<td>Electrician Foreman</td>
</tr>
<tr>
<td>G002</td>
<td>Clinical Housekeeper</td>
<td>Y027</td>
<td>Electrician Supervisor</td>
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<tr>
<td>0A33</td>
<td>Clinical Lab Manager</td>
<td>L054</td>
<td>Emergency Technician</td>
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<td>6666</td>
<td>Clinical Laboratory Supv-Hosp</td>
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<td>Equipment Operator</td>
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<td>Clinical Nurse Assistant</td>
<td>M031</td>
<td>Escort</td>
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<td>Executive Director – Eye Bank</td>
<td>6682</td>
<td>Laser Technician</td>
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<tr>
<td>6709</td>
<td>Eye Bank Technical Director</td>
<td>6804</td>
<td>Licensed Pract Nurse I-AHEC</td>
</tr>
<tr>
<td>0F33</td>
<td>Family Practice Coordinator</td>
<td>6805</td>
<td>Licensed Pract Nurse II-AHEC</td>
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<td>Firelife Safety Officer</td>
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<td>Licensed Practical Nurse I</td>
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<td>Food Production Supervisor</td>
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<td>Licensed Practical Nurse II</td>
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<td>Food Service Worker I</td>
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<td>Food Service Worker II</td>
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<tr>
<td>0A98</td>
<td>Foreign Nurse Coord</td>
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http://uams.edu/AdminGuide/Win03114.html 11/1/2005
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VOLUNTARY EARLY RETIREMENT PROGRAM FOR TENURED FACULTY

I. GENERAL PURPOSE

The voluntary early retirement program ("the Program") of the University of Arkansas ("the University") for tenured faculty is made available to eligible tenured faculty. Under the terms of the Program, the faculty member will receive certain benefits in exchange for his/her immediate retirement and relinquishment of tenure. Participation in the Program is voluntary and is not mandated upon either tenured faculty or the University. Participation in the Program is not an entitlement but may be made available to eligible tenured faculty members when:

1) A savings to the University can be demonstrated, and

2) The terms and circumstances of the retirement would not be detrimental to the University and its programs including, but not limited to, sufficient financial and staffing resources available to the department, campus, and unit from which the individual is retiring.

II. PROCEDURES FOR SUBMITTING EARLY RETIREMENT REQUESTS:

Any tenured faculty member meeting the minimum qualifications listed below may initiate a request for the University to consider the faculty member’s participation in the Program. The request must be submitted in writing by the faculty member to the head of the faculty member’s unit. Each campus will be responsible for developing and informing faculty of a time schedule for submission of early retirement requests. Participation in the Program is subject to approval of the Board of Trustees of the University of Arkansas ("the Board") and shall be evidenced by a written agreement between the individual and the University. Each voluntary early retirement agreement ("the Agreement") must be approved by the Board prior to the effective date of retirement of the faculty member. The Agreement shall be in a standard form, approved by the General Counsel of the University, setting forth its terms.

Within the guidelines listed below, the terms of the Agreement should be discussed between the faculty member and the head of the faculty member’s unit. Each campus may also designate one or more individuals to consult with the faculty member in evaluating the Agreement although the campus representative is not authorized to furnish legal, tax or other professional advice. In developing the Agreement, each faculty member must be apprised of his/her rights under the Age Discrimination in Employment Act and be advised to seek the advice and counsel of attorneys, accountants and others who can provide the faculty member with information to assist in making an informed decision. In all cases, the faculty member should be given at least 45 days to consider his/her participation in the Program unless the faculty member waives this requirement in writing. Waivers shall be in a standard form approved by the General Counsel of the University.
If the faculty member and the head of the unit agree on an early retirement request, in accord with the Program, an Agreement should be completed and forwarded for approval through administrative channels, together with a letter of recommendation from the appropriate Chancellor or the Vice President for Agriculture, to the President of the University. Each Agreement must be accompanied by:

1) A statement signed by the requesting faculty member, assuring University officials that the faculty member’s participation in the Program is voluntary; and

2) An "early retirement worksheet," in a form substantially corresponding to the form attached to this Universitywide Administrative Memorandum.

III. MINIMUM QUALIFICATIONS

1) The Program is not available to a faculty member who is on leave-without-pay; receiving long-term disability insurance benefits; or receiving worker’s compensation.

2) On the effective date of a participating faculty member’s retirement pursuant to an Agreement, the faculty member shall:

   a) Be age 55 or older, and

   b) Have 15 years of continuous service in a tenured or tenure track faculty position with the University of Arkansas.

"Continuous service in a tenured or tenure track faculty position" means 15 consecutive years of service, subject to provisions herein for leave-without-pay status.

"Tenured or tenure track faculty position" shall be as defined in Board Policy 405.1. For purposes of the Program, individuals who held a tenured faculty position prior to or contemporaneous with the assumption of administrative duties in connection with the positions of President or other System administrator, Chancellor, Vice Chancellor for Academic Affairs, Dean, or Department Head/Chair and who continue to hold tenure throughout their employment as administrators shall be considered as holding a tenured or tenure track faculty position during such period of administrative service.

"Years of service" will be calculated in whole year increments. In the case of an individual on twelve-month appointment, fractions of years of service that are six months or less will be rounded down to the next lowest full year of service and fractions of years of service that are greater than six months will
be rounded up to the next highest year of service. In the case of an individual on nine-month appointment, years of service will be calculated with the fall and spring semester each representing half a year.

Time spent in an "off campus duty assignment" will be counted in computing continuous service.

Time spent in a "leave-without-pay" status will not be counted in computing continuous service but faculty members who have no more that three years in a leave-without-pay status are not prevented from participation in the Program as long as they can otherwise show fifteen years of service. For Example: X begins his/her appointment in the fall of 1976 and works continuously until the end of the spring term in 1986. From the beginning of the summer term 1986 until the fall term of 1988, X is in a leave-without-pay status. X returns to active status in the fall of 1988 and works until the end of the spring term of 1993. X has fifteen years of service and can participate in the early retirement program.

"Service . . . with the University of Arkansas" means service at any of the campuses or the System Office of the University of Arkansas.

IV. PROGRAM REQUIREMENTS

Before an Agreement can be approved, a "net savings in personnel costs" to the University must be identified. The cost savings must be realized within seven years of the effective date of the Agreement. A cost savings will be determined for each year of the seven-year period by subtracting the retirement cost and replacement cost from the retention cost. The fact that a cost savings is not shown in one year will not prevent a faculty member from qualifying for the Program if a total cost savings can be realized over the seven-year period. For purposes of this Program:

"Retirement cost" means the cost of all benefits, including future part-time teaching, research or other employment-related costs of the faculty member;

"Replacement cost" means the estimated salary and fringe benefits cost of the individual or individuals who will be employed to fill the position or responsibilities of the retiring faculty member;

"Retention cost" means the last annual salary and fringe benefits cost of the retiring faculty member, including any increases in salary or fringe benefits approved prior to the effective date of an Agreement.

The maximum dollar value of benefits that can be received under an Agreement is the
current annual salary of the retiring faculty member or such lesser amount as is necessary to show a cost savings to the University within seven years. Current annual salary shall be based upon the academic year (for faculty members on nine-month appointment) or fiscal year (for faculty members on twelve-month appointment).

The benefits may take several forms including but not limited to:

Stipend without requiring work;

Wages for part-time work (subject to the provisions set out below);

Contribution to a designated funding sponsor under the University Retirement Plan;

Reimbursement for major medical and/or life insurance premiums;

Other arrangements.

Wages for part-time work shall not exceed 5/16 of the faculty member's last full-time annual salary. If the retiring faculty member plans to return to the University on a part-time basis at any time during the seven years immediately following early retirement, the cost of the part-time employment must be calculated as "retirement cost" for purposes of showing a cost savings to the University.

V. SPECIAL CAMPUS PROGRAM—APPROVAL BY PRESIDENT

The Chancellor of any campus may submit to the President for approval a special voluntary early retirement program applicable only to tenured faculty members on that campus. Such a proposal may provide for benefits or incentives for a limited period of time beyond the benefits set forth in this Program and may also be limited to tenured faculty members within a minimum and maximum age classification. The proposal may also modify the eligibility criteria of the Program and may include an option for relinquishment of tenure under a phased retirement Agreement whereby the faculty member reduces workload over a period of not more than three years. Incentive payments for a phased retirement proposal may include special allowances and/or payment of all or a portion of continued insurance coverages. Any such proposal must be consistent with Board Policy and applicable law, meet the general purposes set forth in the preamble to this Universitywide Administrative Memorandum and must be justified by the Chancellor with such substantiation as the President might direct.

June 1, 1994
VOLUNTARY EARLY RETIREMENT AGREEMENT

This Agreement is entered into by and between ______________________, a member of the faculty of the University of Arkansas at its __________________ campus, and the Board of Trustees of the University of Arkansas, on this the _____ day of ______________________, 19___.

__________________________ states:

That he/she has been a member of the faculty of the University of Arkansas since ______________________, currently holds the rank of ______________________, and is tenured in that position under policies of the Board of Trustees.

That he/she is not on leave-without-pay status, receiving long-term disability insurance benefits, or receiving workers compensation benefits;

That on his/her own initiative, he/she has sought an agreement for early retirement pursuant to Arkansas Code Annotated §24-7-101 and Universitywide Administrative Memorandum 430.2;

That he/she has been apprised of his/her rights under the Age Discrimination in Employment Act as amended;

That he/she has been advised and has had the opportunity to seek the advice and counsel of attorneys, accountants, and others who could aid him/her in making an informed decision regarding the early retirement program;

That he/she has been given at least 45 days to consider his/her participation in the program; and

That he/she voluntarily does hereby resign his/her position as a tenured effective ______________________, recognizing and acknowledging that all rights and obligations as a tenured faculty member will then end.

In consideration for the resignation as a tenured faculty member as described above, the Board of Trustees of the University of Arkansas hereby accepts such voluntary resignation and in consideration thereof agrees to provide the following:

(1)

(2)
This agreement shall be binding on the tenured faculty member described above, and on his/her heirs, estate and personal representatives, and on the Board of Trustees and its successors; provided, however, that (1) any agreement to pay for part-time personal services shall terminate for all unaccrued and unearned amounts on the death or disability to render such services, personally, by the tenured faculty member described, and (2) all other rights and/or obligations to or for the benefit of the tenured faculty member described shall terminate at his/her death except as they may have accrued, as to right, prior to such death.

All earlier oral or written agreements regarding employment between the Board of Trustees of the University and/or the University of Arkansas and are superseded by this Agreement. This Agreement does not affect or alter the rights, privileges, or options accrued to this date which [name] now has under pension (annuity), insurance, or other plans (if any) in which [name] has participated and to which the University has made contributions, nor any rights, privileges, or options to which emeriti faculty members are entitled by reason of that rank or eligible therefor.

Witness:

________________________________________
Faculty Member

Witness: Board of Trustees of the University of Arkansas

________________________________________
By:____________________________________
# EARLY RETIREMENT WORKSHEET

**NAME:**

**BIRTHDATE:**

**POSITION & DEPARTMENT:**

**DATE OF EMPLOYMENT:**

**DATE OF RETIREMENT:**

**YEARS ON APPOINTMENT:**

**AGE AT RETIREMENT:**

**CURRENT APPOINTMENT**

**PERIOD (9 or 12 months)**

**SALARY (Current Year):**

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**COST SAVINGS**

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STATEMENT OF ASSURANCE

By my signature below, I, ________________________________, do hereby assure the members of the Board of Trustees of the University of Arkansas that I have voluntarily sought participation in the University of Arkansas' Voluntary Early Retirement Program for Tenured Faculty, that I have been apprised of my rights under the Age Discrimination in Employment Act, and that I have been advised and have had the opportunity to seek the advice and counsel of attorneys, accountants and others who might assist me in making an informed decision concerning the Program.

__________________________    ______________________
Faculty Member                Date

__________________________    ______________________
Witness                       Date
VOLUNTARY EARLY RETIREMENT PROGRAM
WAIVER OF 45 DAY CONSIDERATION

I, __________________________, hereby waive the 45 day period for consideration of the terms of and my participation in the voluntary early retirement program for the University of Arkansas. I further state that:

I have voluntarily sought this agreement on my own initiative;

I have been apprised of my rights under the Age Discrimination in Employment Act; and

I have been advised and have had the opportunity to seek the advice and counsel of attorneys, accountants, and others who could aid me in making an informed decision regarding the terms of my early retirement agreement.

______________________________________________
Faculty Member

______________________________________________
Date
The purpose of this policy is to establish and define an Employee Assistance Program (EAP) for the University of Arkansas for Medical Sciences (UAMS), and to notify departments and employees within UAMS of the procedures to be followed in accessing the services of the program. The EAP is a worksite-based program designed to assist in the identification and resolution of personal problems of employees including, but not limited to health, marital, family, financial, legal, emotional, stress, alcohol, drug, or other human concerns which may adversely affect employee job performance.

POLICY

All UAMS employees are eligible to participate in the Employee Assistance Program (EAP). On occasion, members of employee's families may participate in the program when activities are related to employee problems. Participation in the EAP is voluntary. Choosing to participate, or not to participate, will neither adversely affect an employee's job security and promotional opportunities, nor excuse an employee from adherence to UAMS policies and procedures concerning job performance and basic code of conduct. Contact with the EAP shall be confidential, except through written authorization by the employee, or in cases of an abused person, an unexplained, unusual or suspicious death, or a threat to one's own life or that of another, as prescribed by state and federal law. EAP records will be retained within the offices of the EAP, and will not become part of, or referenced to any employee's personnel file, medical file, or other file which may be accessed by any other department or organization. Visits to the EAP by an employee may be made during work hours while the employee is on UAMS time but must be coordinated through the employee's supervisor.

PROCEDURE

(1) The specific core activities of the Employee Assistance Program (EAP) include:

a) Expert consultation and training of appropriate persons in the identification and resolution of job performance issues related to the personal concerns identified above;

b) Confidential, appropriate and timely problem assessment and resolution services including referrals for appropriate diagnosis, treatment and assistance, establishment of linkages between the workplace and community resources that provide such services, and follow-up assistance to employees who use those services.

(2) Referrals to the Employee Assistance Program may be made by the employees themselves on a voluntary basis, or by the employee's supervisor when an employee's work performance has declined or basic code of conduct of an employee has not met acceptable standards as defined by UAMS Policy 4.4.01. However, the decision to accept a supervisor referral to the EAP program and subsequent referrals for treatment are voluntary, and are the personal responsibility of the employee.

(3) UAMS employees or members of their families requesting an appointment with the Employee Assistance Program should contact the EAP Office at 686-2588. Normal appointments will be scheduled within 72 hours when at all possible. Response to emergency situations will be scheduled within 24 hours, if possible. Employees seeking assistance from the EAP are encouraged to do so before job performance is impaired. Problems treated early are usually simpler to resolve.

(4) Usual working hours of the EAP are Monday through Friday, 8:00 am to 6:00 pm. After hours or on weekends and during holidays, an answering service will provide access to the EAP. EAP is available 24 hours a day, 7 days a week for emergency situations.
(5) The services of UAMS' Employee Assistance Program are free. Employees referred to an outside provider however, will be responsible for all costs associated with those outside services; although the employee's medical insurance may cover part of the cost of those services.

(6) All UAMS departmental supervisors will complete EAP Supervisor's Training, provide orientation on EAP to their employees, and make all information concerning EAP available to those employees.

REFERENCE
1 United States Statute 42 CFR, Part 2
Arkansas Act 1208 of 1991, Section 3
Arkansas Rules of Evidence 503D1
PURPOSE

The purpose of this policy is to notify departments within the University of Arkansas for Medical Sciences (UAMS) of the procedures to be followed in establishing and communicating a basic code of conduct for all employees. The code is necessary to communicate to all UAMS employees the University's expectations governing employee conduct. It is the responsibility of the department directors and supervisors to fully explain the following procedures to employees, to discuss their specific application within their departments, and to assure that they are observed. Appropriate disciplinary measures must be taken in cases where there have been violations of this Code of Conduct.

PROCEDURE

1. Employees should discuss patient and employee information with authorized personnel only, and in private.
2. Employees are expected to wear their identification badges while on duty.
3. Employees must refrain from using abusive, provocative or profane language, and should avoid creating or being party to a disturbance or physical violence.
4. Employees should observe the principle of mutual respect in their contacts with patients, visitors and students, and in their working relationships with faculty and other employees.
5. Employees should refer to Policy 4.4.09, Ethical Conduct/Gift Policy, regarding gratuities, gifts or personal favors from vendors, patients or visitors.
6. Employees finding property on the University premises must deliver such property to the Public Safety Department where a lost and found service is provided.
7. Employees must follow, within the definitions of the job description, all oral and posted work assignments.
8. Employees must maintain regular and punctual attendance. Departments should follow instructions for reporting absenteeism from work.
9. Employees must not report to work or be on the University premises if under the influence or odor of intoxicating liquor or controlled substances not prescribed by a physician.
10. Employees must obtain permission from their supervisors when it becomes necessary to leave their work areas during working hours.
11. Employees must accurately record their working time, and employees may not record work time of other employees.
12. Employees are expected, whenever possible, to respond to work assignments outside of regularly scheduled hours as may be necessary to provide essential staffing or support services.
13. Because of the large volume of hospital business transacted by telephone, outgoing personal telephone calls are not permitted on University telephones; and, the number of incoming calls must be limited to those of an urgent nature.1
14. Employees must make all packages, handbags, purses, totes, briefcases, shopping bags or other containers being brought into or taken from the University buildings available for inspection upon request by supervisors or the Public Safety Department.
15. Employees should assist in keeping University equipment, buildings and grounds clean, orderly and in good condition, and should avoid creating or contributing to unsanitary or unsightly conditions.
16. Employees in certain positions are expected to wear prescribed uniforms while on duty. Department directors are responsible for informing employees of specific requirements.
17. Employees are strictly forbidden from sleeping on the job, except while on on-call status.
18. Employees are strictly forbidden from stealing, misappropriating or removing from University premises any property belonging to patients, visitors, students, contractors, or other employees of the University. This includes the removal of University property that has been discarded, and sample products.
19. Employees must not enter inaccurate or false information on any University or hospital records, including patient records, time records, employment applications or other personnel records.
20. Employees must not, under any circumstances, bring unauthorized firearms or weapons of any kind onto the University premises.
21. Employees must always use or operate University property and equipment in a safe and proper manner. Making equipment inoperative or failing to use safety devices can result in injuries to employees or others.
22. Employees should not engage in horseplay, scuffling, running, throwing objects, or immoral or indecent behavior on the University premises.
23. Employees may engage in solicitation and/or distribution of printed or written material or posting and/or removal of notices or signs only when permitted or authorized in advance to do so.
24. Employees must observe safe work practices and published safety rules.
25. Employees may smoke only in designated areas.
26. Employees are expected to know and observe established fire and emergency procedures.
27. Employees should not have other employees or guests visit them in work areas.
28. Employees who are not on duty should not be on the University premises, except for valid reasons.
29. Employees must not commit any criminal act on the University premises, or against employees, patients, visitors or students.
30. Employees, when purporting to represent the University, must accurately and honestly represent themselves and their positions to patients, visitors, students, other employees and the general public, and must not use another employee's identification badge.
31. Employees should use only authorized University entrances and exits.
32. Employees should use UAMS property for authorized purposes only.

REFERENCE
1 UAMS Policy 3.1.03
2 UAMS Policy 11.4.01 and UAMS Policy 11.4.15
3 UAMS Policy 3.1.01
PURPOSE
To provide UAMS and its employees legal and ethical guidelines regarding the propriety of accepting gifts.

SCOPE
This policy applies to all employees of UAMS. This policy does not apply to institutional donations.

POLICY

Principles of Ethical Conduct

The following principles of ethical conduct apply to all employees of UAMS:

- Public service is a public trust, requiring employees to place loyalty to the laws and ethical principles above private gain.
- Employees shall not engage in financial transactions using non-public information or allow the improper use of such information to further any private interest.
- An employee shall not, except pursuant to the exceptions in A.2 and A.4, solicit or accept any gift or other item of monetary value from any person or entity seeking treatment from, or doing business with UAMS.
- Employees shall put forth honest effort in the performance of their duties.
- Employees shall make no unauthorized commitments or promises of any kind purporting to bind UAMS.
- Employees shall not use their position for private gain.
- Employees shall act impartially and not give preferential treatment to any private organization or individual.
- Employees shall protect and conserve UAMS property and shall not use it for other than authorized activities.
- Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with their UAMS duties and responsibilities.
- Employees shall disclose fraud, abuse and corruption to appropriate authorities.
- Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or these Standards of Ethical Conduct.

Basic Concepts

Employees shall apply the principles stated above in weighing the propriety of conduct not otherwise addressed in this policy.

PROCEDURE

http://www.uams.edu/adminguide/Win04409.html
A. Gifts from outside sources.

1. A UAMS employee shall not solicit or accept a gift:
   a. from a patient, visitor or a person or entity that contracts with, does business with or seeks to do business with UAMS; or
   b. given because of the employee's official position.

2. The term "gift" includes almost everything of monetary value, but NOT these:
   a. coffee, donuts, and similar modest items of food and refreshments when offered other than as part of a meal;
   b. greeting cards and most plaques, certificates and trophies;
   c. rewards and prizes in contests open to the public;
   d. commercial discounts available to the general public or to all government or UAMS personnel;
   e. commercial loans, and pensions and similar benefits;
   f. anything for which the employee pays market value.

3. Employees in purchasing, billing, collections, financial offices and offices otherwise engaged in contracting for expenditure or receipt of funds shall not solicit or accept gifts from persons or entities that contract with, do business with or seek to do business with UAMS.

4. There are certain limited exceptions where gifts may be accepted by UAMS employees other than those described in No. 3 above. Such employees may accept the following:
   a. unsolicited gifts with a market value of $25 or less per occasion, so long as the total value of all gifts received from a single source during a year does not exceed $100;
   b. gifts based on an outside relationship, such as a family relationship or personal relationship;
   c. discounts and similar benefits offered to groups in which membership is not related to UAMS employment (or "government discounts" where the same offer is broadly available to the public through similar groups), and certain benefits offered by professional associations or by persons who are not prohibited sources (A.1.a. above);
   d. legitimate awards that are part of a regular and established program of recognition for meritorious public service;
   e. gifts resulting from the outside business activities of employees and their spouses;
   f. free attendance provided by the sponsor of a widely-attended gathering, speaking engagement, or other event where UAMS has determined it is in its best interest to attend the event;
   g. food, refreshments, and entertainment at certain social events extended by persons who are not prohibited sources, where no one is charged a fee to attend the event;
   h. unsolicited gifts for free attendance for UAMS employees (and spouses) at events sponsored by state or local governments or non-profit, tax exempt civic organizations, where UAMS has determined it is in its community relations interests to attend the event.

5. Travel to attend training or other events where UAMS has determined it is in its interest to attend the event may only be accepted under the following conditions:
   a. The cost of travel to and from the event and lodging during the event may only be accepted upon the approval of the Department Chair, Director or Dean.
   b. Meals, social events and other gifts are subject to the $25/$100 limitation described in 4.a. above.
   c. Employees shall not accept any payment as "compensation" for their time or any out-of-pocket expenses except for honoraria or consultation fees for actual services rendered, when appropriately disclosed and approved, and not otherwise prohibited.

6. Even if a gift is covered by one of the exceptions, do not accept it if it will undermine the integrity of UAMS.
   a. An employee may not use his/her official position to solicit a gift or force someone to give a gift.
   b. Gifts may not be accepted so frequently that anyone would question whether influence is being bought.
c. Any gift is illegal if it is in exchange for an official action.
d. Some gifts may be prohibited by other statutes.

7. Handling Improper Gifts. When an employee cannot accept a gift:

a. First and foremost, if possible, refuse the offer of an improper gift. Diplomatically explain that UAMS employees may not accept certain gifts.
b. The employee should pay the donor its market value; or
c. If the gift is a tangible item, the employee may instead return the gift.
d. Subject to approval, perishable items may be donated to charity, shared with the office or destroyed.
PURPOSE

The purpose of this policy is to maintain the research credibility of the faculty, staff and the University of Arkansas for Medical Sciences campus so that there will be public confidence in scientific research and any injury to the public interest will be avoided. It is recognized that, as is the case with all human endeavors, honest mistakes will occur in the conduct of scientific research. Therefore, investigators who inadvertently make errors in either the planning, execution or interpretation of scientific research shall not be considered in violation of the policy contained within this document.

POLICY

It is the policy of the University of Arkansas for Medical Sciences (UAMS) that all scientific research engaged in by faculty and staff of this campus must be conducted, and the results reported, with integrity. Indicated research must have actually been performed. Data must be verified and academic honesty must prevail. Research findings must be fairly attributed as to their authors. Research results are to be documented and comply with federal requirements that uniquely relate to the conduct of that research. The following conduct, which this policy addresses, constitutes scientific misconduct and includes, but is not limited to:

a. Knowingly misrepresenting or falsifying research data.
b. Intentionally concealing actual facts material to research results reported, or falsely representing actual facts discovered which are material to research results reported.
c. Filing research reports and/or publishing research findings without having done the research indicated.
d. Falsely claiming to be the author of research which was performed by others.
e. Deceitfully reporting research of others as one's own and/or plagiarism involving the work of others.
f. Material failure to comply with federal requirements that uniquely relate to the conduct of research. This would include, but not be limited to, failure to comply with federal requirements for protection of human subjects or for ensuring the welfare of laboratory animals.

Research at UAMS is expected to be conducted with full regard for the academic freedom of those so involved, and with the responsibility for insuring that the intentional perversion or suppression of truth does not compromise scientific research in the medical sciences. Scientific misconduct undermines the methods and purposes of those scientists using acknowledged research methods.

Principal investigators and laboratory directors are ultimately responsible for the supervision and verification of research programs and personnel in their laboratories. This responsibility includes the maintenance of accurate and reliable records and data, the preparation of quality research papers, and the assurance that the authors of papers have actually contributed to the research efforts reported.

A charge of scientific misconduct is a most serious charge. For that reason, the Vice Chancellor, the review committees and all others involved in the inquiry or investigation shall take whatever actions are necessary to protect, to the maximum extent possible, the privacy of those who, in good faith, report apparent misconduct. In addition, the Vice Chancellor, the review committees and all others involved in the inquiry shall afford the affected individual(s) confidential treatment to the maximum extent possible. Further, should the charge not be sustained, formal and extensive efforts are to be made so that the reputation of the person against whom the charge was made shall not be impaired. Charges made maliciously and in bad faith, after so found, shall lead to employee disciplinary action.

PROCEDURE (GENERAL)

1. Initial reports that scientific misconduct may have occurred are to be made to the Vice Chancellor for Academic Affairs, hereafter referred to as the Vice Chancellor. The Vice Chancellor must then inform the Dean(s) of the College(s) of the person making the initial report and of the person so charged. In certain instances, others, as required by law, regulation or contract, may also be notified at this
PROCEDURE (INITIAL INQUIRY)

2. The initial inquiry of the charge that scientific misconduct may have occurred must be by an internal review panel of full time UAMS faculty members, termed the Inquiry Committee. This inquiry must be completed within 60 calendar days of its initiation, i.e., from the time of receipt of the initial allegation by the Vice Chancellor, unless circumstances clearly warrant a longer period. If the inquiry takes longer than 60 days to complete, the record of the inquiry must include documentation of the reasons for exceeding the 60 day period.

3. The Vice Chancellor, in consultation with the Dean of the person so charged, must prepare a list of potential committee members from the UAMS faculty roster, making every effort in the selection process to form an Inquiry Committee with the appropriate scientific expertise. This list must be presented to the person so charged and he/she may request that any potential member not be impanelled by submitting to the Vice Chancellor a written explanation of why the person(s) should not serve on the committee. The Vice Chancellor, in consultation with the Dean of the person so charged, must decide on the validity of the challenge to any potential committee member, and choose six members to serve as the Inquiry Committee. Once formed, the Inquiry Committee must elect one of its members to assume the role of chairman.

4. The members of the Inquiry Committee must have no real or apparent conflict of interest and will be asked to sign a statement to this effect. Any relationship with the involved parties must be disclosed to those involved in the inquiry. Any member of the Inquiry Committee with a conflict of interest must be replaced with a member selected by the Vice Chancellor.

5. The Vice Chancellor is to be present in a non-voting capacity at all Inquiry Committee meetings to provide procedural advice to the committee. At his/her discretion, the Dean or his/her designee of the College of the charged person may also be present in a non-voting capacity. Only the person giving testimony to the committee and the above noted exceptions may be present in any meeting. Legal counsel may not be present during meeting of the Inquiry Committee.

6. The Inquiry Committee shall make an inquiry of the evidence which may include interviewing persons with relevant information. An inquiry means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation. Once the inquiry is initiated, the charged person is obligated to cooperate by providing material necessary for the proceedings of the Inquiry Committee. Failure to do so may result in immediate Investigative Review (See UAMS Policy 12.1.04, Procedures 10-18) or other institutional sanctions.

7. At the conclusion of the inquiry, the Inquiry Committee must decide, by a majority vote, whether an investigation into the allegation of the scientific misconduct is warranted. The committee must prepare a written report that states what evidence was reviewed, summarizes relevant interviews, and includes the conclusions of the inquiry. This report must provide sufficiently detailed documentation of the inquiry to permit a later assessment of the reasons for determining that an investigation was not warranted, if necessary. This inquiry report must be forwarded to the Vice Chancellor, Dean of the person charged, and the individual(s) who made the allegation. The person charged with scientific misconduct may comment on the report, and his/her comments will be made part of the record.

8. All records must be maintained in a secure manner in the Office of the Vice Chancellor for a period of at least three years after the termination of the inquiry, and must, upon request, be provided to authorized personnel as required by law, regulation or contract.

9. If the Inquiry Committee finds that an investigation into the allegation of scientific misconduct is not warranted, the Vice Chancellor, and all other persons involved, must, to the maximum extent possible, take steps to minimize the damage to reputations which may result from inaccurate reports.

PROCEDURE (INVESTIGATIVE REVIEW)

10. If the Inquiry Committee finds that an investigation is warranted, the Vice Chancellor must initiate the investigation by impaneling an Investigative Committee within 30 days of receiving the report of the Inquiry Committee. This investigation should ordinarily be completed within 120 days of its initiation. However, if this deadline cannot be met and the project(s) involve federally-funded research, then a written request for an extension must be submitted to the appropriate office as required by federal regulations.

11. The Vice Chancellor, in consultation with the Dean of the person so charged, must prepare a list of potential committee members, making every effort in the selection process to form an Investigative Committee with the appropriate scientific expertise. This list must be presented to the person so charged and he/she may request that any potential member not be impanelled by submitting to the Vice Chancellor a written explanation of why the person(s) should not serve on the Committee. The Vice Chancellor, in consultation with the Dean, will then decide on the validity of the challenge to any potential committee member.

12. The Vice Chancellor must appoint an Investigative Committee. It is to consist of six members, at least four of whom are full-time faculty members of UAMS at the rank of associate or full professor. Up to two scientists who are not employees of the University of Arkansas for Medical Sciences, each of whom must be personally qualified to judge the scientific nature of the research work, may also be appointed to the Committee. Once formed, the Investigative Committee must elect one of its members to assume the role of chairman.

13. The members of the Investigative Committee must have no real or apparent conflict of interest and will be asked to sign a statement to this effect. Any relationship with the involved parties must be disclosed to those involved in the investigation. Any member of the Investigative Committee with a conflict of interest must be replaced with a member selected by the Vice Chancellor.

14. The Vice Chancellor is to be present in a non-voting capacity at all committee meetings to provide procedural advice to the committee members. At his/her discretion, the Dean or his/her designee of the college of the charged person may also be present in a non-voting
capacity. Legal counsel or another advisor may be present during meetings of the Investigative Committee in which the person so charged is interviewed to provide advice but may not address the committee. Only the person giving testimony to the committee, and the above noted exceptions, may be present in any committee meeting.

15. The Investigative Committee shall investigate fully to determine if scientific misconduct, as defined by this policy, has occurred. In doing so, it may utilize any files developed by the Inquiry Committee and may review any additional evidence deemed relevant through procedures adopted by the panel. The Committee must secure necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence. The investigation normally will include examination of all documentation, including, but not necessarily limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations. Complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file. All involved parties are obligated to cooperate fully with the proceedings of the Investigative Committee. Funding agencies must be kept apprised of developments during the course of the investigation, as required by law, regulation or contract.

16. The Investigative Committee must determine, by a majority vote of its members, whether scientific misconduct has been proven by a preponderance of the evidence, and if so, must recommend sanctions.

17. The Investigative Committee must provide a written report of its findings to the Vice Chancellor, the Dean(s) of the person charged and the person making the charge, the person making the charge, the person(s) so charged and others to the extent required by law, regulation or contract. The report shall include the documentation which supports the committee's findings. Only the Vice Chancellor may release a copy of this personnel determination to third parties. Reports from the Investigative Committee must, otherwise, remain confidential and must be secured in the Office of the Vice Chancellor. All records must be maintained for a period of at least three years after the termination of the investigation.

18. If the Investigative Committee does not find that scientific misconduct has occurred, the Vice Chancellor must, to the maximum extent possible, take steps to minimize the damage to reputations which may result from inaccurate reports.

PROCEDURE (APPEALS PROCESS)

19. The decision of the Investigative Committee may be appealed. Appeals are made to the Chancellor of UAMS and must be filed within seven days of the Investigative Committee's decision. Any such appeal will be limited to the evidence presented during the investigative review and the grounds for appeal are limited to failure of the Investigative Committee to follow appropriate procedures or that an arbitrary decision was made. New evidence contained within the appeal may warrant a reopening of the investigation. The decision of the Chancellor is final.

PROCEDURE (SANCTIONS)

20. If the Investigative Committee finds that scientific misconduct has occurred, the Vice Chancellor and the Dean of the person so charged, with due consideration of the recommendation of the Investigative Committee, must recommend to the Chancellor sanctions to be imposed. The Chancellor must then impose sanctions in accordance with UAMS personnel policies after the conclusion of the appeals process.

PROCEDURE (FEDERAL POLICY)

21. The Vice Chancellor must notify the Office of Scientific Integrity (OSI), in accordance to Federal Policy (Federal Register 54:32450, 50.103d) when, on the basis of an initial inquiry, the institution determines that an investigation is warranted, or, prior to the decision to initiate an investigation, if any of the following conditions exist:

   a. There is an immediate health hazard involved.
   b. There is an immediate need to protect Federal funds or equipment
   c. There is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any.
   d. It is probable that the alleged incident is going to be reported publicly.
   e. There is a reasonable indication of possible criminal violation. In that instance, the Vice Chancellor must inform the OSI within 24 hours of obtaining that information.

REFERENCE

1 UAMS Policy 12.1.03

http://www.uams.edu/adminguide/WIN12104.html 11/1/2005
EXTRA COMPENSATION POLICY

Purpose

In accomplishing its mission, the University's greatest resource is its personnel. The purpose of this policy is to provide flexibility, within appropriate guidelines, in order to permit the most effective use of the time and talents of University personnel.

Assumptions

1. The salary of a full-time employee of the University is intended as compensation for all regularly assigned activities performed for or in the name of the University.

2. An employee may be called upon from time to time to perform additional tasks over and above regularly assigned duties for which he or she may receive extra compensation.

Restrictions

1. An employee must be certified by his or her dean or supervisor as working a full load in addition to the activity for which extra compensation is being recommended.

2. The work for extra compensation shall not interfere with the regular duties of the individual, as certified by the dean or supervisor.

3. The request for extra compensation should be approved by the dean or equivalent officer in advance of performance of the work.

4. Federal funds may not be used to pay extra compensation unless specifically authorized by the sponsoring agency.

5. Extra compensation for an individual must be consistent with any applicable state and federal laws and regulations and with any applicable accreditation standards or criteria.

6. Extra compensation must not result in a conflict of interest.

7. University funds will not be used for extra compensation for speeches, public appearances, etc., which are civic, public relations, or development activities.
8. University funds will not be used for extra compensation for such scholarly activities as research, research consultation and collaboration, or creative works considered part of normal faculty duties.

9. The institutional policy that an employee may not through extramural funding achieve a raise in his or her base annual salary is here reaffirmed.

10. An employee's total compensation, for a year or for a month, including extra compensation, shall not exceed the maximum salary as provided in applicable state statutes. A change of title will not be approved in order to pay an individual above his/her existing line item maximum.

11. Full-time employees may reach for extra compensation with preparation for and time in class falling outside their regular work schedules.

12. Senior administrators, as defined by the Chancellor, shall not be eligible for extra compensation for teaching a class or performing other duties for the University.

13. Stipend for extra compensation must be authorized to be paid at the regular payroll period for the time period in which it is earned.

Procedure

1. Each campus or unit within the University of Arkansas shall establish procedures to receive recommendations for extra compensation. Each campus or unit will monitor extra compensation for conformity to the requirements of this Administrative Memorandum. Each Chancellor or equivalent officer shall approve each request for extra compensation. Information regarding extra compensation shall be maintained for an annual report.

2. The maximum amount which may be paid to an employee is twenty (20) percent of his/her annual salary, in accordance with restriction number ten (10).

3. Exceptions to the provisions of this policy will require the approval of the President.

August 7, 1995 (Revised)
February 6, 1984 (Revised)
September 4, 1979 (Revised)
January 1, 1979 (Revised)
October 4, 1978 (Revised)
November 17, 1975
PURPOSE

The purpose of this policy is to inform all departments within the University of Arkansas for Medical Sciences (UAMS) of the requirements to be followed in the use of Honorariums. An Honorarium is defined as a payment or reward in recognition for gratuitous or professional services on which custom or propriety forbids any fixed business price to be set. It includes payments to persons such as guest speakers and lecturers.

PROCEDURE

1. Departments requesting payment of an Honorarium must complete an Honorarium Approval Form. Original copies of this form may be obtained from the UAMS Distribution Center.

2. The completed Honorarium Approval Form must be faxed or mailed to the buyer. An on-line requisition must be sent to the buyer and the requisition number referenced on the Honorarium Form.

3. An Honorarium is a special category of payment and is not to be used in lieu of regular travel payments. Persons invited to the University to interview for a position on the faculty or staff should be reimbursed on a purchase order.

4. Honorarium payments in excess of $5,000, excluding reimbursable expenses, require the use of Professional and Consultant Service Contracts. Payments in excess of $5,000 must be noted as sole source and the PCS form located on the website: http://ss.uams.edu/contract/forms/pcscontract.pdf should be completed and forwarded to Contract Services.

HONORARIUM INSTRUCTIONS

COMPLETING THE FORM

1. Date: Enter the date of the request.

2. Request approval of: Enter the name, address, and social security number of the person to be paid an honorarium.

3. To Appear For The Purpose of: Describe the reason and/or occasion for which the person will appear.

4. On The Following Dates: Enter the dates, inclusive of all days the person is to appear.

5. For This Service the University Agrees To Pay As follows: Enter the amount that the UAMS has agreed to pay.

6. Approval Recommended: The Director, or his designee, of the responsible department must sign in this space showing approval of the request.
IMPLEMENTATION OF BOARD OF TRUSTEES POLICY ON POLITICAL ACTIVITY

An employee of the University who becomes a candidate for any national or statewide office will be placed on Leave of Absence Without Pay at the time of filing. An employee who becomes a candidate for the Arkansas General Assembly or a county office will have his/her employment status and salary reduced to half-time at such time after filing that he/she has an opponent who has filed. (In primary elections this means an opponent with the same political party designation.) Such leaves will extend to the end of the semester or summer session in which the election is held. An employee who has an opponent in the general election must take similar leave for the fall semester.

An employee who is elected to a full-time county, statewide or national office will be granted a Leave of Absence Without Pay for one year, and at the discretion of the Board of Trustees for a second year. In no instance will the leave be extended beyond the end of the second year. Employees elected to the Arkansas General Assembly must take Leave of Absence Without Pay when the General Assembly is in regular session and for the duration of extraordinary sessions.

February 13, 1976
LUMP SUM TERMINAL PAY

When an individual ceases to be an employee of the University, any unused annual leave as of his/her last duty date shall be liquidated by a lump sum payment not to exceed thirty working days, inclusive of holidays.

Accrued unpaid leave shall be calculated as follows: divide the annual salary rate (or twelve times the monthly salary rate) by 250 to obtain the daily rate; multiply the daily rate by the number of days of accrued unpaid leave (to a maximum of thirty days). This shall be the amount of lump sum payment due for unused leave.

Final payment shall include all monies due up to and including the last day of work, which shall be the employee's date of termination.

The position being vacated may be filled on the day following the date of termination, provided all aspects of the University's Affirmative Action and Equal Employment Opportunity Plans have been met.

March 7, 1980 (Revised)
April 9, 1996 (Revised)
November 17, 1973
POLICY

It is the policy of the University of Arkansas for Medical Sciences (UAMS) that the UAMS Office of Communications and Marketing oversees all publicity, advertising and communications regarding clinical as well as all other areas of campus. All requests for publicity or interviews should be channeled through the Office of Communications and Marketing.

PROCEDURE

1. Newspaper and television photographers, reporters or other members of the working press are not permitted in the Emergency Room, on patient floors in the hospital, in outpatient areas or in any clinical areas on the UAMS campus unless their visits are first cleared with the Office of Communications and Marketing. This applies to all clinical areas including the Hospital, the Arkansas Cancer Research Center, the Outpatient Center, the Community Women's Center and the Harvey and Bernice Jones Eye Institute, the Stephens Spine and Neurosciences Institute and the Myeloma Institute. All members of the media must also be accompanied by a representative of the Office of Communications and Marketing while on UAMS property.

2. Because many members of the UAMS medical and professional staffs have well-established reputations for expertise in their areas of interest, they may receive calls from the press to obtain information for articles. If these requests involve their work as members of the faculty or staff at UAMS, these requests should be referred to and coordinated by the Office of Communications and Marketing. A representative of the Office of Communications & Marketing should be present at any interviews which take place. If there are any questions or concerns regarding UAMS policies or procedures in providing information, they should be referred to the Office of Communications and Marketing. Other employees should refrain from acting in a spokesman's capacity unless requested to do so.

3. Any non-routine request for information from the media concerning the Hospital or clinical programs received by either Hospital Administration or Nursing Administration must immediately be shared with the Office of Communications and Marketing.

4. To protect a patient's privacy rights, and to ensure the accuracy of any information provided to the media, only designated individuals in the Office of Communications and Marketing, Hospital Administration and Nursing Administration are authorized to release to the press any information concerning patients and their conditions. Patient information, including acknowledgment of a patient's presence at UAMS, will not be provided to the media unless the patient has chosen not to opt out of any part of the patient directory. If the patient has not opted out of any part of the patient directory, and the media ask for the patient by name, only a one-word description of the patient's condition may be released, unless the patient has otherwise asked us not to release such information or the Office of Communications and Marketing, Hospital Administration or Nursing Administration elect not to release any information. In the event of a patient's death, no information regarding the death of a patient will be released to the news media prior to the notification of next-of-kin or other legal representative.

5. Any additional release of information regarding the patient, beyond the one-word statement of condition, requires
written authorization from the patient or the patient's legal representative. If such authorization is obtained, a designated UAMS representative may release information authorized in writing by the patient; however, the information released shall be confined to that of a general nature. A copy of the patient's signed authorization must be kept on file with Hospital Administration, and the signed authorization must meet the requirements for a valid authorization as set forth in the HIPAA regulations. The UAMS Authorization for Release of Information to the Media form must be utilized.

6. Wallet-sized cards detailing simple guidelines for dealing with the media are available by contacting the Office of Communications and Marketing. It is also recommended that each physician and department head undergo a short training course for dealing with the media. This can be scheduled through the Office of Communications and Marketing at 686-8990.

7. Requests to all employees, medical staff and house staff for information from media representatives should be referred to the area listed below, depending on when the request is received:

   a. Weekdays - Requests received on a weekday (Monday through Friday, 8:00 a.m. to 4:30 p.m.) should be referred to the Office of Communications and Marketing, 686-8998 or pager 395-5989.
   b. Evenings, Nights and Weekends - Requests received during evenings, nights and weekends should be referred to the Assistant Director of Nursing on duty, at (501) 686-7000 or to the Office of Communications and Marketing at pager 395-5989. Whichever one receives the notification should inform the other of the media request.
   c. If a request for information cannot be referred to either Communications & Marketing or the Assistant Nursing Director on duty, the Administrator on call should be contacted.

8. Any non-routine request for information received by either Communications & Marketing, Hospital Administration, or Nursing Administration should be shared immediately with the other three offices.
Outs... of Faculty and Staff Members for Compensation

While emphasizing the fact that full-time faculty and staff members of the University are obligated to devote their working time and efforts primarily to University duties, the University recognizes that a limited amount of outside work for private compensation may be advantageous to all concerned. Such persons are therefore encouraged to engage in outside employment which will affirmatively contribute to their professional advancement or correlate usefully with their University work. This employment should not interfere in any substantial way with the employee’s University duties nor conflict with his scheduled University assignments. Written approval from department head and dean should be obtained in advance of such outside employment. Each dean or similar officer shall keep records on outside employment by personnel in his college, and such records shall be reviewed periodically by the chief academic officer on each campus. The employee shall always make it clear the outside employment is his own responsibility and that in it he does not act as an agent or representative of the University. University property or facilities shall not be used except with permission of the employee’s department head or other superior, and the payment of appropriate fees therefore may be required.

The attached form is to be used to report outside activities to the chief academic officer. It is due annually on August 1.

August 28, 1978
### Annual Report on Outside Employment of Faculty/Administrative Staff Members for Compensation

**Fiscal Year 2004/2005**

College/Administrative Unit: ________________________________

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<tr>
<th>Name</th>
<th>Rank/Title</th>
<th>Department</th>
<th>Period of Employment</th>
<th>Est. Hrs. Per Month</th>
<th>Amount of Compensation</th>
<th>Approval Date</th>
<th>Nature of Outside Employment &amp; Relationship to Univ. Assignment</th>
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Policy on Conflict of Interest and Conflict of Commitment

• PURPOSE
The purpose of this document is to define and to provide guidelines for the management of potential conflicts of interest or commitment on the part of faculty and academic staff, and further to promote objectivity in research by establishing a framework to ensure that the design, conduct, and reporting of research will not be biased by any conflicting financial interests of individuals or the institution.

• INTRODUCTION
Aiming for excellence in its missions of education, research, and clinical service, the University of Arkansas for Medical Sciences (UAMS) seeks continuing development of the knowledge, skills and expertise of its faculty. To this end, the university encourages faculty and academic staff to pursue outside activities which contribute to personal and professional growth and development. Further, the reservoir of skills and expertise and the new knowledge created can add substantial value to the common good and welfare through outside activities.

In the pursuit of such goals, there may inevitably arise conflicts between the demands of external activities and the primary obligations to UAMS activities. Moreover, the involvement in multiple enterprises may offer opportunities for divergence of personal or private interests from those of UAMS. In UAMS activities funded in whole or in part by external sponsors, there may be occasion for yet further conflicts of interest, and UAMS has an institutional responsibility to ensure compliance with the guidelines of the sponsor.

Some external activities or interests may be so far removed from the UAMS roles and responsibilities of the individual that the only considerations become those of impact on the time and energy available for primary university duties. Other external interests may not divert any energy from university duties but may introduce concerns about possible impact on objectivity in university-related activities. Still other activities may introduce both types of concerns. Since a single disclosure mechanism may support the management of both types of consideration, and because of the overlap in some activities, both types of conflicts are addressed in this policy.

This policy deals with general principles, procedures for disclosure and administrative review of potentially conflicting interests or commitments, guidelines for management of unavoidable conflicts, and administrative actions and appeals.

• GENERAL PRINCIPLES
Arrangements relating to external activities by faculty should never be allowed to undermine the basic missions of UAMS and should be specifically constrained to minimize distraction from primary obligations to UAMS and to minimize placing either the individual or UAMS in a position of having or appearing to have a conflict of interest. Such conflicts of commitment and conflicts of interest as arise must be managed according to appropriate guidelines.

Obligation to the University.
Faculty members must demonstrate primary professional loyalty to UAMS and devote themselves to teaching, caring for patients, interacting with students, carrying out research and
scholarly work, serving on appropriate campus committees, performing administrative duties, and other required functions. With an acceptance of a full-time appointment to the UAMS faculty, an individual makes a commitment to UAMS (and to the appropriate hospital, if part of a hospital-based department) which is full-time in the most inclusive sense.

**Professional Growth.**
The institution currently applies the generally accepted academic standard that affords faculty time, consistent with formally negotiated obligations, for extra-mural scholarly pursuits that relate to and advance professional growth and public service; however, any medical professional service is constrained by the MCPG By-Laws.

**Objectivity in Research.**
The fundamental values of the university include the highest standards of research integrity and objectivity. Thus, no conflict of interest on the part of academic staff members can be permitted to influence the design, conduct, or reporting of research.

**Technology Transfer.**
Appropriate transfer of technology can make the results of research more quickly available for the good of the public and can assist the state in commercial development and expansion of its economic base. Accordingly, efforts to commercialize or otherwise make quickly and widely available the results of new knowledge are encouraged.

- **GOVERNANCE**
  This policy is governed by Arkansas State Law and by policies of the University of Arkansas Board of Trustees and is subject to change as those laws and policies are amended. Nothing in this policy shall be construed to supersede state or federal laws or the University of Arkansas Board of Trustees policies. Further, some funding agencies may establish further restrictions or requirements that must be met. It is the responsibility of Principal Investigators to familiarize themselves with such policies. The Office of Research Administration shall maintain current knowledge of such policies in order to assist investigators.

- **DEFINITIONS**

  **Academic staff member.**
  An academic staff member is a faculty member or, with respect to research, the principal investigator, co-principal investigator, and any other person at UAMS who is responsible for the design, conduct, or reporting of research or educational activities. The definition includes anyone who is paid by or whose work is supported by a grant or contract from an external source and includes any member of the UAMS faculty or staff who is eligible to apply for federal or other grants. It specifically includes postdoctoral fellows, research associates or assistants, and graduate students.

  **Technology Transfer.**
  Technology transfer refers to the commercialization of ideas, concepts, and inventions through publication, patenting and licensing, and the formation of business entities.
Conflicts of Commitment.
The term "conflict of commitment" relates specifically to significant distraction of an individual academic staff member's attention or effort from obligations to the academic appointment (teaching, research, other services, and/or patient care) because of "outside" activities. The latter may include, but are not limited to, professionally-related and generally encouraged activities such as consulting, textbook authorship, involvement with professional societies, and participation in review panels. Such activities are usually expected of academic staff members to promote professional development and to enrich their contributions to the institution, their profession, and the community. Scientific consulting relationships, for example, may serve to create conduits for the exchange of information and technologies that enhance the university environment and permit academic staff to test the soundness of their ideas. Professional service activities on the part of College of Medicine faculty, such as patient care and professional consultation, are subject to special constraints as defined in the MCPG By-Laws.

Part-time faculty may not be subject to conflict of commitment guidelines due to the nature of their appointments; however they are subject to conflict of interest requirements, especially if they participate in sponsored activities. These instances should be discussed with individual chairs.

Conflicts of Interest.
A conflict of interest is defined as a divergence of interests away from professional obligations to the Institution or to external sponsors of research or other activities toward an individual's private or personal interests. Under these conditions, an unbiased observer would find it difficult to determine whether the individual's professional actions or deeds are determined by personal considerations of gain, financial or otherwise not in the best interest of the Institution and sponsor.

In particular, a conflict of interest exists in, but is not limited to, situations where a Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of research.

Immediate Family.
The Immediate Family is defined to include spouse, domestic partner, and dependent children, as defined by the U.S. Internal Revenue Service.

Significant Financial Interest.
A Significant Financial Interest means anything of monetary value, including but not limited to, salary or other payments for services (e.g. consulting fees or honoraria); equity interests; (e.g. stocks, stock options or other ownership interests); and intellectual property rights (e.g. patents, copyrights and royalties from such rights). The term does not include:

- salaries, royalties, or other remuneration from UAMS;
- income from occasional seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- income from service on advisory committees or review panels for public or non-profit entities;
- an equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, meets both the following tests: Does not exceed $10,000 in value;
as determined through the reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity;

- salary, royalties, or other payments from a single source that when aggregated for the Investigator and the Investigator's spouse and dependent children over the next twelve months, are not expected to exceed $10,000.

**Responsible Administrator.**
With respect to the disclosure and management provisions of this policy, the term "Responsible Administrator" for an academic staff member refers, in the first instance, to the department chair of the person. For academic staff members not assigned to a department, or for department chairs, the Responsible Administrator is the dean. For deans, vice chancellors, or other university-wide officials, the Responsible Administrator is the chancellor or his/her designee. For purposes of second level review, the next higher administrator is responsible. The designated institutional official for purposes of supervising the broad operation of the system, protecting confidentiality and maintaining records and for assurances to providers of extra-mural support is the Vice Chancellor for Academic Affairs or, as his/her designee, the Director of the Office of Research Administration.

- **DISCLOSURE AND REVIEW**

  **Disclosure.**
  Outside activities or Significant Financial Interests relating to the professional roles for which academic staff members are employed by UAMS must be disclosed annually to the Responsible Administrator by all UAMS faculty (Full and Part-time), using Conflict of Interest disclosure forms (Appendix 4). All Significant Financial Interests which are directly or indirectly related to the professional activities of the faculty member must be disclosed, as must any external commitment which might be perceived as presenting a conflict of commitment. Other academic staff members who are to participate in externally funded research must also disclose Significant Financial Interests and are also otherwise subject to this policy. See Definition 5.6 and Appendices 1 and 2 for requirements, examples, and exceptions.

  Any cases of potential conflicts of interest which arise between reporting periods must be disclosed promptly in writing to the Responsible Administrator and to the chair of the Conflict of Interest Committee, using a Conflict of Interest Disclosure Form.

  Disclosure forms are to be reviewed by the Responsible Administrator for possible conflicts before forwarding to the appropriate Dean and subsequently to the Vice Chancellor for Academic Affairs.

  **Federal Grants.**
  At the time of submission of a proposal for any federal grant, the principal investigator of that grant shall provide a verification of currency of disclosure of Significant Financial Interests for all academic staff members involved in the proposed work(Appendix 5), and in the event of an award shall be responsible for assisting in developing an assurance of management of conflicts of interest.
If federally funded research is to be carried out in part by subgrantees, contractors, or collaborators, the principal investigator is responsible for securing the compliance by such other investigators with this UAMS policy or for providing from the external entities assurances that will enable UAMS to comply with its institutional responsibilities to the funding agency.

Prior to expenditure of any funds from a federal award, the Office of Research Administration shall report to the awarding agency the existence of any conflicting interest with respect to the research proposed (but not the nature of the interest or other details) and assure that the interest has been managed, reduced, or eliminated. For any conflicting interest identified subsequent to the initial report under the award, a report shall be made and the conflict managed, reduced, or eliminated within sixty days.

**Maintenance of Records.**
All financial disclosures and records of actions taken by UAMS with respect to each conflicting interest shall be maintained for at least three years from the date of the submission of the final expenditure report for any federally funded project. Such information shall be provided to the funding agency upon appropriately authorized request.

**Conflict of Interest Committee.**
The Conflict of Interest Committee shall be appointed by the Vice Chancellor for Academic Affairs and shall be a standing committee of UAMS. The Chair shall be appointed by the Vice Chancellor for Academic Affairs, and the Committee shall meet regularly in order to act in a timely fashion. The Conflict of Interest Committee shall review disclosures for possible conflict and shall advise appropriate officials on the management of the situations. The Committee shall also publish and periodically revise concrete guidelines to assist faculty and administrators.

**Approval of Outside Employment.**
As outlined in University of Arkansas Board Policy 450.1, written approval must be obtained from the department head and/or Dean in advance of outside employment. All other provisions of that policy should be adhered to as well, including annual disclosure of such employment.

**Special Circumstances.**
Arkansas state law provides certain exemptions from prohibitions on activities of state employees that encourage facilitation of commercialization of university-generated technology or discovery. These exemptions from the state ethics law do not necessarily exempt an individual from any restrictions imposed by UAMS policy. In particular, UAMS policy requires full disclosure through the mechanism outlined in Section 6.1.

*Business Incubators.* Faculty or staff of state-supported institutions of higher education may participate in business incubators within the state. This exemption includes companies in which faculty or staff may have an ownership interest.

*University Intellectual Property.* State Law also provides that it is not a conflict of interest, or a breach of ethical standards for an institution of higher learning to contract with a person or firm in which an employee or former employee has a financial interest if such contract, subcontract or proposal involves patents, copyrights, or other proprietary information in which the institution and the employee have rights or interests.
There are restrictions on such activities: the contract or agreement must be approved by the University of Arkansas Board of Trustees in an open meeting.

**Blind Trusts.** Where an employee or any member of the employee's immediate family holds a financial interest in a blind trust, the employee shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest if disclosure of the blind trust has been made to the Conflict of Interest Committee.

- **MANAGEMENT**

  **Resolution of Conflicts of Commitment.**
  Ordinarily, conflicts of commitment shall be resolved at the first level of review by the Responsible Administrator. Disclosure forms must be forwarded, with attachments indicating actions and resolution, to the appropriate Dean and subsequently to the office of the Vice Chancellor for Academic Affairs.

  **Resolution of Conflicts of Interest.**
  The Responsible Administrator in the primary review shall attempt to identify and resolve potential conflicts of interest and attach any recommendations to the disclosure form before forwarding. In cases of potential or actual conflicts of interest, one or more of the following steps shall be taken under guidance from the department chair, the appropriate Dean, the Vice Chancellor for Academic Affairs, and/or the Conflict of Interest Committee:

  - Public disclosure of Significant Financial Interests.
  - Monitoring of research by independent reviewers.
  - Modification of the research plan.
  - Withdrawal from participation in all or a portion of the research to which the conflict applies.
  - Divestiture of Significant Financial Interests.
  - Severance of relationships that create actual or potential conflicts.

  In the event that there appears to be no satisfactory arrangement to manage a conflict of interest related to externally sponsored research or other activities, appropriate officials of the sponsoring entity shall be informed by the Vice Chancellor for Academic Affairs or his/her designee.

- **ADMINISTRATIVE ACTIONS, PENALTIES, AND APPEALS**

  **Judgment.**
  Legal penalties may be adjudged in cases of conflict of interest or commitment that violate state or local laws; any such penalties shall be determined by duly constituted judicial bodies. Non-judicial or administrative actions may result from a determination by the appropriate University official with the right of appeal to the UAMS Conflict of Interest Committee and the Chancellor.

  **Notification of Federal Agencies.**
  If the failure of the investigator to comply with this conflict of interest policy has biased the
design, conducting, or reporting of federally funded research, UAMS shall promptly notify the awarding agency of the corrective action taken or to be taken.

**Administrative Sanctions.**

Failure to disclose conflicts of interest in an appropriate and timely manner, or failure to comply with procedures to resolve conflicts of interest as recommended by the Conflict of Interest Committee shall result in administrative sanctions determined by the Vice Chancellor for Academic Affairs with advice from the appropriate Dean or other administrative officials and the Conflict of Interest Committee.

Additional administrative action may include oral admonishment, written reprimand, reassignment, disqualification from submitting proposals for research support to Federal Agencies or other sponsors, demotion, suspension, or separation.

**Appeal.**

Appeal of any determination by a Responsible Administrator may be made to the next higher level or to the Conflict of Interest Committee. Appeal of sanctions determined as above may be made to the Chancellor, whose decision shall be final.

### Appendix 1

Examples of Activities or Interests which Require Disclosure and may Require Special Procedures because of Potential Conflicts of Interest and/or Commitment

1. Any Significant Financial Interest (Definitions, 5.6), on the part of an academic staff member or his/her immediate family, that would reasonably appear to be affected by research for which external funding is sought or in entities whose financial interests would reasonably appear to be affected by the research.

2. The undertaking of basic or clinical research when the investigator (or the investigator's immediate family) has a Significant Financial Interest in the sponsoring entity or in the entity producing the product being evaluated or in a competing entity.

3. Gifts, favors, or gratuities from suppliers, research sponsors, organizations, corporations, or persons who have dealings with UAMS, if these gifts exceed a nominal value (see Appendix 3 for further discussion).

4. Side agreements to any contracts or business dealings between UAMS and suppliers, research sponsors, corporations, or other entities or persons.

5. Use of institutional supplies or equipment to support the research or other efforts of an independent company, agency, or institution in which the investigator has a Significant Financial Interest.

6. Use of the name of UAMS, The University of Arkansas, a college, a center or a department in a manner to produce personal financial benefit.

7. Accepting support for research under terms or conditions in which the information will not be published in a timely manner. (It is recognized that, for proprietary reasons, sponsoring agencies or commercial companies may delay publication for finite, but limited, periods; this is not considered a delay in timely publication.)

8. Negotiation of contracts between UAMS and companies in which the faculty member has a Significant Financial Interest.
9. Accepting external sponsorship for research or for a contract without processing through the normal administrative channels (ORA for UAMS, ORA and ACHRI for ACHRI, VA R&D Committee for VA).

10. A faculty member conducting research, professional practice, or educational activities externally that would ordinarily be conducted within UAMS or affiliated hospitals, in view of a primary commitment to UAMS.

11. A faculty member publishing research results of a clinical trial or other investigation in which the member has a Significant Financial Interest in those results.

12. Participation in UAMS committee or purchasing or contracting decisions that are related in any way to a business enterprise in which the faculty member has a Significant Financial Interest (see Definitions, 5.6).

13. Assumption of an executive position in a for-profit or not-for-profit institution or agency engaged in biomedical research.

14. Use of students or employees of UAMS to perform personal or commercial services unless these personnel are administratively separate and are compensated for work performed on off hours, and the work is not related in any way to their academic pursuits.

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**Appendix 2**

**Activities That Are Normally Allowable and Need Not Be Disclosed**

1. Salary, royalties, or other remuneration received from UAMS, including equity ownership.
2. Receipt of royalties for published scholarly works and other writings.
3. Acceptance of honoraria for papers, occasional lectures, and seminars as long as the honoraria are not excessive and are sponsored by public or non-profit entities.
4. Occasional income from service on advisory committees or review panels for public or nonprofit entities.
5. Significant interests in business enterprises or entities on the part of an investigator and the investigator's spouse and dependent children, which are not in any way related to the investigator's professional role and obligations.
6. Any "arms length" financial interests which occur through participation in mutual funds or employer's retirement plans.
7. Participation in clinical or other research sponsored by companies in which the faculty or staff member holds no financial interest or in which financial interest has been divested, provided the research has been reviewed by the appropriate administrative channels (ORA for UAMS, ORA and ACHRI for ACHRI, VA R&D Committee for VA).

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**Appendix 3**


**Guidelines for Gifts from Industry to Academic Staff.**

1. Any gifts accepted by academic staff individually should primarily entail a benefit to academic pursuits and should not be of substantial value. Accordingly, textbooks, modest
meals and other gifts are appropriate if they serve a genuine educational function. On the other hand, cash payments serve only the academic staff's personal interest and therefore should not be accepted from industry.

A gift which is appropriate because of its contribution to academic pursuits may become inappropriate because of its extravagance.

Gifts of minimal value raise fewer concerns and are permissible as long as the gifts are related to the staff member's work (e.g., pens, diaries, books or rulers).

2. Gifts by drug companies to underwrite medical conferences or other professional meetings enhance the ability of academic institutions, professional associations and health care organizations to provide continuing education to academic staff. Consequently, such gifts make an important contribution to academic pursuits. Subsidies from industry should not be accepted to pay for the costs of travel, lodging or other personal expenses of staff attending conferences or meetings, nor should subsidies be accepted to compensate for the staff's time. Subsidies for hospitality should not be accepted outside of modest meals or social events held as a part of a conference or meeting.

It is appropriate for faculty at conferences or meetings to accept reasonable honoraria and to accept reimbursement for reasonable travel, lodging and meal expenses. It is also appropriate for consultants who provide genuine services to receive reasonable compensation and to accept reimbursement for reasonable travel, lodging and meal expenses. Token consulting or advisory arrangements cannot be used to justify compensating academic staff for their time or their travel, lodging and other out-of-pocket expenses.

The giving of a gift directly to an academic staff member from a company's sales representative may create a personal relationship which would influence the use of the company's products. Accordingly, when a company contributes funds for conferences that are sponsored by academic or other educational institutions, the funds should be given by the company to the conference sponsor who in turn can use the money to reduce the conference registration fee. Payments to defray the costs of a conference should not be accepted directly from the company by the staff attending the conference.

3. No gifts should be accepted if there are prerequisites to their acceptance.

4. Sponsors of continuing medical education conferences have a special responsibility to ensure that gifts are appropriate. The Accreditation Council for Continuing Medical Education has adopted a number of useful guidelines to prevent industry funding for continuing medical education conferences from leading to undue influence by the companies: (a) responsibility for and control over the selection of content, faculty education methods and materials should belong to the accredited sponsors of conferences, (b) presentations must give a balanced view of all therapeutic options, and (c) financial support must be acknowledged in printed announcements and brochures, but reference should not be made to specific products.
The Task Force on Pharmaceutical Industry/CME Cooperation is currently developing an updated set of guidelines for industry funding of continuing medical education conferences.

Some of these guidelines are appropriate for smaller educational meetings and in other educational contexts, for example, when companies support meetings or lectures for medical trainees.

5. Financial support for conferences should be disclosed publicly. Staff will be able to evaluate the information presented to them more appropriately if they are aware that companies have contributed funds to defray the costs of the presentation.

- Appendix 4

UAMS Annual Disclosure of Outside Activities and Interest Form
POLICY GOVERNING SERVICE OF VOLUNTEER FACULTY

Definition

A volunteer faculty member is an individual who is appointed to an academic position on a full-time or part-time basis at no salary. There are two types of volunteer faculty: clinical faculty and adjunct faculty.

Clinical Faculty - Those appointed under this category will receive titles of Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor. Clinical faculty will be assigned to the clinical areas of the University of Arkansas for Medical Sciences or to any other campus of the University which has clinical programs in health care and psychology.

Adjunct Faculty - Volunteer faculty not associated with a clinical activity will receive titles of Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor, or Adjunct Instructor.

Appointments and Promotions

Appointments are recommended by Department Head or Chairman, Dean and Chancellor, and approved by the President for the Board of Trustees. Appointment notices shall state the contemplated performance period, but the relationship is one "at will" from which either party may withdraw at any time. Notice of withdrawal shall be by letter, but neither party shall be obligated to assign or announce reasons for withdrawing from the relationship.

Tenure Considerations

Volunteer faculty will not be granted tenure, and the time spent as a volunteer faculty member will not count toward tenure in event a volunteer faculty member is appointed to a salaried position.

Termination

The President, acting for the Board of Trustees, will approve all terminations.

Privileges

Volunteer faculty will have the following privileges and benefits:

1. Use of University libraries.

2. Option to purchase tickets to University activities as a faculty member of the campus sponsoring the activities.

3. Medical benefits under the Worker's Compensation law.
4. Parking privileges within campus regulations.
5. Service on University and student committees.
6. Use of facilities within University regulations.
7. Normal administrative support for courses taught.
8. Reimbursement for expenses such as travel directly applicable to courses taught.

November 3, 1978 (Revised)
January 17, 1977
RECOMMENDATION FOR TENURE

By Feb. 15 of each year the Chancellors and the Vice President and Provost will submit in writing to the Executive Vice President a positive recommendation for those faculty members who are eligible to receive tenure with the next two appointments and who will not be given "notice" of non-reappointment as provided above. This includes Professors and Associate Professors, and those who will be promoted to those ranks, who will receive the fourth appointment for the next year, and Assistant Professors and Instructors who will receive the seventh appointment for the next year. In the absence of a positive recommendation, it will be assumed that the individual will receive a written notice of non-reappointment, or a terminal appointment, in accordance with the above schedule. Copies of notice of non-reappointment are to be sent to the Executive Vice President.

This requires that Department Heads, Deans and other administrators examine annually the personnel files of non-tenured faculty to determine which members will be eligible for tenure with the next appointment (July 1 or beginning with fall semester) or appointment on similar dates the following year.

(See Board Policy for complete statement on tenure and non-reappointment.)

September 30, 1977
UNIVERSITYWIDE ADMINISTRATIVE MEMORANDUM

REVIEW OF PROMOTION AND TENURE CRITERIA

Board of Trustees’ Policy 405.1 requires that criteria for promotion and tenure be developed by faculty on each campus and be reviewed and approved by various campus officials and the president.

Since conditions affecting promotion and tenure are subject to change, criteria for promotion and tenure, along with internal procedures to be followed, shall be reviewed through regular channels as required by Board Policy 405.1 and proposed revisions shall be forwarded to the Vice President for Academic Affairs. The first review is to be completed during the fall semester of 1987, or earlier if feasible, and additional reviews shall be made no less often than every four years thereafter. New criteria, if approved by the President, shall be the criteria used for promotion and tenure considerations for the following academic year and until further changes are made.

April 15, 1986
POLICY

The University of Arkansas for Medical Sciences will utilize its own employees where ever possible. In instances where a department determines that contracting for a function to be performed by a third-party company is practical and cost effective, a contract will be written and approved according to UAMS policies. Likewise, a department may appoint a non-employee to a Visiting Faculty Appointment.

Employees of another company or institution (“non-employee”) are not UAMS employees and do not fall under any aspect of employment law, regulations, or policies. However, non-employees need various campus privileges in order to function effectively; further, UAMS demands that non-employees follow basic UAMS policies, including the Code of Conduct. The department who supervises the contracting company will be the “sponsoring department” for all of the company’s employees who require campus privileges and ensure that these policies are followed.

PROCEDURES

1. Sponsoring departments will use the SAP transaction “Non-Employee Basic Data” enter into SAP basic demographic information on each non-employee, including name, Social Security number, employing company and its address, start and end dates of campus presence, work phone, work location, mail #. A form (page 3) to gather this information may be helpful.

2. Information on the non-employee database will be shared with UAMS Police, ID Badge system, Library, Clinical Information Systems, Telecommunications/Mailroom and others as applicable so that services can be provided – ID Badge, domain privileges, listing in the on-line telephone directory, and so forth.

3. UAMS departments will grant privileges according to general guidelines. Non-employees may be required to sign Confidentiality Agreement, parking rules, or other agreements normally signed by UAMS employees.

4. Non-employees may be required to attend UAMS New Employee Orientation, as applicable to employees in the Division where they are sponsored. They must adhere to the Employee Basic Code of Conduct, Inclement Weather policy, Employee Separation Procedure, and other policies as specified by the sponsoring department.

5. Non-employees may also be required to consent to Drug Testing and Criminal Background Testing. Sponsoring departments may obtain these from the contracted company or use UAMS facilities to accomplish. The sponsoring department must pay the cost of tests performed by UAMS facilities.
Sponsoring departments are responsible for entering non-employee information into SAP, using PA40, “Non Employee Basic Data”. This form may be used if helpful to the department. UAMS privileges will not be granted to any non-employee unless and until the non-employee is in SAP database.
For questions and assistance, please contact the Library Assistant Director (Jan Hart, Ed.D., 686-6751, hartjanicek@uams.edu). Questions requiring additional attention will be forward to designated UAMS counsel. UAMS faculty, students, and staff are directed to the University of Texas System Crash Course in Copyright http://www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm for detail discussion of copyright issues.
UAMS Institutional Policy on the Use of Copyrighted Materials

Administrative Guide 12.0.2

The University of Arkansas for Medical Sciences is an accredited nonprofit educational institution supporting the activities of educators, scholars, researchers, and students. UAMS promotes an environment of compliance with copyright laws through the campus-wide distribution of the Guidelines for UAMS Faculty, Staff, and Students Using Copyrighted Materials throughout the Colleges and the educational support units.

UAMS promotes the educational and research use of copyrighted materials (Appendix A. Basic Copyright Law) through the appropriate application of the provisions provided in copyright law for fair use (Appendix B. Fair Use) and for specific exemptions granted for educational and research purposes (Appendix C. Exemptions). At this time, exemptions include the Teaching Exemption, the provisions for distance education covered by the Technology, Education, and Copyright Harmonization Act (TEACH Act), and special Library Exemptions. UAMS observes ‘best practices’ and ‘guidelines’ commonly accepted within the academic community (Appendix D. Guidelines).

The Institutional Responsibilities of UAMS (Appendix E) document addresses the institutional administrative and technological responsibilities required to take advantage of fair use and exemptions.

These institutional policies and guidelines were approved the UAMS Chancellor’s Cabinet, the UAMS Administrative Council, and Harold Evans, JD, of Williams and Anderson LLP.

Guidelines for UAMS Faculty, Staff, and Students Using Copyrighted Materials
Teaching in the Face-to-Face Classroom (Teaching Exemption)
Fair Use for Teaching Faculty and Students at UAMS
Distance Education and TEACH Act
Course Management Software (WebCT) and E-Reserves
Fair Use of Digital Images
Fair Use for Scholarship and Research

College of Medicine Guidelines for Use of Copyrighted Materials in Education
Brief guidelines designed to alert teaching faculty to copyright issues.
(also adopted by the College of Nursing and College of Pharmacy)

Appendices: Summaries of copyright law and guidelines
Appendix A. Basic Copyright Law - 17 U.S. Code 102
Copyright from the code

Appendix B. Fair Use - 17 U.S. Code Section 107

Appendix C. Exemptions
Teaching Exemption - 17 U.S.Code 110(1)
Library Exemptions (17 U.S. Code 108)

Appendix D. Guidelines
Educational Fair Use Guidelines for Digital Images
http://www.utsystem.edu/ogc/intellectualproperty/copypol2.htm
Guidelines for Classroom Copying of Books and Periodicals
http://www.utsystem.edu/ogc/intellectualproperty/clasguid.htm

Appendix E. Institutional Responsibilities of UAMS
In accordance with Arkansas Act 271 of 1983, and Act 296 of 1995, the University of Arkansas for Medical Sciences is authorized to make available to eligible non-tenured faculty members and staff employees the opportunity to receive certain benefits in exchange for immediate retirement. Participation is strictly voluntary and is not mandated upon either eligible non-tenured faculty or staff or UAMS. Participation is not entitlement, but may be available to qualified non-tenured faculty members and staff employees when:

1. A savings to the University in salary and fringe benefits costs can be demonstrated,
2. The Board of Trustees of the University of Arkansas determines that the savings realized as a result of the agreement provide for a more efficient operation of the University, and
3. The terms and conditions of the retirement agreement would not be detrimental to UAMS and its’ programs. Determination of this factor would include, but not be limited to, such considerations as whether sufficient financial and staffing resources will be available to the department, campus, and unit from which the individual is retiring.

DEFINITION OF TERMS

1. Voluntary Early Retirement – A voluntary election on the part of an eligible employee who plans to retire from UAMS prior to "normal retirement age", in return for incentive financial consideration offered by the institution.
2. Voluntary election – A decision made by the employee based solely on their wish to elect the voluntary early retirement option, without coercion from any UAMS representative, and in accordance with the rules of the voluntary early retirement plan of the University of Arkansas and applicable laws.
3. Voluntary Early Retirement Agreement – A written document outlining the terms of voluntary early retirement for the employee and the employer.
4. Eligible employee - A UAMS employee (non-tenured faculty, classified or non-classified administrative staff) who meet eligibility requirements as established in this policy.
5. Retirement cost – The cost of all salary and benefits, including future part-time teaching, research, or other employment related costs of the eligible employee.
6. Replacement cost – The estimated salary and benefits cost of the individual(s) who will be employed to fill the position or responsibilities of the retiring eligible employee.
7. Retention cost – The last annual salary and benefits costs of the retiring eligible employee, including any increases in salary or benefits approved prior to the effective dates of the Voluntary Retirement Agreement.
8. Employee Waiver – A signed document in which the eligible employee has voluntarily signed which removes the institution’s obligation to provide 45 days to consider the terms of their participation in the Voluntary Early Retirement Program.
9. Statement of Assurance – A signed document in which the eligible employee states that they made the election to voluntarily elect early retirement, has been informed of their legal rights under the Age Discrimination in Employment Act, and has been advised and has had the opportunity to seek the advice and counsel of attorneys, accountants, and others who might assist in making an informed decision concerning the Program.
10. Early Retirement Program Worksheet - A spreadsheet which outlines the cost savings for the institution over a period not to exceed seven (7) years, by the participation of the eligible employee in the Voluntary Early Retirement Program.

11. Maximum dollar value of benefits – An amount received under the Voluntary Early Retirement Agreement which shall be established by the institution, and approved by the President of the University of Arkansas System, or such lesser amount as is necessary to show a cost savings to the institution within seven (7) years.

12. Post-early retirement wages – An annual payment for work performed which shall not exceed 30% of the eligible employee’s last full-time annualized salary.

PROCEDURE

1. The Chancellor of UAMS will determine, based on recommendation of the Vice Chancellor for Administration & Fiscal Affairs, appropriate time(s) during any fiscal year to offer an open window for election of voluntary early retirement by eligible employees.

2. A request from the Chancellor will be made to the President of the University of Arkansas System outlining the maximum benefit to be paid, and the proposed election window. The President may approve the request to initiate a voluntary early retirement election window.

3. Following approval by the President, the Office of Human Resources will prepare communication to eligible employees informing them of the option to elect voluntary early retirement.

4. During the election window, eligible employees meeting the applicable minimum qualifications for participation in the Voluntary Early Retirement Program may initiate a request for the institution to consider their participation in the program. The request must be submitted in writing by the eligible employee to their department head.

5. The employee’s department head is responsible for negotiating an agreement with the employee which meets the financial savings guidelines of the program, and is consistent with the incentive options outlined below. Incentive options not specifically listed below must be approved by the Office of Human Resources prior to signing the agreement. The Office of Human Resources is available as a resource for managers to assist in designing employee Voluntary Early Retirement agreements, but is not authorized to furnish legal, tax or other professional advice. In developing the Voluntary Early Retirement Agreement, the eligible employee must be apprised of their rights under the Age Discrimination in Employment Act and be advised to seek the advice of counsel of attorneys, accountants, and others who can provide information that will assist in making an informed decision. In all cases, the eligible employee must be given at least 45 days to consider the Voluntary Early Retirement Agreement and once signed, the employee has 7 days to revoke the signed agreement, unless waived in writing.

Financial incentives to be offered may include, but are not limited to:

- Stipend payment without requiring work
- Wages for part-time work (subject to the guidelines listed in definition, item 12 above)
- Contributions to a designated funding sponsor under the University of Arkansas Retirement Plan

- Reimbursements for major medical and/or life insurance premiums

- Other arrangement as agreed by the employee and the employer

The Chancellor will determine the maximum stipend amount for each election window. However, the total stipend amount paid to an eligible employee under an agreement may not normally exceed 50% of the employee’s final salary with UAMS.

1. Department heads must review each voluntary retirement agreement with their division head for approval.

2. The Office of Human Resources will serve as a collection point for signed Voluntary Early Retirement Agreements, which have been signed by the eligible employee and their department/division head.

3. The Office of Human Resources will prepare a report outlying each of the Voluntary Early Retirement

http://uams.edu/AdminGuide/Win04116.html
Agreements for the Vice Chancellor for Administration & Fiscal Affairs at the end of the election window. The Vice Chancellor will recommend the Voluntary Early Retirement Agreements, which meet UAMS’ needs to the Chancellor.

4. The Chancellor shall recommend approval to the President, who shall review each Voluntary Early Retirement Agreement with the Board of Trustees of the University of Arkansas or final approval.

5. The Office of Human Resources shall execute the terms of the agreement, once approved by the Board of Trustees.

REQUIREMENTS

Before a Voluntary Early Retirement Agreement can be approved, savings in salary and fringe benefits costs to the Medical Center must be demonstrated. The cost savings must be realized within seven years of the effective date of retirement. A cost savings will be determined for each year of the seven-year period by subtracting the retirement cost and replacement cost from the retention cost. The fact that a cost savings is not shown in one year will not prevent an employee from qualifying for a Voluntary Early Retirement Agreement if a total cost savings can be realized over the seven-year period. For purposes of this determination,

"Retirement cost" means the costs of all salary and benefits, including future part-time teaching, research, or other employment related costs of the eligible, including the University’s portion of FICA taxes;

"Replacement cost" means the estimated salary and fringe benefits cost of the individual or individuals who will be employed to fill the position or responsibilities of the retiring eligible employee;

"Retention cost" means that the last annual salary and fringe benefits cost of the retiring non-tenured faculty member or staff employee, including any increases in salary or fringe benefits approved prior to the effective date of the Voluntary Early Retirement Agreement.

The maximum dollar value of benefits that can be received under a Voluntary Early Retirement Agreement is the annual salary of the retiring employee for the current fiscal year or such lesser amount as is necessary to show a cost savings to the University within seven years.

FUNDING OF VOLUNTARY EARLY RETIREMENT AGREEMENTS

All cost associated with a Voluntary Early Retirement Agreement, including stipends, FICA on stipends, wages, FICA on wages, contributions to retirement accounts, reimbursement of major medical and/or life insurance premiums, and any other costs will be the sole responsibility of the department.

TIME OF AVAILABILITY

Proposals for Voluntary Early Retirement of qualified non-tenured faculty members and staff employees of UAMS will be considered during announced periods of time or windows of opportunity, with retirement to take place at the convenience of the employing department or other unit, but no later than the end of the current fiscal year. Subject to the approval of the Chancellor, UAMS may consider proposals for voluntary early retirement during as many or as few time periods or windows of opportunity as it determines are in its best interests to offer. A window of opportunity may be opened to non-tenured faculty only, to staff only, or to both. There is no requirement that any such opportunities be offered at a later date or that they will be offered on a regular basis. The University also reserves the right to modify the number of years of continuous employment required for eligibility and the form of benefits available during any given window of opportunity, subject to approval by the Chancellor and in accordance with applicable policies. A request for early retirement must be in writing and must be received by the head of the department and the appropriate supervisor within the window incentive period to be considered under this policy.

ELIGIBILITY

http://uams.edu/AdminGuide/Win04116.html

11/1/2005
Proposals for voluntary early retirement will be received only from eligible employees who are at least 55 years of age and who have been continuously employed 50% or greater for at least 15 years on the effective date of their retirement. Eligible employees may not currently be on leave without pay or receiving either long-term disability insurance benefits or worker’s compensation benefits.

Eligible employees who have had no more than three years in a leave-without-pay status are not prevented from entering into an early retirement agreement as long as they can otherwise show 15 years of full-time employment. Years of employment will be calculated in whole year increments. In the case of an individual on a 12 month appointment, fractions of years of employment that are 6 months or less will be rounded down to the next lowest full year. Fractions of years of employment that are greater than 6 months will be rounded up to the next highest year. In the case of an individual on a 9 or 10-month appointment, years of employment will be calculated with the fall and spring semester each representing half a year. Time spent in an "off-campus duty assignment" will be counted in computing continuous employment.

VOLUNTARY EARLY RETIREMENT AGREEMENT

And

STATEMENT OF ASSURANCE

This agreement is entered into by and between , a non-tenured faculty member or staff employee of the University of Arkansas for Medical Sciences, and the Board of Trustees of the University, on this the day of , 19 .

That he or she has been an employee of the University since and currently holds the title of .

That he or she is not on leave-without-pay status, receiving long-term disability insurance benefits, or receiving workers’ compensation benefits;

That on his or her own initiative, he or she has sought an agreement for early retirement, pursuant to Arkansas Code Annotated §24-7-102 and University wide Administrative Memorandum 430.0;

That he or she has been apprised of his/her rights under the Age Discrimination in Employment Act as amended;

That he or she has been advised and has had the opportunity to seek the advice and counsel of attorneys, accountants, and others who could aid her/him in making an informed decision regarding the Voluntary Agreement;

That he or she has been given at least 45 days to consider his or her voluntary early retirement; and

That he or she does hereby voluntarily resign his/her position as effective , recognizing that his/her employment with the University of Arkansas for Medical Sciences will then end.

The Board of Trustees of the University of Arkansas for Medical Sciences hereby accepts such voluntary resignation and agrees to provide:

1)

2)

3)
This agreement shall be binding on the employee described above and on his/her heirs, estate, and personal representatives, and on the Board of Trustees and its successors; provided, however, that (1) any agreement to pay for part-time services shall terminate for all unaccrued and unearned amounts on the death of the employee described, and (2) all other rights and/or obligations to or for the benefit of the faculty member or staff employee shall terminate at her/his death.

All earlier oral or written agreements regarding employment, between the Board of Trustees of the University and/or the University of Arkansas and are superseded by this agreement. This agreement does not affect or alter the rights, privileges, or options accrued to this date which now has under pension (annuity), insurance, or other plans (if any) in which has participated and to which the University has made contributions, nor any rights, privileges, or options to which retired faculty members or staff employees are entitled because of that status or eligible thereto.

Witness:
Employee

Witness: Board of Trustees of the University of Arkansas for Medical Sciences

EARLY RETIREMENT PROGRAM

WAIVER OF 45 DAY CONSIDERATION

I, , hereby waive the 45 day period for consideration of the terms of and my participation in the voluntary early retirement program for the University of Arkansas for Medical Sciences. I further state that:

I have voluntarily sought this agreement on my own initiative;

I have been apprised of my rights under the Age Discrimination in Employment Act; and I have been advised and have had the opportunity to seek the advice and counsel of attorneys, accountants, and others who could aid me in making an informed decision regarding the terms of my early retirement agreement.

Employee Date

EARLY RETIREMENT PROGRAM

STATEMENT OF ASSURANCE

By my signature below, I, , do hereby

assure the members of the Board of Trustees of the University of Arkansas that I have voluntarily sought participation in the University of Arkansas’ Voluntary Early Retirement Program for Staff and Non-Tenured Faculty; that I have been apprised of my rights under the Age Discrimination in Employment Act; and that I have been advised and have had the opportunity to seek the advice and counsel of attorneys, accountants and others who might assist me in making an informed decision concerning the Program.

Employee Date

http://uams.edu/AdminGuide/Win04116.html 11/1/2005
UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES

EARLY RETIREMENT PROGRAM

WORKSHEET

NAME:

POSITION & DEPARTMENT:

DATE OF RETIREMENT:

BIRTHDATE:

YEARS ON APPOINTMENT:

AGE AT RETIREMENT:

CURRENT APPOINTMENT PERIOD (9 OR 12 months)

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