



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

**HSCEP OP:** 70.47, **Employee Training and Development**

**PURPOSE:** The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP OP) is to establish the policies and procedures regarding eligible TTUHSC participant training and development in accordance with Texas Government Code, Chapter 656, Sub-chapters C and D and the Educational Assistance pursuant to the Texas Tech University System Section 127 Educational Assistance Plan.

**REVIEW:** This HSCEP OP will be reviewed on November 1 of every year (EY) by the Assistant Vice President for Human Resources, with recommendations for revisions submitted to the President by November 15.

### **POLICY/PROCEDURE:**

#### **1. Definitions.**

##### **a. Eligible Participant.**

Individuals employed to perform services or duties on behalf of TTUHSC and paid through the payroll system with accompanying tax withholding as provided by law; individuals on approved extended developmental leave; or individuals who have provided services on a substantially full-time basis for at least one year under the institution's primary direction or control. This includes full or part-time faculty, staff and student employees.

##### **b. Development Program.<sup>1</sup>**

Training, education or developmental learning experience:

- 1) May include, but is not limited to, short courses, workshops, seminars, conferences and technical or professional training
- 2) May be provided by TTUHSC departments, outside vendors, other accredited institutions of higher education or trade schools, or other providers of continuing education
- 3) Related to the current job, upcoming job requirements, or provides additional job-related knowledge which increases the value of the participant and provides a benefit to the institution

#### **2. Objectives.**

TTUHSC is an institution of higher education dedicated to the pursuit of educational, research and public service objectives. To attain these objectives, TTUHSC recognizes the importance of its employees, acknowledges their valued contributions to the accomplishment of its mission, and promotes lifelong learning for the advancement of the institution.

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<sup>1</sup> In accordance with Internal Revenue Service, development programs defined in this section are job-related courses deductible under Code Section 162 (e.g., nontaxable to the participant under Code Section 132(d) – Working Condition Fringe Benefit/Employee Business Expense).

### 3. **Policy.**

It is the policy of TTUHSCEP to provide development programs so that eligible participants may gain job-related knowledge and behaviors and personal and professional skills in order to improve job performance and contribute to the long-term improvement of the institution.

- a. Program benefits are available to all eligible participants of TTUHSCEP.
- b. TTUHSCEP encourages employees to identify and participate in eligible development programs that will improve job performance, increase the participant's potential, and enhance the institution.
- c. TTUHSCEP may require an employee to attend a development program if it is related to the employee's current or prospective job duties. <sup>2</sup>

### 4. **Funding and Approval.**

- a. The State Employees Training Act allows TTUHSCEP to use public funds for development programs related to either current or prospective duty assignments. <sup>3</sup>
- b. Funds may be expended from departmental accounts for employees to participate in development programs upon supervisor and departmental approval.
- c. Appropriate expenses include, but are not limited to, salary, tuition and other fees, travel and living expenses, training stipends, training materials and other necessary expenses of an instructor, student or other participant in a training or education program. <sup>4</sup>
- d. Time spent in class, as well as time in travel to and from class, is considered working hours when the development program is funded by TTUHSCEP.
- e. Reimbursements may be made to eligible participants during the plan year for all or part of the cost of attending qualified educational courses, however, only reimbursements up to \$5,250 as defined by the Internal Revenue Service, will be excluded from taxation.

### 5. **Qualified Programs.**

#### a. TTUHSCEP Programs <sup>5</sup>

Developmental programs deemed necessary by TTUHSCEP to carry out the mission, vision or strategic plan of the institution, and provided by TTUHSCEP at low or no cost to the employing department or the employee. These programs are either sponsored or provided by departments within TTUHSCEP and are provided to:

- 1) Fulfill state and federal requirements
- 2) Clarify TTUHSCEP's systems, policies and procedures
- 3) Ensure the quality, service and productivity improvement of the institution
- 4) Orient employees to TTUHSCEP, to train institutionally specific knowledge, behaviors and skills for job-related duties, and to provide ongoing improvement

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<sup>2</sup> In accordance with Texas Government Code, Chapter 656.045

<sup>3</sup> In accordance with Texas Government Code, Chapter 656.044

<sup>4</sup> In accordance with Texas Government Code, Chapter 656.047

<sup>5</sup> In accordance with Internal Revenue Service, development programs defined in this section are job-related courses deductible under Code Section 162 (e.g., nontaxable to the participant under Code Section 132(d) – Working Condition Fringe Benefit/Employee Business Expense).

of personal and professional knowledge, behaviors and skills

b. External Programs<sup>6</sup>

Development programs authorized by the employing department for employees which are funded from department accounts and where the participant may be provided release time. These programs are approved with the following criteria:

- 1) Program provides job-related knowledge, behaviors or skills for current or prospective job requirements
- 2) May consist of workshops, seminars, institutes, training sessions or other special programs
- 3) Programs include continuing education for licenses or certifications that are a required qualification of the position but may also qualify the participant for another position determined to be vital to the growth, continuance or mission of the institution
- 4) Courses are offered by an accredited or other recognized provider and lead toward a recognized degree or certification within a defined plan of study and may include graduate level courses

c. Extended Development Programs<sup>7</sup>

Development programs which are paid for by TTUHSCEP and during which the employee's salary is continued by the employee does not perform regularly assigned job duties for three months or more, including Faculty Development Leave. These programs include the following criteria:

- 1) Program does not include training required by state or federal law
- 2) Must be approved by the Chancellor, President, Dean or appropriate Vice President
- 3) At a minimum, the participant must work for TTUHSCEP following the development program for at least one month for each month of the development period or repay TTUHSCEP for all costs associated with the development program, including any amounts of the employee's salary that were paid and were not accounted for by paid vacation, work time, or compensatory leave.<sup>8</sup>
- 4) TTUHSCEP shall require the participant to agree in writing (*Attachment A, Employee Extended Development Agreement*) to comply with the above requirements before the development program begins.
- 5) The Board of Regents may waive the requirements prescribed in subsection (3) and release the participant from the obligation if such action is in the best interest of TTUHSCEP or is warranted because of an extreme personal hardship suffered by the participant.
- 6) If a participant does not provide the services required, provides those services for less than the required term, or fails to make payments as required, and the participant is not released from their obligations, then the participant is liable to TTUHSCEP for any costs and reasonable expenses incurred in obtaining payment, including attorney's fees.
- 7) Any final pay or other amounts owed to the participant may be withheld to reimburse TTUHSCEP in the event of default of the Employee Extended

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<sup>6</sup> Job requirements or prospective job requirements required for present job are considered job-related courses deductible under Code Section 162 (e.g., nontaxable to the participant under Code Section 132(d) – Working Condition Fringe Benefit/Employee Business Expense). If "prospective job requirements" means skills that would qualify employee for a new job, then payments/reimbursements would fall under Section 127, reimbursement of greater than \$5250 is taxable to the employee.

<sup>7</sup> In accordance with Texas Government Code, Chapter 656.103-104

<sup>8</sup> These payments are compensation/wages that must be paid through the Payroll Office with applicable employment taxes withheld.

- Development Agreement by the participant.
- 8) Each year the Vice President for Finance and Administration will submit an annual report to the Legislative Budget Board which details the amount of money expended in the preceding fiscal year for Extended Development Programs based upon notification by the appropriate Dean or Vice President.

## 6. Responsibilities.

### a. Supervisors and Managers.

Employee development is a responsibility of every supervisor and manager. Supervisors and managers are responsible for:

- 1) Providing employees on-the-job training in the proper performance of tasks;
- 2) Providing a climate in which training and development of employees is encouraged;
- 3) Integrating an employee's growth and development needs with the goals and objectives of the institution;
- 4) Identifying opportunities for employee improvement and to benefit the institution;
- 5) Releasing the employee for the full length of the program, encouraging the employee's complete participation in the learning experience, and involving the employee with back-on-the-job application of knowledge, behaviors and skills
- 6) Ensuring employees comply with institutional training requirements; and
- 7) Assisting the participant with obtaining all appropriate approvals and associated documentation.

### b. Employees.

Each employee or participant is responsible for:

- 1) Obtaining appropriate approvals prior to the beginning of any qualifying courses;
- 2) Attending the full-length of the development program and fully participating in all learning activities;
- 3) Submitting specified documentation of expenses to be reimbursed as well as documentation of grades, progress or any degrees or certifications awarded, and completion of each qualified course and/or other educational program;
- 4) Failure to submit appropriate progress documentation as referenced in section 6b(3) may result in any prior payments being classified as non-qualifying and may result in collection by TTUHSCEP as described in Section 5.c.7; and
- 5) Application of knowledge, behaviors, and skills gained for the benefit of the institution.

## 7. Course Enrollment Restrictions.

a. A regular full-time faculty or staff member may enroll in courses subject to the following restrictions:

- 1) During normal duty hours, a maximum of three hours of work per week may be taken off for class attendance or course related activities. The class hours taken off during normal duty hours are subject to approval by the administrator concerned and any work time missed must be made up, charged to vacation accrual, or taken as leave without pay.
- 2) Enrollment in any class which requires more than three hours per week of lost work time must be approved by the appropriate vice president or dean.
- 3) There is no limit on the number of class hours which may be taken during off-duty

time providing the employee's job performance is not affected.

- 4) Members of the faculty who hold rank higher than Instructor or equivalent need to consult with their Dean regarding specific training and development rules and requirements.
  - 5) Courses are offered by an accredited or other recognized provider and lead toward a recognized degree or certification within a defined plan of study and may include graduate level courses.
- b. A part-time employee may not take time off during scheduled work hours to attend class, but there is no limit on the number of class hours that may be taken during off-duty time.
  - c. An employee may audit courses subject to the same rules as above.

#### 8. **Tuition Assistance Program.**

The program is to waive TTU System employees' tuition and mandatory course fees; one permitted course per term (summer I and summer II being combined into one summer term), not to exceed 3 courses in an academic year. Employees whose primary worksite is located in Lubbock are allowed to enroll at Texas Tech University or Texas Tech University Health Sciences Center, or an accredited Texas (State) Community College. Please be aware that all fees assessed are not considered mandatory fees and may not be covered under this employee benefit. These include, but are not limited to, Malpractice Insurance Fees, Graduation Fees, and Binding/Thesis Fees.

Employees whose primary worksite is located outside of Lubbock County may enroll in up to three (3) courses per academic year for the fall, spring, or combined summer semester at Texas Tech University or Texas Tech University Health Sciences Center or Angelo State University or Midwestern State University or an accredited Texas (State) Community College, or a Texas (State) four-year accredited institution of higher education located in their area. Eligible employees may receive a \$300/semester reimbursement for an unlimited number of semesters (fall, spring, and combined summer terms) for a maximum of three (3) courses per academic year.

If a Texas (State) accredited institution of higher education is not available in the area of the employee's primary worksite, the employee may attend an accredited four-year institution. The following criteria must be met and the documents noted must accompany the request each semester in order for eligibility to be determined.

Program criteria:

- Must maintain 2.25 minimum cumulative GPA;
  - Must be full-time benefits-eligible employee of Texas Tech (TTUSA, TTU, TTUHSC, TTUHSCPEP); and
  - Must be seeking a degree or certification, verifiable by admission status.
- a. Reimbursement Process.
    - 1) Reimbursement will not exceed the state educational institution rate in effect at the time of enrollment
    - 2) Employees enrolled in the Tuition Reimbursement Program will need to submit each semester a Tuition Assistance Certification Form, along with the required documentation listed on the form. The Tuition Assistance Certification form can be found at <http://www.ttuhsce.edu/hr/forms.aspx> listed under Employee Resources

Miscellaneous Forms.<sup>9</sup>

- 3) The employee attending TTU, TTUHSC or TTUHSCEP will need to contact Student Business Services for assistance with the tuition assistance process.
- 4) For the employee attending an accredited Texas (State) Community College or a Texas (State) four-year accredited institution of higher education located in their area, all documentation, and certification forms should be sent to the local Human Resources office.
- 5) In addition to submitting the required certification form and documents, the employee's supervisor will be responsible for completing an Employee One-Time Payment System (EOPS) request online at: [https://banapps.texastech.edu/itis/PY\\_employee\\_OTP/Welcome.aspx](https://banapps.texastech.edu/itis/PY_employee_OTP/Welcome.aspx).
- 6) Reimbursements for dropped or failed classes will be classified as non-qualifying and may result in collection by TTUHSCEP as described in Section 5.c.7
- 7) Reimbursements will be reduced or repayment required for any financial assistance or scholarship awards received by the participant
- 8) Reimbursement of hotel and travel for business related educational expenses will be handled through the normal travel reimbursement process<sup>10</sup>
- 9) Eligible employees taking a permitted course offered by TTU, TTUHSC or TTUHSCEP do not need to apply for the Employee Tuition Assistance Program. An automated process will be initiated by Student Business Services to identify eligible employees and apply the tuition/fee waiver prior to the beginning of the term.

10. **Related Operating Policies.**

- a. For leave available for use to attend lectures, meetings and training programs, refer to [HSCEP OP 70.06](#).
- b. For faculty development leave with pay, refer to [HSCEP OP 60.02](#).
- c. For guidelines relating to travel to and from employee development programs, refer to [HSCEP OPs 79.02](#) and [79.06](#).
- d. For submission of continuing education expenses or all other educational expenses not covered by this OP, refer to [HSCEP OP 72.03](#).

**Right to Change Policy.** TTUHSCEP reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of employees.

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<sup>9</sup> The tuition and mandatory fees waived for an undergraduate level course are exempt from taxation under Internal Revenue Service Code Section 117(d). Graduate level courses are exempt under Code Section 127.

<sup>10</sup> In accordance with Internal Revenue Service Section 132(d)