

**Administrative Council
Midwestern State University
Approval via Electronic Vote**

April 8, 2024

Meeting No. 24-02

The Administrative Council approved the policy below via email and it was signed by President Stacia Haynie on April 8, 2024. Approval emails were received from the following members: Ms. Debbie Barrow, Dr. Marcy Brown Marsden, Mr. Paul Chappell, Ms. Dawn Fisher, Ms. Julie Gaynor, Ms. Ashley Hurst, Dr. Keith Lamb, Dr. Michael Mills, Dr. Karen Moriarty, Mr. Kyle Owen, Mr. Matt Park, and Mr. Kyle Williams.

I. MSU OP 52.63 Worksite Wellness Program


Stacia Haynie, Chair


Betsy Tucker, Secretary



MIDWESTERN STATE UNIVERSITY

Operating Policies & Procedures Manual

University Operating Policy/Procedure (OP) OP 52.63: Worksite Wellness Program

Approval Authority: President
Policy Type: University Operating Policy and Procedure
Policy Owners: Vice President for Enrollment Management and Student Affairs
Vice President for Administration and Finance
Responsible Offices: Executive Director, Student Wellness
Director, Human Resources
Next Scheduled Review: 04/01/2026

I. Policy Statement

Midwestern State University ("MSU" or "University"), a component institution of the Texas Tech University ("TTU") System, recognizes, promotes, and supports the health and well-being of its employees.

II. Purpose

~~A.~~ Establish a Worksite Wellness Program to foster the adoption of a wellness culture in order to promote the benefits of improved health, reduced medical expenses, heightened personal performance, reduced absenteeism, and improved employee satisfaction. Additionally, the Worksite Wellness Program seeks to encourage employee personal and professional productivity, enhance physical and mental well-being, and support healthy lifestyle choices.

III. Application of Policy

~~B. Eligibility for Leave Time.~~

This operating policy and procedure ("OP") applies to all benefits eligible employees ~~who are eligible to participate in a health benefits program administered under Chapter 1551, Insurance Code~~ employed to work at least 20 hours per week for a period of at least four and one-half months.

IV. Definitions (specific to this policy)

Employee: A benefits eligible employee at MSU employed to work at least 20 hours per week for a period of at least four and one-half months.

Physical Examination: A physical examination is a routine, often annual test, performed by one's primary care provider ("PCP") to check their overall health. The exam can also be referred to as a wellness check or well-woman exam.

Wellness Leave: According to the *Texas Government Code* § 664.061(3), a state agency may:

- Allow each employee 30-minutes during normal working hours for exercise time three times each workweek;
- Allow employees to attend on-site wellness seminars, when offered;
- Provide eight (8) hours of additional leave time each year to an employee who
 - Receives a physical examination; and
 - Completes the Worksite Wellness Leave Form

Working Hours: Each employee's working hours are set by a supervisor based on the employee's job responsibilities or assigned by Human Resources.

Workweek: A fixed and regularly recurring period beginning at 12:00 am Sunday and ending at 11:59 pm the following Saturday.

V. Procedures and Responsibilities

CA. Supervisor Responsibilities

~~The Department of Recreational Sports/Wellness Center is the office with primary responsibility for the implementation of this policy.~~

Employee supervisors are responsible for monitoring their employees participating in the Worksite Wellness Program and their adherence to the program guidelines.

- The supervisor (or designee) will review and sign the employee's Worksite Wellness Program Request Form.
- For an employee approved to participate in the Worksite Wellness Program. Supervisors will approve the employee's Worksite Wellness Leave via the employee's leave report or through the time clock.
- Supervisors are expected to make a reasonable effort to accommodate requests for employee participation in the Worksite Wellness Program. Supervisors have the discretion to modify or deny a request if it is determined that the employee's absence for participation in the worksite wellness program will negatively impact the department's scheduling, workload, or operations.
- If an employee's Worksite Wellness Program request is denied by a supervisor, the supervisor must indicate the reason(s) for the denial on the request form, sign, and submit the form to Human Resources for review.
- Abuse of the Worksite Wellness Program leave time by an employee may result in revocation of the employee's participation in the program and/or additional disciplinary action by the supervisor.

DB. General Procedures

Chapter 664 of the *Texas Government Code* acknowledges the benefit of worksite

wellness programs to effective state administration and provides that public money spent for these programs serves important public purposes.

- The participating MSU employee must complete all requirements for the Worksite Wellness Program and receive supervisor approval prior to starting the program.
- The time, location, and wellness activity for an employee participating in the Worksite Wellness Program must be approved by the supervisor in advance. In addition, supervisors must review and approve Time Clock and leave time away from the office in a manner consistent with the employee's approved Worksite Wellness Program participation.

C. Requirements for Worksite Wellness Program

1. Worksite Wellness Leave (8-Hours Leave)

- a. Complete the Worksite Wellness Leave Participation Request Form and provide documented proof of a Physical Examination taken within the last 90 days. (*NOTE: Do not provide personal or confidential medical information with proof of physical examination.*) Send the Form and proof of physical examination to the Executive Director of Student Wellness.
- b. Use of Worksite Wellness Leave must be scheduled in advance with the approval of the employee's supervisor. *Functions of the University and essential responsibilities of the employee's position take priority in scheduling wellness leave.*
- c. Worksite Wellness Leave must be used as one single 8-hour increment within 12 months following approval. It does not accrue or carry over from one year to another, and is not paid upon an employee's separation from MSU.
- d. Worksite Wellness Leave must be recorded on the employee's time clock or leave report.

2. Worksite Wellness Exercise Program (30-Minutes Leave for Exercise Time)

- a. Eligible employees may be excused from duty for one 30-minute exercise session per day, up to three days per workweek. Exercise time may be used during normal working hours and may be used in conjunction with lunch breaks.
- b. The location and scheduling of exercise time must be documented and approved by the participating employee's supervisor through the annual Worksite Wellness Program Request Form process.
- c. Functions of the University shall be prioritized over the entitlement to the scheduling of exercise time.
- d. Exercise time will not be counted toward hours worked for the earning of overtime or compensatory time under the Fair Labor Standards Act or State Compensatory Time.
- e. Exercise time must be used in increments of 30 minutes.
- f. Exercise time may not be accrued or carried over from one workday or

workweek to another.

- g. Each fiscal year, prior to beginning the Worksite Wellness Program, a participating employee must complete the following forms and submit them to the Executive Director of Student Wellness. The forms can be found online at the Redwine Wellness Center website or picked up at the Redwine Wellness Center office.

Worksite Wellness Leave Participation Request Form

Worksite Wellness Program Request Form

Employee Wellness Program Waiver and Indemnification

3. Worksite Wellness On-Site Seminars

E. Eligibility for Participation in Wellness Programs

~~All Midwestern State University employees are eligible for voluntary participation in the Worksite Wellness Program. Domestic partners may participate in selected activities provided through the program as long as their participation does not preclude participation by an agency employee, and they pay any applicable wellness fees associated with their participation. All persons who intend to participate in a Worksite Wellness Program activity involving physical exertion or exercise are encouraged to complete a Physical Fitness Readiness Questionnaire provided by the Department of Recreational Sports/Wellness Center and consult with a physician before beginning physical activity as needed. The questionnaire is retained by the employee, and will not be reviewed or retained by Midwestern State University. All persons must complete a Release of Liability prior to participation in any Worksite Wellness Program activity. Releases will be kept in a file maintained by the Coordinator of Wellness Programs.~~

F. Program Content

~~The Worksite Wellness Program may consist of, but not be limited to, activities that raise awareness, promote lifestyle changes and provide assistance and support to employees participating in the program. Generally, wellness programs target major risk factors for chronic disease and factors that contribute to diminished quality of life. Wellness activities include, but are not limited to:~~

- ~~1. nutritious eating seminars;~~
- ~~2. increasing physical activity;~~
- ~~3. on-site preventative screenings;~~
- ~~4. a tobacco free campus (see policy 4.163);~~
- ~~5. tobacco cessation assistance;~~
- ~~6. stress reduction initiatives; and,~~
- ~~7. supporting healthy choices such as the prevention/reduction of substance dependency.~~

G. Program Scheduling

~~Worksite Wellness Program activities may be scheduled before, during, between, or after normal working hours as deemed appropriate and authorized by the Dean of University Wellness / Director of Recreational Sports.~~

~~H. Exercise During Working Hours~~

~~Pursuant to Texas Government Code § 664.061(1), Midwestern State University grants each eligible employee who participates in a health benefits program administered under Chapter 1551 (Insurance Code) 30 minutes to exercise, three times per week, during normal working hours. Employees are not required to make-up this time or use leave. Exercise time may only be used in 30 minute increments. Exercise time does not accumulate and may not be carried forward for use at another time. Exercise time may be used at any time during the work day, or combined with lunch to give the employee more time for wellness activities. Employees must coordinate with their supervisor and schedule exercise time so that it does not conflict with their job duties or division priorities. Employees must submit a monthly report to their supervisor to document their use of exercise time. The scheduling of exercise time is at the discretion of the supervisor and will ensure that the operations of the department are not impacted.~~

~~I. Wellness Leave~~

~~Pursuant to Texas Government Code § 664.061(3), the agency may award eight hours of additional leave time each 12 month period to eligible employees who participate in a health benefits program administered under Chapter 1551, Insurance Code and who receive a physical examination and complete the Health Risk Assessment designated by Midwestern State University. Supporting documentation required by the university must be submitted to the Coordinator of Wellness Programs. Wellness Leave must be scheduled in advance with the approval of the employee's supervisor. Wellness Leave expires if not used within 12 months from the date it is earned, and will not be paid to the employee upon separation from employment.~~

- ~~a. Employees are encouraged to attend approved wellness educational sessions and activities on campus addressing health and well-being topics including, but not limited to, stress management, nutrition, healthy eating habits, substance/chemical dependency reduction, physical exercise activities, mental/emotional health, disease prevention and screening, and smoking/tobacco cessation. Approval of wellness educational sessions or activities occurs through the Redwine Wellness Center and Human Resources.~~
- ~~b. Providers of instruction or services for campus wellness educational sessions and activities may include local, state, or federal agencies; hospital or medical care professionals; health educators; nutritionists; dietitians; physiologists; community organizations; consultants; or other individuals or groups with expertise in a particular health or fitness area. Only persons with accepted degrees, certification or recognized training will be selected as providers of instruction or services.~~
- ~~c. MSU may provide funds each fiscal year to supplement health-fitness education and activities for employees or other costs related to the Worksite~~

Wellness Program. Available campus facilities may be used for the Worksite Wellness Program, including available conference or meeting rooms, and outdoor areas suitable for instruction or fitness activities.

JD. Injury

Employees injured by participating in the Worksite Wellness Program are not eligible for workers' compensation benefits unless their participation in the Worksite Wellness Program event where the injury occurred was in the course and scope of their job duties and employment.

K. Funds and Facilities for Wellness Programs

~~Midwestern State University may provide funds each fiscal year to supplement health fitness education and activities for employees, or for other costs related to the Worksite Wellness Program. Available facilities may be used for the Worksite Wellness Program, including available conference or meeting rooms, auditoria and outdoor areas suitable for instruction or fitness activities.~~

L. Providers of Instruction

~~Providers of instruction or services for the Worksite Wellness Program may include local, state, or federal agencies; hospital or medical care professionals; health educators; nutritionists; dietitians; physiologists; community organizations; consultants; or other individuals or groups with expertise in a particular health or fitness area. Only persons with accepted degrees, certification, or recognized training will be selected as providers of instruction or services. Midwestern State University may contract with qualified providers of instruction and services related to the program.~~

VI. Related Statutes, Rules, Policies, Forms, Websites

Related Statutes/Rules:

Texas Government Code, Title 6, Subtitle B, Section 664.061 (State Employees Health Fitness and Education).

Related Forms:

[Worksite Wellness Leave Participation Request Form](#)

[Worksite Wellness Program Request Form](#)

[Employee Wellness Program Waiver and Indemnification](#)

Related Websites:

[Office of Recreational Sports and Wellness Center](#)

(Use links under Worksite Wellness in the main menu)

VII. Responsible Offices

Contact: Executive Director, Student Wellness

Phone: 940-397-4206

E-mail: angie.reay@msutexas.edu

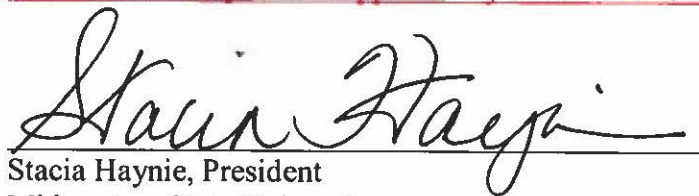
Contact: Director, Human Resources
Phone: (940) 397-4221
E-mail: human.resources@msutexas.edu

VIII. History

15 May 2009: MSU Policy 3.350 - Worksite Wellness Program adopted by the MSU Board of Regents.

05 Aug. 2021: Renumbered by the MSU Board of Regents as Operating Policy/Procedure (OP) 52.63: Worksite Wellness Program.

08 April 2024: Completely revised to clarify employee participation in the University's Worksite Wellness Program, update supervisor responsibilities, and add definitions. Adopted and approved by MSU President Stacia Haynie.

A handwritten signature in black ink, appearing to read "Stacia Haynie", is written over a horizontal line.

Stacia Haynie, President
Midwestern State University

Date Signed: 4.8.24

3.350 Student Affairs and Enrollment Management
WORKSITE WELLNESS PROGRAM
Date Adopted/Most Recent Revision: 06/16/2009

A. Purpose

Establish a Worksite Wellness Program to foster the adoption of a wellness culture in order to promote the benefits of improved health, reduced medical expenses, heightened personal performance, reduced absenteeism, and improved employee satisfaction.

B. Eligibility for Leave Time

This policy applies to all employees who are eligible to participate in a health benefits program administered under Chapter 1551, Insurance Code.

C. Responsibility

The Department of Recreational Sports/Wellness Center is the office with primary responsibility for the implementation of this policy.

D. General

Chapter 664 of the Government Code acknowledges the benefit of worksite wellness programs to effective state administration and provides that public money spent for these programs serves important public purposes.

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7. ~~supporting healthy choices such as the prevention/reduction of substance dependency.~~

G. ~~Program Scheduling~~

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J. ~~Injury~~

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