

**Handbook for Staff and
Administrative Employees
The University of Findlay**

July 1, 2005

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Foreword

THE UNIVERSITY OF FINDLAY (“The University”), formerly Findlay College, is a private, not-for-profit educational institution founded in 1882 by the Churches of God and the residents of Findlay, Ohio. Our current enrollment is over 4,500 full-time and part-time undergraduate and graduate students in a variety of liberal arts, traditional, and niche programs. Students in all programs have the opportunity to participate in a variety of campus programs, intercollegiate sports, and numerous academic services. Accredited by Higher Learning Commission, A Commission of the North Central Association of Colleges and Schools, the Ohio Board of Regents, and various other accrediting bodies, The University offers students a quality education in a setting that emphasizes personal attention and growth. The University offers degrees at the associate, bachelor of arts and science, and graduate levels in over 60 areas of study. Faculty, currently numbering over 150, teach, do research, publish, and provide leadership to professional organizations on a regular basis. Many have worked in other areas of business and industry to expand the breadth of their expertise in the classroom.

Whether you have just joined our staff or have been part of The University for some time, we are confident that you will find our University a dynamic and rewarding place in which to work and we look forward to a productive and successful association. We consider the employees of The University to be one of our most valuable resources. This Employee Handbook has been written to serve as the guide for the employer/employee relationship.

There are several things that are important to keep in mind about this Handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the Office of Human Resources. Neither this Handbook nor any other University document, confers any contractual right, either expressed or implied, to remain in The University's employ. Furthermore, it does not guarantee any fixed terms and conditions of your employment. Every University employee (except for faculty and contracted positions) has the status of "Employee-At-Will," meaning that no one has a contractual right, express or implied, to remain in The University's employ. No supervisor or other representative of The University (except the President in the form of a written agreement) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

Second, the procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes that occur.

Third, this Handbook and the information in it should be treated as confidential. No portion of this Handbook should be disclosed to others, except employees of The University and others affiliated with The University whose knowledge of the information is required in the normal course of business.

Finally, some of the subjects described here are covered in detail in official policy documents. You should refer to these documents for specific information, since this Handbook only briefly summarizes those benefits. Please note that the terms of the written insurance policies are controlling.

Receipt for Handbook for Staff and Administrative Employees

I acknowledge that I have received a copy of THE UNIVERSITY OF FINDLAY'S Handbook for Staff and Administrative Employees. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I understand that The University is an "At-Will" employer and as such, employment with The University is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of The University (except the President in the form of a written agreement) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this Handbook states The University's policies and practices in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with The University for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified, or terminated at any time.

Please sign and date this receipt and return it to the Office of Human Resources.

Signature: _____ Date: _____

Print Name: _____

Equal Employment Opportunity Policy Statement

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at The University, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment, hiring, compensation, benefits, termination, and all other terms and conditions of employment. Appropriate disciplinary action may be taken against any employee willfully violating this policy.

The Office of Human Resources has overall responsibility for this policy and maintains reporting and monitoring procedures. Any questions or concerns should be referred to the Office of Human Resources.

Equal Employment Opportunity

It is the policy of The University to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, age, national origin, disability, or any other characteristic protected by law. The University prohibits and will not tolerate any such discrimination or harassment.

Non-Discrimination and Anti-Harrassment Policy

The University is committed to fostering an environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equality and prohibits discriminatory practices, including harassment. Therefore, The University expects that all relationships among faculty, staff, and students will be characterized by mutual respect and will be free of bias, prejudice, discrimination, and harassment.

The University does not engage in discrimination in its programs, activities, and policies against students, employees, or prospective employees, in violation of state and Federal laws. The University prohibits and will not tolerate any such discrimination or related harassment at its facilities, programs, and activities.

The University also prohibits retaliation against any individual who reports discrimination or harassment, or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination, or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Individuals and Conduct Covered

These policies apply to all faculty, staff, and students, and prohibit harassment, discrimination and retaliation.

Conduct prohibited by these policies is unacceptable on The University campus and at functions conducted off-campus related to The University.

Definitions of Harassment

- a. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, catcalls, or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal, or visual conduct of a sexual nature.

- b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, age, national origin, disability, sexual orientation, or any other characteristic protected by applicable federal, state, and local laws or that denigrates or shows hostility or aversion toward an individual's relatives, friends, or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work or academic performance; or (iii) otherwise adversely affects an individual's opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Reporting an Incident of Harassment, Discrimination, or Retaliation

The University strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to The University's policy or who have concerns about such matters should file their complaints as follows:

- Students believing they have been the victim of discrimination, harassment, or retaliation should initially report the incident/s to the Vice President for Student Services.
- Faculty or staff members believing they have been the victim of discrimination, harassment, or retaliation should initially report the incident/s to the Director of Human Resources.
- The University also has a Harassment Hotline. The number is 419-434-6777; your call will be answered confidentially and directed to the appropriate area for help. If you are in immediate danger, security will be notified.

- When filing a complaint, provide the following information:
 - The complainant’s name, contact information, and status within The University community, including title and departmental information as appropriate
 - The basis for a claim of an alleged acts of harassment or discrimination: that is, race, color, religion, sex, age, national origin, disability, sexual orientation, or other characteristic
 - The name and position in The University community held by the person who committed the alleged acts
 - A brief description of what occurred, including locations, dates, times, and names of witnesses or individuals who can corroborate the allegations
 - The complainant’s reason for concluding that the behavior or action was discriminatory or harassing in accordance with all applicable laws
 - Copies of materials, if any, which may be relevant to the investigation of the complaint
 - Steps the complainant has taken to date, if any, to resolve the complaint
 - A statement indicating the remedy sought by the complainant

Faculty, staff, or students who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. Failure to fulfill this obligation could affect a person’s rights in pursuing legal action.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while claims may be filed within 180 days of the harassment or discrimination, The University strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Investigating an Incident of Harassment, Discrimination, or Retaliation

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly as follows:

- Allegations made about a **student** harassing, discriminating against, or retaliating against another student, faculty member, or staff member will be investigated by the Vice President for Student Services.
- Allegations made about a **faculty member** harassing, discriminating against, or retaliating against another faculty member, a staff member, or a student will be investigated by the Vice President for Academic Affairs.
- Allegations made about a **staff member** harassing, discriminating against, or retaliating against another staff member, a faculty member, or a student will be investigated by the Director of Human Resources.

The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Employees and students of The University are obligated to comply with requests to provide statements during an investigation.

Taking Action Regarding an Incident of Harassment, Discrimination, or Retaliation

Upon completion of the investigation, one of the following actions will be taken:

- For allegations made about a **student** harassing, discriminating against, or retaliating against another student, faculty member, or staff member who has lodged a complaint, the Vice President for Student Services will first pursue resolution through informal counseling with the parties involved. If the matter cannot be resolved by informal counseling, the matter will be referred to the Student Conduct and Discipline Committee. A complainant also may request at any time that his/her complaint be immediately referred to the Student Conduct and Discipline Committee for formal review. This committee will review all information, meet with the parties involved, render a decision, and provide written notification of the decision to all involved parties.
- For allegations made about a **faculty member** harassing, discriminating against, or retaliating against another faculty member, a staff member, or a student who has lodged a complaint, the Vice President for Academic Affairs will first pursue resolution through informal counseling with the parties involved. If the matter cannot be resolved by informal counseling, the matter will be referred to the Faculty Judicial Committee. A complainant also may request at any time that his/her complaint be immediately referred to the Judicial Committee for formal review. This committee will review all information, meet with the parties involved, render a decision, and provide written notification of the decision to all involved parties.
- For allegations made about a **staff member** harassing, discriminating against, or retaliating against another staff member, a faculty member, or a student who has lodged a complaint, the Director of Human Resources will first pursue resolution through informal counseling with the parties involved. If the matter cannot be resolved by informal counseling, the matter will be referred to the Staff Affairs Committee. A complainant also may request at any time that his/her complaint be immediately referred to the Staff Affairs Committee for formal review. This committee will review all information, meet with the parties involved, render a decision, and provide written notification of the decision to all involved parties.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriate disciplinary measures. Responsive action may include, but is not limited to, reprimand, probation, suspension, dismissal, counseling, and/or required training.

The appropriate University official shall monitor all reported incidents of alleged discrimination and harassment for an appropriate time period, subsequent to their resolution, to ensure that the offending conduct has ceased, any corrective action has been complied with, and retaliatory actions have not occurred.

Appealing a Decision for an Incident of Harassment, Discrimination, or Retaliation

If a faculty member, staff member, or student making a complaint does not agree with its resolution, a written appeal may be submitted to The University President within 72 hours of the notification of the resolution. The decision of the President, in conjunction with the appropriate vice presidents and/or Chairman or Vice Chairman of the Board of Trustees, will be final.

False Charges

Once a complaint of sexual harassment and/or discrimination has been made, The University has an obligation to investigate the matter. Any complaint determined to be intentionally dishonest or made maliciously without regard for the truth shall subject such complainant to disciplinary action. The determination as to whether a complaint constitutes a false charge under this section shall be made as part of the complaint resolution process set forth in these procedures.

Records Regarding an Incident of Harassment, Discrimination, or Retaliation

The University's Office of Human Resources will maintain records regarding all cases of harassment, discrimination, or retaliation for a period of at least three years or longer where required by law. These records will include all documentation related to a reported incident and its disposition. Except as required by law, no records maintained by the Office of Human Resources will be released.

Americans With Disabilities Act Policy Statement

The University is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). It is The University's policy not to discriminate against any qualified employee or applicant relating to any terms or conditions of employment because of such individual's disability or perceived disability as long as the employee can perform the essential functions of the job. Consistent with this policy of non-discrimination, The University will provide reasonable accommodations to a qualified individual with a disability (as defined by the ADA) who has made The University aware of his or her disability, provided that such accommodation does not constitute an undue hardship on The University.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Office of Human Resources. The University encourages individuals with disabilities to come forward and request reasonable accommodation.

Procedure for Requesting an Accommodation

To request an accommodation, the employee should notify the Director of Human Resources and complete a Disability Intake Form. Upon receipt of an accommodation request, a member of the Office of Human Resources, the employee's supervisor, and the Director of Disabilities Services will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodation that The University might make to help overcome those limitations. The University will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, The University's overall financial resources and organization, and the accommodation's impact on the operation of The University, including its impact on the ability of other employees to perform their duties and on The University's ability to conduct business.

The University will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request to the Office of Business Affairs. If the request on appeal is denied, that decision is final.

The ADA does not require The University to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (that is, eyeglasses, hearing aids, wheelchairs etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Office of Human Resources. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

Conflict of Interest and Outside Employment Statement

The University expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of The University. Business dealings that appear to create a conflict between the interests of The University and an employee are unacceptable. The University recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that The University may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (that is, spouse or significant other, children, parents, siblings) as a result of The University's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Office of Human Resources to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise. The Board of Trustees requires that employees sign a Conflict of Interest Disclosure Form.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

Outside Employment

Employees are required to obtain written approval from their supervisor before participating in outside work activities. Approval will be granted unless the activity conflicts with The University's interest. In general, outside work activities are not allowed when they:

- Prevent the employee from fully performing work for which he or she is employed at The University, including overtime assignments;
- Involve organizations that are doing or seek to do business with The University, including actual or potential vendors or customers; or
- Violate provisions of law or The University's policies or rules.

From time to time, University employees may be required to work beyond their normally scheduled hours. In cases of conflict with any outside activity, the employee's obligations to The University must be given priority. Employees are hired and continue in The University's employ with the understanding that The University is their primary employer and that other employment or commercial involvement which is in conflict with the business interests of The University is strictly prohibited.

Confidential Nature of Work

All records and information relating to The University or its customers are confidential and employees must, therefore, treat all matters accordingly. No The University or The University-related information, including without limitation, documents, notes, files, records, oral information, computer files, or similar materials may be removed from The University's premises without permission from The University (except in the ordinary course of performing duties on behalf of The University). Additionally, the contents of The University's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside The University. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

Initial Employment Period

New employees may have the opportunity to attend a New Hire Orientation at which they may receive necessary items such as ID cards, keys, etc. to begin their employment at The University. Every new employee goes through an initial period of adjustment in order to learn about The University and about his/her job. During this time, the employee will have an opportunity to discover if he/she is suited to, and likes, his/her new position.

Additionally, the initial employment period gives the employee's supervisor a reasonable period of time to evaluate his/her performance. This initial employment period is 90 days.

During the initial employment period, the new employee will be provided with training and guidance from his/her supervisor. He/she may be discharged at any time during this period if his/her supervisor concludes that he/she is not progressing or performing satisfactorily.

Under appropriate circumstances, the initial employment period may be extended.

Additionally, as is true at all times during an employee's employment with The University, employment is not for any specific time and may be terminated at will, with or without cause and without prior notice.

At the end of the initial employment period, the employee and his/her supervisor may discuss his/her performance and provide a written evaluation of the employee's performance. Provided his/her job performance is "satisfactory" at the end of the initial employment period, the employee will continue in The University's employment as an At-Will employee.

Employee Categories

Based on the conditions of employment, employees of The University are classified into one of the following categories:

- Full-time staff
- Part-time with benefits staff
- Part-time without benefits staff
- Temporary staff
- Faculty
- Limited term faculty
- Part-time faculty

Full-Time Staff

Full-time staff are employees who work the standard working hours of The University each week (for these purposes, 7.5 to 8 hours per day, 5 days per week).

- Exempt employees are classified as such if their job duties are exempt from the overtime provisions of the Federal and State Wage and Hour Laws. Exempt employees are not eligible for overtime pay. Their salaries are calculated on a monthly basis.
- Non-exempt employees receive overtime pay/compensatory time in accordance with our overtime policy. Their pay is calculated on an hourly basis.

Part-Time Staff with Benefits

Part-time staff with benefits are employees who work a regular schedule of 30 or more hours per week (or 20 or more hours per week if hired before January 1, 2005). These employees can be classified as exempt or non-exempt and are eligible for benefits.

Part-Time Staff without Benefits

Part-time staff without benefits are employees who work a regular schedule of less than 20 hours per week. These employees can be classified as exempt or non-exempt and are not eligible for benefits.

Temporary Staff

Temporary staff are employees who are hired for a specified project or time frame. A temporary employee may work the standard working hours of The University each week or less based on need. A temporary employee in a non-exempt position is paid an hourly rate, whereas a temporary employee in an exempt position is paid according to hiring terms for that individual. Temporary employees may or may not receive benefits depending on the number of hours in their regular work schedule.

Faculty

A faculty member is a full-time employee with hiring terms designating him/her as faculty in annual contracts. Faculty work the standard hours required by their hiring terms.

Limited Faculty

A limited faculty member serves on a fixed-term contract that is not subject to continuation or notification right accorded tenure and non-tenure faculty. Full-time faculty on limited contracts have faculty status, benefits, and voting rights for academic governance issues. Limited faculty work the standard hours required by their hiring terms.

Part-Time Faculty

A part-time faculty member is a faculty member that is hired to teach specific classes or for a specified project or time frame who may work the standard working hours of The University each week or less based on need. A part-time faculty member position is paid by the credit hour or by the hiring terms for that individual. Part-time faculty members do not receive any additional compensation or benefits provided by The University unless specified in the hiring terms except for tuition remission as outlined in that section.

Transfers and Promotions

The University encourages employees to assume higher-level positions or lateral transfers for which they qualify. Therefore, The University has a job posting program that offers employees the opportunity to apply for certain positions within The University. To apply for posted positions, employees should be in their job for at least one year before applying for a change in position. In addition, employees should have a good performance, attendance, and punctuality record. The University reserves the right to make internal transfers or external offers of employment without posting the position.

If the position is posted, each employee requesting a transfer will be considered for the new position before the position is opened to the general public. Each transfer is judged on an individual basis, depending on the needs of both departments involved. All final decisions regarding transfers will be made by area supervisors, in conjunction with the Office of Human Resources.

Employees who wish to apply for a transfer should discuss it first with their supervisor/manager and the Office of Human Resources so that it may be determined if their skills fit the requirements of the desired job. Employees should also feel free to discuss their career aspirations with their supervisor/manager or the Office of Human Resources at any time.

If an employee fits the basic criteria for the position, the Office of Human Resources or the area recruiting for the position may arrange an exploratory interview with the department doing the hiring.

Performance Management and Compensation Programs

In order to attract and retain a highly qualified and competent work force, The University has instituted a performance management program to compensate employees in a fair and equitable manner based upon demonstrated job performance, and in accordance with its Equal Employment Opportunity policy.

Through this program employees should receive constructive work reviews designed to address performance and skill developmental needs and interests. After the initial employment period, an employee should be reviewed annually and becomes eligible for consideration of a salary review.

Performance Management Program Schedule

Employees may receive constructive work reviews on the following schedule:

Classification	Review Schedule
Full-time staff	<ul style="list-style-type: none">▪ 3 month work review▪ Annual work and salary review, based on calendar year
Part-time staff	<ul style="list-style-type: none">▪ 3 month work review▪ Annual work and salary review, based on calendar year
Faculty	<ul style="list-style-type: none">▪ Annual work and salary review based on academic year

Under usual and appropriate circumstances, employees should receive a performance review annually. If an employee's job responsibilities change substantially at any time after the annual work review, however, another review may be performed before the next annual review. If an employee accepts a new assignment, another review should be performed within ninety days after the new assignment has begun.

Payment of Salary

Base salaries are paid semi-monthly on the 15th and 30th of each month. Wages paid on the 15th of the month include pay for the 1st through the 15th of the month. Wages paid on the 30th of the month include pay for the 16th through the 31st of the month. Pay dates that occur on a weekend or holiday recognized by The University are paid on the previous workday. Except for extreme emergencies, no salary advances will be made.

Pay stubs are distributed the day before payday. Paychecks are available on payday in the Office of Human Resources. Under no circumstances will The University release any paychecks prior to the announced schedule.

Employees who record their time on a time record are paid on a different schedule. For these employees, hours worked during the first half of the month are paid on the 30th of that month. Hours worked during the last half of the month are paid on the 15th of the following month. Overtime hours worked during a pay period that ends in the middle of the week are paid at straight time; these hours will then be adjusted and paid the following pay. The workweek runs Sunday to Saturday.

Overtime hours are included in a non-exempt employee's base wage payment and are paid semi-monthly with such payment covering hours worked in the prior semi-monthly period. (For additional explanations, see Overtime Pay policy.)

It is The University's policy that employee paychecks will be direct deposited to the financial institution of the employee's choice. To activate direct deposit, a Direct Deposit Authorization should be completed during the New Hire Orientation or in the Office of Human Resources. The completed form must then be returned with a voided personal check to the Office of Human Resources. Due to the setup procedures, it may take several pay cycles before direct deposit is activated. After completion of this process, the first (and possibly the second) pay will be a check that must be picked up in the Office of Human Resources by the employee. A direct deposit stub will be mailed to the employee's office after the pre-notification cycle. All other arrangements for mailing or pick-up of checks and/or direct deposit slips must be made in advance and in writing with the Office of Human Resources.

In the event of a lost paycheck, an employee should notify the Payroll and Benefits Manager. The Payroll and Benefits Manager will then determine if the check has cleared the bank.

- If the check has not cleared, a stop payment will be issued and the paycheck will be reissued through Accounts Payable in the next scheduled check run.
- If the check has cleared, the Payroll and Benefits Manager will begin a formal investigation.

A statement of earnings is given each pay period to employees indicating:

- Gross pay
- Statutory deductions
- Voluntary deductions
- Year-to-date earnings

The amount of Federal tax withholding is affected by the number of exemptions claimed on Form W-4: Employee's Withholding Allowance Certificate. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Office of Human Resources. It is the employee's responsibility to notify the Payroll and Benefits Manager of any changes related to exemptions, school taxes, etc.

Payroll Deduction Codes:

CITY	Findlay City Tax	HOSX	Medical Insurance – Pre Tax
F20%	Federal 20% Tax	LIFX	Life Insurance – Pre Tax
FICA	Social Security Tax	LTDE	Long Term Disability Insurance
FITM	Federal Tax - Married	MEDX	Additional Health Care Reimbursement - Flex
FITS	Federal Tax - Single	OH	Ohio State Tax - Percentage
MDCE	Medicare Tax	OLIF	Optional Life Insurance
OHIO	Ohio State Tax	PRUD	Prudential Deferred Annuity
ADV	Payroll Advance	RETE	Retirement Annuity
CCPL	Capital Campaign	SRA	Supplemental Retirement Annuity
CRUN	Credit Union	TDA	Tax Deferred Annuity
DENX	Dental Insurance – Pre Tax	UCF	United Way
DEPX	Dependent Care - Flex	PUTN	Putnam Investors
EQUI	Equitable Annuity	4 Digit Code	School District Income Tax
FCCH	Findlay College Charge	VARI	Valic Annuity
FCPL	University Pledge	IDS	American Express Annuity
FIT	Federal Tax - Percentage	VISX	Vision Insurance – Pre-Tax
FLIC	Federal Life Insurance		

Overtime Pay

Depending on work needs at The University, employees may be required to work overtime when requested to do so. Prior approval of a supervisor, however, is required before any non-exempt employee works overtime. Employees working overtime without approval or refusing to work overtime may be subject to disciplinary action.

Non-exempt full-time employees and certain administrative staff are eligible for additional pay/compensatory time for work performed beyond their regularly scheduled 37.5 - 40 weekly hours. The workweek runs from Sunday through Saturday. Office hours at The University are generally 8:00 AM – 4:30 PM, Monday through Friday, with a one hour lunch period each day. Hours of operation may vary from department to department. Employees working a 40 hour week are scheduled within their department. Employees are responsible for calculating their own hours on a daily basis.

If an employee works 37.5 hours during the week, the first 2.5 hours after the normal 37.5 hours worked in a week are paid at the employee's regular hourly rate; after the employee has worked the normal 40 hours, all additional time is paid at a rate of 1½ times the employee's hourly rate. Each day, the time the employee starts and finishes work must be recorded on a time record. The employee's supervisor must approve his/her hours worked at the end of each pay period. All overtime must be approved by a supervisor each day. Additionally, time records with overtime must be countersigned by the supervisor and submitted to the Office of Human Resources according to the published schedule. If an employee is absent from work due to sickness, injury, vacation, or bereavement, he/she will still be paid regular time for those absences. Jury duty is not considered an absence. However, overtime for pay during the same week of an official absence will be calculated for HOURS WORKED OVER 40 HOURS. Absence hours do not count toward overtime.

All compensatory time (comp time) must be approved by the employee's supervisor. If an employee receives compensatory time instead of overtime pay for hours worked over 40, time accrued from June 1 to November 30 must be used by December 31st of that same year. If it cannot be used by December 31st, then it will be paid at 1 ½ times the employee's hourly rate by December 31st. All comp time accrued from December 1 to May 31 must be used by June 30th of the same year. If the time cannot be used by June 30th, then it will be paid at 1½ times the employee's hourly rate by June 30th. Most administrative staff (exempt personnel) are not eligible for overtime payment or compensatory time.

Time Records

The following provisions are important parts of The University's time record policy: Attendance for most administrative and staff employees is recorded monthly by each department and is submitted to the Office of Human Resources by the 10th day of the following month. For security, maintenance, and housekeeping personnel, attendance is recorded daily and submitted on the semi-monthly time sheet.

- Attendance records are records of The University.
- Care must be exercised in recording the hours worked, overtime hours, and absences.
- Each employee is responsible only for his/her own recordkeeping.
- Lunch is one hour unless otherwise indicated by an employee's supervisor.
- Non-exempt employees are entitled to a twenty minute break each morning and each afternoon. The employee's supervisor will schedule these rest periods so that there is no interruption of service.

- Once an employee reports for duty, work is to commence immediately. Failure to do so is considered falsification of time records.

If an employee forgets to sign in or out, he or she must notify his or her supervisor immediately so the time may be accurately recorded for payroll. Failure to do so will result in payment of only previously scheduled time or the minimum of time normally paid for a call-in.

Non-exempt employees must calculate their overtime on a semi-monthly basis (see overtime section for further explanation). An employee's supervisor must approve each overtime entry and employees with overtime entries that do not have prior approval will be subject to disciplinary action.

Exempt employees are not required to sign in or out. However, vacation, sick days, and attendance notes must be recorded on the monthly attendance sheet submitted to the Office of Human Resources by the 10th day of the following month.

Personnel Records

To keep necessary records of The University updated, it is extremely important that employees notify the Office of Human Resources of any changes in:

- Name and/or marital status
- Address and/or telephone number
- Number of eligible dependents
- W-4 deductions
- Emergency contact information
- Beneficiary changes

Vacation

Time away from work to relax and pursue special interests is important to everyone. All full-time staff (excluding faculty) are eligible for paid vacation. Upon hire at The University, employees begin to accrue vacation at the designated rate. Employees are not eligible to take vacation during the first six months of employment unless prior written approval has been received from the employee's supervisor.

Paid vacation for staff and administrators is accrued at the following rates:

Classification	Paid Vacation Schedule
Part-time staff (if eligible)	<ul style="list-style-type: none"> ▪ Pro-rated hours per month
37½ hour staff	<ul style="list-style-type: none"> ▪ Years 1 – 5: 6.25 hours per month (2 weeks) ▪ Years 6 – 10: 9.38 hours per month (3 weeks) ▪ Over 11 years: 12.5 hours per month (4 weeks)
40 hour staff	<ul style="list-style-type: none"> ▪ Years 1 – 5: 6.67 hours per month (2 weeks) ▪ Years 6 – 10: 10.0 hours per month (3 weeks) ▪ Over 11 years: 13.33 hours per month (4 weeks)
Administrative staff	<ul style="list-style-type: none"> ▪ 13.33 hours per month (4 weeks)

Employees should use all of their allotted vacation time during the fiscal year, if possible. However, employees will be permitted to carry vacation time not used into the following fiscal year. Vacation time not used by the end of the second fiscal year is not preserved and will be forfeited. Where special business necessity requires an exception, prior approval must be given by the Office of Human Resources and the employee's supervisor.

Employees need to request vacation time as far in advance as possible, and all requests must be approved by the employee's supervisor. Based upon department needs, The University will make every attempt to grant an employee the vacation dates he/she requests. The following guidelines for vacation time also apply:

- When a holiday of The University falls during a scheduled vacation, it is not counted as a vacation day.
- Any employee that becomes ill during a scheduled vacation cannot change a vacation day to a sick day.

Guidelines for Vacation Pay for Terminating Employees

Employees leaving The University due to voluntary resignation, retirement, or dismissal will not be eligible to be paid for their unused vacation days except when all the following circumstances are met:

- Upon resignation or retirement, the employee notifies The University at least two weeks in advance of the termination date.
- Upon resignation or retirement, the employee attends an exit interview.
- Upon resignation or retirement, all property of The University is returned and balances are cleared.
- The employment is terminated for reasons other than gross misconduct or performance/policy violations.

In the event an employee leaves The University, unused vacation pay is calculated according to the following formula (using the employee's current rate of pay):

$$\text{ACCRUED VACATION} - \text{VACATION TAKEN} = \text{UNUSED VACATION}$$

Holidays

All full-time employees and part-time employees with benefits (including those in the initial employment period) are eligible for 11 paid holidays per year as follows:

- New Year's Day
- Dr. Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving (2 days)
- Christmas (2 days)
- New Year's Eve

To receive holiday pay, hourly employees are required to work the scheduled days immediately before and after the holiday, unless the employee takes an approved vacation or submits a written excuse from a physician.

At the end of each year, the holiday schedule for the coming year will be distributed through campus mail and/or e-mail. When a holiday falls on a weekend, it will be observed on either the preceding Friday or following Monday or as determined by the Vice President for Business Affairs and the President.

Operational staffing for Administrative Offices

Certain offices need to be operational to meet the needs of students, parents, faculty, staff, and others for information, business transactions, or other items. The offices named below will be open on selected holidays and have a person or persons qualified to conduct the normal business of that office. Offices to be open are:

- Office of Graduate and Special Programs,
- Accounts Receivable,
- Admissions,
- Financial Aid,
- Institutional Advancement,
- International Admissions,
- Mail Room,
- Student Affairs,
- Business Affairs,
- Academic Affairs, and
- President's office.

The required offices will be operational for a minimum of four hours. The University recommends that the offices remain open during the morning, but operation hours will be determined by the Department Supervisor. Offices may arrange work schedules to allow employees who work on the holiday to take 1/2 day off during the week, or those employees may elect to receive overtime pay if appropriate.

Bereavement Leave

In the unfortunate event of a death of an employee's immediate family member, a paid leave of absence up to three days will be granted. If the funeral is outside of the continental United States, five days may be taken. Bereavement leave days are to be taken consecutively within a reasonable time of the day of the death or day of the funeral, and may not be split or postponed. Additional time WITHOUT PAY may be negotiated between the employee and his/her supervisor.

For the purpose of bereavement leave, immediate family is defined as:

- Spouse
- Children, step-children
- Parents (including in-laws), step-parents
- Siblings, step-siblings
- Grandparents
- Grandchildren
- Son and daughter-in-law
- Brother and sister-in-law

Employees should notify their supervisor of a death of an immediate family member. In turn, the supervisor should notify the Office of Human Resources about the reason and length of the employee's absence. Upon returning to work, the employee must record his/her absence as Bereavement Leave (documenting the relationship to the deceased) on his/her attendance record. Proof of death may be required.

Jury Duty

A leave of absence for jury duty will be granted to any full-time or part-time employee who has been notified to serve. During this leave, full-time employees will be compensated by payment of an amount equal to their regular salary. All payment received from the court for jury duty must be turned over to the Payroll and Benefits Manager. An employee on jury duty is expected to report to work any day he/she is excused from jury duty.

Upon receipt of the notice to serve jury duty, the employee should immediately notify his/her supervisor, as well as the Office of Human Resources. Additionally, a copy of the notice to serve jury duty should be attached to the employee's attendance record for attendance purposes.

Upon the employee's return, the employee must notify the Office of Human Resources and must submit a signed Certificate of Jury Service indicating the number of days served.

If the jury duty falls at a time when the employee cannot be away from work, The University may request that the court allow the employee to choose a more convenient time to serve if he/she makes a request in accordance with the court's procedures. The employee must cooperate with this request.

Military Leave

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves, or Public Health Service will be granted an unpaid leave of absence for military service, training, or related obligations in accordance with applicable law. However, employees on military leave may substitute their accrued paid leave time for unpaid leave. At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status, and pay that the employee is qualified to perform.

Upon receipt of orders for active or reserve duty, an employee should notify his/her supervisor, as well as the Office of Human Resources, as soon as possible, and submit a copy of the military orders to his/her supervisor and the Office of Human Resources (unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable).

Continuation of Health Benefits

During a military leave of less than 31 days, an employee is entitled to continue group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service, but may be required to pay all or part of the premium for the continuation coverage. NOTE: Employees and/or dependents who elect to continue their coverage may not be required to pay more than 102% of the full premium for the coverage elected. The premium is to be calculated in the same manner as that required by COBRA.

Leave for Training and Other Related Obligations (e.g., fitness for service examinations)

Employees will also be granted time off for military training (normally 14 days plus travel time) and other related obligations, such as for an examination to determine fitness to perform service. Employees should advise their supervisor and/or department head and the Office of Human Resources of their training schedule and/or other related obligations as far in advance as possible.

Return from Military Leave

Upon return from military service, an employee must provide notice of or submit an application for reemployment in accordance with the following schedule:

- An employee who served for less than 31 days or who reported for a fitness to serve examination must provide notice of reemployment or submit an application for reemployment at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service.
- An employee who served for more than 30 days, but less than 181 days, must provide notice or submit an application for reemployment no later than 14 days after completing his/her period of service, or if this deadline is impossible or unreasonable through no fault of the employee, then on the next calendar day when submission becomes possible.
- An employee who served for more than 180 days must provide notice of or submit an application for reemployment no later than 90 days after the completion of the uniformed service.
- An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Office of Human Resources (if the service was less than 31 days), or submit an application for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (which may not exceed two years).

Required Documentation

An employee who served in the military for more than 30 days must provide documentation within two weeks of his/her return (unless such documentation does not yet exist or is not readily available) showing the following:

- The application for reemployment is timely (i.e. submitted within the required time period);
- The period of service has not exceeded five years; and
- The employee received an honorable or general discharge.

Time Off To Vote

On days when elections for public office (“elections for public office” includes elections for sheriff, school board, district attorney, and all primary and general elections) are scheduled throughout the state, county, city, or town in which the employee works, schedules may be changed as needed.

Employees living in other localities or states will need to inform their supervisor in advance if they expect any conflict between their work schedule and the exercise of voting rights in any election for any public office. Supervisors will then find out when the polls are open and adjust that employee’s schedule as needed to ensure that he/she will have the opportunity to vote.

No employee will be penalized or retaliated against for requesting time off to vote.

Should an employee serve as part of the voting process for their locality or state, absence from work on Election Day only will be excused.

Absence Due To Illness

To keep the business and each department running smoothly and efficiently, it is important that every employee regularly be on the job on time. For this reason, careful attention is given to promptness, attendance, and overall dependability.

The University recognizes, however, that an employee may occasionally be disabled by injury or illness. As a result, the Absence Due to Illness policy is designed to provide protection to employees against loss of income during unavoidable illness or injury.

All full-time employees (except for faculty) who are unable to perform their jobs due to illness or injury are eligible for sick days at the rate of one day per month to a maximum of twelve days in a calendar year after their initial 90 day probationary period. Because sick leave benefits are intended to provide income protection in the event of actual illness or injury, sick days cannot be carried over from one fiscal year to the next and employees are not paid for sick days either at the end of the fiscal year or upon termination.

However, if an employee uses all of his/her sick days due to an extended illness (more than five consecutive days) or tragic situation, they will be awarded two weeks of salary continuation for every year that they have been employed with The University provided all sick leave and vacation has been used. The medical leave, or absence due to illness, will be a maximum of 90 days which includes the accrued sick leave, vacation days, and salary continuation. Employees that have been employed less than one year may receive two weeks salary continuation. Once sick leave, vacation pay, and salary continuation is depleted, or the maximum 90 days is attained, an employee will no longer be paid by the University until he/she returns to work. These guidelines are in conjunction with Family Medical Leave Act (FMLA) and time off will be counted concurrently with any scheduled FMLA leave. Salary continuation is awarded for each incident with two weeks in between. Should this amount of absenteeism occur for reasons other than extended illness or a tragic situation, a review of the attendance record will begin and could result in immediate and appropriate discipline, up to and including immediate termination for excessive absenteeism. Should an employee use all of his/her accumulated sick days, negative hours will be deducted from vacation accumulation or at the option of The University, given as no pay days.

To be eligible for sick pay, employees must have worked through the 90 day probationary period. Employees who are unable to report to work due to illness must telephone their supervisor directly, each day of their absence, as far in advance as possible, but no later than one hour after their scheduled arrival time. If their supervisor is not available, the Office of Human Resources should be contacted. If an employee is unable to make the call personally, a family member or a friend should contact the supervisor. The supervisor or the Office of Human Resources must be contacted each day of absence. An employee who fails to contact his/her immediate supervisor or the Office of Human Resources may be considered as having voluntarily resigned. This policy must be followed unless an exception has been made for a particular absence, and a written memo detailing the exception has been sent to the Office of Human Resources.

If The University has questions about the nature of an employee's disability, a written certification from a physician or licensed health care professional may be required. If the absence is more than three days in length, a written certification from the physician is required.

During the fiscal year of employment at The University, sick days are calculated based on the following schedule:

Sick Day Accrual Schedule for first year of service	
Hire date through first 90 days	0 hours accrual
Ninety-first day through June 30	Hours accrued per month is based on employee status and number of hours worked (Security Department accrues at the rate of 10 hours per month)

Leave Under the Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12 month period. During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

Employee Eligibility Criteria

To be eligible for FMLA leave, an employee must have been employed by The University:

- For at least 12 months (which need not be consecutive);
- For at least 1250 hours during the 12 month period immediately preceding the commencement of the leave; and
- At a worksite with 50 or more employees or at a worksite where 50 or more employees are located within 75 miles of the worksite.

Events Which May Entitle an Employee to FMLA Leave

FMLA leave may be taken for any one, or for a combination of, the following reasons:

- The birth of the employee's child or to care for the newborn child;
- The placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- To care for the employee's spouse, dependent child, or parent (but not in-law) with a serious health condition; and/or
- The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. NOTE: A more detailed definition of "serious health condition" can be found in the Department of Labor's Certification of Health Care Provider Form (Form WH-380-December 1994).

How Much FMLA Leave May Be Taken

An eligible employee is entitled to up to 12 workweeks of unpaid leave during a 12 month period for any FMLA qualifying reason(s). The 12 month period is a rolling 12 month period measured backward from the date an employee uses any FMLA leave.

Limitations on FMLA Leave

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by The University, they are together entitled to a combined total of 12 workweeks of FMLA leave within the designated 12 month period for the birth, adoption, or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law)

with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 workweeks, but not more than a total of 12 workweeks per person). For example, if each spouse took 6 weeks of leave to care for a newborn child, each employee could later use an additional 6 weeks due to his/her own serious health condition or to care for a child with a serious health condition.

Intermittent or Reduced Work Schedule Leave

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.

- Leave to care for a newborn or for a newly placed child may not be taken intermittently or on a reduced work schedule unless The University agrees with respect to an individual leave request.
- Leave because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition, may be taken all at once or, where medically necessary, intermittently or on a reduced work schedule.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt The University's operations. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, The University may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

Requests for FMLA Leave

An employee should request FMLA leave by completing the Employer's Request for Leave form and submitting it to the Office of Human Resources.

When leave is foreseeable for childbirth, placement of a child, or planned medical treatment for the employee's or family member's serious health condition, the employee must provide The University with at least 30 days advance notice, or such shorter notice as is practicable (that is, within 1 or 2 business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide The University with notice of the need for leave as soon as practicable (that is, within 1 or 2 business days of learning of the need for the leave).

Required Documentation

When leave is taken to care for a family member, The University may require the employee to provide documentation or statement of family relationship (for example, birth certificate or court document).

An employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. Medical certification forms are available from the Office of Human Resources.

If The University has reason to doubt the employee's initial certification, The University may:

- With the employee's permission, have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or
- Require the employee to obtain a second opinion by an independent University-designated provider at The University's expense.

If the initial and second certifications differ, The University may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, The University may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide The University with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide The University with reasonable notice (that is, within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives The University notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee will be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to immediate and appropriate discipline, up to and including immediate termination.

Use of Paid and Unpaid Leave

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. If an employee has accrued paid leave (for example, sick leave), the employee must use any qualifying paid leave first. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 workweek leave period.

Designation of Leave

The University will notify the employee that leave has been designated as FMLA leave. The University may provisionally designate the employee's leave as FMLA leave if The University has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified The University of the reason for the leave, and the employee **desires** that leave be counted as FMLA leave, the employee must notify the Office of Human Resources within two business days of the employee's return to work that the leave was for an FMLA reason.

The Department of Labor takes the position that, absent extenuating circumstances, the Employer must give the employee notice of the designation within 2 business days after the Employer has acquired knowledge that leave is being taken for an FMLA qualifying reason. The notice may be written or oral but, if oral, must be confirmed in writing no later than the next payday that occurs one week or more after the oral notice. It is important to designate leave (whether paid or unpaid) as FMLA leave in a timely manner.

Maintenance of Health Benefits

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work.

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid at the same time as if made by payroll deduction.

If the employee's payment of health insurance premiums is more than 30 days late, The University may discontinue health insurance coverage upon notice to the employee.

Return from FMLA Leave

Upon return from FMLA leave, The University will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

Limitations on Reinstatement

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The University reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid 10 percent of The University's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to The University's operations.

Failure to Return To Work Following FMLA Leave

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The University may recover health insurance premiums that The University paid on behalf of the employee during any unpaid FMLA leave except that The University's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, The University may require the employee to provide medical certification of the employee's or the family member's serious health condition.

Additional Information

For further information or clarification about FMLA leave, please contact the Office of Human Resources.

Leave of Absence Without Pay

Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal Leave of Absence without pay. However, employees must be employed for at least three months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and it will be reviewed on a case-by-case basis by the employee's supervisor/manager and the Office of Human Resources. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires. Employees on leave of absence without pay will not accrue benefits, vacation, sick leave, and seniority. Benefits such as medical, life, etc. will terminate except as mandated by FMLA laws.

Continuing Benefit Plan Coverage

While on a personal unpaid leave of absence, an employee's medical coverage will end on the day the unpaid leave begins. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance Benefits cannot be collected while on a leave of absence without pay.

Salary Action

Any planned salary increase for an employee returning from an unpaid leave of absence without pay may be deferred by the length of the leave.

Vacation and Personal Time

During the calendar year that an employee takes an unpaid leave of absence without pay, the employee is not eligible to accrue vacation or benefits. Unused vacation must be used before an unpaid leave of absence without pay will be granted.

Performance Appraisal

The normal performance appraisal date of an employee on an unpaid leave of absence without pay will be extended by the length of the leave.

Returning/Not Returning From a Leave

Due to the nature of our business, The University cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, The University will attempt to reinstate the employee to his/her former position or to one with similar responsibilities.

If the position or a similar position is not available, The University will search for a suitable position for 30 days from the date the unpaid leave was to officially end. The employee will not be paid for this time. If the employee has not been placed by the end of this period, he/she will be terminated.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies his/her supervisor/manager he/she is not returning, whichever is sooner. Such employees may be considered for reemployment.

Inclement Weather

A state of emergency due to inclement weather or other acts of God is declared by an appropriate administrative official. It is the responsibility of the employee to listen to a local radio or television station for a decision as to the cancellation of classes and work. This information is also posted to The University website at www.findlay.edu/academics/weather.

If the employee deems it necessary to leave work early or to arrive at work late due to weather conditions, the release time from work must be made up or vacation must be used for that time.

Unless stated otherwise, when The University cancels classes, normal operations are also canceled. Most faculty and staff are not required to remain at work or come in to work unless requested by their supervisor.

Employees in maintenance, housekeeping or security should check with their immediate supervisors for further instructions. A supervisor may request that employees be present for some specific purpose. If the situation allows employees to assist during unusual weather conditions, The University appreciates cooperation.

If an employee's supervisor requires that the employee work on the day that The University is officially closed, the employee will be eligible for compensatory time if he/she is normally eligible for overtime or compensatory time. Detailed below is how The University policy translates to city/county snow emergency classifications.

Snow Emergency Classifications		
<i>Level</i>	<i>Description</i>	<i>University Work Situation</i>
Level 1	Roadways are hazardous with blowing and drifting snow. Roads are also icy. Drive very cautiously.	Employees of The University should report to work.
Level 2	Roadways are hazardous with blowing and drifting snow. Drive very cautiously.	Faculty members and staff and administrative employees of The University should report to work. Unless otherwise announced on local radio and television stations or as noted on The University's website, classes will be held and campus offices will be open to provide service. If a faculty or staff member cannot report, he/she must contact his/her supervisor. Faculty members who must cancel a class meeting should attempt to contact students by e-mail and schedule make up class sessions if necessary. Staff members who cannot report will be allowed to choose whether to make up the time or take a vacation day.

Level 3	All roadways are closed to non-emergency personnel. No one should be out during these conditions unless it is absolutely necessary to travel. All employees should check the University's website or listen to the radio or TV broadcasts to see if they should report to work. Students should check the University's website or listen to the radio or TV broadcasts to see if classes are canceled.	Classes may be canceled or dismissed and support offices closed. Faculty members in canceled classes should attempt to contact students by e-mail and schedule make up sessions as necessary. Personnel in areas critical to the maintenance of the physical plant, oversight of residential students, and other previously identified areas should report.
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Disclaimer

The University has established a variety of employee benefit programs designed to assist employees and their eligible dependents in meeting the financial burdens that can result from illness and disability, and to help employees plan for retirement. This portion of the Employee Handbook contains a very general description of the benefits to which employees of The University may be entitled. Please understand that this general explanation is not intended to, and does not, provide all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Rights can be determined only by referring to the full text of the official plan documents, which are available for examination from the Office of Human Resources. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between The University and its employees, retirees or their dependents, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

As in the past, The University reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, The University reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply, and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of the benefit programs, please refer to the Summary Plan Descriptions, which were provided separately, or contact the Office of Human Resources. If the descriptions were lost or misplaced, contact the Office of Human Resources for another copy.

Health Insurance

The University currently offers regular full-time and benefited part-time employees health coverage under a self-insured plan using a Preferred Provider Organization (PPO) from date of hire.

The health plan provides comprehensive hospital and major medical insurance coverage. Employees who participate in the health plan have the option of seeking care from an in-network or out-of-network provider. However, many in-network services are fully covered and generally no claim forms need to be completed. The University, as a self-insured employer, is responsible for designing, administering, and maintaining the plan. In addition, The University will determine the cost of the plan to the employee based on expenses of the plan for administration and claims.

Employees have up to 30 days from their employment date to make their medical plan election. Once made, the election is generally fixed for the remainder of the plan year. However, if an employee experiences a qualified change in status (as defined in the Plan document), he/she may make a mid-year change in coverage (for example, the employee may change coverage from individual to family or from family to individual, add or delete dependents, or revoke coverage, etc.), provided the change is made within 30 days from

the date of the qualified change in status. Employees will not be entitled to make a mid-year change from one medical plan to another. Employees should contact the Office of Human Resources to determine if a status change qualifies under the Plan document and IRS regulations.

During open enrollment at the end of each calendar year, employees can change their medical elections for the following calendar year. The Office of Human Resources will assist employees in making the necessary arrangements for enrollment. A complete description of the plan is provided to each employee in the Summary Plan Description and appropriate amendments.

Dental Insurance

Regular full-time employees and benefited part-time employees are eligible for dental coverage after one year of employment with The University on the first day of the month after they become eligible unless they were hired on the first of the month (then the employee would be eligible on that day). There is no network for the dental plan; employees may choose the dentist they wish to go to. Generally, no claim forms need to be completed. The University, as a self-insured employer, is responsible for designing, administering, and maintaining the plan. In addition, The University will determine the cost of the plan to the employee based on expenses of the plan for administration and claims. The plan offers single and family coverage at four levels. All levels are included in the premium price.

Flexible Spending Account

The University currently offers an employee-funded Flexible Spending Account to regular full-time and benefits-eligible part-time employees. New employees are entitled to participate at date of hire. During open enrollment, plan participants may elect to set aside money (which will be deducted on a pre-tax basis from each paycheck) in a Flexible Spending Account to pay for:

- Eligible health care expenses: Generally, expenses qualifying under IRC Sec 213 (with some exceptions) incurred during the calendar year that are not reimbursable from any other source. Eligible health care expenses may include health care deductibles, co-payments, and out-of-pocket costs for vision care.
- Eligible dependent care expenses: Expenses incurred for child care or dependent care due to employment.

According to IRS regulations, if eligible health care or dependent care expenses incurred during the calendar year are less than the elected annual amount in the Flexible Spending Account for that year, the balance must be forfeited.

Group Life Insurance

Regular full-time and benefits-eligible part-time employees who work more than 30 hours per week are required from the date of hire to contribute towards a basic group term life policy of \$20,000 with accidental death and dismemberment. The University pays 75% of the premium for all eligible employees.

In addition, The University offers regular full-time and benefited part-time employees who work more than 30 hours per week an opportunity to purchase supplemental life insurance from date of hire worth up to two times the employee's annual salary with a maximum of \$150,000 coverage. The University pays 50% of the premium for all eligible employees.

Long-Term Disability

The University offers regular full-time and benefited part-time employees who work more than 30 hours per week the opportunity to purchase Long-Term Disability (LTD) base plan insurance after one year of service. This contributory base plan provides for monthly LTD benefits of 60% of basic monthly earnings to a maximum benefit of \$3,000 per month, less any other offsets. The University pays 50% of the scheduled premium. The University will in the event of disability or death, continue the salary of the full-time faculty or staff member for a maximum of ninety days once LTD application is made. Disability shall mean a physical, mental, and/or emotional condition that prevents the individual from performing the job for which he/she was hired as verified by an appropriate physician.

The University reserves the right to confirm the necessity for disability leave by requiring the employee to receive a second or third opinion by a doctor of The University's choice. The University will assume any costs for additional examinations that are not paid by the insurance carrier.

Any FMLA leave to which an employee may be entitled runs concurrently with time off granted under this policy. In other words, an employee cannot take his/her full term disability benefits, and then take three months off under the FMLA. Any time spent on disability counts as part of an employee's FMLA leave.

The University will attempt to return an employee who is returning from a disability leave to the same or similar job, at the same salary that the employee held prior to the leave. Under some circumstances, however, permanent replacement during a leave may be required, or in some instances, staffing requirements may change. Therefore, unless an employee is entitled to return to the same or an equivalent position under the Family and Medical Leave act, a job cannot be guaranteed when the employee is ready to return to work from a short-term disability leave. In the event the employee is not entitled to return to the same or an equivalent position under the Family and Medical Leave Act and a position is not available or if the employee chooses not to return to work, upon the expiration of the disability leave, the employee will be terminated. If an employee does not return from a disability leave, the termination date is the last day that the employee was authorized to return or the date the employee notifies his/her supervisor that he/she is not returning, whichever is sooner. Such employees may be considered for reemployment. An employee who returns to work following a short-term disability leave will be considered as having continuous service.

Long-term disability coverage terminates on the last day of employment.

In the event of disability, the spouse, and/or dependent children under the age of 25 of full-time faculty and staff will be entitled to tuition grants according to the following schedule:

- A grant of 50% of tuition for the spouse, and/or dependent children of a full-time faculty member at The University who has been employed for at least two years but has not been granted tenure at the time of disability and a grant of 100% of tuition for the spouse and/or dependent children of a full-time faculty member who has tenure status at The University at the time of disability.
- A grant of 50% of tuition for the spouse and/or dependent children of a full-time staff member who has served The University for at least two but less than six years at the time of disability and a grant of 100% of tuition for the spouse and/or dependent children of a staff member who has served The University for at least six or more years at the time of disability.
- The grant to spouse and/or children will cease upon the disabled faculty member or staff member returns to normal health and does not return to employment at The University.

Retirement Plan

Retirement benefits are provided to eligible employees under The University's Normal Retirement Plan ("Retirement Plan"). In general, the following benefits are available under the Retirement Plan:

1. Normal Retirement: The Normal Retirement Age for employees is the last day of the fiscal year in which they attain age 65 provided they have served The University for a minimum of ten years. There is no specific age at which employees are required to retire.
2. Early Retirement: The University may grant early retirement to eligible employees. The decision to grant an application for early retirement is the prerogative of The University and will be based on an assessment of The University's needs and financial condition.

Faculty and administrative employees may retire at an early retirement age, defined as:

- a. The last day of the fiscal year in which the employee reaches age 55, and any subsequent year, provided they have served The University for a minimum of 20 years; or
- b. The last day of the fiscal year in which the employee reaches age 62, and any subsequent year, provided they have served The University for a minimum of 15 years; or
- c. The last day of the fiscal year in which the employee completes 30 years of service with The University and any subsequent year.

Early Retirement Benefits: As an incentive to voluntary early retirement and to assist employees in bridging benefits between the time of early retirement and normal retirement, the following early retirement benefits may be provided.

- a. Severance Payments:
 - 1) Until the end of the fifth post year of retirement, or the end of the fiscal year in which the individual reaches normal retirement age, the retiree will receive an annual severance payment equal to 20% of the base salary received by the individual during the last year of employment. Payments may be made on a monthly basis or on some other mutually agreeable schedule.
 - 2) Should the retiree die before receiving all severance payments due, the amount remaining will be paid to the surviving spouse or other designated beneficiary, if any, over the remaining period.
- b. Health Insurance: The retiree may continue participating in The University's medical insurance plan by reimbursing The University 50% the cost of premiums for either a single, 2-person, or family plan until age 65.
- c. Educational Benefits:
 - 1) Dependent children through age 24 of retired University employees may continue to receive remission of tuition and fees on the same basis as they would have received this benefit had the employee not retired.
 - 2) Educational benefits for retired employees and their spouses will discontinue at the time of retirement; however, retired employees and their spouses are eligible to audit courses on the same basis as senior citizens.

General Provisions for Early Retirement:

- a. The University will withhold the employee's portion and contribute the employer's portion of FICA taxes from any early retirement payments made under an early retirement plan.
- b. The University will withhold Federal, State, and Local taxes as applicable from all early retirement payments made pursuant to the plan.
- c. The University will discontinue contribution to TIAA/CREF for employees at the time of early retirement; however, after the early retirement date and before beginning to receive annuity payments, employees may continue to make contributions to TIAA/CREF. Arrangements for such contributions must be made between the individual retiree and TIAA/CREF.
- d. Disability insurance will be discontinued at the time of retirement.
- e. At the initiative of The University, a retiree may be employed to teach not more than one course per term.

403(b) Plan

The University offers a mandatory before-tax salary reduction plan in which regular full-time and part-time employees (scheduled for and working a minimum of 20 hours per week), who are age 21 or older, must participate beginning with the first day of the month administratively feasible after one year of employment.

For employees hired before September 1, 1993, The University will pay 10% of the employee's salary to TIAA-CREF. On or after September 1, 1993, during years one through five of eligibility, The University will pay 5% of the employee's salary to TIAA-CREF, and the employee will contribute an amount equal to 5% of their salary to TIAA-CREF. Contributions will be as follows for additional years of eligibility:

- Years 6 - 10: University contributes 7%; employee contributes 3%.
- After 10 years: University contributes 10%; employee contributes 0%.

Further details about the 403(b) Plan may be obtained from the Office of Human Resources and the Plan document.

In addition, employees may elect to participate in the tax deferred TIAA-CREF Supplemental Retirement Annuities Plan through payroll deductions. Contact the Office of Human Resources for details.

Workers' Compensation Benefits

The University is covered under statutory state Workers' Compensation Laws. Should an employee sustain a work-related injury, he/she must immediately notify the department supervisor and the Office of Human Resources. Should the injury require the attention of a doctor, employees should visit the Cosiano Health Center and then Well at Work if open and the injuries require further attention. An accident report form must be completed as well. Should the employee require further treatment, he/she must utilize the services of a Bureau of Workers' Compensation Certified Physician. In addition, it is highly recommended that the employee utilize a physician listed in the Network Referral Unit. The Office of Human Resources should be contacted to obtain the name and number of such a physician.

In the case of an emergency or after-hours event, employees should go to the nearest hospital emergency room or urgent care center (if appropriate) for treatment. Employees must notify their supervisor and the Office of Human Resources within 24 hours, and then utilize the Network Referral Unit if additional treatment is necessary. If an employee is injured to the extent that he/she is unable to perform the above requirements, The University will provide appropriate initial treatment.

Unemployment Compensation

Employees of The University are eligible for unemployment compensation under the rules and guidelines established by the State of Ohio.

Notary Public Services

Notary Public services are available to University employees and student at no cost, whether for private or university business, at the Office of the Vice President for Business Affairs, the Office of Human Resources, the Office of School of Environmental and Emergency Management, and the Office of International Student Recruitment and Admissions.

Liability Insurance

Commercial General Liability

Employees are insured under The University's Commercial General Liability policy but only for acts within the scope of their employment by The University or while performing duties related to the conduct of University business. The insurance company will pay those sums that The University becomes legally obligated to pay as damages because of bodily injury or property damage to which this insurance applies.

Vehicle Insurance

When use of a University vehicle is authorized by The University, the employee or authorized student is insured under The University's insurance policy. The insurance company will pay all sums an insured legally must pay as damages because of bodily injury or property damage to which this insurance applies, caused by an accident and resulting from the maintenance or use of a covered auto.

When an employee or authorized student is driving their own vehicle on approved University business, their auto insurance will be primary for any liability protection. The employee or authorized student will want to verify with his/her insurance carrier that their policy will respond to "business" use of their vehicle. The University's vehicle liability insurance protects both The University and the employee on an excess basis over the employee's policy. It will not protect the employee's car for property damage.

Professional Liability Insurance

Insurers under this policy include Directors, Officers, Trustees, members of the Board, employees, Faculty members, committee members or volunteers solely while acting within the scope of their duties for The University. The Educators Legal Liability Policy will cover "wrongful acts". A "wrongful act" means any actual or alleged error, misstatement, misleading statement, act, omission, neglect or breach of duty by any individual insured solely while acting within the scope of that person's duties for The University. The liability insurance is subject to policy exemptions and restrictions as amended from time to time.

University Events

Most events of The University, both athletic and cultural, are free to employees and their families. Employees will receive information regarding these events as they occur. In addition, employees will receive notice of events for which there will be a charge for the employees and his/her family.

Use of Campus Facilities

Campus facilities such as Shafer Library, Koehler Fitness and Recreation Center, etc. are available to employees for their personal use and the use of their spouses and dependent children. Please check with individual building personnel for details. In addition, employees, their spouses, and/or their dependents are encouraged to use the three Campus Stores at which they will receive a 10% discount on most items. The Cosiano Health Center is also available to employees, their spouses, and dependent children for use. It is staffed from August through May with full-time nurses and limited appointments with physicians. During the summer months, limited hours are maintained. The Cave, Henderson Dining Hall, the Village Café, and Faculty/Staff Luncheon offer a variety of menus for employees and their families at a nominal charge.

Drug and Alcohol Abuse

Manufacture, distribution, dispensation, possession, or use of any illegal drug, alcohol, or controlled substance while on University premises is strictly prohibited. These activities constitute serious violations of University rules, jeopardize The University, and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, The University reserves the right to require an employee to undergo a medical evaluation under appropriate circumstances.

Drug Testing: Commercial Drivers Licensed (CDL) Employees Substance Abuse and Drug Testing Policy

Statement of Policy

The use of banned/illegal drugs (identified by the Omnibus Transportation Employees Testing Act of 1991 —49 CFR Part 40- and the Department of Transportation and Federal Transit Administration Rules) by commercial drivers licensed (CDL) employees with The University presents a serious threat to the safety and health of the individual using the substances or doing such acts, their fellow colleagues, and the general public. It is the policy of The University that all CDL employees, regardless of their role or status with The University, should be free of drugs. As a condition of being involved and/or registered with The University, all CDL licensed employees will abide by the terms of this policy statement, its rules and procedures.

Statement of Rules

The University establishes the following rules applicable to all CDL licensed employees of The University. This policy requires all CDL licensed employees to comply with the drug-testing program set forth in this policy.

1. All CDL licensed employees must be “physically qualified” to do the task assigned to them.

A person is not “physically qualified” to perform their assigned work if he/she:

 - a. Uses any habit-forming drug, including drugs banned by any federal or state governmental agency, except if such use consists of a substance prescribed by a licensed physician familiar with the individual’s medical history and involvement with The University, or
 - b. Fails to meet the drug testing requirements under this policy.
2. No CDL licensed employee may be involved with The University vehicle activities and possess, be under the influence of, or use any drug or other substance identified under this policy as a banned/illegal drug or any controlled substance regardless of whether or not the individual may safely perform with the exception of the possession or use of a substance administered to an individual by or under the instructions of a licensed physician who has advised the individual that the substance will not affect the individual’s ability to safely function in their role as a safe, skilled and competent employee.
3. No CDL licensed employee shall be in possession of an intoxicating beverage, regardless of its alcoholic content while involved with employment unless prescribed by a physician. Cold medications are contained in this category.

4. No employee shall be involved with employment if his or her general appearance or conduct indicates the use of a banned/illegal substance or intoxicating beverage.
5. An employee of The University who tests positive for the use of a banned/illegal substance or intoxicating beverage will be medically and physically unqualified to function as an employee, and will be immediately terminated from employment at The University.

Substances Tested

A. Controlled Substances

Although the rules set forth in the “Statement of Rules” section apply to all controlled substances, the drug testing required under this policy and until further notice will analyze an individual employee’s urine to test for the presence of the following substance(s):

1. Any and/or all banned Drugs as listed by the Omnibus Transportation Employees Testing Act of 1991 (49 CFR Part 40) and the Department of Transportation and Federal Transit Administration Rules.

B. Prescribed Medications

A CDL licensed employee will not be disciplined if it is determined that a positive test result is due to a medication prescribed by a licensed physician. However, the individual will first have to establish that a licensed physician familiar with the individual’s medical history and involvement with The University. The individual will also be required to provide a statement from their physician that the taking of the medication will not impair the safe performance, skill and judgment of the employee’s performance or duties or create a reasonable possibility of future harm to the employee or the general public.

Any CDL licensed employee taking a prescribed medication will be required to notify The University prior to the taking of any required drug test. The University also reserves the right to obtain an independent medical opinion to analyze the relationship between the drug use and the ability to perform, as well as any underlying medical condition, which necessitates the use of the medication. The University further reserves the right to place any employee taking prescribed medication on a medical suspension until the individual provides the information described above.

Tests Required

A. Annual Pre-Registration Testing

Any CDL licensed employee registering to participate as a CDL licensed driver with The University will be required to undergo a urine test for the presence of any banned/illegal drugs. Any CDL licensed employee who tests positive as a result of the annual pre-registration drug test or refuses to undergo a test will be immediately terminated from employment at The University.

B. Random Testing

Safety and security considerations mandate that all CDL licensed employees shall be subject to random drug testing. Any CDL licensed employee failing to cooperate with the procedures described above will be immediately terminated from employment at The University.

The University shall make every effort to assure the strict random nature of this testing. The volume and frequency of random testing shall be determined by The University without notice to CDL licensed employee.

No one person will have discretion in deciding which CDL licensed employee should be tested. The selected agency to administer and test for substance abuse will be designated to randomly select eligible CDL licensed employees for substance abuse testing. Up to one hundred percent (100%) of the CDL licensed employees may be tested during any one-year period. Any random testing shall be in addition to all other testing requirements herein provided.

Following the selection, the appropriate official of The University will locate and notify the individual(s) selected for the random testing. The employee must report to the appropriate collection facility or location and complete the collection procedure at a designated time.

C. Reasonable Cause Testing

Whenever The University has reasonable cause to believe that the actions, appearance or conduct of a CDL licensed employee while participating in the work place are indicative of the use of a banned/illegal drug, the CDL licensed employee will be required to undergo a urine test for the presence of a banned/illegal drug at The University's request. Any refusal to undergo a drug test under such circumstances will result in immediate termination of employment.

The conduct or circumstances constituting reasonable cause must be witnessed by at least two (2) University representatives, if feasible. If not feasible, only one (1) University official need witness the conduct. The witness or witnesses will have received training in the identification of actions, appearance or conduct of a CDL licensed employee, which are indicative of the use of a controlled substance. The witness who has reasonable cause to believe that a CDL licensed employee is using a controlled substance will be required to complete a Report of Intoxication, which will be forwarded to the Office of Human Resource for review and consideration along with any positive test results. The Supervisor's Report of Intoxication shall be prepared and signed by the witness(es) within 24 hours of the observed behavior or before the results of the tests are released, whichever is earlier.

In any reasonable cause circumstance The Physical Plant Director, Operations Maintenance Coordinator, or on-duty Security Officer will transport the individual to an appropriate collection facility and await the completion of the collection procedure. The University representative will then transport the individual back to The University's premises, where a spouse, family member or other individual will be contacted to transport the individual to their home. In the event no such individual is available, The University representative will contact a taxi to transport the individual home (at The University's expense) or The University representative will provide transportation. If the individual refuses to assent to any of these procedures and attempts to operate his/her own vehicle, The University will take appropriate efforts to discourage them from doing so, up to and including contacting local law enforcement officials. Any individual failing to cooperate with any of the procedures described above will be immediately terminated from employment at The University.

Specimen Collection and Testing Procedures

All persons requested to undergo a drug test will be required to provide a urine sample at a designated collection site. The collection, handling, and laboratory testing of all urine specimens will be performed in accordance with all applicable Department of Health and Human Services Mandatory Guidelines for Federal Work Place Drug Testing Programs.

All specimen collection and laboratory testing will be performed by a certified specimen collection agent and a certified testing laboratory in accordance with applicable regulations. Any specimen testing negative on an initial or confirmatory test will be reported as negative. The only specimens reported as positive will be those which have been confirmed as positive by the required confirmatory testing method under the regulations.

Test Results

A. Physician

All confirmed positive test results will be reported by the laboratory to The University's Office of Human Resources prior to any decision regarding an individual's qualification for continued employment due to the results of a drug test. The Office of Human Resources will contact a licensed physician with knowledge of substance abuse disorders. They will review and interpret positive test results received from the laboratory and may also request qualification of the test results from the laboratory.

In order to assure that employees are not being harmed by the possibility of any false positive test results, the physician will explore possible alternative medical explanations for any positive test results. Prior to making a final decision to verify a positive test result, the Office of Human Resources' physician will conduct a medical interview of the individual, whether in person or by telephone, and give the individual the opportunity to discuss the positive test results with them. The physician may also review the individual's medical history and any other relevant biomedical factors. In addition, if the confirmed positive test result could have resulted from a legally prescribed medication, the physician will review all medical records made available by the tested employee. Once the Office of Human Resources confirms the positive test result, the CDL licensed employee will be terminated from employment at The University.

B. Positive Test Results

Prior to making a final decision to verify a positive test result for a CDL licensed employee, the physician will give the individual an opportunity to discuss the test result with them. The physician will contact the employee directly, on a confidential basis, to determine whether the individual wishes to discuss the test result.

If, after making and documenting all reasonable efforts to contact the employee, the physician is unable to reach the individual directly, the physician will contact a designated University official who will direct the employee to contact the physician prior to any work activities. If, after making all reasonable efforts, The University is unable to contact the individual, The University will immediately terminate the individual's employment.

The physician may verify a test as positive without having communicated directly with an employee about the results:

1. If the employee expressly declines the opportunity to discuss the test; or
2. If, within five consecutive days after a documented attempt to contact by the designated representative of The University instructing the individual to contact the physician, and the individual has not done so.

If a test is verified as positive because of the employee's failure to contact the physician (No. 2 above), the individual will have the opportunity to provide the physician with evidence documenting that serious illness; injury or other circumstances which are unavoidably prevented him or her from timely contacting

the physician. The physician, on the basis of such information, may reopen the verification and allow the employee to present information concerning a legitimate explanation for the confirmed positive test. If the physician concludes that there is a legitimate explanation, the physician may declare the test to be negative.

If, the physician, after completing his or her review, verifies the positive test result, the physician shall contact the appropriate official to take appropriate action. In the event a question arises as to the validity or accuracy of a positive test result, the physician may be authorized to order a re-analysis of the original sample at an appropriate laboratory.

If the physician determines that there is a legitimate medical explanation for the positive test result, the physician will report the results to the Office of Human Resources as negative.

The physician will also report as negative any test result that is not supported by sufficient quality control, inspection reports or other scientific data.

C. Notification of Test Results

Any registrant requesting the results of an annual drug test will be provided with those results within sixty (60) days of being notified of the disposition of their registration or the test results being available, whichever is earlier.

Any CDL licensed employee, who tests positive as a result of a drug test, will be provided with notification of any positive test results, along with the identity of the drug discovered.

Any CDL licensed employee required to undergo a drug test will, upon written request, have access to any records relating to their drug test and any relevant laboratory certification records.

Discipline

In the event of a positive test result, a CDL licensed employee may be subject to the following disciplinary measures.

1. In the case of a CDL licensed employee's positive test result, the individual will be immediately terminated from employment at The University.
2. In the case of an employee's serious offense off campus (i.e. arrest for possession/use/dealing), the CDL licensed employee may be immediately terminated from employment at The University.

Voluntary Rehabilitation Leave

Substance abuse rehabilitation is the responsibility of the employee. When a CDL licensed employee voluntarily reports to The University that they have a substance abuse problem and seeks medical or psychological treatment or assistance, the CDL licensed employee must report directly to the Office of Human Resources for further assistance.

Post-Suspension Testing

Any employee who returns to The University after suspension shall be subject to unannounced drug testing for a period as determined by the appropriate University official for up to sixty (60) months.

Confidentiality

All information regarding drug or alcohol tests, test results and investigations shall be treated confidentially. Such information will only be released to the employee, the appropriate University representatives, and the physician and as required by any state or

federal law or regulation or by court order. The CDL licensed employee may request that such information be released to others provided the individual submits a written consent form containing the following information: the person or persons who are authorized to obtain the information; the purpose of disclosure; the precise information to be disclosed; and the duration of the consent.

Regardless of the foregoing, The University expressly reserves the right to disclose or utilize such information to the extent The University deems necessary to protect its interests with regard to inquiries, investigations, claims or litigation directly or indirectly involving The University.

Recordkeeping and Qualification Information

A. Recordkeeping

The physician for a minimum of five (5) years will retain reports of any individual positive substance abuse test results. The University will also maintain records from date of notification relating to the administration and results of its drug-testing program for a minimum of five (5) years except that individual negative test results will be maintained for a minimum of twelve (12) months.

The University records containing information obtained by The University regarding the medical condition or history of an employee, including such information regarding drug or alcohol tests, test results and investigations, will be collected and maintained on separate forms and in separate medical files and will be treated as confidential medical records. All records will be kept in the Office of Human Resources.

B. Qualification Information

The University will maintain a Qualification File for each person's confidential medical file. The Qualification File will contain the following qualification information:

1. Purpose for test (random, suspicion, etc.)
2. The type of testing for which the individual was tested.
3. The types of controlled substances testing for which the individual submitted a urine specimen.
4. The date of such collection;
5. The location of such collection;
6. The identity of person or entity;
 - a) Performing the collection;
 - b) Analyzing the specimens; and
 - c) Serving as the physician.
7. Whether the test finding was "positive" or "negative" and, if "positive", the controlled substance identified.

Disclaimer

The purpose of this Substance Abuse and Testing policy is to describe the current policies used by The University and are subject to change by The University at its sole discretion and at any time without notice.

Separability and Severance

Each provision of this policy is separate and distinct from every other provision of this policy. If any provision of this policy shall be found to contravene any state or federal

statute, regulation or law, or is otherwise found to be unenforceable, that provision shall be severed from this policy and the policy shall be construed as if such provision is not contained therein insofar as the application of this policy in such particular jurisdiction is concerned.

Appearance and Conduct

The University expects employees to maintain a neat, well groomed appearance at all times. Employees should avoid extremes in dress. Good judgment is expected in determining appropriate attire for special meetings and events. The policy is applicable campus-wide except in those areas where other attire is appropriate (for example, athletics, print shop and postal services, development). The dress code is currently Business Casual and includes:

- Slacks (Jeans are appropriate on specific designated days.)
- Dress Shirts
- Sports Shirts
- Blouses
- Blazers
- Sweaters

The University requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations of The University require that employees maintain proper standards of conduct at all times.

Employees who fail to maintain proper standards of conduct toward their work, their co-workers, The University, or its customers, or who violate any of The University's policies, are subject to appropriate disciplinary action, up to and including discharge. All instances of misconduct should be referred to the Office of Human Resources immediately.

Anti-Nepotism Policy

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

- Create a supervisor/subordinate relationship with a family member;
- Have the potential for creating an adverse impact on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, nephew, grandparent, grandchild, step-mother, step-father, step-brother, step-sister, step-children, and members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within The University to which one of the employees will transfer. If employees become

immediate family members or establish a romantic relationship, The University will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, The University will decide in its sole discretion who will remain employed.

Romantic or Sexual Relationships

Consenting romantic or sexual relationships between a supervisor/manager and an employee or student, or an employee and a student may lead to complications and significant difficulties. These types of relationships may be contrary to the best interests of The University.

Accordingly, The University strongly discourages such relationships and any conduct (such as dating between a supervisor/manager and an employee, or an employee and a student) that is designed or may reasonably be expected to lead to the formation of a romantic or sexual relationship. The University recognizes the ambiguity of the term “romantic”. It is assumed, however, that either or both of the parties to such a relationship will appreciate the intended meaning of this term as it applies to either or both of them and will act in a manner consistent with this policy. This policy will apply without regard to gender and without regard to the sexual orientation of the participants in the type relationship described.

By its discouragement of romantic and sexual relationships, The University does not intend to inhibit social interactions (such as dining or attending entertainment events) that are an important part of the working environment. This policy is not to be used as a justification or an excuse for a supervisor’s/manager’s refusal to engage in such social interaction with employees or students.

If a romantic or sexual relationship between a supervisor/manager and an employee/student develops, it is the responsibility and mandatory obligation of the supervisor/manager to promptly disclose the existence of the relationship to the employee’s Vice President. The employee may make the disclosure as well, but the obligation belongs to the supervisor/manager. If a romantic or sexual relationship between an employee and a student develops, it is the responsibility of the employee to promptly disclose the existence of the relationship to his/her Vice President. In all cases, the Vice President may inform The University President and any other appropriate parties of the existence of the relationship. In all cases, the person responsible for the employee’s work assignments will be informed.

Upon being informed or learning of the existence of such a relationship, The University President may take all steps at his/her discretion that he/she considers appropriate. At a minimum, the parties will not be permitted to work together on the same matters (including those that are pending at the time of disclosure). Furthermore, the supervisor/manager must withdraw from participation in activities or decisions that may reward or disadvantage any employee or student with whom the supervisor/manager has or has had such a relationship (including, but not limited to, hiring, evaluation, promotion, compensation, work assignments, and discipline).

Any person who believes that he/she has been adversely affected by this type of relationship, regardless of whether or not the relationship was properly disclosed, is encouraged to report the issue to The University President, a Vice President, the Director of Human Resources, or any ombudsman.

Violence in the Workplace

The University strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor and the Office of Human Resources. All complaints will be fully investigated.

The University will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including immediate discharge.

Accidents and Emergencies

Maintaining a safe work environment requires the continuous cooperation of all employees. The University strongly encourages employees to communicate with fellow employees and their supervisor regarding safety issues.

All employees will be provided care, first-aid and emergency service, as required, for injuries or illnesses while on The University premises. Employees should contact their supervisor, the nearest supervisor, and/or 911 in the event of an accident or emergency.

If an employee is injured on the job, The University provides coverage and protection in accordance with the Worker's Compensation Law. For injuries sustained while at work, the employee must report it immediately to the employee's supervisor and the Office of Human Resources.

Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

Open Door Policy

The University promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisor any problems so appropriate action may be taken. If the supervisor cannot be of assistance, the Office of Human Resources is available for consultation and guidance. The University is interested in all of our employees' success and happiness, and welcomes the opportunity to help employees whenever feasible.

Solicitations, Distributions, and Use of Bulletin Boards

Employees may not solicit any other employee during working time, nor may employees distribute literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

Persons not employed by The University may not solicit employees of The University for any purposes on University premises.

Bulletin Boards

Bulletin boards maintained by The University are to be used only for posting or distributing material of the following nature:

- Notices containing matters directly concerning University business;
- Announcements of a business nature which are equally applicable and of interest to employees.

All posted material must have authorization from the Business Office. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

Electronic Communications Policy

Every employee of The University is responsible for using Internet-based communication tools, including, but not limited to Instant Messaging and the electronic mail (e-mail) system, properly and in accordance with this policy. Any questions about this policy should be addressed to the Office of Human Resources.

The Electronic Communications System and all traffic sent over The University's network, is the property of The University. It has been provided by The University for use in conducting University business. All communications and information transmitted by, received from, or stored in this system are University records and property of The University. The Electronic Communications System is intended to be used for University purposes only.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over The University network.

The University, in its discretion as owner of the Electronic Communications System and wired and wireless network, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Electronic Communications System, for any reason and without the permission of any employee.

Even if employees use a password to access the Electronic Communications System, the confidentiality of any message stored in, created, received, or sent from The University Electronic Communications System still cannot be assured. Use of passwords or other security measures does not in any way diminish The University's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system.

Employees should be aware that deletion of any electronic messages or files will not truly eliminate the messages from the system. All electronic messages are stored on a central back-up system in the normal course of data management.

Even though The University has the right to retrieve and read any electronic messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any electronic messages that are not sent to them. Any exception to this policy must receive the prior approval of The University management.

The University policies against sexual or other harassment apply fully to the Electronic Communications System, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no electronic messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability, sexual orientation, or any other classification protected by law.

The Electronic Communications System may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

The Electronic Communications System may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from The University management. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult their immediate supervisor.

Management approval is required before anyone can post any information on commercial on-line systems or the Internet. Any approved material that is posted should obtain all proper copyright and trademark notices. Absent prior approval from The University to act as an official representative of The University, employees posting information must include a disclaimer in that information stating, "Views expressed by the author do not necessarily represent those of The University."

Users should routinely delete outdated or otherwise unnecessary electronic messages and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Electronic messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write electronic communications with no less care, judgment, and responsibility than they would use for letters or internal memoranda written on The University letterhead.

Because e-mail records and computer files may be subject to discovery in litigation, employees of The University are expected to avoid making statements in electronic messages or computer files that would not reflect favorably on the employee or The University if disclosed in litigation or otherwise.

Any employee who discovers misuse of the Electronic Communications System should immediately contact the Office of Human Resources. Violations of The University's Internet policy may result in disciplinary action up to and including discharge.

Internet Use Policy

Certain employees may be provided with access to the Internet to assist them in performing their jobs. The Internet can be a valuable source of information and research. In addition, electronic messaging can provide excellent means of communicating with other employees, our customers and clients, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment. Your use of the Internet is governed by this policy and the Electronic Communication Policy. If you abuse your right to use the Internet, it will be taken away from you. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination, and civil and criminal liability.

Disclaimer of liability for use of Internet.

The University is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

Duty Not to Waste Computer Resources

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant bandwidth and storage space, files of this or any other sort may not be streamed or downloaded unless they are business-related.

No Expectation of Privacy

The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to The University and may only be used for business purposes.

Monitoring Computer Usage

The University has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.

Blocking of Inappropriate Content

The University may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by University networks. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to University blocking software.

Prohibited Activities

Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or violation of The University's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in The University's computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or the Office of Human Resources. The University's equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge.

Games and Entertainment Software

Employees may not use The University's Internet connection to download games or other entertainment software or to play games over the Internet.

Illegal Copying

Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of your immediate supervisor.

Accessing the Internet

To ensure security and avoid the spread of viruses, employees accessing the Internet through a computer attached to The University's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer you are using is not connected to The University's network.

Virus Detection

Files obtained from sources outside The University, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage The University's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-University sources, without first scanning the material with University-approved virus checking software. If you suspect that a virus has been introduced into The University's network, notify the Help Desk immediately.

Sending Unsolicited E-mail (Spamming)

Without the express permission of their supervisors, employees may not send unsolicited e-mail to persons with whom they do not have a prior relationship.

Employer Information and Property

The protection of The University business information, property and all other University assets are vital to the interests and success of The University. No University-related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of The University) may, therefore, be removed from The University's premises. In addition, when an employee leaves The University, the employee must return to The University all The University related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including discharge.

Voice Mail Policy

Every employee of The University is responsible for using the Voice Mail system properly and in accordance with this policy. Any questions about this policy should be addressed to the Office of Human Resources. Any employee who discovers misuse of the Voice Mail system should immediately contact the Office of Human Resources. Violations of The University's Voice Mail policy may result in disciplinary action up to and including discharge

The Voice Mail system is the property of The University. It has been provided by The University for use in conducting University business. All communications and information transmitted by, received from, or stored in this system are University records and property of The University. The Voice Mail system is intended to be used for University purposes only. Use of the Voice Mail system for personal purposes limited to emergency situations only.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over The University Voice Mail system.

The University, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason without the permission of any employee and without notice.

Even if employees use a password to access the Voice Mail system, the confidentiality of any message stored in, created, received, or sent from The University Voice Mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish The University's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system.

Employees should be aware that deletion of any Voice Mail messages or files will not truly eliminate the messages from the system. All Voice Mail messages may be stored on a central back-up system in the normal course of data management

Even though The University reserves the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of The University management.

The University's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law.

The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

Because of the storage space required for Voice Mail messages, employees should not send a Voice Mail message to a large number of recipients without prior approval from their supervisor. Users should routinely delete outdated or otherwise unnecessary Voice Mails. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on The University letterhead.

Employees should also use professional and courteous greetings on their Voice Mail boxes so as to properly represent The University to all callers.

Because Voice Mail records and messages may be subject to discovery in litigation, employees of The University are expected to avoid making statements in Voice Mail that would not reflect favorably on the employee or The University if disclosed in litigation or otherwise.

In order to avoid accidentally disclosing message contents to unauthorized listeners, employees should not listen to Voice Mail messages while using the speaker phone feature.

Use of University Equipment

The University provides any supplies, uniforms, equipment, automobiles and materials necessary for employees to perform their jobs. These items are to be used solely for The University's purposes. Employees are expected to exercise care in the use of University equipment and property and use such property only for authorized purposes. Loss, damages, or theft of University property should be reported at once. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

The University's equipment, such as telephone, postage, facsimile, and copier machine, is intended to be used for business purposes. An employee may only use this equipment for non-business purposes in an emergency and only with the permission of his or her supervisor. Personal usage, in an emergency, of these or other equipment that results in a charge to The University should be reported immediately to your supervisor or accounting so that reimbursement can be made.

Upon termination of employment, the employee must return all University property, uniforms, equipment, work product, and documents in his or her possession or control.

Use of University Vehicles

Only employees with an unrestricted, current driver's license may operate University vehicles or use a vehicle to conduct University business. University vehicles may only be used for authorized University business after proper background confirmation from facilities area. Any employee operating a University vehicle must do so in a safe manner. Any employee operating a University vehicle under the influence of drugs or alcohol or in an unsafe or negligent manner will be immediately terminated. The University has the right to search any University vehicle at any time. Therefore, employees have no reasonable expectation of privacy with respect to University vehicles.

Telephone Use

Because a large percentage of our business is conducted over the phone, it is essential to project a professional telephone manner at all times.

Although The University realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls. Additionally, no long distance personal calls may be made on University phones without prior approval from the employee's supervisor. If an employee must make a long distance call during work hours, the employee must reimburse The University for the cost of the call. This information can be obtained from the phone billing issued by the Business Office.

Internal Investigations and Searches

From time to time, The University may conduct internal investigations for security, auditing, or work-related matters. Employees are required to cooperate fully with and assist in these investigations if requested to do so.

Whenever necessary, in The University's discretion, work areas (i.e., desks, file cabinets, etc.) may be subject to a search without notice. Employees are required to cooperate. The University will generally try to obtain an employee's consent before conducting a search of work areas, but may not always be able to do so.

Reference Checks

All inquiries regarding a current or former employee of The University must be referred to the Office of Human Resources.

Should an employee receive a written request for a reference, he/she should refer the request to the Office of Human Resources for handling. No employee of The University may issue a reference letter to any current or former employee without the permission of the Office of Human Resources.

Under no circumstances should any employee of The University release any information about any current or former employee of The University over the telephone. All telephone inquiries regarding any current or former employee of The University must be referred to the Office of Human Resources.

In response to an outside request for information regarding a current or former employee of The University, the Office of Human Resources will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former employee of The University, or his/her employment with The University, will be furnished unless the employee authorizes The University to furnish this information in writing that also releases The University from liability in connection with the furnishing of this information or if The University is required by law to furnish any information.

Smoking Policy

In order to comply with government regulations, The University prohibits smoking throughout its buildings.

Employees are protected from retaliatory action or from being subjected to any adverse personal action for exercising or attempting to exercise his/her rights under the smoking policy. Any violation of this policy may result in appropriate corrective disciplinary action, up to and including discharge.

Any questions regarding the smoking policy should be directed to the Office of Human Resources.

Tape Recording Policy

It is a violation of The University policy to record conversations with a tape recorder or other recording device. Any recording produced will be done only by The University. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

Tuition Reimbursement Policy

Full-time Employees

If an employee is a regular, full-time employee and has worked for The University at least five months, he/she may be eligible to participate in The University's tuition reimbursement program. In addition, an employee's spouse and/or children through age 24 and/or step-children through age 24 (to qualify step-children they must be claimed as dependent/s on the employee's previous year's Federal Income Tax Return) may be eligible to participate in The University's tuition reimbursement program. Dependent children initially enrolling after July 1, 2005 will be defined according to the definition stated above. Costs for textbooks, materials, additional fees and room and board are not included in the tuition remission policy. Enrollment is permitted in the first full semester or term after the time in service requirement is met. Tuition remission is available for both undergraduate and graduate programs; the tax on graduate level courses for the employee, their spouse, and dependents will be waived up to the appropriate level (determined by the IRS each year) during a calendar year. Once the cap has been reached for an employee for a calendar year, the tax exempt form will be used to determine taxability on any amounts over the IRS limits for that year. The University will automatically tax the employee for any reimbursements for their spouse and dependents. To enroll, employees and their dependents must meet the following requirements:

- Apply for admission as all other students do and be accepted based on the established criteria.
- Complete the FAFSA and accept all scholarships, grants, and free government monies for which the applicant qualifies. These will be applied to the tuition remission grant. Applicants will not be required to apply outside, private scholarships to the tuition remission benefit.
- Register for classes and complete the tuition remission request form; for graduate classes, an additional form, Graduate Course Tax Exemption Request Form, must be completed for employee's only and submitted to the Vice President for Business Affairs before the last day to add classes for that semester.
- In an event of an employee's death, the spouse and/or dependent children under the age of 25 will be entitled to 100% tuition remission until the spouse remarries.

The Tuition Exchange Program (TEP) and the Council of Independent Colleges Tuition Exchange Program (CIC) are scholarship programs which offer a limited number of tuition scholarships to qualified children of all full-time employees. Scholarships are available at a number of colleges and universities throughout the United States. See the Director of International Recruitment Programs regarding these programs.

Part-time Faculty

Part-time faculty members may be eligible for tuition remission for credit courses and audits at The University if he/she has worked for The University at least five months. In addition, a part-time employee's spouse and/or children through age 24 and/or step-children through age 24 (to qualify step-children they must be claimed as dependent/s on the employee's previous year's Federal Income Tax Return) may be eligible for tuition remission for credit courses and audits at The University. Dependent children initially enrolling after July 1, 2005 will be defined according to the definition stated above. Costs for textbooks, materials, additional fees and room and board are not included in the tuition remission policy. The tuition remission applies only during the term/semester in which the part-time faculty member is teaching for The University and will not exceed

the number of credit hours the faculty member is teaching during the term/semester. Tuition remission is available for both undergraduate and graduate programs; the tax on graduate level courses for the employee, their spouse, and dependents will be waived up to the appropriate level (determined by the IRS each year) during a calendar year. Once the cap has been reached for an employee for a calendar year, the tax exempt form will be used to determine taxability on any amounts over the IRS limits for that year. The University will automatically tax the employee for any reimbursements for their spouse and dependents. To enroll, employees and their dependents must meet the following requirements:

- Apply for admission as all other students do and be accepted based on the established criteria.
- Register for classes and complete the tuition remission request form; for graduate classes, an additional form, Graduate Course Tax Exemption Request Form, must be completed for employees only and submitted to the vice president for business affairs.
- If the part-time faculty member does not complete his/her contracted teaching assignment, he/she must repay The University in full.

Part-time Staff

Part-time staff members may be eligible for tuition remission for credit courses and audits at The University. In addition, a part-time employee's spouse and/or children through age 24 and/or step-children through age 24 (to qualify step-children they must be claimed as dependent/s on the employee's previous year's Federal Income Tax Return) may be eligible for tuition remission for credit courses and audits at The University. Dependent children initially enrolling after July 1, 2005 will be defined according to the definition stated above. Costs for textbooks, materials, additional fees and room and board are not included in the tuition remission policy. The tuition remission applies only after five months of employment of at least ten (10) hours per week and is available only during the term/semester in which the part-time staff member is employed by The University. Tuition remission is available for both undergraduate and graduate programs; the tax on graduate level courses for the employee, their spouse, and dependents will be waived up to the appropriate level (determined by the IRS each year) during a calendar year. Once the cap has been reached for an employee for a calendar year, the tax exempt form will be used to determine taxability on any amounts over the IRS limits for that year. The University will automatically tax the employee for any reimbursements for their spouse and dependents. To enroll, employees and their dependents must meet the following requirements:

- Apply for admission as all other students do and be accepted based on the established criteria.
- Register for classes and complete the tuition remission request form; for graduate classes, an additional form, Graduate Course Tax Exemption Request Form, must be completed for employee's only and submitted to the vice president for business affairs.
- Utilize the following schedule to determine number of credit hours:
 - One-fourth time employment – three credit hours remission
 - One-half time employment – six credit hours remission
 - Three-fourths time employment – nine credit hours remission
- If the part-time employee resigns or is terminated before the end of the term/semester, he/she must repay The University in full.

If any employee wishes to enroll in classes which are held during the employee's normal work hours, the employee must receive the permission of his or her supervisor and no

more than six credit hours may be taken during the normal work hours. Time spent taking classes during normal work hours must be made up before or after the work day. Supervisors are responsible for tracking both the time taken and the time made up.

SEEM Open Enrollment Classes

University employees, their spouses, and/or dependent children under the age of 25 are eligible to attend SEEM open enrollment classes provided they are registered as a University student in the regularly scheduled courses or independent study and have applied for tuition remission as stated in The University's employee benefits policy. In addition, the student must pay an additional \$100.00 to cover the cost of the course manual which will be provided the first day of class and all related lab fees.

Employees Leaving The University Before the Term/Semester is Over

If an employee of The University leaves the employment of The University while themselves, a spouse or dependent child is enrolled in The University's tuition remission program, the tuition remission ends on the last day of employment. Charges for the enrolled class or classes will be determined by the number of class sessions that have taken place divided by the total classes for the term. This percent of classes not taking place will be multiplied by the charge if the person taking the class was not enrolled in the tuition waiver program.

Resignation

When an employee decides to leave for any reason, his/her supervisor and the Office of Human Resources would like the opportunity to discuss the resignation before final action is taken. The University often finds during this conversation that another alternative may be better. If, however, after full consideration the employee decides to leave, it is requested that the employee provide The University with a written two-week advance notice period (keep in mind that vacation days may not be included in the two-week notice period). The University will only compensate employees for unused vacation when the employee works throughout the notice period, and is not terminated for gross misconduct or cause; otherwise, unused vacation will be forfeited. If, as sometimes happens, the employee's supervisor wishes for the employee to leave prior to the end of the employee's two-weeks notice, the employee may be paid for the remainder of that period.

Dismissals

Every University employee (except for faculty and contracted positions) has the status of "Employee-At-Will," meaning that no one has a contractual right, express or implied, to remain in The University's employ. The University may terminate an employee's employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of The University (except the President through written agreement) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

THE FOLLOWING GUIDELINES MAY BE APPLIED AT THE DISCRETION OF THE UNIVERSITY OF FINDLAY'S MANAGEMENT:

Immediate Dismissals – Misconduct

Any employee whose conduct, actions, or performance violates or conflicts with The University's policies may be terminated immediately and without warning. The following are some examples of grounds for immediate dismissal of an employee:

- Breach of trust or dishonesty
- Conviction of a felony
- Willful violation of an established policy or rule
- Falsification of University records
- Gross negligence
- Insubordination
- Violation of the Non-Discrimination and Anti-Harassment Policies and/or Equal Employment Opportunity Policies
- Time sheet violations
- Undue and unauthorized absence from duty during regularly scheduled work hours
- Deliberate non-performance of work
- Larceny or unauthorized possession of, or the use of, property belonging to The University or any co-worker, visitor, or customer of The University

- Possession of dangerous weapons on the premises
- Unauthorized possession, use or copying of any records that are the property of The University
- Unauthorized posting or removal of notices from bulletin boards
- Excessive absenteeism or lateness
- Marring, defacing, or other willful destruction of any supplies, equipment or property of The University
- Failure to call or directly contact your supervisor when you will be late or absent from work
- Fighting or serious breach of acceptable behavior
- Violation of the Alcohol or Drug Policy
- Theft
- Violation of The University's Conflict of Interest/Outside Employment Policy and/or Confidentiality
- Gambling, conducting games of chance, or possession of such devices on the premises or during work hours
- Leaving the work premises without authorization during work hours
- Sleeping on duty

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the Employment-At-Will relationship between the employee and The University.

In the event of dismissal for misconduct, all benefits end on the day of termination. COBRA may not be available to anyone dismissed from The University for gross misconduct.

Discipline — Other Than Immediate Termination

All employees are expected to meet The University's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency, and general compliance with The University's policies and procedures.

If an employee does not meet these standards, The University may, under appropriate circumstances, take corrective action, other than immediate dismissal.

The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with The University's policies and procedures and/or other disciplinary problems.

Disciplinary Guidelines for Staff

The University's progressive system and supportive background is as follows:

Step 1 – Counseling

- Whenever an employee has a work-related problem (for example, job performance, attendance, failure to call in, etc), a meeting should be held between the immediate supervisor and the employee to discuss the problem, which should be held as soon as possible after the problem, is identified. The meeting should be documented with guidelines and a timeline set for improvement. The documentation should be signed by both supervisor and employee with a copy forwarded to the Office of Human Resources.

Step 2 – Written Warning

- Assuming problems continue another meeting between the employee and the immediate supervisor should be held. The meeting should be documented with guidelines and a timeline set for improvement. In addition, the documentation should state that discharge of the employee will occur if the problem continues. The documentation should be signed by both supervisor and employee with a copy forwarded to the Office of Human Resources.

Step 3 – Discharge

- At this point, a meeting should be conducted with the immediate supervisor, the next level of supervision, and the Director of Human Resources to advise the employee that all efforts correct the problem have failed and that due to the continuing problem or a single serious act, discharge is necessary. The employee should be permitted to make any appropriate comments and then the Director of Human Resources will conduct an exit interview. Access to all University systems will be terminated at this time, and the employee will be accompanied by the Director of Human Resources to clean out his/her locker or office.

For staff that have been employed full time more than three years and are terminated due to retrenchment, termination compensation will consist of the following:

- Accrued salary through the last day of employment, PLUS
- Accrued vacation pay, if any, PLUS
- An amount equal to at least one month's earnings, LESS
- Any amount due The University.

To receive compensation, the staff member must have an Exit Interview and complete the Separation Notice for Employer's Records Form and the written Exit Interview Comments.

Post Resignation/Termination Procedures

Exit Interview

The Office of Human Resources is responsible for scheduling an Exit Interview with a terminating employee on the employee's last day of employment and for arranging the return of University property including:

- Up-to-date Absence Report
- The University picture identification card
- Office and building keys

- Parking pass
- University-issued credit cards
- Business cards
- University manuals
- University-owned or issued property, (for example, cell phones, uniforms, laptops, accommodation equipment, etc.)

Information regarding the Retirement Plan and COBRA will be explained to the exiting employee with COBRA information mailed according to federal guidelines.

Benefits

An employee, unless dismissed for gross misconduct, has the option to convert his/her current supplemental life insurance to individual life insurance, and/or to continue medical and dental benefits in accordance with The Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

Final Paycheck

Employees leaving The University must return all property of The University before their final paycheck can be issued. This final paycheck will be direct deposited or mailed during the next normal pay period. If there are unpaid obligations to The University, the final paycheck will reflect the appropriate deductions.

Retirement

If an employee is in the retirement plan, information regarding this plan will be provided at the exit interview.