



MANHATTAN COLLEGE

A Lasallian Catholic College

Employee Handbook

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MANHATTAN COLLEGE

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Introduction

President's Message

Welcome to Manhattan College. As a Lasallian Catholic College with a history of more than 150 years in New York City, Manhattan has a rich tradition of excellence in education and service to our community. I think that you will find that our heritage gives us a strong sense of community and makes this an exciting and rewarding place to work. At Manhattan, students are at the center of our concern. Everything we do is focused on providing the challenge and support that our students need to excel both professionally and personally. And everyone in our community is part of that core mission.

Manhattan College is robustly diverse and has a wide range of academic, extracurricular, and support programs. The five schools that make up the College—arts, business, education, engineering, and science—offer the kind of options and opportunity that are normally found in a much larger school. At the same time, we are a close-knit community, learning and working on a beautiful residential campus. In short, we offer large university opportunities in a small college environment.

This sense of community, combined with our location in New York City, provides our students, faculty, and staff members with a “best of both worlds” experience. Employees have at their doorstep the world’s financial and cultural capital in all its diversity and richness and challenge. At the same time, they also have access to a quiet, contemplative haven in the midst of all that energy and activity. Our campus is our doorway, our staging ground, or our retreat. It allows us to be immersed in the city without being overwhelmed by it.

Beneath its rich New York history lies Manhattan’s connection with scores of institutions around the world that share the legacy of St. John Baptist de La Salle. The Lasallian legacy stands for more than three centuries of excellence in education, emphasizing the dignity of the human person, and calling each of us to use his or her unique gifts in the service of our fellow human beings, especially those among us who are most vulnerable. Among the many outgrowths of the legacy of De La Salle today is its longstanding and firm commitment to combining learning the liberal arts tradition with a very practical orientation.

We invite you to learn more about us and encourage you to take advantage of the many resources available to you for your professional development and personal growth. Again, welcome to our community.

Brennan O'Donnell, Ph.D.
President

Manhattan College Mission Statement

Manhattan College is an independent Catholic institution of higher learning that embraces qualified men and women of all faiths, cultures, and traditions. The mission of Manhattan College is to provide a contemporary, person-centered educational experience that prepares graduates for lives of person development, professional success, civic engagement, and service to their fellow human beings.

Established in 1853 by the Institute of Brothers of Christian Schools, the College continues to draw its inspiration from the heritage of John Baptist de La Salle, the innovator of modern pedagogy and patron saint of teachers. Among hallmarks of this Lasallian heritage are excellence in teaching, respect for human dignity, reflection on faith and its relation to reason, an emphasis on ethical conduct, and commitment to social justice.

Human Resources Mission Statement

The mission of the Human Resources Department is to support the mission of Manhattan College which is founded upon the Lasallian Catholic tradition of excellence in teaching, respect for individual dignity, and commitment to social justice inspired by the innovator of modern pedagogy, John Baptist de La Salle.

We ask faculty, administration and staff to be knowledgeable about our mission and to make a positive contribution to that mission. We are committed to a diverse campus community.

Our department is a service department dedicated to maintaining a caring campus community. We strive for a productive, safe, fair and respectful place to work, while ensuring compliance with uniform policies, procedures and governmental regulations. The Human Resources Department provides assistance in the areas of affirmative action, benefits, compensation, employee relations, performance evaluations, recruitment and training.

Human Resources maintains an open door policy with a positive approach to problem solving and mediation.

College History

In May 1853, five Christian Brothers moved their small Canal Street school to what was then known as Manhattanville, a section of New York City at 131st Street and Broadway. The Brothers brought with them more than their furniture and their students. They were the bearers of a long educational tradition, going back to 17th century France and their founder, John Baptist de La Salle, designated by the Catholic Church as the Patron Saint of Teachers. He formed a community of religious Brothers who, unlike priests, would devote themselves as teachers to work for the wellbeing of the children of the artisans and the underprivileged. In the process he created a new type of school system that would transform teaching school into a profession and a vocation. The Brothers were urged to go beyond rote memory to “touch the hearts” of the students. Practical subjects were taught that would lead to a useful role in society; religion was taught to impart a commitment to Christian ethics.

Between 1853 and 1863, the school changed rapidly, adding college-level courses in 1859 and first using the name Manhattan College in 1861. It was chartered by the Board of Regents on April 2, 1863 and the first catalog stated its goals — to afford young people the means of acquiring the highest grade of education attained in the best American universities or colleges. While classical languages were thoroughly studied, prominence was given to higher mathematics and natural sciences, thus combining the advantages of a first-class College and Polytechnic Institute.

Manhattan College, a Lasallian Catholic College was an unusual institution. Its sponsoring Board of Trustees combined both secular independent members and representatives of the Brothers of the Christian Schools. It also combined excellence in the traditional liberal arts and sciences and excellence in professional and technical education in a single collegiate institution. As the school grew, new quarters were needed. The cornerstone of the “New Manhattan” was laid in 1922 on property bordered by the Hudson River and Van Cortlandt Park, its present location. The addition of new buildings and student residences has enlarged and enhanced the campus significantly. From this accessible site, the college is able to offer access to the cultural, educational, business and entertainment opportunities of New York City as well as a self-contained suburban campus environment.

Today Manhattan College identifies itself as a Catholic College in the Lasallian tradition. That tradition has continued to characterize the special educational experience offered by the College over its long history. Its constant focus has been the education of the disadvantaged. Manhattan has an enviable record in this regard, albeit engaged in the field of higher education. From its beginning, the College has paid particular attention to educating first-generation college students, and was an early proponent of access to disadvantaged and minority students, establishing special scholarship funds as early as 1938. That still holds true today for the impressive percentage of the student body that come from ethnic minorities. So many of our graduates who later on achieved great things in their careers remember that they might have had to leave school were it not for Manhattan’s financial assistance.

The College continues to realize the objectives stated in its first catalog by maintaining a full range of programs in the liberal arts and sciences joined with professional programs in engineering, business, science and education. The quality of the undergraduate programs has been demonstrated by its record as one of the nation's leading undergraduate sources of doctorates in the arts, sciences, engineering and education, and it is recognized by the establishment of chapters of such prestigious honor societies as Phi Beta Kappa, Sigma Xi, and Tau Beta Pi. Manhattan participates in the Consortium of Liberal Arts Colleges, an organization of the nation's leading research colleges, and in the New York Cluster of seven colleges and universities supported by the Pew Charitable Trusts for undergraduate science education (Barnard, Colgate, Cornell, Hamilton, Manhattan, St. Lawrence and Union).

Over the years, an evolution has taken place in faculty representation. The predominantly Christian Brothers faculty has been replaced by predominantly lay teachers, and includes both men and women. The College became coeducational and accepted its first women undergraduate students in 1973. Currently, women number nearly half of the full-time undergraduate student body.

With the opening of Horan Hall (1990) and its twin East Hill (2008), the College now offers a four-year guarantee of resident housing and 80 percent of the student body chooses to live on or near campus, while the rest commutes. Currently, the College has a student body of approximately 3,500: 3,000 undergraduates and 500 graduate students.

Forward

This Handbook has been written to serve as the guide for the employer/employee relationship between Manhattan College (the employer) and you, the employee. 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. The policies and procedures presented are provided as a guide and are not to be considered a contract, expressed or implied. 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 Human Resources Department.

Neither this Handbook, nor any other institutional document, confers any contractual right; either expresses or implied, to remain in the Institution's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by the Institution, or you may resign for any reason at any time, except that administrators, by Agreement, have consented to give four weeks written notice of termination to the College, and the College has agreed to give four weeks written notice of termination to the administrator after one year of employment (exceptions for misconduct).

Second, the College reserves the right to make changes to the policies, procedures, and other statements. Additionally, changes in federal and state law and the College's needs may require portions of the policies and statement to be revised. Those changes are made to the electronic policies and procedures supersede any previous information, and the contents may be changed by the College unilaterally at any time. Significant changes will be announced to the community.

Finally, some of the subjects described here, such as the Group Insurance Plans, are covered in detail in official 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 policy are controlling and that they, themselves, change from time to time.

If there are any questions at any time concerning the contents of this Handbook, please feel free to contact Human Resources.

RECEIPT FOR EMPLOYEE HANDBOOK

I have been informed that it is my responsibility to familiarize myself *with the contents of the Human Resources Handbook*, specifically including the statements in the Forward describing the purpose and effect of the Handbook. **I understand that Manhattan College is an “at will” employer and, as such, employment with Manhattan College 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, except that administrators, by Agreement, have consented to give four weeks written notice (except for misconduct) of termination to the College, and the College has agreed to give four weeks written notice of termination to the administrator after one year of employment.** In addition, I understand that this Handbook states the policies of Manhattan College 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 Manhattan College for benefits or any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time. If I have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to me, I will address my specific questions to the Vice President and/or Director of Human Resources.

I understand it is my responsibility to become familiar with the policies and procedures in this Handbook.

Those employees who are members of a Collective Bargaining Agreement should also refer to the union contract.

SIGNED COPY TO BE KEPT ON FILE IN HUMAN RESOURCES
RECEIPT FOR EMPLOYEE HANDBOOK

I have been informed that it is my responsibility to familiarize myself *with the contents of the Human Resources Handbook*, specifically including the statements in the Forward describing the purpose and effect of the Handbook. **I understand that Manhattan College is an “at will” employer and, as such, employment with Manhattan College 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, except that administrators, by Agreement, have consented to give four weeks written notice (except for misconduct) of termination to the College, and the College has agreed to give four weeks written notice of termination to the administrator after one year of employment.** In addition, I understand that this Handbook states the policies of Manhattan College 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 Manhattan College for benefits or any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time. If I have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to me, I will address my specific questions to the Vice President and/or Director of Human Resources.

I understand it is my responsibility to become familiar with the policies and procedures in this Handbook.

Those employees who are members of a Collective Bargaining Agreement should also refer to the union contract.

Please sign and date this receipt

Print Name: _____

Signature: _____



Section I.

EMPLOYMENT POLICIES AND PROCEDURES

1.1 Statement of Policy of Non-Discrimination

Manhattan College is committed to a policy of equal treatment and opportunity in every aspect of its relations with its faculty, administrators, staff and student members, vendors, and visitors without regard to race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status in the administration of any of its educational programs and activities or with respect to admission or employment.

This policy requires that all such persons be treated in all respects without any discrimination of any kind whatsoever, except based on merit and qualifications. We reaffirm our commitment to this policy and to our dedication to comply with all employment laws applicable to the College and its personnel.

In connection with this policy, we are dedicated to the principle that nothing less than full realization of equality of employment is acceptable. This College hires and retains personnel solely on the basis of their ability to perform their jobs. The College is a Lasallian Catholic College and reserves the right to exempt certain positions from the hiring provisions of this policy, for which special consideration will be given to Lasallian Christian Brothers.

The policy of non-discrimination extends to the recognition that it is necessary to maintain an environment that is free from all forms of unlawful harassment or intimidation. This includes all forms of unwelcome sexual advances, suggestions, and other forms of verbal or physical conduct of a sexual nature or any other form of harassment. Such conduct on the part of any person, whether that person be an employee, student, faculty, or staff member, will not be tolerated or condoned by this College. Any person who believes that he or she has been or is being subjected to any form of harassment or intimidation should immediately contact the Vice President and/or Director of Human Resources and Campus Security **and follow the procedures adopted by the College to investigate complaints. All complaints will be promptly investigated and kept confidential to the extent possible and consistent with the College's obligation to prevent sexual assault and harassment. The College has a very strong policy against retaliation for filing a complaint and will vigorously enforce it.**

Any person who violates these policies of the College will be subject to appropriate disciplinary actions which could include termination.

EEO 1973, Revised: 2000, 2011, 2013

1.2 Conflict of Interest

In order to prevent the occurrence of any conduct by members of the College's staff which could be considered a conflict of interest with the individual's responsibility to the College, the College is committed to (a) avoiding conflicts between the personal interests of administrators and the interests of the College, (b) disclosing any personal interest that may conflict with the interests of the College, and (c) refraining from actions or conduct which could otherwise influence a decision of the College on any matter in which such a conflict exists or could be perceived to exist. To further the commitment, the College has adopted this policy concerning conflicts of interest.

A conflict of interest on the part of any College employee, any member of the immediate family of an employee or any individual occupying the same household as the employee, shall be disclosed in writing by the employee at least annually and made a matter of record; when we refer to employee or staff in this policy, it is meant to include members of the family and household. When any such interest becomes relevant to any subject requiring action of the College, the employee having a conflict shall call it to the attention of the Vice President for Finance and the Vice President of Human Resources. In the event an employee is not sure that an actual conflict exists, or believes the situation may only be a potential conflict, the employee is required to advise the College of the potential conflict promptly and seek guidance on how to deal with the matter.

Conflicts of interest arise in a number of ways and some are more obvious than others. These conflicts can develop over personal relationships, where an individual has material financial interests, when outside activities relate to College responsibilities and in the use of College resources. Therefore, disclosure and transparency have become key requirements for monitoring and managing conflicts. In addition, gaining an understanding that the integrity of the College rests, in part, on the ethical performance of a person's duties and responsibilities will prevent conflict situations from developing.

The college will consider employing relatives and friends of employees but deems it a conflict of interest for relatives to work in the same department or if the relative is in a supervisors position.

College administrators and staff must be attentive to their actions at the College and with external entities. Administrators and staff must avoid making decisions which affect an individual with whom a staff member has a personal or family relationship. It is difficult to avoid an inference of subjectivity and preferential treatment when dealing with a relative or someone with whom the employee has a personal relationship. In a similar fashion, administrators and staff must avoid a situation where College resources are used for personal reasons or outside activities. College space, supplies, equipment and systems are maintained for College use and may not be used for activities which are not directly part of College operations.

Conflicts can arise when administrators and/or staff engage in transactions for the College. Administrators and staff are not to encourage or permit College business to be placed with any entity or vendor with whom the administrator and/or staff member has a financial relationship or interest, or where there is a family or close personal connection. An administrator and/or staff member should not engage in College business with any entity or vendor which provides any benefit to the College employee, such as payments, gifts or favors. Similarly, an administrator and/or staff member should not take a consulting or advising position with an entity or business which does business with the College. In all of these potential situations, the administrator and/or staff person must disclose the opportunity or offer to the College for their review and consideration. Gifts or entertainment generally are to be declined so that not even an appearance of impropriety can arise.

When College administrators and/or staff engage in activities and business interests outside their College position, they are to avoid the creation of any conflicts with their primary position with the College. An administrator and/or staff person who engages in outside consulting should not do so in a manner that impacts the individual's responsibility to the College (please refer to sections 1.26.4 and 8.18). Where an administrator and/or staff person sits on an outside Board or works with an outside organization, it is important that it not create a conflict with their duty to the College.

The employee having such a conflict shall not participate in or use any personal influence in the discussion of the conflict arrangement or make any recommendations regarding the subject of the conflict. However, the employee will explain the nature of the conflict, and will provide pertinent information requested by the College when the employee's knowledge of the subject will assist the College. The employee who has a conflict will not participate in any decision-making meeting on the subject, will not make a decision on the matter, and will not try to influence the College's decision. An employee in a potential conflict situation will refrain from any actions that could further the conflict. A memo noting the disclosure of the conflict shall be prepared and maintained where practical.

Human Resources annually shall make available to employees copies of this policy, and shall have the copy of the policy signed in acknowledgment of its receipt by senior academic and administrative personnel, those in a position to influence College decisions, and as the need arises. The employee has an ongoing independent obligation to advise the College in writing if a conflict, or potential conflict, develops after the annual disclosure has been completed.

If an employee is aware of a situation that is of conflict and wants to report it, they can go to their Department Head, Vice President of Human Resources or report it anonymously using the internal campus Whistleblower Hot Line (please refer to section 1.3).

Conflict of Interest 2010

1.3 Whistleblower Policy

<https://content.manhattan.edu/hr/Whistleblower-Policy-10.07.2021.pdf>

*Whistle Blower 2010
Revised October, 2021*

1.4 Affirmative Action

1.4.1 Affirmative Action Policy

Manhattan College has a long tradition of voluntarily implementing a policy of equal opportunity for all segments of the Manhattan College community. Its policy is a morally correct commitment and is of special significance since the goal of the College is to assist students to prepare themselves fully for their future lives.

The college states affirmatively its commitment to equal opportunity and to develop a program that will insure implementation of our commitment. The attached Equal Opportunity statement and Affirmative Action Plan reflects this commitment.

All members of the Manhattan College community share the responsibility to assure that the College policy is actively implemented and that no faculty member, administrator, staff member, student, vendor or visitor suffers from any form of discrimination because of race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

Manhattan College, if it is to fulfill its educational objectives, must insure that its community consists of the most capable individuals available within each discipline or skill. It must, therefore, take every possible advantage of the abilities and potential found within the unrepresented groups. Faced with the challenges that it currently experiences the College must fully utilize all sources of candidates if it is to advance further its reputation.

Manhattan College is an Equal Opportunity Employer that does not unlawfully discriminate in its employment decisions based on race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

Manhattan's Affirmative Action Program as outlined in this handbook will assist in reviewing our compliance with the implementation of the College's policy regarding equal employment opportunity. This handbook also will inform each member of the College community of his/her respective responsibility for complying with implementing the equal opportunity policy of Manhattan College. Additionally, the guides contained in this handbook should aid those having responsibilities in this area to learn how they can fulfill their respective responsibilities. Dissemination of Manhattan College's Policy on Equal Employment Opportunity.

1.4.2 Affirmative Action - Internal

All employees at Manhattan College will be reminded of Manhattan College's policy of promoting equal employment opportunity by:

- Publication of Manhattan College's statement regarding equal employment opportunity in College policy and procedural handbooks.
- Publication of Manhattan College's statement regarding equal employment opportunity in all issues and re-issues of faculty and employee handbooks.
- Discussion of Manhattan College's equal employment opportunity policy and its Affirmative Action Program to implement its policy with administrative and supervisory personnel at special meetings called for the purpose of such discussion.
- A profile of Manhattan College's employees showing a distribution of minority and women employees will be distributed annually to each Vice President and Dean by the Human Resources Department.
- Continued encouragement of the College's minority group employees to refer applicants for employment and candidates for appointment to the College.
- Inclusion of a statement of the College's equal opportunity policy in employee orientation programs.
- In addition: Notices required by the Equal Employment Opportunity Commission (EEOC), the office of Federal Contract Compliance (OFCC), the Department of Health, Education and Welfare (HEW) and the New York State and City Human Rights' Agencies will be displayed in work and employment interviewing areas.
- Statistics concerning job applicants, job offers, and appointment and placement of minority members and women will be accumulated for the information and use of the academic and non-academic administration.

Documentation of efforts of Manhattan College's efforts with regard to implementing its Affirmative Action Program will be maintained in the files of the Affirmative Action Officer.

1.4.3 Affirmative Action – External

Applicants for employment and candidates for appointment, as well as others outside the immediate Manhattan College community will be reminded of Manhattan College's policy regarding equal employment opportunity by:

- All advertisements for employment will contain assurance of equal employment opportunity.
- All sources of applicants and candidates will be reminded and advised of the College's Affirmative Action Program and will be requested to refer qualified minority group and female candidates to Manhattan College.
- All vendors will be reminded of the College's equal opportunity policy by including a reaffirmation statement in the College's purchase orders.
- Contractors and sub-contractors will be reminded of Manhattan College's Affirmative Action Program and requests will be made of them to take similar action.

1.4.4 Affirmative Action-Manhattan Colleges Responsibility for Implementation

The responsibility for insuring compliance and continued implementation of Manhattan College's policy of equal employment opportunity is assigned to the Vice President for Human Resources. The Vice President will have overall responsibility for administering the College's equal employment policy and Affirmative Action Program. His/Her responsibilities directly and/or through his/her appointed delegate(s), including the Affirmative Action Officer, will include:

- Internal and external dissemination of Manhattan College's equal employment opportunity policy.
- Assisting in the identification of under-utilization problem areas and in establishing time tables for goals and objectives to solve these problems.
- Assisting individual administrators in arriving at solutions to problems.
- Serving as liaison between the College and Enforcement Agencies, organizations, and community actions groups.
- Keeping the Administrative Officers informed of the latest developments in the entire area of equal employment opportunity.
- Conducting periodic audits of hiring, appointment, training and promotional patterns to insure that minorities are given full employment opportunities.
- Developing reporting procedures to assist in the identification of problem areas within the employment profile of Manhattan College.

1.4.5 Affirmative Action - Internal Self-Analysis and Reporting

The effectiveness of Manhattan College's Affirmative Action Program will continue to be measured by its own self-analysis. Such analysis will provide information regarding available minority candidates and applicants. Because of the relatively low total employment level in each discipline and skill at Manhattan College, responsibility to monitor data concerning applicants and candidates can be effectively administered by the Vice President for Human

Resources and/or Affirmative Action Officer. The controls and reports developed to monitor the desired data will insure that the non-discriminatory policy will be implemented. The Vice President and/or Affirmative Action Officer will be in a position, as a result of the reporting and monitoring of programs, to report to administrative officers the program's overall effectiveness.

The College will periodically analyze the distribution of each level of rank or employment to determine problem areas by administrative unit and rank or job categories.

In analyzing its employment population the College will consider the following factors:

- The minority population in the New York Metropolitan area.
- The availability of minorities and women having the requisite professional or non-professional skills in the immediate area.
- The percentage of minorities and women at Manhattan College in each professional and non-professional category as compared with the availability of minorities and women in the immediate area.
- The availability of minorities and women having the requisite professional and non-professional skill in an area in which the College can reasonably recruit.
- The availability of promotable minorities and women within the College community.
- The degree of training and assistance with respect to training which the College is reasonably able to undertake as a means of making all positions available to all minorities and women.

1.4.6 Affirmative Action - Implementation

A. Recruitment

1. Faculty, Sr. Administrators and Administrative Personnel

Manhattan College's goal with respect to the appointment of Faculty, Senior Administrators and Administrative Personnel is to achieve within each school and within the College community as a whole a diverse faculty and professional staff capable of providing for excellence in the education of its students and for the enrichment of the College community. In seeking to fill positions, every effort will be made to recruit in such a way that individuals from minority groups and women will have an equal opportunity to be considered and appointed. It is the policy of the College that no appointment will be made to faculty or professional positions until women and/or minority group candidates have been sought out and, if qualified, such candidates are identified and encouraged to apply.

In order to achieve implementation of the College's policy regarding equal employment opportunity, the College will engage in active recruitment of minority group members and women candidates. To recruit actively means consciously reaching out to make certain that minority groups (who have been defined as Black, Latino/Hispanic surnamed, American Indian, Asian and women candidates) are identified, made aware

of the positions available and encourage to apply. This program of active recruitment may include the following:

- Direct contact with faculty members of Colleges having a high percentage of their enrollment consisting of minority groups of students and women.
- Direct contact with groups specifically oriented to and concerned with minority groups.
- Direct contact with former undergraduates who may know qualified minority graduate students who have completed or who are about to complete their work.
- Direct contact with associates and friends at various colleges and universities.

2. Staff Recruitment

The specific objective is to increase the number of minority persons working at all levels within the non-professional staff at Manhattan College. Among the special efforts made in this regard will be the following:

- Employment agencies that specialize in locating qualified minority candidates and State Employment Service will be utilized where necessary and appropriate.
- Periodic visits will be scheduled with, and referrals of applicants sought from, community agencies and minority group organizations.
- All employees, including minority group employees, will be encouraged to refer friends and acquaintances as job applicants.
- All newspaper advertisements and online advertisements for employment will include the phrase "An Equal Opportunity Employer."
- Advertisements will be placed in publications and online sites having a high readership among minority groups.
- Employment procedures will be reviewed periodically to assure that affirmative efforts are made to secure minority group employees.
- Testing will conform to Federal regulations and will be used only to measure capabilities actually required in the position.

B. Promotion

1. Faculty, Senior Administrators and Administrative Personnel

Individuals will be considered as candidates for promotion in faculty rank or as candidates for promotions to positions of increased responsibility without regard whatsoever to race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

2. Staff

The Vice President for Human Resources, in cooperation with the Affirmative Action Officer, will periodically review promotional procedures to assure that minority and women employees are afforded equal access to job opportunities in all areas of Manhattan College. The College will do everything possible within its means to insure that all employees have every opportunity for upward mobility.

Promotion to higher rank and higher level jobs will be made from within the College community whenever possible, and will be based on the demonstrated performance and potential of qualified individuals at lesser levels in relation to the total candidate pool.

Please note it is the responsibility of the employee and supervisor to inform and update the employee's skill inventory (i.e. certificates, advance training and degrees, etc.)

C. Compensation

1. Faculty, Senior Administrators and Administrative Personnel

Compensation paid to each faculty, administrative, professional and staff member will be based entirely on his/her contribution to the educational goals of Manhattan College and will not be based in any manner or degree upon the individual's race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

The measurement of the individual's contribution to the College will include a measurement of the responsibilities, efforts and professional skill utilized by an individual in fulfilling the obligations of his or her position.

2. Staff

Manhattan College seeks to have consistency in wages for employees. Each job classification considers individual variances only for experience, skill and length of service. Each staff position will be represented by a written job description which will be periodically updated and maintained in conformance with the actual requirements of the job. Criteria will be established for each job to reflect the evaluation of the job.

Affirmative Action 1973, Revised: 1993, 1999, 2006, 2011

1.5 Emergency Notification

1.5.1 Emergency Notification of Employees

In adverse situations, such as significant weather disturbances or other emergencies, various means of notification will be used to notify employees of whether or not Manhattan College will be open for classes and/or for administrative business, as follows:

1.5.2 Emergency Notification - The College's Main Telephone Line

Call 718-862-7103 to obtain detailed pre-recorded information about the emergency situation. The master greeting message will be changed so that the caller does not need to respond to any phone prompts in order to get the most up-to-date information.

1.5.3 Emergency Notification – Your Voice Mail at the College

Specific, detailed messages will be broadcast to faculty, administrators, and staff who have assigned telephone numbers at the College. These messages can be sent and retrieved from on and off site. To access your voice mail from off site, dial 718-862-7116 and follow the prompts.

1.5.4 Emergency Notification – The Colleges Internet Web Page

The College's web site: www.manhattan.edu will be updated to display the most up-to-date, detailed information regarding class cancellation, office closings, and other emergency information. The notice will appear on the home page under the tab "Inside MC" and posted under "Today at Manhattan."

1.5.5 Emergency Notification – E2Campus Web Page

E2Campus Internet/Web Page: http://www.manhattan.edu/student_life/security/

Registering with e2campus is specifically for the purpose of receiving emergency alerts via text messages to cell phones or e-mail. This system will be used to communicate with you about any urgent situations that may pose a threat to the safety, health or well-being of our College community. In addition, class cancellations due to snow or other severe weather will be announced via the e2campus emergency alert system. In order to receive a text message to your cell phone or e-mail about emergencies and/or class cancellations due to severe weather, you must be registered.

You will be prompted for your Jaspynet username and password (same ones you use to access college e-mail.) E2campus allows you to enter up to two cell phones and two e-mail addresses to receive emergency messages. Some employees choose to enter a family member's cell phone number as the second cell phone registered. Select an "opt out" date and then click "create account." A text message will be sent to your registered cell phone(s) containing a four-digit

validation code. Once you receive this, enter the validation code where prompted and then click “validate.” You’re done!

Note: A cancellation of classes does not necessarily mean the college is closed. Employees must check to see if the College will be closed.

1.6 Reasonable Job Accommodations

The College is committed to providing an inclusive workplace and meeting the requirements of the Americans with Disabilities Act, as Amended (ADA), and all applicable federal, state and local laws that prohibit discrimination against persons with a disability or that promote equal access and equal opportunity. A qualified individual with a disability may request reasonable accommodation by contacting the Director of Human Resources. Information about an employee’s disability will be kept confidential to the extent allowed by law and necessary for coordinating reasonable accommodations. Supervisors/Department Heads, Chairs or Deans with reasonable cause to believe an individual’s failure to perform essential job duties may be related to a disability or medical condition should contact the Director of Human Resources for consultation.

1.7 Diversity Statement

Manhattan College strongly values the educational benefits of diversity, and the enhancements diversity brings to the workplace. The College is committed to creating and promoting a community which recognizes the inherent value and dignity of each person, in accordance with its Lasallian Catholic values. Manhattan College actively promotes an awareness and sensitivity toward differences of race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status among students, faculty, administrators, and staff. The College recruits, hires, and promotes in accordance with this policy and following in the tradition of John Baptist de La Salle, and Lasallian Catholic Core Values.

1.8 Data and Information

1.8.1 Data and Information Access and Security Policy - Purpose

The expansion of computerized applications at Manhattan College has resulted in wider access to systems and databases containing confidential and/or sensitive personal information. Additionally, federal and state legislation imposes various privacy protection measures. The purpose of this Policy is to provide for the protection of College and personal data and information being processed by manual or automated systems and to protect the records and reports generated by information processing systems.

1.8.2 Data and Information Access and Security Policy - Policy

Information is a vital component of the College's operations and it is important to ensure that persons with a need for information have ready access. It is equally important to ensure that measures have been taken to protect confidential and sensitive personal information against inadvertent or unauthorized access, modifications, disclosures, or destruction, in order to ensure the security, reliability, integrity, and availability of information. In addition, federal and state laws assign legal responsibility for the correct and appropriate use of information in order to protect a person's right to privacy.

This policy sets forth the responsibilities for data and information security for all individuals and departments at Manhattan College who access, process, or have custody of College and/or personal data.

1.8.3 Data and Information Access and Security Policy - Responsibilities

The Vice Presidents of the College shall ensure that the standards for data security that affect their respective areas of responsibility are effectively implemented. The administrative duties associated with this responsibility shall be assigned by the Vice Presidents to designated custodians of the data, who typically are the managers responsible for either the creation or collection of that data and/or the primary user of that information.

Custodians of data designated by the appropriate Vice President are responsible for making decisions about the use and protection of information in their custody. Areas of concern shall include:

- Accuracy and completeness of data and information;
- Classification of data as confidential (subject to privacy laws), sensitive (non-public salary information) or public;
- The authorization process to permit access to the information and to terminate access when necessary;
- The identification and minimization of risks and exposures;
- The utilization of established procedures designed to protect information from unauthorized access or disclosure, whether accidental or intentional;
- Communication of information protection procedures to authorized users;
- Physical access to hard copy records, computer terminals and personal computers;
- Providing procedural safeguards including backing up information for business continuity purposes; and
- Evaluating security control procedures related to information in their custody.

Users of information include all persons who have been authorized to read, write or update the information. The users of information have the responsibility to:

- **Use the information only for the purpose that was authorized** by the custodian.
- **Comply with all controls** established by the custodian and those delegated by the custodian to administer control procedures.
- **Avoid disclosure of confidential or sensitive information** to unauthorized persons without the permission of the custodian or appropriate Vice President.

1.8.4 Data and Information Access and Security Policy - Implementation

The Vice Presidents shall be responsible for ensuring that appropriate data and information security procedures are published and distributed to all *custodians* and *users* of the College's information (as defined above). This Policy and all supporting procedures and guidelines distributed pursuant to it shall serve as the standards of information and data security to be applied by custodians and users and will be the basis for compliance monitoring, review, and audit.

1.8.5 Data and Information Access and Security Policy – Special Requirements

With the implementation of the Banner system, the College migrated from using Social Security Numbers (SSNs) as a primary personal identification numbers for students and employees to an alternate ID. However, even with the Banner system's alternative ID in effect, there will still be legitimate uses of the SSN on campus. Therefore, **College employees who have access to SSNs must comply with the following regulations:**

Employees

- Supervisors must limit access to records containing SSNs to only those employees who need to use the numbers for the performance of their duties as College employees.
- Supervisors of temporary employees must limit the level of access that those employees have to SSNs and must provide appropriate training regarding the sensitivity of SSNs to those temporary employees who are required to have access to SSNs.
- All persons who have access to Banner HRS, SIS, FRS, ADS or other electronic systems containing SSNs are required to sign a Confidentiality Agreement. Those departments and units that have access to HRS, SIS, FRS, ADS or other electronic systems containing SSNs are subject to internal audit.
- Employees (including student employees) shall not download files or data containing SSNs and other personal identifiers to personal or College owned computers, notebook computers, PDAs, portable drives or other such storage and/or retrieval devices, and shall not maintain such files or data for access outside of centralized College systems (i.e. Banner).

Forms, Documents, and Records

- Any forms that require a personal identifier must label that field as such and not as “social security number.” Exempt are forms on which the SSN must be used under applicable federal or state law (i.e. financial aid).
- SSNs may not be displayed on materials or documents that are widely seen by others, such as identification cards, badges, time cards, employee rosters, bulletin board postings, grade postings, web sites, and other materials.
- Documents that include SSNs must be stored in a secure place. When possible, records containing SSNs, including back-ups, should be protected during storage by encrypting the numbers in electronic records or storing records in other media in locked cabinets.
- When possible, printed reports and other documents should not list SSNs; if SSNs need to be included in printed documents, such documents should be accessible only to individuals that require the information for the performance of their duties.
- Printed documents that contain SSNs must be securely destroyed when they are no longer needed, or upon the expiration of their retention based on the applicable College records retention schedule.

Computers and the Internet

- Electronic records containing SSNs may be stored only on College-owned electronic devices, and such devices must be secured against unauthorized access. Computer systems requiring the storage of SSNs shall store them in a password protected data file.
- Persons with access to HRS, SIS, FRS, or other electronic systems containing SSNs must take reasonable care to minimize the time that computer screens display SSNs and to shield computer screens displaying SSNs from those without a legitimate work-related reason to access the SSNs. Computer screens displaying SSNs should never be left unattended. Information containing SSNs, or any part thereof (i.e. the last four digits of the SSN), may not be published on any College web site.
- Employees shall not share passwords to computer systems that provide access to screens displaying SSNs.
- No College employee may require individuals to use SSNs as passwords or codes for access to Web sites or for any other services.
- When computers are sent to surplus or transferred to another department, data containing SSNs must be permanently destroyed.

Mail and E-mail

- No College employee may require individuals to send their SSNs over the Internet or by e-mail for a College-related purpose, unless the connection is secure or the SSN is encrypted.
- Printed documents containing SSNs should not be sent through the mail, except on applications or on forms when required by law. When sending applications or documents required by law to include SSNs through the mail, the SSN should not be revealed by an envelope window. Where possible, the SSN field on forms or applications should be left

blank, and the individual filling out the form should insert the SSN before returning the form or application to the College.

Third Party Vendors

SSNs should not be disclosed to third parties external to the College except where required or permitted by law. When disclosing SSNs to third parties as required or permitted by law, such disclosure should be conditioned upon a written agreement that includes terms that:

- Protect the confidentiality of the SSNs and prohibit the third parties from re-disclosing SSNs, except as required by law;
- Require such third parties to use effective security controls on record systems containing SSNs;
- Hold such third parties accountable for compliance with the terms imposed, including monitoring or auditing their practices; and
- Indemnify the College against any claims related to the third party's disclosure of the SSNs in violation of the terms of the agreement.

Inappropriate Disclosure

If a College employee discovers that SSNs have been disclosed inappropriately, and the individuals whose SSNs were disclosed are put at risk of identity theft or other harm, the employee must immediately notify the Director, Department of Information Technology Services, who will work with appropriate offices to ensure that those individuals are notified promptly in accordance with applicable law.

1.8.6 Data and Information Access and Security Policy – Sensitive Information

Sensitive Personal Information (SPI) is defined as an individual's name, address, or telephone number **combined with** any of the following:

- Social security number or taxpayer ID number
- Credit or debit card number
- Financial/salary data
- Driver's license number
- Date of birth
- Medical or health information protected under HIPAA
- Student-related data protected under FERPA, access codes, security codes or passwords that would permit access to an individual's SPI.

SPI will not be disclosed except as provided by College policy and procedure or legal disclosure requirements. SPI will be protected and secured in accordance with the following standards:

Electronic Storage and Disposal

- Do not store SPI on a PDA, laptop computer or desktop computer's hard drive, USB drive, CD, flash memory card, floppy drive or other storage media.
- Do not store SPI in public files accessible via the Internet.
- Do not download SPI from College databases unless required by your job responsibilities.
- Do not transmit SPI via e-mail or the Internet unless the connection is secure or the information encrypted.
- Do not transmit SPI via PDA, laptop or any other wireless technology.
- Discard media (such as disks, tapes, hard drives) that contain SPI in a manner that protects the confidentiality of the information.

Physical Storage and Disposal

- Do not publicly display SPI or leave SPI unattended, even on your desk or on the desk of a co-worker.
- Do not take SPI home.
- Shred SPI when it is no longer needed. Do not discard SPI in the trash.

Security

- Lock your computer when unattended or engage a password-protected screensaver.
- Lock offices, desks, and files that contain SPI when unattended.
- Eliminate the use of forms that ask for SPI whenever possible.
- Password-protect all SPI and accounts with access to SPI according to the College's guidelines for passwords.
- Do not share passwords and do not document passwords (e.g. post-it notes)
- The Gramm-Leach-Bliley Act, FERPA and HIPAA laws should be followed when dealing with confidential or private information.

Disclosure Guidelines

- Do not share SPI documents or information with anyone unless required by government regulations, specific College job responsibilities or business requirements. Be prepared to say "no" when asked to provide that type of information.
- Do not communicate student directory information so designated by a Banner FERPA flag for that student.
- Notify Director, Jake Holmquist (jake.holmquist@manhattan.edu - 718-862-7449), Associate Provost, Walter Matystik (walter.matystik@manhattan.edu - 718-862-7268) or Associate Director, Robert Moran (robert.moran@manhattan.edu - 718-862-7111) immediately if you are uncertain about disclosure or suspect SPI may have been compromised.

1.9 Requests for New Employees – Requisition

Requests for new employees must be initiated by the Supervisor/Department Head, Chair or Dean and coordinated with Office of Human Resources. Eligibility status should be determined before requesting authorization. The Supervisor/Department Head, Chair or Dean will ensure requests for authorization of the vacant positions are routed to the appropriate department(s) for approval and signature. The requisition must be finally approved by the Vice President of Human Resources. Human Resources will then advertise the approved position and work with the hiring manager to help fill the position.

1.10 Job Listings

1.10.1 Job Listings – Internal

The College posts regular full-time and part-time positions online on the Human Resources Web site at <http://www.manhattan.edu/hrs/jobs/positions.shtml>. These position postings inform employees of openings and opportunities for advancement or transfer. Staff and administrator positions are posted until the positions are filled or until there is a sufficient candidate pool. Inquiries about posted positions are strongly encouraged from diverse and qualified internal candidates. Interested parties should contact the Director of Human Resources for further information and consideration. All internal inquiries are treated confidentially; however, the applicant's current supervisor may be consulted as a reference. College employees are also encouraged to refer external applicants for appropriate job openings (please refer to section 1.26.2).

1.10.2 Job Listings – External

When appropriate, certain positions are advertised in newspapers, professional journals, and/or online recruiting sources. All advertisements and postings must include a reference to the College Diversity Statement (please refer to section 1.7) and the Lasallian Catholic Mission and the official logo where possible. Text for advertisements to fill vacant staff, administrator positions must be submitted to the Human Resources Department for final approval and activation. The advertisements are then submitted by the Director of Human Resources to the agreed upon recruitment sources to ensure consistency and diversity of the qualified applicant pool. All costs for specialized advertising are the responsibility of the Human Resources Department, which reserves the right to determine frequency of placement of advertisements based on available resources.

1.10.3 Job Listing - Internet Web sites and Blogs

Postings made on Web sites, blogs, and electronic networks must conform to the same standards described above. The Human Resources Director must pre-approve the posting and be given access to monitor and document the activity.

1.11 Recruitment

1.11.1 Recruitment - Personnel

The Director of Human Resources assists hiring managers and chairpersons of search committees with the search and hiring process, and provides consultation to employees and managers in the interpretation and application of Colleges, federal and state hiring policies, procedures, and regulations.

In order to hire for a vacant position, it must be approved by the Departmental Vice President and the Vice President for Human Resources (please refer to section 1.9). The hiring Supervisor/Department Head, Chair or Dean will need to know if the position might require visa sponsorship, what the person's projected start date might be, and where the hiring manager would like the position advertised.

During this process, the Human Resources Director will work closely with the hiring Supervisor/Department Head, Chair or Dean on training, building a recruitment plan, ad creation and placement, how best to effectively screen candidates, and managing the mandatory background screening. The Human Resources Director or other Human Resources Professionals will interview all candidates except faculty.

Please know all candidates must complete an employment application for positions in which they are interested and for which they are being considered. Therefore all applications must be seen and interviewed first in Human Resources. Internal or external candidates who do not meet minimum qualifications will not be given an interview. All offers of employment are contingent on a successful background check and reference checks. Manhattan College is dedicated to pursuing a diverse and highly qualified candidate pool. Failure to follow proper employment procedures may require the search to be conducted again.

In case of a hiring freeze the hiring Supervisor/Department Head, Chair or Dean in need of personnel should present their department Vice President with an updated job description and an explanation why this position is needed and how the position potentially impacts areas such as revenue, safety and accreditation. The department Vice President will bring that information to the Vice President of Human Resources, where the position will be discussed and a decision will be made regarding filling the position and when recruitment should begin. If the position is approved, the hiring Supervisor/Department Head, Chair or Dean will work with the Director of Human Resources to fill the vacancy using the steps described above.

1.11.2 Recruitment - Screening of Applications and Hiring

Applications for staff and administrative openings are screened by the Human Resources Director first then by the Supervisor/Department Head, Chair or Dean. Upon the Supervisor/Department Head, Chair or Dean's request, the Human Resources Department or search committee determines which applicants meet the stated minimum qualifications for the

position. Following the initial screening of applications, the qualified candidates will enter the selection process, which may include telephone interviews, Skype interviews, committee screenings, and/or other selection processes based on bona fide occupational qualifications. The applicants who are the most qualified and whose salary expectations are met by the offered compensation are contacted for an interview with the appropriate Supervisor/Department Vice President Head, Chair, Dean, administrator(s), and/or supervisor(s). The hiring Supervisor/Department Head, Chair or Dean and others who may be involved to evaluate all interviewed applicants based on job description and select the best qualified individual to fill the vacant position. Background checks and reference checks will be conducted for all candidates prior to an offer being extended. The Human Resources Department coordinates all necessary employment forms and finalizes the hire.

1.11.3 Recruitment - Filling Vacancies without a Job Search

Hiring managers may request a waiver of the standard job search process. Before taking any action to initiate a job search waiver, the hiring manager and the Director of Human Resources must evaluate the internal mobility and equal opportunity implications of the waiver action. A waiver of a job search is considered if (1) the preferred candidate meets the qualifications specified in the job description and (2) at least one of the following criteria apply:

- **Internal selection:** A regular full-time or part-time employee (with a minimum of a full year of service and in good standing) of the department is deemed qualified to fill the vacancy. "Department" is defined as a group of employees with the same immediate Supervisor/Department Head Chair or Dean. The decision to support an internal-only selection would be based on an assessment that diversity initiatives would not be compromised by doing so.
- **Return to work:** An employee pending layoff, on layoff, or an employee returning from disability leave is qualified to fill the vacancy.
- **Current/previous search:** The nominated candidate is part of a current or previous applicant pool (within the past 60 days) resulting from a regular position with the same job title, minimum requirements, and pay grade.
- **Rehire and Reinstatement:** The employee returns to the College to fill a position he/she left or similar position in the department

1.11.4 Recruitment - Employment Application

All staff, administrators and faculty applicants are required to complete an employment application, which includes a résumé, cover letter, and reference. Candidates must read and sign the mission statement. Position openings can be accessed at <http://www.manhattan.edu/hrs/jobs/positions.shtml>. Employment applications and documents such as résumés, cover letters and references are important because they can be used

to verify employment history including past salary levels, provide authorization to check references, and obtain information on the candidate that may not have been covered during the interview.

Failure to submit the required documents for any position openings or failure to complete the background screening authorization, which is required for all position openings, may result in an applicant being withdrawn from consideration.

1.11.5 Recruitment - Reference Checks and Background Checks

Hiring the most qualified individuals contributes to the overall strategic success of Manhattan College. Reference checks and background screens serve as an important part of the College selection process. It is the policy of Manhattan College to conduct reference checks and background screens on every candidate the College is considering for a final offer, regardless of the position for which they are applying. This process is conducted to verify the accuracy of the information provided by the applicant and to evaluate the applicant's suitability for the position.

1.11.6 Recruitment - Reference Checks

Because the best predictor of future performance is past performance, reference checks are essential. Past Supervisors/Department Heads, Chairs, Deans, coworkers, and others can provide useful references, because those individuals can attest to the candidate's work performance. It is important to inform the candidate before contacting their references. This will provide the opportunity for the candidate to alert those who will speak on their behalf. It is appropriate to honor a candidate's request to wait to contact the current employer until a tentative offer is made. However, the Human Resources Director should clearly explain to the candidate that the offer of employment is contingent upon a positive reference, verifying employment from the current employer. Information that should be gathered during the reference checking process includes: the position held, dates of employment, salary history, reason for separation, duties and responsibilities, work performance, attendance, attitude, strengths/weaknesses, overall assessment of the candidate, and the candidate's eligibility for rehire.

1.11.7 Recruitment - Background Checks

Manhattan College conducts various background checks on initial hires, rehired employees, whether part-time, full-time, regular, contractual, or temporary.

All offers of employment are contingent upon complete and satisfactory findings of all applicable background checks. Background checks may include: social security number search, previous employers, sex offender registry, credit report, criminal records search, verification of academic credentials, driver's license and driving record check, verification of occupational and

professional licenses. The Human Resources Department coordinates the collection of part of the background check information with a third party vendor.

The results of all applicable background checks must be received and evaluated before the individual begins to work. In urgent situations requiring a rapid employment action and only with the approval of the Vice President of Human Resources, and very rarely, an individual may begin to work pending successful completion of the background check, provided that professional references have been checked. This practice is discouraged and will only be approved in very special circumstances.

If the background check is returned with questionable results and if the employee (applicant) was not truthful regarding the results, the employee will not be able to begin employment. Human Resources, in consultation with the hiring Supervisor/Department Head, Chair, and Dean will determine whether the individual is suited for employment in the position for which he/she applied. If unsatisfactory results are reported, Human Resources is responsible for interacting with the applicant in these cases. In addition the College must be in compliance with the Fair Credit Reporting Act. The Act requires the College disclose to the employee or applicant that it intends to obtain a consumer report from a third party agency for employment purposes; obtain written authorization from the employee or applicant to obtain such a report; and, if an adverse action is taken as a result of information contained in a consumer report, provide the applicant with both a copy of the report and a written description of the employee or applicant's rights under the FCRA. The College's outside council provides this information to the College.

For a more complete description of the background check policy and the step-by-step process please contact Human Resources.

1.11.8 Recruitment - Falsifying the Application and the Reporting of Convictions

False application responses, false documentation, or failure to disclose criminal convictions are grounds for termination of employment or disqualification from employment. *Individuals who have begun employment, who are convicted of a criminal violation after they have applied must contact the Human Resources Department immediately.* Failure to report a conviction is grounds for discipline up to and including termination of employment or non-selection of an applicant. Supervisors/Department Head, Chairs or Deans should notify the Director of Human Resources immediately upon being informed of an employee conviction.

1.11.9 Recruitment - Selection

The College is committed to diversity and to filling all vacancies with the most qualified persons available. To be considered for a position, an applicant must first meet the minimum education and experience requirements (or equivalent) established for that position. Once these

qualifications are satisfied, the department with the vacancy will consider other job related factors including but not limited to: the applicant's work history, interpersonal skills, initiative, teamwork, general appraisal of previous work performance, communication, reference checks and background check results. **All candidates must be discussed with the Director of Human Resources before hire.**

1.11.10 Recruitment - Interview Expenses For Certain Positions

If travel expenses are greater than the cost of local travel, candidates who are interviewed for certain positions may be reimbursed for their travel to and from the interview and for any necessary related expenses (e.g. hotel, meals, airfare, taxi, parking, and/or mileage).

Reimbursement for travel expenses should be planned and approved with Human Resources prior to the interview. **All expenses will be paid by the department that is recruiting.**

1.11.11 Recruitment - Offer of Employment

All offers of employment are made by the Human Resources Department with the exception of faculty. The Director of Human Resources only will make a verbal offer that will include an agreed upon salary and start date. In emergency situations, offers of employment may be extended contingent upon a favorable background check and references being received. When a contingent offer of employment is extended it should be stated in the employment contract for administrators and faculty.

1.11.12 Recruitment - Appointment

Once the selected candidate accepts the verbal offer of employment, the Director of Human Resources will confirm the appointment in a contract (administrative only) specifying the employee's title and compensation. The new employee reports to Human Resources beginning their first day of employment to complete additional paperwork (please refer to section 1.12).

1.11.13 Recruitment - Acting Appointments

From time to time, as a result of a vacancy in an authorized position, a Department Head appoints an individual to that position on an "acting" basis. Persons serving in an "acting" capacity for temporary appointments may be compensated with an additional bonus but not for short periods of time. Individuals holding acting appointments return to their original position and salary unless otherwise specified or unless terminated pursuant to the provisions of this handbook.

1.11.14 Recruitment - Use of Temporary Agencies and Search Firms

The use of temporary agencies, temporary employees, contract employees, and search firms should be coordinated with the Director of Human Resources to ensure that the contracts include our standard language and to verify that the College is paying a fair market rate. No department may contact temporary agencies, temporary employees, contract employees, and

search firms. This must be done in the Human Resources Department. All temporary and/or contract employees must have background checks through their agency or through Manhattan College.

1.11.15 Recruitment - Temporary Agencies

When a substitute or additional staff or administrative help is needed and the employment of students is impractical or inappropriate, Supervisors/Department Head Chair or Dean may request assistance through the Human Resources Department to contact an agency outside the College for assistance. No specific budget exists for these needs, and so the arrangement can only be made if funds exist through a vacant salary line of the requesting department or a budget transfer from an operating account is transacted. Any questions about the budget must be directed to the Controllers Office. Temporary agency personnel are not employees of the College and are not eligible for compensation or benefits through the College.

1.11.16 Recruitment - Search Firms

Search firms should only be used:

- for executive positions;
- when a search has failed; or
- when a particular position has a history or a reasonable expectation of being difficult to fill.

The Vice President of Human Resources with the consultation of the President must authorize use of search firms. Funding for the use of search firms should be identified before hiring the firm and the terms of the contract should be reviewed with the Human Resources Department.

1.11.17 Recruitment - Direct Employment of Temporary and Contract Employees

In some circumstances, a department needs to increase staffing for a limited period of time. Hiring a contractual or temporary employee may be an appropriate solution to this situation. Applications must be completed and a background check be done. If an employee is contracted, the contracted company must do the background check.

Temporary personnel are regarded as at-will employees, are supervised by a regular College employee at all times, and are only eligible to receive statutory benefits such as Workers' Compensation and social security. Temporary employees will be required to sign a letter of temporary assignment. The department head notifies the Director of Human Resources of the need and the location of the funding source for compensating the individual.

Candidates are informed by the Human Resources Director that, if hired, their status will be "temporary," that is, they are not eligible for College benefits.

Contractors and sub-contractors will be reminded of Manhattan College's Affirmative Action Program and requests will be made of them to take similar action.

1.12 Required Federal and State Forms

Federal and state laws require employees to complete several forms when hired. These forms include HIRE Act Employee Affidavit tax form (W-11) and the federal tax form (W-4). All new employees are also subject to the requirements of the Immigration Reform and Control Act of 1986. IRCA stipulates only American citizens, permanent resident aliens, and aliens who are authorized to work in the United States may be hired. Every new employee must provide evidence of identity and work eligibility required on the Form I-9. Completing the Form I-9 is a condition of employment. Internal Revenue Service regulations prohibit newly hired employees from starting work if they do not have a social security number. The employee may not begin to work until the Human Resources Department has the new employee's social security number. Additionally, the I-9 documentation, HIRE Act Employee Affidavit tax form (W-11), and the federal tax form (W-4) must be received in the Human Resources Department on or before the first day of employment. If the required forms are not received by the third day of employment, the employee shall be required to stop work until the forms are provided. Should an individual's status change with regard to the information reported on the forms, the individual must complete another form and send it to the Human Resources Department. All forms are available in the Human Resources Department.

1.13 Confidentiality Agreement

All College employees, including but not limited to, faculty, staff, administrators, student workers, temporary employees, and contractors are required to sign Manhattan's Confidentiality Agreement upon hire. No form of Manhattan access (e.g. computer, ID cards, etc.) will be given to the new employee until the agreement is completed.

1.14 Identification Cards and Parking Decals

New employees must obtain a Manhattan College Identification Card, and may obtain a parking decal. The identification card is used for accessing buildings, discounted or free admission to events or facilities, borrowing materials from the library and for identification after hours or in an emergency. There is a fee for parking decals. Identification cards may be obtained in Thomas Hall and parking passes may be obtained from the Security Department. Upon separation from employment for any reason, employees are required to return their parking decal and identification card.

1.15 Keys and Credit Cards

Employees may be issued College keys and/or credit card in the course of their employment. It is the employee's responsibility to safeguard the keys and credit card issued to them. The duplication of keys and/or credit cards is prohibited. If a job requires an employee to have keys

and/or credit card, he/she will be asked to sign for them by their immediate Supervisor/Department Head, Chair or Dean. If an employee transfers to another department or separates from the College, he/she will be required to return the key(s) and/or credit card. Employees may be charged the cost of replacing lost key or credit card. Credit cards are strictly prohibited for personal use. Failure to safeguard the use of these keys and/or credit cards may result in disciplinary action, up to and including termination (please refer to section 1.22). Keys may be requested by contacting Physical Plant at ext. 7480. Credit cards may be requested by contacting the Controllers Office at ext. 7331.

1.16 Uniforms and Dress Code

A uniform for an employee may be provided by the College to identify persons to the general public or guests of the College or to prevent injury to an employee while performing a hazardous job. Each employee provided a uniform shall take the necessary steps to protect it from excessive damage and wear. Uniforms issued by the College are to be worn only during working hours and should not be worn off premises. When a uniform is provided, it must be worn by the employee only. Employees who are required to wear uniforms should consult with their Supervisor/Department Head, Chair or Dean regarding their dress requirements.

All College employees represent the College and therefore have a personal responsibility for presenting an appropriate appearance. Good grooming, personal cleanliness, and appropriate dress are essential at all times. Employees not required to wear a uniform are expected to dress in appropriate business attire i.e. no jeans, sweat pants, inappropriate shoes, t-shirts, etc. are unacceptable. Please do not use excessive cologne or perfume to accommodate people with allergic reactions.

1.17 Relocation Reimbursement

Some new employees may be reimbursed for relocation expenses up to a specified maximum amount. A minimum of three bids should be submitted for all relocations. The terms should be reviewed with the Business Managers Office. In most cases the lowest bid will be used. The terms must be discussed prior to hire. Receipts should be submitted to the Human Resources Department before reimbursement is made. **Reimbursement expenses will be charged to the hiring department's budget.**

1.18 Orientation

1.18.1 Orientation - Human Resources Orientation

New employees are required to attend an orientation on, or immediately following, their first day of employment. The orientation is conducted by the Human Resources Department. During this orientation, employees receive information regarding College policies, compensation, benefits, probation period, and other general information about employment at the College. Employees should use the Human Resources orientation as an opportunity to learn about

applicable policies and benefits before enrolling. Employees must complete all employment forms to participate in College benefit plans. Employees who fail to complete benefit enrollment forms within 30 days after their start date must wait until the next annual open enrollment period to register for benefits. Open enrollment periods occur only once a year.

1.18.2 Orientation - Manhattan College New Employee Orientation

New employees are required to attend the Manhattan College New Employee Orientation sponsored by the Human Resources Department. The Manhattan College Orientation is scheduled once a year. The purpose of this orientation is to familiarize new employees with the College's history, mission, vision, values, strategic plan, campus layout, services, and to meet the College President and other key employees.

1.18.3 Orientation - Office Orientation

Supervisors/Department Heads, Chairs or Deans are expected to provide their new employees with a specific orientation about their departmental policies, procedures, mission of the College and the employee's new position. In addition, it is the responsibility for the Supervisor/Department Head, Chair or Dean to assign a mentor to guide the new employee through the orientation/probationary time. It is the responsibility of the Department to orientate the new employee to the campus, providing tours and other useful information.

1.19 Probation Period

Every new employee goes through an initial period of adjustment in order to learn about the College and about his/her job. During this time, the new employee will be provided with training and guidance from his/her Supervisor.

During this time, the employee will have an opportunity to find out if he/she is suited to his/her new position. Additionally, the initial probationary period gives the employee's Supervisor a reasonable period of time to evaluate his/her performance.

The initial probationary employment period for full-time and part-time administrators is 6 months. The initial probationary period for full-time staff is 3 months and part-time staff is 6 months.

All probationary periods may be extended and the Department Head/Supervisor is responsible for notifying the employee and Human Resources of any probationary extensions. Probationary extensions must also be put in writing to the employee and Human Resources indicating areas of improvement.

Generally during this time, the new employee may be discharged at any time if his/her Supervisor concludes that he/she is not progressing or performing satisfactorily. Leave time is accrued from the date of hire.

Employees in their probationary period are eligible for paid holidays and paid leave for College closings. Employees are not to use vacation and/or sick time during their probationary period unless special approval is granted by Department Head in conjunction with Human Resources.

At the end of the initial probationary period, the employee and his/her Supervisor should discuss his/her performance, at which time the Supervisor will provide a performance evaluation to the employee. Provided the employee's job performance is "satisfactory" at the end of the initial probationary period, the employee will continue in the employ of Manhattan College. The original copy of the performance evaluation, signed by both the Supervisor and the employee, is sent to the Human Resources Department to be made part of the employee's official personnel file.

In the case of an approved probation period extension, another evaluation must be completed.

Notwithstanding the existence of a probationary period, the employment relationship between the College and an employee is an "at-will" employment relationship and may be terminated by either party at any time either during or after the successful completion of the probationary period.

In the case of termination, the Department Head/Supervisor must first discuss a possible termination with the Human Resources Department.

1.20 Transfers and Promotions

Manhattan College encourages employees to assume higher-level positions or lateral transfers for which they qualify. Toward this end, the College has a job posting program that offers employees the opportunity to apply for certain positions within the College. The employee must take full responsibility and be proactive in pursuing another position. Human Resources is not responsible for contacting employees about open positions.

Generally, employees must be in their job for at least one year before applying for a change in position. In some cases employees may be able to move from one position to another within their own department prior to reaching their one year anniversary. In addition, employees must have a good performance, attendance and punctuality record in order to be considered.

Each employee requesting a transfer will be considered for the new position along with all other applicants. Each transfer is judged on an individual basis, depending on the needs of both departments involved.

All final decisions regarding transfers and promotions must be approved by the appropriate Department Head, in conjunction with the Human Resources Department.

Employees who wish to apply for a transfer should first discuss the matter with the Supervisor of his/her current department and with the Director of Human Resources. If an employee meets the basic criteria for the open position, at that point, the Director of Human Resources will make arrangements to set up an exploratory interview with the department seeking to fill a position. Employees are **not** permitted to contact the Department directly regarding the vacant position.

If you transfer to a new position you are expected to give your current supervisor at least 2 weeks notice for staff and 4 weeks notice for administrative employees. Departments may negotiate a shorter or longer notice period. The new department will assume responsibility for all vacation and sick days that have not been used. Once the transfer becomes official, you will be subjected to a 3 month or 6 month probation period. Shortly before you complete your probation, your supervisor is expected to prepare a written assessment of your performance recommending whether or not your employment should continue with the College in accordance with the Probationary Period Policy for staff and administrators on Section 1.26 of the Handbook. If the transfer/promotion is not successful the employee is not guaranteed their previous position.

1.21 Demotion

A demotion is defined as the move of a position or a person from a higher pay category to a lower pay category. Demotions can be the result of disciplinary action, a request by the employee, reorganization or restructure. All demotions are subject to either a 3 month or 6 month probation period. Demotions are arranged with the Human Resources Department and may result in a change in pay rate.

1.22 Discipline

Certain standards of performance and conduct are essential in any work setting. These standards are recognized and observed by all employees. In some cases, however, oral or written reminders by the appropriate Supervisor/Department Head may be necessary. Where such measures are not effective in resolving the problem, or it is otherwise warranted, more formal action, which could include probation, written warnings, suspension or dismissal, may be indicated. The College reserves the right to dismiss an employee without warning when, in the judgment of the Supervisor/Department Head and in consultation with the Director of Human Resources, such action is warranted. Supervisors/Department Heads must consult with the Vice President of Human Resources or the Human Resources Director prior to taking disciplinary action.

1.23 Suspension

An employee may be suspended immediately if, in the sole discretion of the College, the employee's continued presence on campus would be detrimental to the employee, other persons, or to the College. Such suspension will continue until the employee is reinstated by the Department Head, with the approval of the Director of Human Resources, or until the effective

date of termination. The College further reserves the right to suspend an employee for one or more days as a disciplinary action with or without pay.

1.24 Grievances

1.24.1 Grievances - Problem Solving

In keeping with the Lasallian Catholic values and mission, Manhattan College recognizes that misunderstandings and/or differences of opinion may develop in any work situation. It is the responsibility of all Manhattan College community members to be respectful and to strive for civility and a collaborative community where we work, learn, teach and live. The objective of this procedure is to provide a vehicle for employees to resolve work issues when normal efforts have been ineffective or failed. It is highly encouraged to be open to reconciliation and resolution throughout the process and interact in good faith and professionalism. Retaliation of any kind is strictly prohibited in this process and will be carefully monitored once a grievance is brought forward. All information in a grievance is confidential and is not to be discussed at any time.

There is a formal and informal procedure for solving work related problems, conflicts, issues and/or disciplinary actions. An employee who has a grievance should observe the following procedure outlined.

Throughout the grievance process the employee is entitled to be accompanied by a representative of his or her choice.

1.24.2 Grievances - Problem Solving Procedures

The College has developed a fair and orderly process to resolve work-related problems and to give you advance notice, whenever possible, of serious problems that may arise from your conduct and/or performance. This process is used in conjunction with probationary periods and performance evaluations (please refer to section 3.10).

Disciplinary action may be initiated for a variety of reasons, including, but not limited to:

- violation of the College Code of Conduct (please refer to section 8.1)
- insubordination, or
- unsatisfactory work performance

The severity of the action taken will generally depend on the nature of the offense and your record of service. In the event a problem arises that requires immediate attention and remediation, disciplinary action will be taken which may include suspension and/or termination of employment.

Under normal circumstances your supervisor will notify you of problems with your performance, using the following steps:

- Verbal Counseling or Warning
- Formal Written Notification
- Suspension and/or final written notification or warning
- Termination

Depending on the nature and severity of the problem, the College reserves the right to apply any or all of the above disciplinary actions at any time. Supervisors are required to coordinate the application of such procedures and sanctions with their Department Head and the Human Resources Department. Written warnings, suspensions and/or terminations **must** be discussed with Human Resources.

1.24.3 Grievances - Informal Problem Solving

Most work-related problems can and should be resolved informally. If you have a work-related problem the College encourages you to schedule a meeting with your immediate supervisor in an effort to resolve issues on an informal basis. If you feel that it would be inappropriate to discuss the problem with your immediate supervisor, you should contact the Director for Human Resources who may direct you to the appropriate person. Every effort will be made to keep your complaint confidential.

All employees are expected to comply with, and will be restricted by, the time limits specified for each level of the grievance proceedings. Failure to comply with applicable time limits may result in a refusal to consider the grievance. If an employee has failed to seek a review within the applicable time limit, the Director of Human Resources may, at his/her discretion, extend that time limit. Extensions may be granted when justified by the complexity of the case, or by the unavailability of individuals involved.

1.24.4 Grievances - Formal Problem Solving

Step I - You should first attempt to resolve the problem within your department by scheduling a meeting within 10 days with your immediate supervisor and/or department head to discuss the issue.

Step II - If you are not able satisfactorily to resolve your dispute through the method described above, you may request a formal review of the complaint by writing to the Director of Human Resources within 10 days of Step I. The written request must include:

- Statements describing the nature of the grievance;
- The facts upon which it is based; and
- The remedy or relief you are seeking.

Copies of your grievance, together with any applicable correspondence and/or documentation should be forwarded to the Director of Human Resources. The request for a review of the grievance must be submitted within 20 calendar days following the event on which the grievance is based.

Upon the receipt of the grievance statement, the Director of Human Resources will conduct a thorough investigation, and attempt to bring about a satisfactory resolution. A written response will be forwarded to you within ten working days of receipt of the grievance statement.

Step III - If you are still not satisfied with the results of Step II, you may within ten (10) working days following receipt of the response, submit a written request to the Grievance Hearing Committee consisting of the Vice President for Human Resources and Vice President for Finance and one other Vice President for further review. This request must be accompanied by copies of all correspondence related to the grievance. You must once again send copies of the latest request to all concerned parties.

Within 15 days after the hearing is completed the Vice President for Human Resources will submit a written decision for resolving the grievance to the employee. The decision of the Hearing Committee shall be final.

1.25 Unemployment

1.25.1 Unemployment - Insurance

Each employee of the College is protected by the unemployment insurance laws of the State of New York. Income protection is provided as determined by the State's Department of Labor, Licensing, and Regulation. By statute, employees of educational institutions who have reasonable assurance of re-employment in the next term or semester are not eligible to collect benefits during breaks between terms or semesters.

1.25.2 Unemployment - Compensation

Employees whose employment ends may be eligible for unemployment compensation as long as they are available for and actively seeking employment and meet other state requirements. To apply for unemployment compensation benefits, an individual may personally visit, telephone, or apply online to the State of New York's Department of Labor where it will be determined whether or not he/she qualifies for benefits. In cases where the employee was terminated for cause or for certain other reasons, the College may appeal the state's decision to award unemployment compensation.

1.26 Employment

1.26.1 Employment - Minors

The employment of minors under age 16 is prohibited by the College. Minors between the ages of 16-18 who furnish the Human Resources Department a completed work permit issued by the State of New York may be hired. Because minors are restricted from performing certain types of work, the terms and conditions of employment must be approved by the Human Resources Department.

1.26.2 Employment - Relatives

The College will not employ two or more members of the same family in such a way that one directly supervises or evaluates the performance of the other member(s) of the family. Immediate family includes: spouse, parent, in-laws, sibling, child, step relatives, and foster child or in the judgment of the Human Resources Director, certain hires may not be appropriate. Family members may not work in the same Department.

1.26.3 Employment – Part Time

Manhattan College will provide reasonable assurance to employees informing the employee in writing that the College plans to hire them in a similar capacity following any regularly scheduled breaks in the school year including summer vacation. By issuing written reasonable assurance to those employees who are unemployed and not paid during the breaks in the school year, they are not eligible to collect unemployment benefits.

1.26.4 Employment - Internal or External Employment

The College expects full-time Administrators to regard the College as their primary employer, and that any outside employment will not conflict with their responsibilities to the College. Manhattan College Administrators may not engage in any outside employment that will adversely affect the College; nor may Manhattan College employees use College resources for personal or non-College business. Any Administrative employee who holds a full-time position at the College may not hold a full-time position outside of the College. Outside employment is limited to sixteen (16) hours per week. Employees must notify their immediate Supervisor/Department Head and the Director of Human Resources of any outside employment activities. If other employment has a detrimental effect on job performance at the College, the employee will be asked to resign from the other position or will be terminated from employment with the College. Administrators who teach part-time at the College are not permitted to teach more than three (3) credits per semester.

1.27 Personnel Files

The Human Resources Department maintains the official personnel files which contain all material relevant to employment, and are the sole official repository of such materials. Employee records are College property. Employees, Supervisors/Department Heads, or hiring managers wishing to review the contents of their/a personnel file may do so by contacting the Director of Human Resources and scheduling an appointment. Items not related to performance may not be reviewed by Supervisors/Department Heads, and will be removed before their review. Personnel files may not be removed from the Human Resources Department and during the review of a personnel file a Human Resources representative will be present. Requests to make copies of any documents contained within the personnel file may not be approved. The Human Resources Department staff follows a records retention/destruction schedule for employee personnel files. Medical, H-1B, I-9, Workers Compensation and employee relations investigation files are stored separately from other files in compliance with HIPAA regulations.

1.28 Name/Address Changes

Each employee is responsible for promptly informing their immediate Supervisor/Department Head and the Human Resources Department of any status change(s) including citizenship, name, address and telephone number. For name changes, the employee must also file a name change with the Social Security Administration and receive a new card. The new original social security card is to be presented to the Human Resources Department for verification. The Human Resources Department will then update the employee's file and notify the Controllers Office. Employees are also responsible for promptly notifying the Human Resources Department of any change to their emergency contact information.



Section II.

SEPARATION

2.1 Separation

2.1.1 Separation - Job Abandonment

It is always the responsibility of the employee to notify their Department before the start of their normal work day if they are unable to work. When an employee fails to report to work as scheduled for three consecutive work days or less without notifying his/her immediate Supervisor/Department Head, the employee is deemed to have abandoned their job. If a prior pattern exists, less days will be deemed abandonment. If the employee provides the Supervisor/Department Head with medical documentation for the period, the absence may not be considered job abandonment. An employee may be reinstated if it is determined that notification was not possible for reasons beyond the employee's control. The Director of Human Resources will be advised of such a recommendation.

2.1.2 Separation - Resignation

Resignation is a voluntary separation of employment initiated by the employee. A resignation will be submitted in writing to the Supervisor/Department Head, with a copy to the Director of Human Resources, which should include the effective date and the reason for the resignation. Administrative employees are expected to provide a minimum of 4 weeks notice. More advanced notice may be appropriate for senior level positions. Staff members are expected to provide a minimum notice of 2 weeks. Staff members here after 5 years should give notice equivalent to vacation time. Paid holidays and vacation will not be counted as a part of that notice. During the employees notice of resignation period an employee is expected to come to work each day. The Supervisor/Department Head of the resigning individual is also responsible for notifying the Director of Human Resources as soon as the effective date of resignation is known. Prompt notification means a recruitment plan can be initiated and the time to fill the position with a quality candidate is as short as possible. Every employee of Manhattan College has the status of "employee-at-will," meaning that no one has a contractual right, express or implied, to remain in the College's employ. The College may terminate an employee's employment, or an employee may terminate his/her employment, with or without cause, and with or without notice, at any time, this is under special circumstances and with the notification of Human Resources.

2.1.3 Separation – Normal Retirement

The College provides a 403(b) retirement plan to eligible employees. The Social Security Administration identifies age 66 as qualifying for full social security benefits. However, employees may choose to work beyond 66. Individuals may also make application to the Social Security Administration for early retirement benefits. As much notice as possible should be given but at least four (4) weeks. Employees with twenty or more years of service will be eligible to continue a \$15,000 group term life insurance policy paid in full by the College.

2.1.4 Separation – Involuntary Termination

An involuntary termination of employment is considered a College initiated separation. Termination of an employee by the College may result from:

- dismissal for cause;
- layoff or termination because of a reduction in the workforce;
- lack of work;
- involuntary but not for cause; or
- elimination of positions.

Terminations are to be treated in a confidential, professional manner by all concerned.

Dismissals for cause are not eligible for severance (reduction in workforce only).

Administrators who are terminated for cause will not receive any compensation until the end of their contract. Employees terminated during their probation period will not receive a payout of their unused accrued sick days (sick days apply to staff only).

2.1.5 Separation – Layoff/Reduction in Force

Reduction in force is the termination or consolidation of positions because of a lack of funds, lack of work, or reorganization. Reduction in force is directed by Human Resources upon recommendation by the Department Head, Vice President or the President. The College will make every effort to either find other work or assign the employee in any way possible. Factors to be considered in determining who will be affected include job performance, length of service and qualifications for the positions that remain after the reduction in force.

2.1.6 Separation - Termination for Cause

Termination for cause by the College is generally the result of an employee's inability to attain the required level of performance on the job, failure to comply with required policies and procedures, failure to meet standards of professional behavior applicable to employment, or repeated failure to perform required duties. In the event of termination for cause, Supervisors/Department Heads must consult with the Director of Human/Vice President of Human Resources prior to any termination actions. *Cause for dismissal includes but is not limited to:*

- insubordination;
- inability, failure, or refusal of the employee to maintain satisfactory performance of the responsibilities of his/her position;
- conduct which, in the judgment of his/her Supervisor/Department Head, directly and substantially impairs the effectiveness of the employee in the performance of his/her responsibilities;

- conduct which, in the judgment of the employee's Supervisor/Department Head, directly and substantially impairs the effectiveness of College operations;
- conduct which, in the judgment of the employee's Supervisor/Department Head, is harmful to persons or property or destroys goodwill or otherwise causes jeopardy or serious harm to the College.

It is impossible to list every single action which might cause harm to the College, its students or fellow employees. Following is a list of some, *but not all*, of the acts which will result in disciplinary action up to and including termination:

- Any act of dishonesty. This includes the theft of any College, student or employee property including theft of services and time. Not answering questions truthfully.
- Committing or attempting to commit deliberate damage to either College property or its facilities, or the unauthorized use of College facilities, tools or equipment.
- Disorderly conduct such as striking anyone, use of abusive language or cursing, acting in a threatening manner or any act of violence.
- Failure to comply with the Manhattan College Code of Conduct.
- Possessing, using, buying or selling alcohol or illegal drugs, or being under the influence of alcohol or illegal drugs while at work.
- Punching the time clock for another employee or allowing someone else to punch the time clock, falsifying time reports or making unauthorized changes on a time report and not maintaining accurate records.
- Excessive absences or tardiness.
- Removing, sending or furnishing to unauthorized persons College records or information.
- Breaches in confidentiality.
- Breaches in security procedures and/or refusal to cooperate in a College investigation.
- Abandonment of job or failure to report to work without notifying one's immediate Supervisor/Department Head, Chair.
- Violating the College's anti-discrimination and harassment policy.
- Violating the College's technology use policies.

- Direct violation of College policies and procedures.
- Obtaining employment on the basis of false or misleading information, falsifying of job applications, or falsifying any information or documents leading up to employment or thereafter.
- Allowing unauthorized person(s) access to College facilities.
- Possessing firearms (or any dangerous weapons i.e., knives) of any type while on College property or while on College business unless authorized as part of one's work (i.e., New York City Police Officer working on campus).
- Insubordination – the refusal to perform all job requirements and services as outlined by the College.
- Sleeping or dozing on the job.
- Falsification of any College records, reports, internal applications or documents.
- Knowingly violating any College, OSHA, or state regulation, guidelines or rules governing workplace safety.
- Violating the College workplace violence policy.
- Misuse of the College credit card for personal use.

Please note this does not constitute a total list of reasons for termination of employment.

Supervisors/Department Heads shall consult with the Vice President of Human Resources or Director of Human Resources prior to any termination for cause. In some cases, an employee may be listed on campus as “Persona Non Gratis.” *Employees terminated for cause are not entitled to accrued vacation and/or sick days.*

2.1.7 Separation - Rehire

Employees terminated for cause are not eligible for rehire. An eligible former employee who is rehired within one year of their termination date providing the employee has at least one or more years of service, will be given credit for prior years of service for vacation eligibility, service milestone recognition, retirement eligibility, and other pertinent benefits. If one year or more months have elapsed between separation and rehire, the rehired employee shall be treated as a new employee. Special exceptions may be considered by the Vice President and/or the Director of Human Resources.

2.1.8 Separation - Checklist

Upon voluntary or involuntary separation from employment, the terminated employee must return any property of the College to the Supervisor/Department Head. This includes but is not limited to:

- all tools, equipment, lap-tops, cell phones, and hand-held devices;
- keys to desks, rooms and buildings;
- access cards;
- uniforms;
- parking decals and/or tags;
- College ID cards;
- credit cards;
- leased cars, property and keys
- any other College property in possession of the employee.

Failure to return certain College property may delay your final payroll and/or vacation check to be issued and/or released.

A written exit interview form is required of employees who resign or retire and must be completed in writing and returned to the Human Resources Department.



Section III.

COMPENSATION

3.1 Compensation and Salary Administration

The College values its employees and provides a competitive total compensation package, which includes direct pay and fringe benefits. To reflect the high quality of education and services, the College reviews the positions to be sure they are paid equitably for their responsibilities within the College and/or at the market median.

3.2 Compensation

3.2.1 Compensation - Role of the Human Resources Department

The Human Resources Department serves as a resource to the College's Supervisors/Department Heads and employees. Specifically, the Human Resources Department:

- complies with Fair Labor Standard Act (FLSA) and other federal and state regulations;
- communicates programs and guidelines to help Supervisors/Department Heads to understand all aspects of the compensation program;
- provides (internal and external) information, data and advice on pay levels; policies and practices;
- provides expert guidance, perspective and support to enable Supervisors/Department Heads to make appropriate pay decisions;
- reviews compensation decisions to identify and address any significant variations in practices both within and among departments;
- provides research and advice to the President and Vice Presidents of the College.

Human Resources' role is to work with Supervisors/Department Heads to help them make appropriate pay decisions, consistent with the College's salary administration plan. Human Resources will, after an applicant is hired, provide the job offer and explain the salary. Human Resources keeps senior administrators aware of compensation practices across the College and in the marketplace to ensure equitable treatment.

3.2.2 Compensation - Payroll (Controllers Office)

The Controllers office processes faculty, staff and administrators pay and audits paper and electronic records to help ensure records are accurate and complete, and that policies and regulations are being followed. Questions about payroll policies should be discussed with the Human Resources Department.

3.3 Employment Categories

3.3.1 Employment Categories - Regular Full-Time Employment

Full-time employees of the College are appointed for 10 or more months in a 12-month period. Full-time employees are employed for a specific job description in a specific division and department of the College, and are required to work at least 35 hours each week.

3.3.2 Employment Categories - Part-Time Employment

A part-time employee of the College may not exceed a total of 1,000 hours for an entire fiscal year. Vacation and sick days are part of the 1,000 hours. If the part-time employee is made full time, the College will credit prior service towards benefits and pension waiting period.

3.3.3 Employment Categories - Temporary Employment

Human Resources, from time to time, employ individuals in a capacity other than those types defined above. Temporary employees may not exceed 1,000 hours of work over a 12-month period, and are eligible for statutory benefits only, Workers' Compensation, and FICA-FICM. If the temporary employee is made full time the College will credit prior service towards benefits and pension waiting period.

3.3.4 Employment Categories - Contractual Employment

The Human Resources Department, from time to time, employs individuals as contractual employees. The terms of the employment are defined by each employment contract. Vice President approval is necessary.

Some Departments employ individuals as contractual employees. All such employees must have background checks by their company before working at the College. Human Resources must be informed of such employees.

3.4 Exempt and Non-Exempt

3.4.1 Exempt and Non-Exempt Status

The Fair Labor Standards Act (FLSA) and New York employment laws establish standards for the minimum wage, overtime compensation, and certain other conditions of employment. The FLSA also defines the criteria for determining which jobs are non-exempt and require pay for overtime hours worked, and which jobs are exempt and do not require compensation for overtime. Every College position is designated as non-exempt (hourly) or exempt (salaried).

3.4.2 Non-Exempt Employees (Staff)

FLSA requires non-exempt employees to complete a time record in the form of a time sheet or electronic time keeping entries for each bi-weekly period. Electronic time keeping system entries or time sheets are required for non-exempt employees to meet the recordkeeping provisions mandated by the FLSA. Neither the employee nor the employer may waive the employee's right to be compensated for overtime if the job is classified as non-exempt. Therefore, each Supervisor/Department Head, Director and Administrator is responsible for ensuring the FLSA overtime requirements are observed for non-exempt employees. Staff employees receive overtime after forty (40) hours/eight (8) hours a day. If an employee or Supervisor/Department Head has a question concerning whether a position is exempt or non-exempt, please contact the Human Resources Department.

3.4.3 Exempt Employees (Administrators)

FLSA defines the criteria for determining which jobs are exempt and do not require compensation for overtime. Exempt employees are paid an annual salary and are not compensated for overtime.

3.5 Administrators Serving as Adjuncts

An administrator with the appropriate academic credentials may request to teach part-time through the Provost Office. This cannot conflict with your regular work schedule and is limited to one course per semester. The Administrator's Vice President must be notified and agree to the part-time teaching position.

3.6 Part-time Pay

Part-time employees' pay rates are managed under the same guidelines as regular full-time employees, with proportional adjustments for the reduced work schedule.

3.7 Positions

3.7.1 Non-Exempt Positions

A staff employee in a non-exempt position who works part-time will be paid the regular hourly wage for the position, multiplied by the number of hours and weeks actually worked. Staff members in non-exempt positions are eligible for overtime in accordance with the FLSA and College policy. Overtime is payable for hours worked or paid in excess of 40 hours per week.

3.7.2 Exempt Positions

Exempt part-time administrators' salaries are based on the content of the job and assigned to the appropriate position category, and an annualized pay level is determined using the matching salary grade.

3.8 Position Classification

Each position is ranked based on an evaluation of the job description. The analysis of a position considers job requirements such as knowledge of the area, problem-solving ability, communication skills, supervisory responsibilities, etc.

3.9 Pay Ranges

Staff and administrator pay ranges are designed to allow considerable flexibility in managing pay, while maintaining equity within the College and a salary competitive with the relevant job markets. Pay ranges are reviewed on a fiscal year basis to determine their position within the job market. The Vice President for Human Resources uses salary surveys and other resources to develop the range structure and make recommendations to the President.

3.10 Job Description Study

Supervisors/Department Heads, Chairs and Deans are encouraged to periodically review the job descriptions in their area. The job description should be compared with actual duties performed. A re-evaluation and reclassification of positions are considered appropriate if there are significant changes in the basic nature and essential functions of the position and the funding is available. Requests for a job description, salary and hours should be discussed and evaluated with Human Resources.

3.11 Salary Adjustments

Pay decisions focus on bona fide occupational qualifications, experience, skills and performance. The level of approvals needed to adjust pay within a pay grade is an internal matter to be decided within a department and in consultation with the Human Resources Department. Pay decisions are made at Vice President level to ensure internal consistency and equity, and to manage budgetary impact. The Human Resources Department provides salary administration information, market data and guidance. Supervisors/Department Heads are encouraged to consult with the Human Resources Department prior to making pay action requests to ensure internal equity, funding is available, and to prevent compression ripple effects.

3.12 Starting Pay

Setting an appropriate starting pay for new employees is a critical part of attracting high quality candidates. Supervisors/Department Heads setting a starting pay rate or salary should consider the salary range, market pay for the position, the candidate's skills and experience, equity within the Department, and budget constraints. The Human Resources Department is available to provide market data and guidance on how the College community is handling similar situations. The Human Resources Department is responsible for monitoring hiring pay levels, and reporting irregular decisions to the Department Vice President.

3.13 Evaluations – Annual Performance and Wage Increases

The College's Annual Performance Program provides specific tools and guidance to Supervisors/Department Heads, Chairs and Deans for planning, assessing performance, and making pay increase recommendations. The College's evaluations are designed to help Supervisors/Department Heads, Chairs and Deans communicate expectations, set goals, recognize accomplishments, and evaluate performance for employees. The evaluation process also identifies the employee's developmental needs for the job, and develops a performance improvement plan. Performance evaluations are conducted annually. All College employees should be made aware of the expectations for their job performance as well as how they will be evaluated for the coming year. Informal quarterly or mid-year performance evaluations are encouraged. The Human Resources Department is available to assist with the performance evaluation process. **Annual reviews are required.** The review is to be completed no later than June 15th and a signed copy should be submitted to Human Resources for the employee's file. Any evaluations that are poor must be discussed with Human Resources. The evaluation requires the Department Head to approve an increase and/or a contract. Increases are not automatic. In some cases, increases can be delayed. The annual increase also depends on the College's financial condition.

3.14 Promotion

When an employee is promoted to a position with significantly greater responsibilities, a pay increase may be given to ensure that the employee's pay is equitable and competitive. Department Heads with Human Resources set the pay level within the pay range assigned to that position. The selected pay is based on the employee's skills, knowledge and competencies. Since circumstances vary and each advancing employee has a different pay history, it is important to consider the employee's current level of performance compared to expectations, the employee's pay compared to peers in the new category with similar skills, knowledge and competencies, the criticality (and possible scarcity) of the employee's skills to the College, and the depth and breadth of the employee's skills when making pay decisions related to advancement. If the recommended pay increase is significant, it may be appropriate to phase the increase in over a period of time. The Human Resources Department is available to consult with Supervisors/Department Heads, Chairs and Deans and to provide guidance about pay decisions related to advancement. The Human Resources Department and Vice Presidents can extend the evaluation process and delay increases, and encourages the Department Heads to discuss such provisions throughout the year.

3.15 Demotions

3.15.1 Demotion for Cause

Demotion for cause is defined as an involuntary movement to a position in a lower pay grade related to disciplinary action. If an employee is demoted to a position in a lower pay grade, this type of transfer is arranged through the Human Resources Department and may result in a reduction of the employee's pay rate. This type of demotion is rare since most disciplinary problems should not result in a demotion.

3.15.2 Voluntary Change to a Lower Pay Grade

If an employee applies and is selected for a position in a lower pay grade, his/her pay in the lower graded position will be reviewed based on placement in the new pay range. If the employee's pay exceeds the range maximum, a reduction in the employee's pay rate may occur.

3.15.3 Reorganization/Structure-Change to a Lower Pay Grade

If an employee is reclassified or moved to a lower grade as a result of departmental reorganization, the employee's pay will be reviewed in relation to the established pay range for the new grade. If an employee's salary falls within the pay range of their new position, a reduction will not be made. If the employee's pay exceeds the range maximum, a change in the employee's pay rate may occur.

3.16 Overtime

3.16.1 Overtime

Overtime work is to be avoided if possible and must be justified by extenuating circumstances. *Advance approval is required for overtime work* and must be pre-authorized by the Supervisor/Department Head, Chair or Dean. Overtime work should not be performed before or after the normal work day, or during the lunch hour, except when authorized by the Supervisor/Department Head, Chair and Dean in advance.

3.16.2 Overtime - Pay

Federal and state overtime laws generally require an employer to pay each non-exempt employee an eight (8) hour day overtime premium rate of 1 ½ times an employee's regular pay rate for all hours worked over 40 hours per pay week. Holidays, unscheduled closings, vacation, personal, and sick leaves do not count as time worked. The College's policy is based on federal and state overtime laws; therefore, employees earn overtime pay at a time-and-a-half rate after working more than 40 hours in a pay week. Hours worked between 35 and 40 hours will be paid at the regular rate of pay. Overtime pay applies only to time worked. If there is a holiday or an employee uses paid leave in a pay week, overtime pay will only apply to actual time worked on the job beyond 40 hours. Individuals working up to 6 hours overtime beyond their normal workday will have the option to take a 30-minute unpaid meal break after the first 2 hours of overtime worked. Overtime hours worked by support staff employees are reported

on their time sheets issued from the Controllers Office. The signed sheets are then processed with the bi-weekly payroll. Employees who work overtime without prior supervisory authorization will be paid in accordance with FLSA, but are subject to disciplinary action. *Overtime must be approved by the Department Head.*

3.16.3 Overtime – Administrative Employees’ Exemption from Overtime

Administrators, by virtue of their administrative, managerial or professional responsibilities, generally are exempt from overtime provisions of federal and state wage and hour laws. Depending upon the requirements of the respective administrative offices, additional work time may be required beyond the normal schedule. It is expected that exempt employees will work when needed. In cases where excessive work time is required of an administrator beyond the normal schedule, the Supervisor/Department Head, Chair or Dean may make adjustments to the regular work schedule at a later date as the flow of the work load permits. In no circumstances are administrative employees permitted to compensatory time in lieu of overtime.

3.16.4 Overtime - Emergency

Emergency overtime may be required to perform unforeseen services or repairs required for the College to carry out an academic program or activity.

3.16 Compensatory Time

It is not the policy of the College to grant “comp” time or leave time granted in lieu of overtime pay. If a staff employee works more than 40 hours in a given week, they are entitled to overtime pay.

3.17 Flex-Time

3.17.1 Flex-Time – Short Term

Flex-time allows a department to temporarily alter work schedules to accommodate a special need (e.g., an expanded lunch hour). This arrangement works only in offices with more than one employee, since at least one person must be available to keep the office open Monday through Friday. Flex-time may only be scheduled by mutual agreement and must be resolved in the same work week. The employee must work their full total number of hours for the week in which flex-time is arranged. Flex-time is not automatic and can be denied.

3.17.2 Flex-Time - Scheduled

Flexible schedules are permitted in offices with two or more staff employees where the accommodation serves the best interests of the department. The flexible schedule may be

changed back to the original schedule as operations require. Flex schedules do not apply in all work environments and may be granted under very special circumstances. Flex time schedules must be discussed with Human Resources.

3.18 Working from Home

Working from home is defined as occasional short-term periods (fewer than five business days) where a staff member works from his or her home. Manhattan College does not promote working from home as a regular practice and most positions are ineligible for a work from home arrangement. For very specific situations, lengthier arrangements may be made if approved by the Department Head/Vice President and Director or Vice President for Human Resources.

3.19 Shift Differential

Shift differentials are premium rates of pay that are paid only to those staff members who regularly are scheduled to work from midnight to 8:00 a.m. (night shift) or between 4:00 p.m. (evening shift) to midnight. Schedules may vary slightly from the start and finish times, as required by the Supervisor/Department Head. Shift differentials are only paid for hours worked and are paid for vacation, sick or personal leave.

3.20 Payroll Period

Staff and Administrative employees are paid on Thursdays based on a bi-weekly pay cycle. Faculty are paid on the last business day of each month.

3.21 Reporting Time

3.21.1 Reporting Time - Staff Employees

Supervisors/Department Heads, Chairs or Deans are required to verify the hours worked each week by their staff by signing a time sheet supplied for that purpose at the end of each pay period. The signature of the Supervisor/Department Head, Chair or Dean on the time sheet certifies its accuracy. Care should be taken in preparing time sheets as they are essential for payroll and benefit calculations. Staff employees ***may not sign*** their Supervisor's/Department Head, Chair's or Dean's name or authorize their own time. Time sheets must be submitted to the payroll office in accordance with the payroll schedule. Neglecting to do so may result in the employee not being paid on time the following Thursday. No one will be paid without a completed and signed payroll sheet to the Payroll Department. In addition, Staff must submit to the Human Resources Department at the end of each fiscal year an attendance record. ***No employee is authorized to keep their own attendance records.*** Any falsification of records may result in termination of employment.

3.21.2 Reporting Time - Administrative Employees

Administrators are not required to complete and submit hours worked each week. However, they *must keep an accurate record of their time*. All Administrators must submit to the Human Resources Department at the end of each fiscal year an attendance record. *No employee is authorized to keep their own attendance records*. Any falsification of records may result in termination of employment.

3.22 Statement of Earnings

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

- Gross Pay
- Overtime Pay
- Mandatory Deductions
- Voluntary Deductions
- Vacation and Sick Time balances, if applicable to the employee

Note that the amount of federal withholding is affected by the number of exemptions claimed on Form W-4. If an employee's marital status changes, he/she moves to another state or if the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Payroll Manager.

3.23 Mandatory Deductions

Mandatory deductions from pay include the employee paid portion of FICA-FICM (social security) tax, federal, state and local withholdings for income tax, court-ordered payments for child support and wage garnishments. Employees are required to complete the withholding tax forms (W-4) and keep them current and on file with the Human Resources Department. Any payroll deductions other than these listed are optional, authorized in writing at the employee's discretion, and may be arranged through the Human Resources Department.

3.24 Direct Deposit of Paychecks

The College strongly encourages all employees to elect to have payroll checks deposited directly into either a checking or savings account. If your payroll check is deposited directly, you will receive a pay statement indicating the amount of the deposit as well as a detail of your earnings and deductions for the current pay period. In order to enroll for direct deposit, employees must bring a voided check or savings deposit slip to the Controller's office. Subsequent changes in account information must be made with the Controller's office. Once the direct deposit request is received, the direct deposit process will begin within 30 days.

3.25 Lost Pay Checks

In the event of a lost pay check, employees must notify the Controller of the College in writing. The notification should be made as soon as possible in order for the Controller to request the College's bank to issue a "stop payment" order. Once the bank notifies the College that a "stop payment" order is effective, the College may issue a replacement check to the employee. Should the employee subsequently recover the lost paycheck, the employee must return it immediately to the College's Controller.

3.26 Salary Advance

An employee may request a salary advance. A salary advance may only be requested in writing and approved by Human Resources in the case of an extreme emergency with supporting documentation. The maximum salary advance is \$300 and must be paid back at \$50 per pay check. An advance may be granted once annually for emergencies only however, extreme cases of financial need will be reviewed on a "case-by-case" basis.



Section IV.

WORK SCHEDULE

4.1 Work Schedule

The work week begins on Monday and ends on Friday. All changes to regular work schedules must be approved by the Supervisor/Department Head, Chair or Dean in advance. Directors or Supervisors/Department Head, Chairs or Deans may vary the hours and days of employment consistent with operational demands, wage and hour laws and with reasonable notice to the employee.

Office – The usual workday for administrative offices is 9:00 a.m. to 4:30 p.m., Monday through Friday (lunch period is unpaid). The nature of the work for some departments may require adherence to a different schedule, and is approved by the Supervisor/Department Head, Chair or Dean. Some departments scatter their starting and closing time amongst employees. Most departments work a 35 hour work week (7 hours per day). Employees may **not** enroll in College classes (tuition remission) during their working hours.

4.2 Rest Period

Paid rest periods, sometimes called “breaks,” are scheduled by the Supervisor/Department Head, Chair or Dean. On a temporary basis, Supervisors/Department Heads, Chairs or Deans may request that employees not take breaks during heavy or emergency work periods.

Supervisors/Department Heads, Chairs or Deans should take steps to ensure that the cancellation of breaks is not necessary on a regular or frequent basis unless the employee is taking a one hour lunch break. The breaks are scheduled by the Department.

4.2.1 Lactation Room Policy and Procedures

The College is committed to supporting breastfeeding mothers in the workplace, in accordance with the New York State Department of Labor Guidelines.

It is the policy of Manhattan College to allow lactating mothers the opportunity to take time away from work to express breast milk for up to three (3) years following child birth. The College will provide a clean private room where employees can express milk in privacy.

This Policy applies to all Manhattan College faculty and staff (including temporary and casual staff). Employees covered under collective bargaining agreements are also covered under this Policy. Managers are encouraged to work within applicable union policies and contracts.

Lactation Room – Accommodation Request and Breaks

To request an accommodation for a break time to express breast milk, employees should give advance, written notice to their immediate supervisor or manager so as to ensure adequate staffing within the department. Nursing mothers will be provided a reasonable amount of break time to express milk as frequently as needed. The break time shall, if possible, run concurrently with any break time already provided to the employee and generally be at least 20 minutes (30 minutes if the Lactation Room is located far from the employee's worksite) every 3 hours, unless an alternative arrangement is made with the supervisor or manager.

To request access to the Lactation Room (Miguel Hall/6th Floor), please contact Human Resources.

It is best to provide at least ten days advance notice of your need for the room, and your expected schedule, but the College will do its best to accommodate same and next-day requests. Access is provided by an access code. Human Resources will endeavor to communicate any change in access in advance.

Please respect the privacy of all Lactation Room users by knocking prior to entering the room. Never prop open the door. You are expected to clean up after each use of the room, out of respect for the next user and to prevent contamination. Please allow enough time in your schedule to clean the surfaces and dispose of trash properly. We recommend that you bring antibacterial wipes with you.

Lactation Room - Space

The Lactation room is secure, private, well-lit and sanitary; is equipped with a table, chair, and electrical outlet; and, locks from the inside. Nursing mothers will need to provide their own breast pumps, adapters and accessories. The College is not responsible for the security or integrity of breast milk stored in or outside of the College refrigerators.

Employees may access the Lactation Rooms only for the purposes of expressing and collecting breast milk.

Lactation Room – Cooperative Dialogue

The College will engage in cooperative dialogue with employees to meet individual needs. If the College is unable to provide a specific accommodation, reasonable alternatives will be suggested in order to meet the employee's needs.

Lactation Room – Complaint Procedure

New York State law prohibits discrimination against an employee who chooses to express breast milk in the workplace. Any complaints of discrimination will be handled under the College's Non-Discrimination & Anti-Harassment Policy. At any time, an individual may pursue other remedies available under New York State.

4.3 Lunch Period

For most employees, the lunch period is one half hour and is taken between the hours of 11:30 a.m. and 2:00 p.m. Lunch periods are unpaid. Two paid breaks may be attached to the lunchtime if it fits the needs of the department. Offices remain open during the lunch period by determining a schedule of lunch hours that provides continuous office coverage. This arrangement can be flexible among employees provided someone is continuously available for visitors and telephone coverage from 9:00 a.m. to 4:30 p.m. (or the operational hours of the Department).

4.4 Attendance at College Functions

Certain divisions or departments may require their personnel to attend College functions not directly related to that department's work. All employees are encouraged to attend the Mass and Founders Day Ceremonies and Convocations as long as participation does not interfere with the ongoing work of the individual's department. All Administrators are encouraged to attend Commencement, Honors Convocation and the Baccalaureate Mass.

4.5 Inclement Weather

4.5.1 Inclement Weather and Unscheduled Closing Policy

If there is a civil emergency or weather makes driving hazardous and parking difficult, the Provost, in consultation with the Vice President of Student Life and Vice President of Human Resources will evaluate the situation to decide if the College will close and the timeframe of closing. Non-essential employees are not required to work when the College is officially closed due to an emergency or inclement weather. Employees at work will be notified of any emergency closings or early releases during that work shift. These decisions are usually announced by 6:00 a.m. for day hours and by 3:00 p.m. for evening hours. Information regarding closings are announced on Manhattan College's Web site at www.manhattan.edu, and through e2-campus alert system for those who are registered. *The cancelling of classes does not necessarily mean the College is closed.*

4.5.2 Inclement Weather and Unscheduled Closing Policy - Essential Employees

Essential personnel are identified by the job duties of their position. If an employee's job description includes duties that may be considered essential during an emergency, their position may be identified as essential. When essential personnel are needed during emergencies, they must make every reasonable effort to report to work. If the College is closed due to inclement weather or other emergency, essential employees may be expected to report for their regularly scheduled shift.

4.5.3 Weather and College Closing

a) Essential Employees

- Employees in designated essential non-exempt positions who are required to work during an unscheduled closing will be paid for the actual hours worked and will receive time-and-a-half for an hour's equivalent to their regularly assigned shift. If an essential employee must come in on a holiday or regular day off, he/she will receive time-and-a-half.

b) Weather and Unscheduled Close Pay – Non Essential Employees

When the College closes for inclement weather or other emergency, non essential employees are not required to report to work and will receive their regular rate for the hours they were scheduled to work during the closed period. Non essential employees are not eligible to be paid for both hours worked and unscheduled close pay for the same hours. "Additional" pay is not authorized for non essential employees who choose to come to work. Essential and non essential employees who previously arrange to take vacation or sick leave on a day or days on which the College is ultimately closed due to weather or other factors must still use sick or vacation leave for those days/hours. If an employee, due to inclement weather, cannot get to work and the College remains open, the employee will be permitted to use a vacation day. **Sick days may not be used.**

4.6 Emergency Closings/Early Release

All employees at work are notified of any emergency closings or early releases during that work shift. The time of closing will be determined by the Provost in coordination with the Vice President for Student Life and the Vice President for Human Resources.

The Provost will notify employees if and when the College is closed (not when classes are cancelled).



Section V.

BENEFITS AND WELLNESS

5.1 Benefits Administration

The benefit information that follows is a summary and is not intended to be all encompassing. If you need more specific information, please contact the Human Resources Department for documents containing details of coverage provided by the various insurance plans and other benefits. The College reserves the right to make changes to policies and benefits, including elimination of policies or benefits. Changes or amendments are widely communicated, and supersede the information provided in this book.

5.2 Benefits Plans

5.2.1 Benefits Plans- Eligibility

If a new employee's first day of work is the first day of the month, their eligibility for Medical coverage is in effect that day, otherwise, eligibility for coverage is the first day of the following month. All other core and elected benefits coverage is in effect the first of the month after completing three months of employment. The only exception is the TIAA-CREF Pension plan which goes into effect the first of the month after completing two years of employment unless you are an existing active account holder and/or in higher education or equivalent for two plus years of full-time service. Current employees' open enrollment benefit elections take effect on each May 1st for dental and each June 1st for medical until the following year. The employee's costs for elected benefits offered through the Cafeteria Flexible Benefits Plan are paid with pre-tax credits (before taxes are calculated). As required by Section 125 of the Internal Revenue Code, benefit elections generally are binding for the benefit year.

The eligible employee's spouse and unmarried children under 19 years of age are also eligible for medical and dental insurance. This includes step-children; children legally placed for adoption and legally adopted children. Dependent children incapable of self-support because of a physical or mental disability are covered regardless of age. Unmarried children who are solely dependent upon the employee and are the ages of 19 - 26 are also considered eligible. Dependent status may be verified when requested.

Manhattan College will permit an employee enrolled in the College's medical and dental benefit plan the opportunity to enroll one Legally Domiciled Adult (LDA) as defined in this policy, in the College's medical and/or dental program, subject to the requirements detailed and upon submission of the required documentation. The extension of benefit availability to an LDA does not alter the eligibility for an employee's dependents under the existing terms of the College's medical and dental insurance plans, including the eligibility for dependent children up to the age of 26. An application for coverage generally will only be permitted during the standard open enrollment period for medical and dental benefit coverage.

An LDA is an individual over age 18 who shares a primary residence with the employee at the time application is made, and remains a member of the employee's household throughout the coverage period.

5.2.2 Benefits Plans - Changing Elections

Employees enrolled in benefits can make certain benefit changes during the plan year only if he/she notifies the Benefits Manager within 30 calendar days of a qualified life event. Examples of qualified life events include but are not limited to:

- marriage;
- birth or adoption of a child;
- divorce or legal separation;
- death of a child or spouse;
- loss of student eligibility; and
- gain or loss of employment by your spouse.

The changes available as a result of each qualified life event vary by benefit. Any change must be directly related to the life event. For instance:

- **Medical Coverage** - Participation in the College's medical coverage may be waived as long as you certify you have other group coverage; or you can add or delete new spouse or dependents; and, if previously waived, you can elect coverage.
- **Dental Coverage** - You can add or delete a new spouse or dependents or, if previously waived, you can elect coverage.
- **Flex Spending Accounts** - You can increase, decrease or drop coverage as long as your new annual contribution is not less than reimbursements received to date.
- **Supplemental Term Life Insurance** - You can increase (with approval of the insurance carrier) or decrease coverage.
- **Short-Term Disability** - No changes can be made.

For further details about benefits changes, contact the Human Resources Department.

5.3 Health Insurance

Regular full-time employees of the College who have satisfied the waiting period are eligible to participate in the College's healthcare plans. If a new eligible employee's first day of work is the first of the month their coverage is in effect that day, otherwise they must wait for the first day of the following month to be eligible for coverage. Health coverage is also available for eligible

spouses and dependents. The College contributes a portion of the cost for individual and dependent coverage. Employees pay a portion of the cost with pre-tax dollars through payroll by means of a salary reduction plan. The employee portion is determined by the College. If an employee does not want medical insurance, he/she may waive the College's healthcare benefits. A waiver statement must be signed by the employee. Benefit options include medical coverage, dental coverage, term life insurance, short term disability and flexible spending accounts.

5.4 Flexible Spending Accounts (FSA)

Health Care and Dependent Care Flexible Spending Accounts provide a method to pay for expenses not covered or only partially covered by an employer's medical and dental, and for qualified dependent care expenses such as child day care. Each type of account is designed to serve different needs and accounts may not be combined. You may participate in either or both FSA accounts even if you choose to waive Manhattan's medical coverage. FSA's reduce your total taxable income, which results in savings of Medicare, social security, federal and most state income taxes. Tax savings are based on the total contributions made into these accounts.

5.4.1 Flexible Spending Account Election

Participation begins when an employee decides, during open enrollment or when first becoming eligible for this benefit, how much money to deposit in either or both accounts for the plan year (January 1- December 31). Funds are directed into either or both accounts by authorizing money to be deducted from your paycheck on a pre-tax basis.

5.4.2 Flexible Spending Accounts and Claims Processing

As eligible expenses occur throughout the plan year, an employee submits eligible receipts along with the Flexible Spending Account Request for Reimbursement Form. These forms may be obtained from the Human Resources website and submitted to the College's third party administrator. Reimbursement claims will not be processed without receipts attached to the reimbursement form confirming the amount charged for service(s), the amount paid by you or your insurance carrier, dates of service, type of service rendered, name of eligible person and provider's name and full address. Attach insurance explanation of benefits statements whenever possible. Itemized cash register receipts must be submitted for over-the-counter purchases. Cancelled checks are not accepted as receipts. If a claim is for daycare, receipts must provide amount charged for service, child's name, daycare provider's name, address, federal tax ID number (or social security number) and dates of service. All FSA reimbursements are reviewed for eligibility based on date of service not by date of payment. Reimbursements for claims will be made at regular intervals by the third party administrator. Further information may be obtained from the Human Resources Department.

5.4.3 Flexible Spending Account Restrictions

Changes in your contributions are permitted during the benefit year only if a qualified life event occurs. The maximum plan year contribution is \$5,000 for dependent care and \$3,000 for the health care flexible spending accounts. These maximums are set by the Internal Revenue Service and change from time to time. The latest regulations can be found on the Internal Revenue Service Web site at www.irs.gov. Claims for expenses incurred during the plan year will be accepted up to 90 days after the plan year ends. That is, the last day to file claims for a plan year ending December 31 is March 31 of the same year. Contributions not claimed before the 90-day period expires are forfeited under the “use it or lose it” federal IRS requirement.

5.5 Life Insurance

5.5.1 Life Insurance - Basic Group Term

Basic group term life insurance with accidental death and dismemberment coverage is a benefit provided by the College at no cost to eligible employees. The value of insurance is \$50,000 and this is a tax free benefit. At age 70 the value of the insurance is reduced to \$25,000. All eligible employees should receive the group life insurance benefits certificate when hired or on becoming eligible for the benefit. The appropriate forms for enrolling and designating beneficiaries may be obtained from the Human Resources Department.

5.5.2 Life Insurance - Supplemental Group Term and Whole Life

Employees have the option of choosing supplemental group term life insurance and Whole Life for themselves, spouse and/or children. The cost of the supplemental term life insurance and Whole Life is based on your age. During open enrollment, employees wishing to increase coverage or electing coverage for the first time must complete the life insurance application and a statement of health. Forward completed forms to the Human Resources Department. Once the carrier approves the application, post-tax payroll deductions will begin. Newly hired or eligible employees either supplemental insurance plans within 30 days of eligibility will not have to apply for medical approval. However, newly hired or eligible employees electing \$180,000 or more of supplemental insurance must complete the life insurance application and a statement of health. Once the carrier approves the application, post-tax payroll deductions will begin. The appropriate forms for enrolling may be obtained from the Human Resources Department.

5.6 Disability Insurance - Short Term

The purpose of disability insurance is to replace a portion of your income if illness or accident prevents you from working for an extended period of time. New York State law provides that all employees maintain a Short-Term Disability (STD) Insurance policy which provides benefits for those employees who are ill for more than 5 consecutive business days. In addition, Manhattan College provides salary continuance in excess of the benefit provided by our

insurance carrier, First Reliance. Disability benefits and salary continuation are contingent on the certification of your disability by a physician.

For the purpose of defining disability in the context of the benefits that are offered by the College, disability means the employee is sick or injured to the degree that they are unable to work in his/her regular occupation for up to six months. After six months, disabled means the employee is unable to engage in any occupation for which he/she is reasonably fitted by education, training, or experience.

5.6.1 Disability Insurance - Long Term

The College provides long-term disability insurance at no cost to full-time faculty and administrative employees. Newly hired employees are eligible for Long Term Disability Benefits after completing two years of employment. If you become disabled, the plan provides a monthly income benefit, including any social security or Workers' Compensation payments, equal to 60% of your base monthly pay up to the plan maximum. The benefit begins with the first day of the month following six months of continuous disability. Additionally, the plan provides for the continuation of College retirement contributions to your regular annuity plan provided you are a member of the plan. All eligible employees should receive the group total disability benefits certificate on becoming eligible for the benefit. The appropriate forms for enrolling may be obtained from the Human Resources Department.

5.7 COBRA - Continuation of Coverage

For eligible employees electing health insurance, COBRA (Consolidated Omnibus Budget Reconciliation Act) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage. "Continuation of Coverage" is offered at group rates in certain instances where coverage under the plan would otherwise end (qualifying events). An employee does not have to show that he/she is insurable to choose continuation of coverage. However, under the law, an employee may have to pay the entire premium for the continuation of coverage including administrative fees. This notice serves to inform employees of the College, in a summary fashion, of his/her rights and obligations under the continuation of coverage provisions of the law.

5.7.1 COBRA - Eligibility for Continuation of Coverage

a. Employees

An employee of the College covered by a group health plan may have a right to choose this continuation of coverage if he/she loses his/her group health coverage because of a reduction in hours of employment or the termination of employment.

b. Spouses of Employees

The spouse of an employee covered by a group health plan may be a qualified beneficiary and may have the right to choose continuation of coverage, if he/she loses group health coverage under a group health plan for reasons such as:

- death of spouse;
- termination of spouse's employment or reduction in spouse's hours of employment;
- divorce or legal separation from spouse; or
- spouse becomes eligible for Medicare coverage.

c. Dependent Children

A dependent child (a child born to, or placed for adoption with, the covered employee during a period of continuation of coverage) of an employee covered by a group health plan is also a qualified beneficiary. Dependent children have a right to continuation of coverage if group health coverage is lost for any of the following reasons:

- death of a parent;
- termination of a parent's employment or reduction in a parent's hours of employment;
- parents' divorce or legal separation;
- a parent becoming entitled to Medicare; or
- dependent child ceases to meet their group health plan definition of a dependent.

5.7.2 COBRA - Separate Elections

If there is a choice of types of coverage under a plan, an employee or former employee who is eligible for continuation of coverage is entitled to make a separate election from the types of coverage available. For example, a spouse or dependent child is entitled to elect continuation of coverage even if the covered employee does not make that election. Similarly, a spouse or dependent child may elect a different coverage from the coverage that the employee elects.

5.7.3 COBRA - Employer and Employee Responsibilities

The employee or a family member has the responsibility to inform the Human Resources Department of a divorce, legal separation, or a child losing dependent status under a group health plan, within 60 days of the date of the event. In addition, the employee or a family member must inform the Human Resources Department of a determination by the Social Security Administration (SSA) that the employee or covered family member was disabled during the 60-day period after the employee's termination of employment or reduction in hours. This notification must be made within 60 days of SSA determination and before the end of the original 18-month continuation of coverage period. If, during continued coverage, the Social Security Administration determines that the employee or family member is no longer disabled, the individual must inform the Human Resources Department of this re-

determination within 30 days of the date it is made. After notification that one of these events has happened, the employee will be notified that he/she has the right to choose continuation of coverage. An employee has 60 days from the date he/she would lose coverage because of one of the events described above to inform the Human Resources Department that he/she wants continuation of coverage. If an employee does not choose continuation of coverage within the 60-day period, the employee's group health coverage will end. If the employee chooses continuation of coverage, the plan will provide coverage identical to the coverage provided under the plan to similarly situated employees or family members. This means that if the coverage for similarly situated employees or family members is modified, the employee's coverage will be modified. Similarly situated refers to a current employee or dependent who has not had a qualifying event.

5.7.4 COBRA - Length of Coverage

In compliance with COBRA, the opportunities for an employee to continue their health coverage vary according to the qualifying event(s).

- Employees terminated for reasons whose hours are reduced may continue their coverage for 18 months.
- In the event of an employee death, divorce, legal separation, employee's Medicare entitlement, or loss of child dependent status, coverage may be continued for 36 months.
- If the employee or covered family member is disabled at any time during the first 60 days of their 18-month continued coverage, the period is extended to a total of 29 months. The 29-month extension applies to the disabled individual and to all other qualified beneficiaries. The disability status is determined by the Social Security Administration. The 29-month continuation period may be extended to 36 months if certain additional qualifying events occur during the 29-month period.
- In no event will coverage extend beyond 36 months from the date of the event that originally made the employee or a qualified beneficiary eligible to elect continuation of coverage. The Human Resources Department must be notified if a second qualifying event occurs during the continuation of coverage period.

An employee's continuation of coverage may be cut short prior to the expiration of the 18-, 29-, or 36-month period for any of the following reasons:

- The College no longer provides group health coverage to any of its employees.
- The premium for continuation of coverage is not paid within the applicable grace period.
- The individual becomes covered under any other group health plan, and the individual is not excluded or limited with respect to any preexisting condition, other than an exclusion or limitation that, after July 1, 1997, does not apply to, or is satisfied by, the individual under the provisions of the Health Insurance Portability and Accountability Act of 1996 (please refer to section 5.12).
- The individual becomes entitled to Medicare.
- The Social Security Administration makes a final determination that the individual is no longer disabled.

COBRA 1985

5.8 Workers' Compensation

If an accident or injury occurs on the job, the College and all its employees are covered by Workers' Compensation insurance.

5.8.1 Workers' Compensation – Reporting Responsibilities

All accidents are to be reported by the Security Department, Supervisor/Department Head, Chair or Dean to Human Resources within 24 hours so that necessary insurance forms may be filed in a timely manner.

5.8.2 Workers' Compensation - Human Resources Responsibilities

Once notified of an on-the-job-injury, Human Resources will:

- file the claim with the insurance company;
- contact (via e-mail or phone), to the employee with a claim number and the telephone number and address of the insurance company;
- if necessary, provide the employee with a list of physicians/providers who accept Workers' Compensation patients; and
- send an e-mail to the employee notifying them of their FMLA rights if their absence is expected to last for more than three days or if they are expected to be hospitalized for any duration of time.

5.8.3 Workers' Compensation - Employee Responsibilities

- If the employee is going to be absent from work as a result of injury, immediately notify the Human Resources Department.
- Provide any health care provider or health care facility with the Workers' Compensation claim number and insurance company information.
- Mail all bills related to the work injury to the insurance company as soon as they are received. Retain copies of the cover letter and bills for your records.
- You must contact the Human Resources Department weekly with an update on your prognosis and expected return to work date. This will allow your Supervisor/Department Head, Chair or Dean to schedule coverage or your return in a timely manner.
- Submit a Return to Work Certification Form before returning to the job.

When it is necessary to see a physician or to go to a hospital with a work-related injury, tell the health care provider that this is a work-related injury and that Workers' Compensation is liable for any expenses, not personal or group insurance.

5.8.4 Workers' Compensation - Payment Options

Employees who are absent due to work related injury may receive Workers' Compensation payments after the seventh day of injury/absence. The insurance company will determine if an injury is compensable under New York Workers' Compensation laws. During the first seven days of absence, an employee may use their accrued vacation or sick leave, if any is available. Employees who expect to be absent from work for more than seven days should immediately contact the Human Resources Department.

Workers' Compensation injury will also run concurrently with the Family Medical Leave (FMLA).

5.9 Retirement Program

The College provides two ways for eligible employees to save for a secure financial future in their retirement through the regular 403(b) retirement plan and a tax-deferred annuity plan. Eligible employees' contributions are placed directly into their retirement accounts on a tax-deferred basis. The tax liability is reduced because employees do not pay federal or state (in most states) taxes on their contributions until the contributions are withdrawn.

5.9.1 Retirement Program - Regular Retirement

The Regular 403(b) Retirement Plan allows participants to make voluntary tax-deferred contributions to a tax-deferred retirement account. The tax-deferred status of the retirement contributions is governed by the Internal Revenue Code. To participate in this plan, an employee must complete a Salary Reduction Agreement and a TIAA-CREF contract. Investments are made at the direction of the participant into one of the College-approved investment options. The College does not make plan contributions to a participant's retirement account during periods of unpaid leave. In order to receive the College retirement contribution of five percent (5%) of base pay, all of the following must apply:

- The employee has attained age 21; and
- completed two years of service at the College (at least 1,000 hours over 12 months); and
- made a tax-deferred employee contribution of at least 3 percent of their base pay.

The two year waiting period may be waived if two years of continuous full-time employment has been completed at an accredited four-year or five-year educational institution. Both the College contribution (5%) and employee contributions (3% or 5%) are directed into the participant's regular retirement account. Further details and information may be obtained from the Human Resources Department. These terms are and must be consistent with the conditions defined by the 403(b) summary plan document.

The College will increase the employer contribution to the Pension Plan for employees with 10 years of continuous full time employment up to a maximum of 10%. The College contribution for salary above the social security wage base is 10%.

In calculating the years of service required to qualify for the 10% level of contribution by the College, the College shall grant credit for the ten years for any employee who has worked in an accredited degree-granting institution of higher education for a minimum of 20 years of full-time service at the time of hire by the College (20 years of previous qualifying service to be counted as the equivalent of 10 years of Manhattan College service, with no partial credit for previous service).

5.9.2 Retirement Program - Supplemental Retirement

A supplemental retirement account is available to all employees the first of the month coinciding with or following their date of hire. Employees do not have to be eligible for the College Regular Retirement Plan to participate. The plan allows participants to make voluntary tax-deferred contributions to a retirement account by completing the Salary Reduction Agreement and a TIAA-CREF contract. Tax-deferred retirement contributions to a supplemental savings plan are governed by the Internal Revenue Code. Investments are made at the

discretion of the participant into the College's approved investment options. Please contact the Human Resources Department for details about this benefit.

5.10 Tuition Remission and Tuition Exchange Benefits

Regular full-time employees, their spouses, dependent children, and part-time employees may apply for tuition remission benefits at Manhattan College. The tuition remission benefit applies only to tuition charges. The employee is responsible for all other charges, such as books, fees, special charges, housing and independent studies.

All prospective students must meet the criteria established by the College Admissions Office. Specific information regarding admission criteria may be obtained from the Admissions Office.

The provisions herein regarding the taxation of the various tuition remission and exchange benefits do not constitute and should not be construed as tax advice. The tax treatment of tuition benefits is subject to change and employees are advised to consult their tax advisors with respect to questions regarding individual tax obligations.

5.10.1 Tuition Remission - Full Time Staff

- All full time permanent staff are eligible for tuition remission upon successful completion of probationary period.
- Employees may enroll as part-time students only and take up to a maximum of nine (9) credits per semester. **Courses must not be taken during working hours.**
- Spouse and children **who are legal dependents*** will receive one half tuition after the employee is employed one year. Spouse and children (legal dependents) will receive full tuition after the employee is employed two years. Tuition remission will be paid for one Bachelor's Degree only per dependent. No more than 15 credits over the minimum credit requirements for a degree will be allowed.
- Employees are entitled to the minimum credit requirements for both undergraduate and graduate schools. Spouse is entitled to one degree only – Bachelor or Master.
- Tuition and program fees are paid by the College. All other charges are to be paid by employee.
- Courses are subject to cancellation based on minimum **paid** enrollment.
- Any course that is being voluntarily repeated will not be paid for by the College.

- Employee/spouse/children who wish to enroll at Manhattan College must apply for a degree program and must satisfy all matriculation requirements of the Admissions Office and all requirements of the Financial Aid Office.
- Each semester the Tuition Assistance form must be properly completed by employee/spouse/children and approved in order to enroll at the College. Approvals must be obtained in the following sequences:
 - Human Resources
 - Financial Aid
 - Registrar
 - Bursar
 - The College requires that each year you complete a Financial Aid Form (FAF or any other form deemed necessary). The Financial Aid Office will provide any assistance necessary to complete this form. Copy of completed form must be submitted to the Director of Financial Aid.
- After five years of employment and in the case of death of total disability, the College extends tuition benefits to surviving parent or guardian. Tuition benefits to the surviving spouse will be extended. **
- After twenty years of employment and in the event of regular retirement (retirement refers to age 65 or older), the College will extend regular tuition benefits to the sons and daughters and spouses of staff members. **
- In order to be eligible for tuition benefits, all procedures must be followed. Failure to follow all procedures in a timely fashion may cause the loss of the tuition benefit.

* Legal dependents are those persons who meet the I.R.S. guidelines for financial dependence upon the employees.

Tax Free Tuition Remission benefits will be extended to your dependent child(ren) up to the age of 23. If your dependent child(ren) is receiving free Tuition Remission and is over the age of 23, this benefit will create taxable income to the employee. You are encouraged to seek tax counsel and guidance from a tax professional to understand the potential tax consequences. All Tuition Remission benefits cease at the end of the year your child(ren) turn age 25. OR All Tuition Remission benefits cease at the end of the semester your child(ren) turn age 26.

** At the discretion of the VP for Human Resources and the President, a waiver may be granted.

5.10.2 Tuition Remission – Full Time Administrators

- All full-time permanent faculty, administrators and professional personnel are eligible for tuition remission at Manhattan College.
- Faculty, administrators and professional personnel may enroll as part-time students only and take up to a maximum of nine (9) credits per semester. Courses must not be taken if they conflict with work schedules and job responsibilities.
- Children **who are legal dependents** * are eligible for tuition remission immediately. Tuition remission will be paid for one Bachelor's Degree only. No more than 15 credits over the minimum credit requirement for a degree will be allowed.
- Faculty, administrators and professional personnel who are members of the Christian Brothers are eligible for undergraduate tuition for nieces and nephews only.
- Faculty, administrators and professional personnel are eligible for the minimum credit requirements for both undergraduate and graduate schools. Spouses are immediately eligible for the minimum credit requirements for one degree only – Bachelor or Master.
- Tuition and program fees are paid by the College. All other charges are to be paid by employee.
- Courses are subject to cancellation based on minimum paid enrollment.
- Any course that is being voluntarily repeated will not be paid for by the college.
- Faculty, administrators and professional personnel's spouse/children who wish to enroll at Manhattan College must apply for a degree program and must satisfy all matriculation requirements of the Admissions Office and all requirements of the Financial Aid Office.
- Each semester, the Tuition Assistance form must be properly completed by faculty, administrators and professional personnel's spouse/children and approved in order to enroll at the College. Approvals must be obtained in the following sequence:
 - Human Resources
 - Financial Aid
 - Registrar

- The College requires that each year you complete a Financial Aid Form (FAF) or any other form deemed necessary. The Financial Aid Office will provide any assistance necessary to complete this form. Copy of completed form must be submitted to the Director of Financial Aid.
 - After five years of employment and in the case of death or total disability, the College extends tuition benefits to surviving sons and daughters while they remain dependent on the surviving parent or guardian. Tuition benefits to the surviving spouse will also be extended. **
 - After twenty years of employment, the College will extend regular tuition benefits to the sons and daughters and spouses of faculty members and administrators. **
 - In order to be eligible for tuition benefits, all procedures must be followed. Failure to follow all procedures in a timely fashion may cause the loss of the tuition benefit.
- * Legal dependents are those persons who meet the I.R.S. guidelines for financial dependence upon the employees.

Tax Free Tuition Remission benefits will be extended to your dependent child(ren) up to the age of 23. If your dependent child(ren) is receiving free Tuition Remission and is over the age of 23, this benefit will create taxable income to the employee. You are encouraged to seek tax counsel and guidance from a tax professional to understand the potential tax consequences. All Tuition Remission benefits cease at the end of the year your child(ren) turn age 25. OR All Tuition Remission benefits cease at the end of the semester your child(ren) turn age 26.

- ** At the discretion of the VP for Human Resources and the President, a waiver may be granted.

5.10.3 Tuition Remission – Part Time Employees

- All permanent part time employees (staff and administrators) who have been employed two years, work twenty hours or more per week and at least nine or more months per year, will be entitled to tuition assistance for undergraduate courses.
- Adjuncts who have worked at least four consecutive semesters and are still employed by the College will be entitled to the same benefits as part-time staff and administrators.

- Tuition and program fees are paid by the College for the first 3 credits. An additional 3 credits may be taken with the employee and the College splitting the cost. All other charges are to be paid by the employee.
- Courses must not be taken during working hours.
- Independent Study courses are not covered.
- Courses are subject to cancellations based on minimum paid enrollment.
- Any course that is being voluntarily repeated will not be paid for by the College.
- Employees who wish to enroll at Manhattan College must apply for a degree program and must satisfy all matriculation requirements of the Admissions Office and all requirements of the Financial Aid Office.
- Each semester the Tuition Assistance form must be properly completed by employee and approved in order to enroll at the College. Approvals must be obtained in the following sequence:
 - Human Resources
 - Financial Aid
 - Registrar
 - Bursar
- The College requires that each year you complete a Financial Aid Form (FAF or any other form deemed necessary to complete this form. A copy of the completed form must be submitted to the Director of Financial Aid.
- In order to be eligible for tuition benefits all procedures must be followed. Failure to follow all procedures in a timely fashion may cause the loss of the tuition benefit.

5.10.4 Tuition Remission - Employee Separation from the College

If an employee separates from Manhattan College prior to the end of the semester or summer session, payment of the prorated balance of the tuition is the employee's responsibility. The same is true of an employee who loses eligibility.

5.10.5 Tuition Remission - Application Process

Applications for tuition remission benefits are available in the Human Resources Department and must be completed, authorized and returned prior to the beginning of the semester or summer session. Completed applications for tuition are to be forwarded or delivered to the Human Resources Department for approval.

5.11 Tuition Exchange

5.11.1 Tuition Exchange - Guidelines

The Tuition Exchange (TE) provides a national scholarship exchange program for dependent children of full-time faculty, Administrators, Professional Personnel and staff among its more than 600 U.S. colleges and universities.

Colleges and universities participating in this program have agreed to remit tuition and in some cases room and board for participants from other member institutions. The primary obligation of a member institution is to maintain a **balanced exchange** pattern, i.e. a reasonable match between student “exports” and student “imports”. Institutions with many applicants may limit the number of TE Scholarships it awards.

All students must seek admission to the partner institution which determines admission and admission procedures.

The following Guidelines are applicable to Manhattan College employees who participate in the program. The College reserves the right to modify these Guidelines to insure an appropriate balance between “import” and “export” students.

A. Definitions:

1. **Eligible Employees:** All full-time permanent faculty, administrators, professional personnel, and staff who have completed at least two (2) years of full-time service at Manhattan College as of the September of the academic year in which his/her dependent child applies to another TE institution are eligible to participate in this program. Christian Brothers are eligible for one Tuition Exchange Benefit for a niece or nephew.
2. **Legal Dependents:** Legal dependents are those persons who meet the IRS guidelines for financial dependence upon an eligible employee.
3. **Applicants:** The legal dependent of an eligible employee who has applied for full-time, undergraduate study in a baccalaureate degree program at a college or College that participates in the TE program.
4. **TE Scholarship:** A tuition waiver for up to four years (eight semesters) of full-time baccalaureate degree study provided the student maintains continuing eligibility. Room, board and fees are usually NOT included in the scholarship offered by the host institution. Very high tuition institutions are permitted by the TE Program to award

LESS than full tuition. Most institutions reduce their scholarship by the amount of Federal and State grants available to the student.

5. **Exclusions:**
- Part-time study
 - Study for a second baccalaureate degree
 - Graduate study
 - Study in non-degree programs

6. **Continuing Eligibility Criteria:**

- a) Employee remains a full-time employee of Manhattan College.
 - After five years of employment and in the case of death or total disability, continuing eligibility will be extended to surviving sons and daughters while they remain a legal dependent of the surviving parent or guardian.
 - After twenty years of employment and in the event of regular retirement, continuing eligibility will be extended to legal dependents.
- b) Change from “legal dependent” status.
- c) Shift of enrollment status to an exclusion category.
- d) Failure to maintain enrollment at the host institution.
- e) Exhaustion of the eight semesters of eligibility.
- f) Failure to comply with all Application/Recertification requirements.

7. **Recertification:** Determination that the legal dependent of an eligible employee has met all continuing eligibility requirements.

5.11.2 Tuition Exchange - Procedures

A. *Application*

1. By October 15th of each academic year, a letter will be sent out by the Human Resources Department to all eligible employees informing them of the number of TE Scholarships available for the following academic year and inviting legal dependents of eligible employees to apply.

By October 15th, the College will be able to determine the number of TE Scholarships based on the current number of “imports” and “exports” and the continuing eligibility status of legal dependents enrolled in the previous year.

Applicants will complete an “Application for TE Scholarship” form and will return it to the **Human Resources Department NO LATER than December 1st**.

2. The Human Resources Department will verify eligibility.

Note: Eligibility to apply for a TE Scholarship is determined by Manhattan College. TE Scholarships are granted by the host institution which may choose to limit its “imports”, even of highly qualified applicants, if this number exceeds its “exports”.

- a. If the number of applicants is equal to or less than the number of TE Scholarships available, all applicants will be given the opportunity to apply to a partner institution.
 - b. If the number of applicants exceeds the number of TE Scholarships, applicants will be allowed to file for a TE Scholarship but these applications are contingent on the basis of seniority. **Applicants without seniority must be aware that acceptance by the importing institution does not guarantee certification by Manhattan College.** Seniority will be selected on the following priority ranking:
 - (i) First priority will be given to students who do NOT have siblings who have already received a TE Scholarship.
 - (ii) Second priority will be given to applicants based on the continuous full-time employment seniority (based on the years of full-time service at Manhattan) of the parent.
--Among parents who have the same years of seniority, ranking will be based (1) on the date of submission of the application, and (2) by public lottery.
 - c. Alternates who are not selected but choose to enroll in a TE institution on their own may reapply for a TE Scholarship during the following academic year.
3. TE Scholarship awardees must inform the Human Resources Department **ON OR BEFORE April 29th** that they have been accepted and have enrolled in a host institution. Scholarship winners who fail to meet this requirement risk **FORFEITURE** of their awards to alternates on the Waiting List.

B. Continuing Eligibility

- a. Students will ordinarily be able to remain in the TE program for four years (8 semesters). Continued participation depends upon yearly recertification that the student meets all continuing eligibility criteria.
- b. Accordingly, each TE Scholarship recipient must ***complete and submit a “TE Scholarship Renewal Form” no later than August 1st***. This form is

available in the Human Resources Department and it must be certified by the importing institution.

4. The Human Resources Department will verify the student's continuing eligibility and notify the student of his/her status **no later than August 19th**.

C. Other

If a TE Scholarship awardee takes a leave of absence or otherwise interrupts his/her enrollment, the student must notify the host institution and the Human Resources Department at Manhattan College immediately.

Tuition Exchange 2001

5.11.3 Tuition Remission – The School of Continuing and Professional Studies

Manhattan College supports its employees in their efforts to complete their undergraduate education and/or graduate education. All full-time employees and their spouses are eligible to participate in the **School of Continuing & Professional Studies (SCPS)**. Participants must meet all admission requirements, and will be enrolled on a space available basis only.

For cohorts with enrollments of eight (8) paying students, four (4) spaces will be assigned on a seniority basis to Manhattan College employees who have applied at least two weeks before the beginning of the first course of the cohort.

For cohorts with enrollments of a minimum of ten (10) paying students, an additional space will be assigned to an employee's spouse (based on the seniority of the Manhattan College employee). The spouse must have applied at least two weeks before the beginning of the first course of the cohort. However, in cases where there are more than 4 employee applicants for the cohort, the reserved space will be given to the employee.

Maximum cohort enrollment is twenty-five (25), and cohorts with fewer than eight (8) students are considered under subscribed and will not run.

Upon the request of our corporate clients, enrollment is restricted exclusively to on-campus cohorts. Students are limited to cohorts scheduled to begin after regular work hour and must not be taken if they conflict with work schedules and/or job responsibilities. Please note the Dean of SCPS determines the number of cohorts offered. The number of cohorts may not always be the same from fiscal year to year.

Faculty, administrators, professional personnel, and staff (after probationary period) are eligible for the minimum credit requirements for both undergraduate (BSOL) and graduate (MSOL) schools.

Employees and spouses should first submit a School of Continuing & Professional Studies Program Application. As early as possible, employees should complete a Tuition Remission approval form which is available through the Human Resources Department. In cases where there is excessive demand, enrollment will be determined on the basis of employee seniority first, provided that the tuition remission approval form is completed and signed off by all appropriate personnel.

In order to be eligible for tuition benefits, all procedures must be followed. Failure to follow all procedures in a timely fashion may cause the loss of the tuition benefit.

The School of Continuing and Professional Studies 2002, Revised 1/1/2014, 8/1/2017

5.12 Health Insurance Portability and Accountability Act (HIPAA)

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that established guidelines for protecting private personal health information (protected health information, or PHI). Employer's health plan, health care providers and health care clearinghouses must protect identifiable health information that is transmitted electronically, by paper or via verbal communication. HIPAA provides individuals with more control in how their information may be used. Authorization must be received before certain types of identifiable information are used or disclosed. Employers cannot provide identifiable protected health information to an insurance broker. Steps must be taken to make sure the information is no longer identifiable (e.g., withhold names and identification numbers).

There are some records that are not covered by the HIPAA PHI guidelines. They are Workers' Compensation records, family medical leave records, sick leave doctor notes, fitness-for-duty notices, and occupational safety and health records.

HIPAA 1996



Section VI.

LEAVE

Leave

Vacation and sick leave hours are accrued each month. These periodic accruals add to the number of hours or days available to take as paid vacation or sick leave.

6.1 Vacation

Employees are encouraged to use their accrued paid vacation leave. Vacation leave may also be used to attend to personal matters or, when necessary, be used to supplement sick leave. Your vacation leave begins to accrue on your hire date; however, vacation leave may only be taken after the successful completion of your probationary period (3 months/staff employees and 6 months/administrative employees). Vacation leave does not accrue or accumulate during periods of *unpaid* short term disability and/or family medical leave.

6.1.1 Vacation - Accrual

a. Full-time Staff Employees

Full-time staff who work 12 months per year accrue 10 working days of vacation for each year of service. Following the completion of 4 years of continuous employment (at the beginning of the 5th year of continuous employment), staff begin to accrue at the rate of 15 vacation days per year. Following the completion of 9 years of continuous employment (at the beginning of the 10th year of continuous employment), staff begin to accrue at the rate of 20 vacation days per year. Following the completion of 24 years of continuous employment (at the beginning of the 25th year of continuous employment), staff begin to accrue at the rate of 25 vacation days per year. Staff earn accruals based on each month of work completed. Office Managers and/or Supervisors receive a total of 15 vacation days per year regardless of years of service.

b. Full-time Administrative Employees

Full-time administrators who work 12 months per year accrue at the rate of 20 working days of vacation per year.

c. Part-Time Employees

Part-time employees accrue vacation hours based on their total number of hours worked for the year but cannot exceed a 1,000 hours worked each year.

6.1.2 Vacation - Scheduling

Use of vacation must be approved in advance by the individual's immediate Supervisor/Department Head, Chair or Dean. Supervisors/Department Heads, Chairs or Deans may deny or limit requested vacation times that interfere with operations. Staff report their approved vacation hours on their bi-weekly time sheets and attendance record, and administrators report the approved leave on their attendance record.

6.1.3 Vacation - Accumulation

Vacation leave does not accrue or accumulate beyond the maximum amount the employees are eligible to earn that year. Vacation leave automatically stops accruing once the balance has reached the maximum days allowed. For example, an employee who is eligible to earn 10 working days of vacation per year may not accumulate a total of more than 10 days at any one point in time. The following demonstrates the monthly accrual:

Full Time Administrators

Annual Schedule of Entitlement	Monthly Vacation Accrual
10 Vacation Days after 6 months	1.67 days per month
20 Vacation Days after 1 year	1.67 days per month

Full-Time Staff

Annual Schedule of Entitlement	Monthly Vacation Accrual
5 Vacation Days after 6 months	.833 days per month
10 Vacation Days after 1 year	.833 days per month
15 Vacation Days after 5 years	1.25 days per month
20 Vacation Days after 10 years	1.67 days per month
25 Vacation Days after 25 years	2.1 days per month

Part-Time Employees

Years of Service	Annual Accrual Rate
1-5 Years of Service	70 Hours x's total hours worked ÷ by 1,820
5-12 Years of Service	105 Hours x's total hours worked ÷ by 1,820
12 - 25 Years of Service	140 Hours x's total hours worked ÷ by 1,820
25+ Years of Service	175 Hours x's total hours worked ÷ by 1,820

6.1.4 Vacation - Payout of Unused Vacation Leave

Upon termination of employment, staff and administrative employees are paid for any remaining vacation accrual if submitted on a status form and signed by the Supervisor/Department Head, Chair or Dean for payment before the payroll deadline following the employee's last pay for hours worked. Employees terminated during their probationary period will not receive a payout of their unused vacation leave. Unused vacation leave may not be used in lieu of giving proper notice for resignation and retirement. *Employees terminated for cause are not entitled to accrued vacation and/or sick days.*

6.2 Sick Leave

Sick leave is paid leave granted to staff and administrative employees who are absent from work due to illness, injury, or impairment. Sick leave is to be used for sickness of the employee only. Sick leave begins to accrue on the first day of employment. However, sick leave may only be taken by staff after the successful completion of their probationary period, and by administrators after 90 days of employment. Exceptions may be made with the approval of the Department Head/Vice President. Sick leave shall not be used for any other purpose other than that described above. A Supervisor/Department Head may require a doctor's certificate verifying the employee's illness. For additional information, contact the Human Resources Department.

6.2.1 Sick Leave - Notifying Your Supervisor/Department Head, Chair or Dean

If you are ill, injured or unable to report to work, contact your Supervisor/Department Head, Chair or Dean at the beginning of the workday on each day of absence. Use the telephone number or method specified by your Supervisor/Department Head, Chair or Dean for this purpose. Failure to keep a Supervisor/Department Head, Chair or Dean informed of your absence for three consecutive days may be considered job abandonment, unless circumstances made it impossible to communicate with the Supervisor/Department Head, Chair or Dean. Staff sick leave hours must be reported on bi-weekly time sheets and, administrators must report sick leave on the annual attendance record.

6.2.2 Sick Leave - Computing Sick Leave Accrual

a. Full-time Staff Employees

Full-time staff who work 12 months per year accrue sick leave at the rate of 12 working days of sick leave annually.

b. Full-time Administrative Employees

Full-time administrators who work 12 months per year accrue sick leave at the rate of 20 working days of sick leave annually.

c. Part-time Employees

Part-time employees accrue sick hours based on their total number of hours worked for the year but cannot exceed a 1,000 hours worked each year.

6.2.3 Sick Leave - Accumulation

Employees may accumulate sick leave up to a maximum of 6 months (130 work days). Once the maximum amount of hours is accrued, sick leave hours are not added until the accumulated balance falls below 130 work days. Sick leave automatically stops accruing once the balance has reached the maximum hours allowed. Sick leave accrual is suspended during periods of unpaid leave. Staff employees will be paid for any unused accrued sick days to a maximum of 60 days upon termination of employment. Staff employees will not be paid any unused accrued sick days if terminated for cause. No payment will be made for unused sick leave on termination of employment to administrative employees. The following demonstrates the monthly accrual rate:

Full Time Administrators

Annual Schedule of Entitlement	Monthly Accrual Rate
10 Sick Days after 6 months	1.67 days per month
20 Sick Days after 1 year	1.67 days per month

Full-Time Staff

Annual Schedule of Entitlement	Monthly Accrual Rate
12 Sick Days	1 day per month

Part-Time Employees

Years of Service	Annual Accrual Rate
1-5 Years of Service	84 Hours x's total hours worked ÷ by 1,820
5-12 Years of Service	84 Hours x's total hours worked ÷ by 1,820
12-25 Years of Service	84 Hours x's total hours worked ÷ by 1,820
25+ Years of Service	84 Hours x's total hours worked ÷ by 1,820

6.2.4 Paid Safe and Sick Leave

<https://inside.manhattan.edu/offices/human-resources/New-York-Citys-Earned-Safe-Sick-Time-Act.php>

Revised: 8.2019, 01.2021

6.3 Attendance Policy

Employees are expected to be punctual and dependable. If an employee is unable to attend work, he/she must contact his/her Supervisor/Department Head, Chair or Dean within the timeframe established by the Supervisor/Department Head, Chair or Dean. All staff absences must be marked on the staff timesheet. All administrator absences must be marked on the attendance record. Examples of the proper notation include: sick leave, vacation, personal time, holiday, FMLA (Family and Medical Leave Act), Jury Duty, and time without pay.

Supervisors/Department Heads, Chairs or Deans should contact Human Resources for advice pertaining to issues of employee attendance including excessive absenteeism and/or lateness or leaving early.

6.3.1 Attendance – Absenteeism Repeated

Any absence for hospitalization or for three or more days may qualify for Short Term Disability (STD) and/or Family Medical Leave (FMLA). FMLA requires Supervisors/Department Heads, Chairs or Deans to notify the Benefits Manager on the third consecutive day of an employee's absence or if the employee is hospitalized (ext. 7393). Frequent employee absences can create problems for the department. A pattern of repeated or chronic absenteeism, other than FMLA qualified leave, may be considered by the Supervisor/Department Head, Chair or Dean as excessive. Excessive absenteeism may result in discipline, up to and including termination. Supervisor/Department Head, Chair or Dean reserve the right to address excessive absenteeism by requiring a doctor's certification validating the employee illness.

6.3.2 Attendance - Lateness

Employees with a pattern of arriving late and/or leaving early may be subject to discipline, up to and including termination. The Supervisor/Department Head, Chair or Dean may notify employees who have a pattern of arriving late and/or leaving early that their use of leave to cover these occurrences will not be approved. Any employee who will not or cannot correct their tardiness or early departure is subject to further disciplinary action up to and including termination. Absences, lateness or early departures appropriately documented and reported as Short Term Disability (STD) and/or Family Medical Leave (FMLA) eligible are not subject to disciplinary actions.

Supervisors/Department Heads, Chairs or Deans of employees with a pattern of lateness should contact the Human Resources Department who will help ensure that actions taken are consistent throughout the College.

6.4 Bereavement

When a death occurs in an employee's immediate family, he/she is eligible to take paid bereavement leave up to a maximum of three working days to attend viewings, the funeral and/or make funeral arrangements. Part-time employees receive one day of paid leave equal to the number of hours they work if the leave is taken on a regularly scheduled work day. For the purpose of this bereavement policy, immediate family includes parents, parents-in-law, step-parents, grandparents, step-grandparents, spouse, children, step-children, siblings, step-siblings, grandchildren and step-grandchildren. Bereavement leave for the death of a close relative or non-family member will be applied as a vacation day.

In the event of an active employee's death, the Supervisor/Department Head, Chair or Dean should notify the Human Resources Department as soon as possible. When appropriate, the Human Resources Department will:

- initiate contact with the family to process benefits they may need;
- notify the Manhattan College Community; and/or
- offer support to the deceased employee's co-workers and colleagues.

6.5 Holidays

Holiday schedules are distributed prior to July 1st each year. Please refer to the Holiday schedule for the days that are scheduled as holidays.

6.5.1 Holiday - Pay

a. Full-time Employees

Regular full-time employees are paid their regular rate for observed holidays. If an employee is on an unpaid leave he/she is not eligible to receive a paid holiday. Staff employees required to work on any given holiday will be paid for the actual hours worked and will receive holiday pay based on their regular schedule, or are given a delayed paid holiday. This choice is made at the discretion of the Supervisor/Department Head, Chair or Dean.

b. Part-time Employees

Part-time employees are paid for holidays at their regular rate for the number of work hours usually scheduled on that day. In order for part-time employees to be eligible for holiday pay, the holiday must fall on a day they are regularly scheduled to work.

c. Evening Shift Employees

On official College holidays, evening shift employees receive holiday pay for the hours that would have been worked on the evening shift. The evening of an official College holiday, when administrative offices are closed during the day, is a paid holiday for evening shift employees. A Friday holiday would be a Friday evening holiday for evening employees.

6.6 Family Medical Leave

6.6.1 Family and Medical Leave - Policy

The Family and Medical Leave Act of 1993, as amended (FMLA) ensures eligible employees for up to 12 weeks of unpaid, job-protected leave each year for qualified reasons. Under FMLA, the College may require eligible employees to substitute accrued paid time in lieu of unpaid time. The College chooses to require employees use all accrued paid leave before unpaid time may be taken. The benefits manager administers the FMLA program for the College, including determining employee eligibility, notification, required reporting, and any return-to-work issues.

6.6.2 Family Medical Leave - Eligibility

To be eligible for Family Medical Leave, an employee must:

- have worked at Manhattan College for a total of at least 12 consecutive months; and
- have worked at Manhattan College least 1,250 hours over the previous 12 months prior to the day the leave commences or is to commence.

Employees may receive up to a total of 12 workweeks of leave during a rolling 12-month period for one or more of the following reasons:

- The birth of a child, or to care for a newborn child during the first year of life; placement of a child for adoption or foster care, or to care for an adopted child or child in foster care during the first year.
- Care of a spouse, parent (or person who stands in substantially the same relationship), dependent under age 18 with a serious health condition, and/or
- Anyone for whom the employee is a foster parent or legal guardian.
- An employee's own serious health condition that renders the employee unable to perform the functions of the employee's job.

As of January 16, 2009 two military family leave entitlements for eligible specified family members were implemented:

- Up to 12 weeks of leave for certain qualifying emergency arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation.
- Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

If a husband and wife both work for the College, and are eligible for FML, they are only entitled to a combined 12 workweeks of leave taken for birth, adoption, foster care, to care for a parent, and military leave. Both employees are entitled to the full 12 weeks for their own illness or to care for a sick child or spouse.

If the maximum 12 week FMLA period is depleted and you continue to be unable to work, your position with the College cannot be assured.

6.6.3 Family Medical Leave - Request

Employees seeking to use family and medical leave are required to provide 30 days advance notice, when the need for the leave is foreseeable. A written request for leave, medical or other certification, and a return-to-duty statement may be required both prior to the leave and prior to reinstatement from the leave, when appropriate. When the leave is not foreseeable, notice should be given as soon as possible. In the case of medical emergencies, the employee or a family member should contact the department Supervisor/Department Head, Chair by telephone as soon as possible. The Supervisor/Department Head, Chair or Dean should then immediately contact the Human Resources Department. In addition, when the leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly a department's operation and the employee should work with the Supervisor/Department Head, Chair or Dean to schedule the use of leave. All leave requests are to be directed to the Human Resources Department.

6.6.4 Family Medical Leave - Definitions of Serious Health Conditions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
- continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to:
 - a health condition (including treatment or recovery) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - a. treatment two or more times by or under the supervision of a health care provider; or
 - b. one treatment by a health care provider with a continuing regimen of treatment; or
 - pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or
 - a chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
 - a permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
 - any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

6.6.5 Family Medical Leave - Intermittent Leave

An employee taking leave for personal illness or to care for a sick family member may take it on an intermittent basis, or by reducing scheduled work hours, if medical certification is provided that leave must be taken in that manner. Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement.

6.6.6 Family Medical Leave - Definition of Family Member

Family member is defined as the employee's spouse, son, daughter or parent (but not a parent-in-law). A son or daughter is any child under 18 who is the biological child of the employee, who is adopted by the employee, or whom the employee supervises on a day-to-day basis and for whom the employee is financially responsible. A son or daughter is also defined as a child age 18 and over who is incapable of self-care because of a mental or physical disability. A parent is any individual who assumed day-to-day and financial responsibility for the employee when the employee was a child (in loco parentis).

6.6.7 Family Medical Leave - Definition of Healthcare Provider

The definition of Healthcare Provider is a doctor of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices including physicians, podiatrists, dentists, clinical psychologists, optometrists, chiropractors (for certain treatments), Christian Science practitioners, nurse practitioners and nurse midwives performing within the scope of their practice as defined under state and federal regulations.

6.6.8 Family Medical Leave - Designating

It is the employer's responsibility to designate leave as FMLA leave. An employer may make such a designation even when an employee would rather not use any of his/her FMLA entitlement. An employer's designation must be based on information obtained from the employee or an employee spokesperson (e.g., spouse, parent, physician, etc., if the employee is incapacitated). In this regard, an employee must provide enough information to enable the employer to make a determination, or the employer must make further inquiry to obtain the additional information. It is the sole responsibility of the benefits manager to determine an employee's eligibility, provide notification, and to designate FMLA leave.

6.6.9 Family Medical Leave - Medical Certification

For leaves involving serious health conditions, the College requires verification of necessity for family or medical leave by a healthcare provider. The information required shall include:

- the date on which the serious health condition commenced and the probable duration of the condition;
- the appropriate medical facts within the knowledge of the healthcare provider that would entitle the employee to take family or medical leave;
- an estimate of the amount of time that the employee is needed to care for a family member or a statement explaining the extent to which the employee is unable to perform the functions of his/her position; and

- an expected return-to-work date.

Employees must submit certifications to the benefits manager in the Human Resources Department within 15 calendar days of the date requested by the College. Failure to supply the required healthcare certification will result in leave not being designated as FMLA-qualifying and the time off could be deemed as excessive absenteeism. The College should request the medical certification at the time the employee requests leave or within two business days thereafter or, if leave was unforeseen, within two days of the leave commencing. During the leave, the College reserves the right to request re-certification of the medical condition that caused the employee to take the leave every 30 days and will inform the employee. The College may require the employee to report to the benefits manager on a pre-determined reporting schedule. These determinations are made by the benefits manager.

6.6.10 Family Medical Leave - Paid Leave

The College requires employees to substitute any accrued sick, vacation and/or personal leave for any part of leave taken under this policy. The employer must notify an employee that paid leave will be counted as FMLA leave within two business days of making that determination. The notice must be confirmed in writing and given to the employee on or before the following pay day.

6.6.11 Family Medical Leave - Health Benefits

Employers are required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. An employee may choose not to retain group health plan coverage during an unpaid FMLA leave. However, when an employee returns from leave, the employee is entitled to be reinstated on the same terms as prior to taking the leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave. The College follows these requirements.

6.6.12 Family Medical Leave - Reinstatement

An employee taking leave under FMLA will be returned to the employee's same position or to an equivalent position, unless there is a reduction in force, layoff, downsizing, or elimination of a position. Taking leave will not result in any loss of benefits or conditions of employment accrued prior to the beginning of the leave period. The College has the right, upon the employee returning from leave, to refuse to reinstate any benefits or condition of employment that has been discontinued for other employees similarly situated.

6.6.13 Family Medical Leave - ADA and Workers' Compensation

It is not uncommon for an employee injury or illness to be covered by FMLA, ADA, and Workers' Compensation laws. Under Workers' Compensation, an employee can be offered light duty. If the employee refuses light duty, this may result in the loss of Workers' Compensation benefits. Under the FMLA, an employer may offer light duty; however, it cannot compel or take any detrimental action if the employee declines light duty. The College runs leave for any Workers' Compensation injury, illness or impairment concurrent with FMLA if the employee is FMLA-eligible and the work-related absence is four or more days. When an employee is receiving Workers' Compensation, the employee may not elect, nor may the employer require, the employee to exhaust any form of accrued paid leave provided by the employer during any portion of the absence covered by the Workers' Compensation payments. A disability under the Americans with Disabilities Act (ADA) is not necessarily a serious health condition under the FMLA. Unlike the FMLA, the ADA requires an employer to make reasonable accommodations. Any questions involving the interaction of FMLA, ADA, and Workers' Compensation should be directed to the Human Resources Department.

On occasion, an employee's illness or disability is severe enough to cause the employee to apply for disability benefits, because the condition cannot be reasonably accommodated to perform the essential duties of their position as required under ADA. If an employee:

- has exhausted his/her FMLA rights;
- does not have any leave left;
- does not qualify for an ADA accommodation; and
- has completed his/her application for disability

Employees will be granted up to 30 days of paid leave for the processing of their disability retirement before their employment is terminated. The Supervisor/Department Head, Chair may begin recruitment for the position that the disabled employee is vacating, provided that the application for disability is completed and approved.

6.6.14 Family Medical Leave - Medical Confidentiality

The College keeps all information relating to requests for family or medical leave confidential. This information will be used only to make decisions in regard to the provisions of the FMLA, ADA, HIPAA or Workers' Compensation policies, when applicable. Supervisors/Department Heads, Chairs or Deans must submit all FMLA and other medical records to the Benefits Manager in the Human Resources Department and should not retain any copies in their files. For further information concerning the handling of FMLA records, please contact the Human Resources Department.

Family Medical Leave 1993, Revised: 1997, 2008

6.7 New York Paid Family Leave

Beginning January 1, 2018, eligible employees in New York State may be entitled to job protected leave and a certain amount of compensation and benefits continuation through New York's Paid Family Leave (NYPFL) to care for family members under certain circumstances. This leave is not for an employee's own illness or serious health condition.

6.7.1 New York Paid Family Leave – Eligibility

Employees who meet the NYPFL minimum eligibility requirements are covered by this policy. Faculty members are an excluded class under NYPFL. NYPFL leave runs concurrently with benefits provided by the federal Family and Medical Leave Act (FMLA) (where the leave qualifies under both laws) and other benefits when applicable.

Both full-time and part-time employees are eligible for NYPFL as follows: Employees who work 20 or more hours per week are eligible for coverage after 26 weeks of consecutive employment. Employees who work fewer than 20 hours per week are eligible after 175 days of employment.

Employees who do not work 26 continuous weeks or 175 days in a year should complete a NYPFL waiver form to avoid paying the associated cost.

Note: Time spent on vacation, sick and personal time, will count towards an employee's eligibility determination, provided deductions were taken during that period of paid time off. However, time that an employee spends on New York State Disability Leave or unpaid leave will not be counted towards an employee's eligibility determination.

6.7.2 New York Paid Family Leave – Contributions

The NYPFL benefit is funded exclusively through employee payroll deduction. Rates and maximums are determined by New York State.

6.7.3 New York Paid Family Leave – Leave Reasons

The NYPFL law provides employees with partially paid job-protected leave for the following reasons:

- To bond with their newborn, newly adopted, or newly placed foster child.
 - a. In the case of the birth of a newborn child, NYPFL taken to bond with the child must be used within the first year following the child's birth.
 - b. In the case of adoption or placement, NYPFL may be taken prior to the adoption or placement if the employee's absence is necessary for the placement or adoption to proceed. NYPFL taken for these circumstances must be used within one year of the first day of leave, or within one year of the adoption / placement, whichever is earlier.
- To care for a covered family member, as defined by NYPFL, with a serious health condition.
-

- To address exigencies if a covered family member is called to active military duty (“military exigency”).

The College will not permit more than one employee to use NYPFL to care for the same family member at the same time. For example, if both spouses work for the College, the College may deny NYPFL to one spouse if both employees have requested to take NYPFL during the same period of time to bond with the same child. However, both spouses could take NYPFL at different times to bond with the same child.

6.7.4 New York Paid Family Leave – Amount and Length of Benefit

Paid Family Leave is designed to phase in over four (4) years, starting on January 1, 2018:

Year	Weeks Available	Max. % of Employee Salary	Cap % of State Average Weekly Wage
01/01/2018	8	50%	50%
01/01/2019	10	55%	55%
01/01/2020	10	60%	60%
01/01/2021	12	67%	67%

Eligible employees may take the maximum benefit length in any given 52-week period. The 52-week clock starts on the first day the employee takes Paid Family Leave.

For example, in 2019, an employee who makes \$1,000 a week would receive a benefit of \$550 a week (55% of \$1,000). Another employee who makes \$2,000 a week would receive a benefit of \$746.41, because this employee is capped at 55% of New York State's Average Weekly Wage (NYSAWW) – currently as of 1.1.2019 \$1,357.11.

6.7.5 New York Paid Family Leave – Cost

The benefit is funded through an insurance plan administered by the College’s Short Term Disability Insurance Provider. The premium will be fully paid by employees through payroll deductions. The cost of the premium will be established each year by New York State. The cost effective January 1, 2019 will be 0.153% of your weekly wage capped at the NYSAWW, currently \$2.08 per week or \$107.97 per year. These premiums will change whenever New York State changes its NYSAWW or changes the premium rate.

6.7.5 New York Paid Family Leave – Coordination With Other Paid Leaves

Employees may not use NYPFL while they are collecting worker’s compensation or NY Disability benefits. Employees do not have to use vacation before using paid family leave. However you may use accrued vacation leave to add to the benefit to obtain full pay. Please

work with Human Resources to arrange to use your vacation accruals if you wish to exercise this option. Sick days may not be used for family leaves with the exception of benefits under the New York City Safe & Sick Leave Act.

NYPFL runs concurrently with FMLA. If approved FMLA is taken that is eligible for NYPFL but the employee does not file a request for NYPFL benefits, the FMLA leave period will count against the employee's maximum NYPFL duration.

Coordination with NY Statutory Disability Benefits (DBL): An employee may not collect DBL and NYPFL at the same time though an employee may take NYPFL at the end of a period of disability (e.g., after DBL leave for childbirth), the parent can then use NYPFL to bond with the child.

6.7.6 New York Paid Family Leave – Maximum Leave Amount

There is a combined maximum for both DBL and PFL of 26 weeks during any 52-consecutive-week period.

Employees who are married: If you and your spouse both work for Manhattan College, no more than one employee can receive paid leave at the same time to care for the same family member, or to bond with a child. If you and your spouse have different employers, you are both eligible to take Paid Family Leave at the same time.

6.7.7 New York Paid Family Leave – Filing a Claim

You are responsible for notifying Human Resources and your supervisor if you intend to claim Family Leave Insurance benefits. If your family leave is foreseeable, you must provide at least 30-days advance notice. If notice for foreseeable leave is not provided 30 days in advance, the leave may be denied for up to 30 days after the notice is provided. If the event was not foreseeable, you must notify Human Resources as soon as practicable and you must still use the normal call-in procedures to notify your supervisor.

Leaves may be continuous or intermittent (in one-day increments), depending upon the employee's individual circumstance. If an employee works any part of a day, he or she is not eligible for NYPFL for that day. Employees are required to identify the dates for intermittent leave in their NYPFL request at least 30 days prior to the requested leave. If intermittent leave is not foreseeable, notice must be provided as soon as practicable and employees should use the normal call in procedures to notify their supervisor.

Making a claim involves 1) providing notice and 2) completing a formal claim form.

Notice: Employees must notify both his/her supervisor and Human Resources. Notice must include sufficient information about the qualifying event, the anticipated timing and duration of

the leave, the type of family leave being requested (i.e., bonding, care for family member, or military exigency).

Claim Forms and certification/documentation forms to support the need for NYPFL are available in Human Resources. Once you have completed the employee section of the NY PFL Request, please submit the form to Human Resources for completion and assistance in submitting the claim to the insurer.

Employees must submit the following certification and/or documentation to support Requests for NYPFL for the following reasons:

- Care for a family member: submit a medical certification from the family member's health care provider.
- Birth or placement of a child: submit proof of the birth or placement for adoption or fostering.
- Military exigency leave: submit a copy of the family member's military orders and other documentation regarding the reasons for the leave.

6.7.8 New York Paid Family Leave – Eligible Family Members

Child means a biological, adopted, or foster son or daughter, a stepson or daughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis (i.e., in the place of).

Family member means a child, parent, grandparent, grandchild, spouse, or domestic partner.

Parent means biological, foster, or adoptive parent, a parent in law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

6.7.8 New York Paid Family Leave – Disqualification of Eligibility

Employees are disqualified from eligibility and no NYPFL benefits will be paid for the following:

- Any disability caused by willful intention of an employee to cause injury to himself/herself or another or resulting from injury or sickness sustained in perpetration of an illegal act
- On any day when an employee works part of the day for the College
- On any day in which the employee is entitled to receive from Manhattan College remuneration in an amount equal to or greater than the statutory NYPFL benefits
- On any day in which the employee is receiving sick pay
- Any period when an employee is subject to suspension or disqualification of accumulation of unemployment insurance benefit rights

- Any disability due to act of war
- Any family leave commencing before the employee becomes eligible for benefits
- During periods when the employee receives total disability payments pursuant to a claim for workers' compensation, volunteer firefighters' benefits, or volunteer ambulance workers' benefits unless it is partial disability or reduced earnings
- When an employee is not employed or is on leave from employment
- For any period of family leave when notice and medical certification has not been filed

6.7.9 New York Paid Family Leave – Review and Approval Process

Within five days of receipt of a request, the insurance carrier will provide the employee with the following:

- An acknowledgment of receipt of the Request
- A claim identification number
- A list of required information that is missing from either the Request or the Certification;
- Information on how to properly complete the Request; and e. Information regarding arbitration (see discussion below).

When a PFL claim is denied without prejudice because it is incomplete, the employee must refile within 30 days of the first day of leave. If the employee does not refile the completed request for PFL together with the necessary certifications or proof of claim documentation within 30 days of the first day of leave, the insurance carrier may deny the claim.

Once the insurance carrier receives the completed request for NYPFL together with the necessary certifications or proof of claim documentation, the insurance carrier must pay or deny the claim within 18 days.

The insurance carrier may deny a claim for NYPFL without prejudice within 18 days if the claim is incomplete; or the certification or proof of claim documentation is insufficient. The insurance carrier will notify the employee of each piece of required missing information. Once the insurance carrier receives the completed request for NYPFL together with the necessary certifications or proof of claim documentation, the insurance carrier must pay or deny the claim within 18 days.

6.7.10 New York Paid Family Leave – Health Insurance

The NYPFL law requires employers to continue existing health insurance benefits while an employee is on NYPFL according to the same conditions prescribed by the FMLA. Employees must pay their portion of the health insurance premium and employers may terminate coverage if an employee fails to do so.

6.7.11 New York Paid Family Leave – Job Protection

Upon returning from NYPFL, an employee is entitled to reinstatement to his/her prior job position or to a comparable position with comparable pay, benefits, and other terms and conditions of employment. In addition, an employee may not be disciplined or retaliated against for requesting NYPFL or for absences that are covered under the NY PFL law.

Revised: 12.2017, 12.2018

6.8 Parental Leave

Parental leave is unpaid (unless you have any unused accrued vacation) leave provided by Manhattan College to an employee for the purpose of bonding with a newly-born, adopted, or newly-assigned foster child, and to make necessary arrangements for the care of the child. This policy is administered in compliance with the Family Medical Leave Act of 1993, as amended, which requires supporting documentation. If employees qualify, parental leave runs concurrently with family medical leave.

If an employee has twelve or more months of continuous service and/or worked 1,250 hours over the previous twelve months service at the time of parental leave, the College will provide five months for full-time employees; six months may be granted under very special circumstances (i.e. care of a disabled child) with the approval of the Vice President and three months for part-time employees from the date of the baby's birth, adoption or newly assigned foster child. The leave must be taken all at once and cannot be taken intermittently. Parental Leave must be completed within 12 months after the birth, adoption or newly assigned foster child.

For a couple, if both are employed by the College, the parental leave will be shared up to a maximum of five months combined. If foreseeable, at least 30 days advance notice should be given to the Supervisor/Department Head, Chair or Dean. An application to request parental leave is available in the Human Resources Department

6.9 Pregnancy Leave/Short Term Disability

If an employee who has been employed with the College for at least three months becomes pregnant and requests maternity leave, she must furnish the College with a certificate from her physician stating the expected due date of her delivery. She may continue to work so long as her physician certifies that she is able to do so. Maternity leave will be granted for a period of up to six to eight weeks as long as it is certified by her physician. The period of leave will commence with the cessation of actual work and must conclude within six to eight weeks of the date of delivery. The employee will use any accumulated vacation and/or sick leave time for maternity leave purposes. If an employee elects maternity leave under the Family and Medical Leave Act (please refer to sections 6.7.1 – 6.7.14), the College will grant the leave and it will run concurrently with the maternity leave. For more information please contact the Human Resources Department.

6.10 Short Term Disability Leave

After being employed at least (4) weeks, an employee will receive for any non-work related illness, injury, and pregnancy, one half (1/2) of their average weekly pay up to a maximum of \$170 per week allowed by New York State disability. Sick days are used for the first seven (7) days of illness or injury (includes weekend). Payments start on the eighth (8th) day, to a total of twenty-six (26) weeks in one (1) year, according to the provisions of the New York State law.

If an employee has accumulated sick time, the College will pay their full salary. If the employee has no accumulated sick time, or after all accumulated sick time has been exhausted, then disability insurance will be the only payment.

If eligible for Family Medical Leave (FMLA), this will run concurrently with the Short Term Disability Leave. If the maximum 12 week FMLA period is depleted and you continue to be unable to work, your position with the College cannot be assured.

6.11 Professional Leave

Administrators and staff employees who wish to enroll in courses, workshops, or other off-campus programs lasting three or fewer days may request professional leave for that period of time. Permission for such absence may be authorized by the requesting individual's immediate Supervisor/Department Head, Chair or Dean provided the operation of the Department is not adversely affected. The Vice President decides upon requests for professional leave lasting more than three workdays, whether the days are consecutive or not. The status of compensation during a lengthy extended professional leave (two or more consecutive weeks) including salary and benefits will be governed by a written agreement signed by the Vice President of the Department and the Vice President for Human Resources. The employee shall be returned to his/her same position upon the return from an unpaid professional leave of absence unless the position has been eliminated due to an approved reorganization or reduction-in-force. For further information concerning professional leave, contact the Human Resources Department. For those employees that attend professional work related conferences and the conference or seminar ends early, the employee should return to work if time permits.

6.12 Military Leave of Absence

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, a member of the National Guard, a member of the Reserves or Public Health Service will, where a specified period of active or reserve duty is mandatory, be granted an unpaid leave of absence. Group benefit continuation and reinstatement rights, if any will apply in accordance with applicable law.

Upon receipt of orders for active or reserve duty, the employee should notify his/her Supervisor, as well as the Director of Human Resources, immediately and he/she must submit a

copy of his/her orders to the individual's Supervisor/Department Manger, Chair or Dean and to the Human Resources Department.

6.13 Jury Duty

An employee summoned for jury duty including grand jury duty or subpoenaed to testify is, upon presentation of the summons or subpoena, authorized to be absent from his/her work for the actual time required by such service. An employee so summoned must notify his/her immediate Supervisor/Department Head, Chair or Dean and the Human Resources Department as soon as possible after receipt of the summons. Full salary and benefits will be continued during this absence. A copy of the summons will be placed in the employee's personnel file.



Section VII.

EMPLOYEE RELATIONS, SERVICES, FACILITIES & AWARDS

7.1 Employee & Employer Relations

Employees with job-related issues or concerns, including employee workplace mediation or conflict resolution may request confidential assistance through the Human Resources Department. The Human Resources Department works with Supervisors/Department Heads, Chairs or Deans on improving work climate, employee performance, team performance and other matters. Contact the Director or Vice President of Human Resources. It should be noted that although most matters may be kept confidential at the request of the employee or Department Head any matters related to harassment (sexual or other) or where there may exist a dangerous situation may not be kept confidential.

7.2 Professional and Personal Development

Some programs are offered throughout the year by the Human Resources Department. Professional development programs are routinely communicated to employees via College email and employee mailings. The Human Resources Department also offers assistance in preparing career advice, individual coaching, and referrals to external training and development resources. Contact the Director of Human Resources for more information. Employees are encouraged to attend professional development courses and training.

7.3 Service Awards

7.3.1 Service Awards

Employees are recognized for their full time and full time equivalent service to the College at each five-year milestone of service. Each year during the Employee Convocation the presentation of a service award gift occurs for milestone recipients. Those employees who celebrate twenty five (25) years of full time service (or full time equivalent) will be especially honored.

7.3.2 Service Award - Distinguished Lasallian Faculty/Administrative/Staff Award

Each year, a faculty member, an administrative member and a staff employee are presented with a Distinguished Lasallian Award for embodying the spirit of St. John Baptist de La Salle and advancing the Lasallian mission of the College through their work.

7.4 Bookstore

The College has a full-service bookstore located in Kelly Student Commons, 3900 Waldo Avenue. Features include new and used textbooks, a large selection of leisure reading, a wide assortment of College clothing, and gift items.

Employees are offered a 10 percent discount on most non-sale items. Employees must present their Manhattan College identification card to receive the discount. Textbooks do not qualify. Other exceptions may apply.

Revised: August, 2019

7.5 Campus Ministry

As a Lasallian Catholic Institution, Manhattan provides the Office of Campus Ministry and Social Action (CMSA) in order to foster the values of “Faith, Service and Community” throughout the College. CMSA provides opportunities for students and the wider campus community to develop their spirituality; to perform community service; to reflect on issues of social justice; and to put faith into action. CMSA serves members of the College community through a variety of programs, including liturgies, discussions, retreats, lectures, service trips, local community service projects, and social events.

CMSA seeks to serve students of all religious traditions. Prayer and worship opportunities are sought for all community members. There are several retreat experiences available to students each semester. Mass is available both on weekdays and on Sunday evenings. CMSA assists members of the campus community interested in becoming Catholic or receiving the sacraments.

Many students participate in local community service projects. These include Habitat for Humanity, God’s Love We Deliver, and work with the elderly in nearby nursing homes, feeding the hungry in soup kitchens, tutoring children and teens, the Annual Toy Drive, three blood drives, the American Cancer Society’s Relay for Life, and more. New projects are regularly developed in response to students’ interests.

CMSA sponsors domestic and international service learning trips during Intersession, Spring Break, and the early summer. Jaspers have participated in service trips to Honduras, South Africa, Tijuana, Texas, Appalachia, Ecuador, and Camden, NJ. Employees wishing to participate on service trips must use vacation time. Any participation must be approved by your Department Head.

The Campus Ministry Center, known as the Cornerstone, is located in Miguel Hall, Room 209 with satellite offices of Social Action in Thomas Hall 503 and 504.

The Department of CMSA welcomes your ideas and your presence.

7.6 Formation Programs – Office of Mission

Formation Programs are programs that teach about the life of John Baptist DeLaSalle and Lasallian principles, which ties into the mission of Manhattan College. Manhattan College

employees are encouraged to explore these programs. For further information please contact the Vice President for Mission at extension 7934.

Formation programs include the following:

- Lasallian Leadership Institute
- Buttimer Institute
- Lasallian Social Justice Institute
- International Lasallian University Leadership Program
- Vega Workshop
- Collegium: Colloquy On The Catholic Intellectual Life

7.7 Computer Support

A wide variety of computing resources are available to Manhattan College students, faculty, and staff via JasperNet, the college's campus-wide network. JasperNet distributes computing and information services to campus laboratories, classrooms, the library, and offices, as well as to student residence halls. Internet access is provided by a private Metro-Area fiber-optic network.

7.8 Health Services and Counseling Center

7.8.1 Health Services

Health Services staff provides urgent care for common minor illnesses and injuries. For serious or prolonged illnesses, students, faculty and staff are referred to a local hospital or private physician. Although an appointment is not necessary, employees who wish to see one of the physicians and/or Nurse Practitioner are advised to call ahead.

Health Services is located in Alumni Hall, Suite 104 (next to the Fitness Center and Sports Medicine).

Available services include:

- Diagnosis and treatment of minor acute illnesses
- First aid for minor injuries
- A rest area for employees who become ill and need a place to rest
- Physical examinations
- Blood pressure check-up
- Flu vaccine (nominal fee)
- MMR immunization
- Diagnostic testing - lab screenings, cultures and blood work (nominal fee to a laboratory)
- Referrals to local medical specialists.
- Individual health and wellness counseling/referrals
- Educational programs

7.8.2 Counseling Center & Emergency Procedure/Psychological Concerns

Emergency procedures when an employee is experiencing severe psychological stress:

- Employees experiencing personal or emotional difficulties are encouraged to speak with Human Resources to determine which resources should be provided to assist the employee.
- If the Vice President of Human Resources or designee feels that the situation needs immediate attention, Human Resources will contact the Director of Counseling Center to arrange a meeting with one of the Counseling Center staff to assess the needs of the employee and whether hospitalization or other intervention is required immediately, or in the near future.
- The Counseling Center and Human Resources will work together to facilitate the transport of an employee to a local hospital or other mental health facility, if needed, with the assistance of Manhattan College Security.

7.8.3 Non-Emergency Procedure – Experiencing Psychological Concerns

Manhattan College employees who are experiencing personal, emotional or psychological problems can approach the Human Resources Department or the Counseling Center for assistance.

Manhattan College employees who have concerns regarding personal, emotional or psychological issues can consult with one of the mental health professionals in the Counseling Center. The consultation is usually a one-time meeting to answer questions and provide information about different concerns that may arise (e.g. insomnia or depression). When it is considered helpful, the employee may be offered a referral to an appropriate office or agency off campus to follow up regarding the concern.

7.9 Dining Services

Manhattan College has four dining rooms located in Thomas Hall: Locke's Loft, Dante's Den, Café 1853, and Faculty Dining Room. Employees may pay with cash.

7.10 Human Resources Department

The Human Resources Department builds partnerships that will contribute service and leadership to the College. The Human Resources staff provides leadership, direction, and support for all staff, administrators and faculty. It develops policies and procedures, diversity

initiatives, recruitment and employment, HR data management, employee relations, personal and professional development, employee assistance programs, College benefits, compliance issues related to recruitment, employment, and benefits, and workplace health and safety issues. The Human Resources Department is responsible for staff and administrator recruitment and hiring, and provides support and resources for faculty hiring. Human Resources is also responsible for temporary employment, staff, student, and administrative payroll processing, position vacancy announcements, immigration support on a very limited basis, unemployment matters, service award programs, and general program matters. Responsibilities related to compensation and benefits include the development, administration and evaluation of the College wage and salary compensation and benefits programs, payroll initiation and authorization, payroll processing for faculty, contracts, personnel record keeping, retirement, managing FMLA, Workers' Compensation, tuition remission, leave reports, flexible spending accounts, and claims processing, including policies on whistleblowing and harassment.

7.11 Library

The Mary Alice and Tom O'Malley Library provides the information services and resources necessary for the educational programs and concerns of Manhattan College. The Library is in use 24 hours a day, seven days a week, The O'Malley Library houses an impressive book collection, over 100 networked computer workstations, fully wired study carrels, and comfortable seating in an inviting environment. An Internet Café caters to students' extended study. The building is also home of the Admissions Office and the College Archives where Manhattans impressive history is preserved.

The Library is available to all students, staff, administrators, and faculty. A College Identification Card is needed to enter the Library and to borrow materials.

7.12 Parking

In general, all College parking areas both on-campus and off-campus are fee-based and parking is authorized by permit only. Faculty, staff, administrators and contracted employees of the College who wish to park on the campus at any time must register their vehicle with the Security Department. All parking registrations must be renewed annually. Permits are issued for the academic year. Parking spaces are allocated on a first come, first served basis with some exceptions. The registered permit holder is responsible for all traffic and parking violations and/or tickets incurred. Questions regarding parking registration and fees should be directed to the Security Department. An employee who is disabled should let the Security Department know and a sticker will be issued.

7.13 Controllers Office

For questions concerning your paycheck, direct deposit or tax withholdings and/or to request a duplicate W2, contact the Payroll Manager in the Controllers Office.

7.14 Office of Marketing and Communications

The Office of Marketing and Communications provides tools, resources and services to promote Manhattan College and convey the College's Lasallian Catholic mission. The office manages all of the branding, marketing and messaging for the College, including advertising (print, digital and multimedia), and enforces brand identity standards and usage guide.

The group also handles all of the news and media relations for internal and external College audiences, which consists of public events and faculty expert promotion, media inquiries and distribution of the monthly media coverage report. In addition, all website management (content creation, CMS management and online newsroom), social media and video production comes out of this office.

All College publications are produced and cleared by the Office of Marketing and Communications, which also produces the *Manhattan* magazine and Manhattan Monthly e-newsletter. The office also provides graphic design, editing, photography and copywriting assistance.

The office of special events is also housed within the Office of Marketing and Communications, and plans and organizes all academic and non-academic events. The major events are: Commencement, Benefactors Dinner, De La Salle Medal Dinner, Fall and Spring Honors Convocations, Horan Lecture and the President's Dinner.

7.15 Gifts to the College

The College's responsibility as a tax exempt organization requires that the tax deductibility of gifts be accurately reported, both to donors and in the institutions records. Cultivation, solicitation, and stewardship of donors must be coordinated through the Office of Advancement. To ensure proper stewardship, all gifts, including significant gifts-in-kind, must be processed through the Office of Advancement. Acknowledgement and receipt of gifts may only be processed by the Office of Advancement.

7.16 Athletic Facilities

Draddy Gymnasium is available for the use of all students, faculty, and staff.

All persons entering the facilities during recreational hours must show their I.D. cards at the desk. Information concerning these facilities can be obtained in the Intramural Office, located in the lower level of the Gym.

Hours are subject to change depending on event schedule. Contact the intramural office to confirm actual hours of operation.

7.17 Public Safety

Public Safety is coordinated by the Director for Safety, who reports to the Vice President for Student Life. Safety officers and supervisors conduct foot and vehicular patrols of the campus 24 hours a day. These men and women undergo a training period prior to regular assignment and continue to upgrade their skills through additional training sessions.

The Public Safety Department is responsible for enforcing all college safety regulations. Public Safety, having no police authority, works with local authorities to enforce laws regulating underage drinking and the use of controlled substances and weapons. Alcohol use is strictly regulated on campus, and illegal drugs are forbidden. The possession of firearms and dangerous weapons of any type are not permitted on any College-controlled property.

Any criminal actions and emergencies on campus should be reported immediately to the Public Safety Department by dialing campus extension 7333. Public Safety will be dispatched immediately to the site of the complaint and, if needed, local authorities will be notified. A security alert will be transmitted to the campus community if necessary.

College staff members work closely with Residence Life representatives to run safety workshops, lectures and seminars at the start of each year on various topics, including personal safety awareness and security, rape prevention, and prevention of burglary and larceny. Information on safety and security is provided to students and employees regularly through seminars, bulletins, crime alerts, posters, brochures and the student newspaper. The Public Safety staff also provides escorts on request during the evening hours.

7.18 Physical Plant

Manhattan's Physical Plant Department maintains campus facilities and grounds, and regularly inspects facilities. The Physical Plant Department promptly makes repairs affecting safety and security, and responds immediately to reports of potential hazards, such as broken windows and locks. Please refer to the Security and Fire Safety Annual Report for further information.

7.19 Emergency Blue Light System

Ten (10) emergency blue light units have been installed and activated at the following strategic locations on the Manhattan College Campus:

Unit # Location

Unit 1	Draddy Parking Lot - At lot entrance (W.244 Street and Tibbett Ave.)
Unit 2	Financial/Bursar Services - On Miguel Hall path in front of the building
Unit 3	Horan Hall Steps - On steps from Post Road to Horan Hall service road
Unit 4	Kelly Commons - Pedestrian walkway – near front of the building (north)
Unit 5	Kelly Commons - Pedestrian walkway – near rear of the building (south)
Unit 6	Kelly Commons - Building exterior on Waldo Avenue
Unit 7	Leo Hall - Building exterior on Tibbett Avenue

<u>Unit #</u>	<u>Location</u>
Unit 8	Hayden Hall/O'Malley Library - Bottom of steps near Manhattan College Parkway
Unit 9	MC Parkway Garage - Garage exterior on Broadway near the south exit gate
Unit 10	Thomas Hall /O'Malley Library - Path to Lee Hall (under library Founder's Bridge)

Manhattan College Parkway Garage – Emergency Phone Locations:

There are 21 phones in the garage as follows:

- (1) at each stairway (A, B, C, D) on levels 2, 3, 4, 5
- (1) at stairway A, B and at the Broadway south exit, all on level 1 (street level)
- (1) on each roof landing stairwells (A and B)

Revised August, 2019

Emergency Blue Light System Description:

An emergency blue light unit provides immediate voice communication with a Public Safety officer and when activated initiates an emergency response to the Security Department and surrounding area. There are wall mounted and pole mounted units. Both designs have a blue light above the call box to identify its location. When activated, a strobe light at the top of the unit begins to flash and remains on for five minutes, drawing attention to the location.

Activation Procedure:

- Press Button – this action provides immediate voice communication with a Public Safety officer. The communication link remains open until the receiving officer hangs up the phone.
- The blue light is always on and built in strobe light begins to flash when activated.

Public Safety Department Emergency Response Procedure:

- When a blue light unit is activated, it will automatically dial Public Safety and you will speak directly to a Public Safety officer.
- Calls received from emergency blue light unit receive priority attention.
- Whenever an emergency alert is received, whether there is voice communication or not, the following emergency procedures are initiated:
 - The Public Safety officer will keep the call box phone line open, and advise the caller, **“WE ARE RESPONDING”, WHAT IS THE EMERGENCY?”**
 - Public Safety officers will respond to the unit that was activated and check the surrounding area.

Important Phone Numbers

Public Safety Emergency	7333
Main Public Safety Booth	7500
Horan Hall Public Safety Booth	7389
East Hill Hall Public Safety Booth	7386
Overlook Manor Public Safety Booth	7376
Garage Public Safety Booth (Manhattan College Pky.)	7853
Parking Information	7240
Counseling Center	7395
Affirmative Action Officer	7398
Director Student Activities Office	7247
Dean of Students	7999
Residence Life Office	7438
To report a fire	7333
To report a medical emergency	7333
Infirmery	7217
Snow Emergency	7103
Payroll	7950
Physical Plant	7480
Whistleblower	(855) 544-8444
To report an incident from off campus	(718) 862-7333



Section VIII.

CODE OF CONDUCT

8.1 Code of Conduct

The Manhattan College Code of Conduct sets forth the standards of behavior which reinforce the principles contained in its Code of Ethics.

The Code of Conduct provides guidance for professional conduct for employees and others representing the College, who are expected to comply with the Code of Conduct as well as with the College policies and regulations which support it.

8.2 Conflict of Interest

Employees and persons representing the College must avoid the perception of or actual conflicts of interest which may influence the person's decisions or decisions that the College or any associate may make. Conflicts include those of a financial, personal, or professional nature. To this end, the College annually distributes to Administrators and to members of the Board of Trustees a Conflict of Interest Policy. Employees whose job responsibilities may involve transactions that could also benefit their own material financial or personal interests are required to complete the Conflict of Interest Questionnaire for the disclosure of apparent, potential, or actual conflicts of interest (please refer to section 1.2). Conflict of interest forms **must** be completed annually. Staff, Administrators and/or faculty are responsible to report to the Human Resources Department any conflict of interests.

Conflict of Interest 2010

8.3 Accounting and Auditing Matters

In accordance with generally accepted accounting practices, employees and persons representing the College must be accurate and thorough in maintaining College records, in the analysis of business and financial transactions, and in the documentation and preparation of financial reports. Employees of the College are to provide to the College's auditors any and all information the auditors may request in the performance of their audit functions.

In accordance with proper internal control procedures, employees and persons representing the College must comply with authorization, reporting, and other practices established by the College.

8.4 Fraud

Employees and persons representing the College are prohibited from committing any form of fraud. Fraud is the intentional misrepresentation or concealment of information in order to deceive, mislead, or acquire something of value. Committing fraud will result in termination from the College.

Examples include but are not limited to: violation of policy, sabotage, theft, organized gambling, and activities to influence the outcome of sports activities, misuse of credit cards, time cards and attendance records.

8.5 Falsification of Documents

Employees and persons representing the College are prohibited from the falsification of records or any part of a document, contract, or record for the purpose of gaining an advantage, or misrepresenting the value of the document, contract, or record. Examples include but are not limited to: financial aid documents, entrance or placement exams, academic credit, transcripts, vendor contracts, time sheets, attendance cards, employee insurance, or other employee benefits claims and any falsification of documents. Falsification of documents will result in termination from the College.

8.6 Federal, State, and Local Laws

Employees and persons representing the College are required to familiarize themselves with and transact College business in accordance with federal, state, and local laws.

8.7 Vendors, Contractors, and Contractual Obligations

Employees and persons representing the College are required to select and negotiate with vendors and contractors fairly and in good faith in accordance with College policy, adhering to obligations assumed by the College.

8.8 Donor Stewardship

Employees and persons representing the College are responsible for the proper handling of donor funds entrusted to the College.

8.9 Asset Protection

Employees and persons representing the College are responsible for the protection and proper use of the assets of the College under their control.

8.10 National College Athletic Association (NCAA) Regulations

Manhattan College is a proud Division I member of the NCAA. Employees, students, and persons representing the College are bound by NCAA regulations in all matters, including those pertaining to recruitment; gift giving, solicitation, or acceptance; activities to influence the outcome of sports activities; use of College sports equipment, or any other sports items for personal use; improper talent scout activity.

8.11 Gifts and Gratuities

Employees and persons representing the College may not personally, or for the benefit of family, friends, or associates - or for any other individual's family, friends or associates - accept cash, checks, money orders, vouchers, gift certificates, loans, products, or services which could be reasonably interpreted as an effort to influence a business relationship or decision, or a recruiting decision.

8.12 Disclosure of Confidential Information

Employees and persons representing the College are responsible to protect against unauthorized access to and improper disclosure or use of private or personal information relating to students, employees, applicants, or any third party information in possession of the College. This responsibility extends to protecting against unauthorized access to and improper disclosure or use of the financial, planning, or any material or intellectual information resulting from your employment with the College. Disclosure of confidential information may/will result in termination from the College.

8.13 Communications/Information Technology Use

Employees of the College have access to the College's communications system including telephone, facsimile, email, and internet, for use in conducting the College's business. All communications produced on such systems are the property of the College. In addition, unauthorized use of College-owned software is prohibited. Accordingly, employees are responsible to express themselves in a professional manner and to abide by all federal, state, and local laws as well as by the College's policies, procedures, Code of Ethics, and Code of Conduct in such communications.

8.14 Drug-Free Workplace

Manhattan College is committed to helping any individual members of the College community overcome the psychological and physical problems that may be attributable to drug and alcohol abuse.

Drug and alcohol abuse are national health problems. This problem affects all people in the community.

The United States Department of Education has issued regulations for the implementation of the provisions of "Drug-Free Schools and Communities-Act Amendments of 1989" (Public Law 101-226). These regulations require the College to annually distribute information regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on College property or as part of any of its on-campus or off-campus activities.

Manhattan College is in compliance with the Federal Law. Within the document, the College outlines the standards of conduct with respect to alcohol and drug abuse, the health risks associated with substance abuse and the criminal sanctions under Federal and State law for the illegal possession or distribution of drugs and alcohol.

This document also notes the College's sanctions that can be imposed for violating policies regarding substance abuse. We have also included information on various assistance programs available at the College and other places in the New York City area where individuals can seek help and treatment.

The following information is extremely important and should be read carefully by each employee.

I. Standard of Conduct

Manhattan College is committed to an environment free of illegal drugs and alcohol abuse. The best way to prevent problems is through education. The College accepts all students and employees as part of its community and therefore, accepts the responsibility to help any individual that may have a problem related to drugs or alcohol.

However, this should not be interpreted as acceptance of illegal activity. Manhattan College will not accept the unlawful possession, use or distribution of illegal drugs or alcohol on its property. Standards set forth for activities have been distributed by the Dean of Students office.

II. Health Risks Associated with the Abuse of Alcohol and the Use of Illicit Drugs.

The following briefly summarizes health risks and symptoms associated with alcohol abuse or illicit drugs. It is important to note that individuals experience alcohol and drugs in different ways based on physical tolerance, body size and gender, and a variety of other physical and psychological factors.

Alcohol

Effects: Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described. Repeated use of alcohol can lead to addiction. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of

large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and the liver. Drinking during pregnancy may cause birth defects such as fetal alcohol syndrome, mental retardation and irreversible physical abnormalities. Also research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Illicit Drugs:

Marijuana

Effects: Marijuana use leads to a substantial increase in the heart rate. It impairs or reduces short-term memory and comprehension. Motivation and cognition can be altered. With extended use, it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation, and causes changes in the menstrual cycle and possible birth defects. Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, tell-tale odor of the drug, and a poor sense of timing and increased appetite.

Cocaine and Crack

Effects: Health risks may include changes in body temperature and blood pressure as well as heart and breathing rates. Even small amounts may cause the body to exceed its own limits, sometimes resulting in death. Snorting cocaine may severely damage the lungs. Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness in hands and feet, loss of weight, a period of hyperactivity followed by a crash, a runny or bleeding nose, and depression. Other symptoms of cocaine use may include nausea, vomiting, insomnia, tremors and convulsions. Chronic users may become paranoid and/or experience hallucinations.

Barbiturates

Effects: In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Very large doses, or doses taken in combination with other central nervous system depressants (e.g., alcohol), may cause respiratory depression, coma and even death. A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, and inattentive or have slowed reactions.

Amphetamines

Effects: Amphetamines, methamphetamines, or other stimulants can cause increased heart and respiratory rates, elevated blood pressure and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure and death. An individual using amphetamine might begin to lose weight, have the sweats and

appear restless, anxious, moody and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

Hallucinogens (including PCP, LSD, Mescaline, Peyote, Psilocybin)

Effects: PCP, or angel dust, interrupts the part of the brain that controls the intellect and keeps instincts in check. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increase heart rate, blood pressure and tremors. Someone under the influence of PCP might appear moody, aggressive or violent. Such an individual may become paranoid and experience hallucinations as well as notice a slowing down of body movements. People using LSD may experience loss of appetite, sleeplessness, confusion, anxiety and panic and may report perceptual distortion. Flashback may also occur.

Narcotics (including Heroin, Codeine, Morphine, Opium, Percodan)

Effects: Because narcotics are generally injected, the use of contaminated needles may result in many different diseases, including AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin, convulsions, and coma and may result in death. Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or “track” marks on the arms and legs, nodding, lack of sex drive and appetite, sweating, cramps and nausea when withdrawing from the drug.

III. Counseling Rehabilitation

Services available at Manhattan College

Counseling Center - Miguel Hall 862-7394, information and brochures are available as well as the services of psychologists, counselors and a consulting psychiatrist.

Campus Ministry - Miguel Hall 862-7477, in addition to talking with one of the staff members, you may get involved in the AA (Alcoholics Anonymous) or ACOA (Adult Children of Alcoholics) meeting ,which are sponsored by this office.

Campus Infirmary - Jasper Hall 862-7217, information and brochures are available as well as the services of registered nurse and consulting physicians.

All communication and records between a counselor and client is privileged and confidential.

Other Resources:

New York City Program:

- Alcoholics Anonymous -----683-3900
- Alcohol Council of Greater New York----- 979-1010
- Al-Anon-----245-7230
- Break Through Program at Gracie Square Hospital----- 988-4400
- Cocaine Hotline----- 800-COCAINE
- Drug Abuse Hotline-----800-662-HELP
- Freeport Medical Associates-----279-2727
- Lowell Institute-----661-7400
- Narcotics Anonymous-----601-5817
- Project Green Hope Services for Women----- 369-5100
- Second Wind-----481-1055
- Smithers Alcohol Treatment Center----- 554-6491
- Viritas----- 662-1411

Other Resources:

Bronx and Westchester

- Arms Acres-----914-225-3400
- Four Winds Hospital-----914-763-8151
- Montefiore Hospital-----212-920-6741
- Parkview-Westchester-----914-962-5000
- Riverdale Mental Health Center-----212-796-5300
- Treatment and Center of Westchester-----914-949-3601
- The Weekend Center-----914-666-6740

Alcohol treatment centers require a license from the State of New York. If there is a question about a firm, which offers treatment, contact the New York State Division of Alcoholism and Alcohol Abuse (212-587-4943).

IV. Criminal Sanction

The unlawful possession, use or distribution of illicit drugs and alcohol is punishable by sanctions imposed by the United States Government and by the State of New York.

Penalties are imposed based on the nature of the drug and the amounts in possession or distributed; i.e. possession of two to eight ounces of marijuana in New York State is a Class A misdemeanor carrying a penalty of six months incarceration and a \$1,000 fine. Class B misdemeanor is committed when an alcoholic beverage is given to a person under the age of 21. The crime is punishable by up to three months in imprisonment and a \$500 fine. Class D felony is the possession of \$500 milligrams or more of cocaine carrying a prison term of one to three years and a \$15,000 fine.

Employees are responsible of notifying the College in writing of his/her conviction violation of a criminal drug statute no later than five (5) calendar days after such conviction.

The College will be responsible of notifying New York State Emergency Management Office in writing within ten (10) calendar days after receiving notice under the aforementioned from an employee or otherwise receiving actual notice of such conviction. Such notice shall include the position, title, and federal identification of the employee.

Driving While Intoxicated (DWI) is a misdemeanor punishable by up to a year imprisonment and a \$500 fine and loss of Drivers License.

V. Manhattan College's Disciplinary Sanctions

Manhattan College has established a drug-free work place policy in order to reaffirm its long-standing prohibition against the unlawful use of controlled substances.

Manhattan College prohibits the unlawful manufacture, distribution, dispensation, possession or use of illegal drugs on College property while conducting College business off premises.

Penalties

Employees who violate this policy will be subject to appropriate disciplinary action; i.e. termination. The use or sale of drugs or providing alcohol to minors will be reported to law enforcement agencies, which may result in prosecution.

Questions from employees regarding the implementation of the policy can be addressed to the Vice President for Human Resources, ext. 7922.

Any question or problem pertaining to students should be referred to the Dean of Students, ext. 7999.

Drug Policy 1989, Revised: 1999

8.15 No-Smoking Workplace

In compliance with the New York City Smoke-Free Air Act, there is a no smoking policy at Manhattan College. Accordingly, employees are prohibited from smoking throughout the College facilities. Smoking may be permitted outside and away from all College entrances.

Smoking Policy 1989, Revised: 2006

8.16 Fair Employment Practices

Manhattan College is committed to fair employment practices as they affect both external and internal candidates for employment opportunities. The College believes that fairness and diversity are key factors in our success as a Lasallian Catholic College.

8.17 Nepotism

The College accepts the employment of individuals and their family members. (For purposes of this policy, “family member” is defined as anyone related to the employee through marriage or by blood as well as any individual with whom the employee may have a committed relationship). However, the College does prohibit the supervision or hiring of a family member who may be supervised by another family member. Additionally, no employee can serve in a position whereby he/she could exercise influence over the salary, promotion, hiring or terminating of any family member. No “family member” shall be hired if there is a conflict with another family member. In these types of situations the Human Resources Department will decide if it is appropriate to work in the same department.

8.18 Consulting Services

Consulting services may be permitted as long as this activity does not interfere or conflict with the employee’s ability to fulfill their roles at the College or conflict in any way with the College. Prior to engaging in consulting services and for each academic year, faculty must obtain the permission of the Dean, Non-faculty must obtain the permission of the Director or Vice President of Human Resources and their Vice President. Even when there is no conflict, permission must be granted. If consulting is done on College time and the Vice Presidents and Director give their approval, vacation time must be used. If consulting is on a regular basis, it may not interfere with the current position hours and may not exceed more than 8 hours per week unless special permission is granted by the Vice President.

8.19 Solicitation - No Solicitation Policy

College employees, the general public and campus visitors are not allowed to solicit or distribute literature for any purpose at Manhattan College. Exceptions to this policy are made for the campus Blood Drive, Campus Ministry and Career Development, Advancement and other charities.

8.20 Children in the Workplace

Manhattan College values family and work/life balance. The College also believes in an environment that is conducive to work; therefore, the workplace should not be used in lieu of child care.

The presence of children in the workplace with the employee parent during the employee's workday is inappropriate and is to be avoided except in emergency situations. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce property liability, and help maintain the College's professional work environment.

If bringing a child to work with the employee is unavoidable, the employee must contact his/her Supervisor/Department Head, Chair as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working. Factors the Supervisor/Department Head, Chair will consider are the age of the child, how long the child needs to be present, the work environment in the employee's area, and any possible disruption to the employee's and co-workers' work. Consideration will not be given to allowing a child with an illness to come to work with the employee.

A child brought to the workplace in unavoidable situations will be the responsibility of the employee parent and must be accompanied and be under the direct supervision of the employee parent at all times.

This policy does not prohibit children on the campus when the purpose of their visit is to attend classes or to participate in activities specifically scheduled for their benefit (e.g., summer picnic, activity camps or other similar College sponsored family activities). Again, it is emphasized that except for real emergencies and then for only for a short period of time will children be allowed in the work place.

8.21 Animals in the Workplace

The College prohibits bringing any animals to work and having animals in buildings or vehicles owned or leased by the College. Exceptions include:

- animals certified and licensed to provide service to persons with disabilities;
- animals used in laboratories or classrooms for educational purposes;
- animals used in theatrical productions.

8.21.1 Service Animals

The College upholds and advocates for the legal rights of employees with disabilities. This includes employees with a disability who require a service animal accommodation to perform the essential function of their job. It is the employee's responsibility to ensure the safe presence and use of their service animal. These responsibilities include providing annual documentation of animal licensing, health, service animal training, and identification to the Human Resources Department. The employee is also responsible for the control, behavior and health/sanitation of

the service animal. Faculty, staff, and administrators are responsible for practicing etiquettes that facilitate the safe and effective work of the service animal.

8.22 Employment Outside the College

Administrative employees must discuss outside employment with their Chair/Dean/Department Head/Vice President. Any outside employment is limited in the amount of hours worked.

8.23 Harassment

As evidenced by its mandatory employee training through the Human Resources webpage, the College prohibits sexual or any other form of harassment by or against any member of the Manhattan College community. Complaints are to be made through your Department Head, Director of Human Resources and the Vice President of Human Resources. Any employee who harasses another person will be subject to disciplinary action, including termination.

8.24 Environmental and Safety Matters

The College is committed to meeting the requirements of any applicable law, rule or regulation relating to the environment, working conditions or workplace safety, including, without limitation, regulations promulgated by the U.S. Occupational Safety and Health Administration, the U.S. Environmental Protection Agency, and similar agencies in other jurisdictions. Examples include: biohazard, biosafety.) Any suspected unsafe conditions should be reported directly to the College's Facilities Office, your supervisor and Department Head and when necessary Human Resources.

8.25 Civility

The College strives to create a caring campus community and shows respect for all members of the Manhattan College community. It is expected that the community members treat each other with courtesy, respect, and kindness.

8.26 Workplace Violence

8.26.1 Workplace Violence

Workplace violence is an attempt, threat, or actual conduct that endangers the health or safety of campus community members (faculty, staff, administrators and students) or visitors. It also includes any threatening statement, harassment, or behavior that gives a campus community member or visitor reasonable cause to believe that his/her health or safety is at risk. Safety and security are personal and shared responsibilities. The collective involvement of every member of the College community is essential. Any work place violence or threat of violence must be

reported immediately to Public Safety, and the Human Resources Department must be notified along with your Department Supervisor and/or Department Head. In addition, a report of inappropriate behavior may be made to the Manhattan College Resources third-party vendor, Lighthouse Service through the toll-free hotline at (855) 544-8444 or email: reports@lighthouse-services.com.

In addition to taking appropriate internal action by notifying Manhattan College authorities (Public Safety Department, immediate supervisor) a faculty member, administrator or staff member who witnesses a crime, or what appears to be criminal or dangerous conduct, should promptly notify the police.

The College strives to provide a safe campus and workplace for the entire College community. To ensure a safe workplace and to reduce the risk of violence, all employees should review, understand, and comply with the provisions of this workplace violence policy.

Manhattan College does not tolerate any type of workplace violence committed by employees against other employees, students, visitors, vendors, or contractors. Employees are also prohibited from making threats or engaging in violent activities. This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- causing physical injury to another person;
- making threatening remarks;
- derogatory comments made about a person's race, color, creed, religion, ethnicity, national origin, sex/gender identify/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status;
- slandering an employee;
- making veiled comments that would be perceived by reasonable persons as threatening;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- intentionally damaging employer property or property of another employee; and
- possession of a weapon while on company property or while on company business.

These behaviors could lead to disciplinary action and/or immediate termination.

8.26.2 Workplace Violence - Reporting Procedures

Any dangerous situation must be reported to the Public Safety at extension 7240 or state, county or city police (911).

Any potentially dangerous situation must be reported to a Supervisor/Department Head, Chair, Dean, or the Human Resources Department. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them. The College will actively intervene at any indication of a possibly hostile or violent situation. A single serious employee violation of this policy may result in termination without warning.

8.26.3 Workplace Violence - Risk Reduction Measures Hiring

The Human Resources Department takes reasonable measures to conduct background investigations to review candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

Blue Light Emergency Notification Stations are positioned throughout the property (please refer to section 7.16.2).

Safety: The College conducts ongoing appraisal of the campus and offices to evaluate and determine any vulnerabilities to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

Individual Situations: While Manhattan College does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Human Resources Department and Public Safety Department if any employee exhibits behavior which could result in a potentially dangerous situation. Such behavior includes:

- discussing weapons or bringing them to the workplace;
- displaying overt signs of extreme stress, resentment, hostility, or anger;
- making threatening remarks;
- sudden or significant deterioration of performance; and

- displaying irrational or inappropriate behavior.

Employees at Risk: The Human Resources Department will inform the Public Safety Department of any individuals who have been determined to be at risk for becoming victims of violence because they were subject to harassment, violence, or threats from an employee. Human Resources will work quickly to discipline any employee threatening another and Public Safety will design a plan with at-risk employees to prepare for emergency situations.

8.26.4 Workplace Violence - Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

8.27 Sexual Violence

8.27.1 Sexual Violence

Manhattan College is committed to creating and maintaining an environment in which all persons who participate in campus programs and activities may work together in an atmosphere free of harassment, exploitation, or intimidation, including sexual violence. The campus seeks to ensure that the campus community is aware that such behavior is prohibited both by law and by campus policy and that Manhattan College will not tolerate sexual misconduct in any form, including acquaintance or date rape. Manhattan College seeks, by virtue of the adoption and publication of this Policy as well as the provision of other campus resources intended to address these issues, to educate the campus community so as to prevent occurrences of sexual violence.

Manhattan College goals are to create a supportive climate that encourages each victim/survivor of sexual violence to report the incident(s) and to provide support and information to assist her/him in dealing with these traumatic events. This policy also intends to promote Public Safety through facilitating the collection of accurate data on incidents of sexual violence and prompt reporting of sexual violence incidents to appropriate campus officials.

This policy is intended to address issues that are not otherwise covered by the campus Sexual Harassment Policy (please refer to section 8.28).

The Manhattan College policy on sexual violence applies to all employees, faculty, students and other members of the campus community, including invitees and visitors.

It is Manhattan College's policy to actively prevent rape and sexual assault. The campus maintains a zero tolerance standard concerning violence. Manhattan College will take action necessary to correct and discipline behavior that is found to violate campus policy or regulations, state and federal laws, proscribing sexual violence.

If the individual accused is a Manhattan College employee, he/she shall be treated fairly with appropriate due process protections consistent with applicable College policies and state and federal law.

Manhattan College policy and state laws prohibit retaliation against an individual who reports a violation of law.

8.27.2 Sexual Violence - Responsibility

A Manhattan College employee reporting a recent incident of sexual violence should be advised to speak to his/her supervisor; a student should be directed to the Dean of Students. Each also should be directed to the Police Department or the College Public Safety Department for reporting or other options as appropriate. It is not the function of any campus representative to urge a particular course of action upon the victim/survivor.

Under this policy, an affected individual will be accorded the right to privacy, and confidentiality will be maintained other than in circumstances where there is a need to know and to the extent permitted by College policy and New York State law. Extremely sensitive information is gathered during the investigation of a complaint of sexual assault. New York law provides constitutional and statutory protection for the privacy of the individual and specifically allows the issuer of a complainant of sexual violence to report as "Jane Doe" or "John Doe" in order to maintain confidentiality.

8.27.3 Sexual Violence – Related Policies

Sexual Harassment (please refer to section 8.28)

Violence in the Workplace (please refer to section 8.27)

8.28 Non-Discrimination and Anti-Harassment Policy for Employees

<https://inside.manhattan.edu/offices/human-resources/Non-Discrimination-and-Anti-Harassment-Policy-for-Employees.php>

8.28.5 Sexual Harassment Act Factsheet

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal; even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit [NYC.gov/HumanRights](http://nyc.gov/HumanRights) to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.

8.29 Title IX/Sexual Misconduct Policy

<https://inside.manhattan.edu/offices/Title-IX/Title-IX-Sexual-Misconduct-Policy.php>

8.29.1 Title IX/Sexual Misconduct Policy - How to Report

<https://inside.manhattan.edu/offices/Title-IX/How-to-Report.php>

8.29.2 Title IX/Sexual Misconduct Policy - Receive Support

<https://inside.manhattan.edu/offices/Title-IX/Receive-Support.php>

8.29.3 Title IX/Sexual Misconduct Policy – Frequently Asked Questions

<https://inside.manhattan.edu/offices/human-resources/non-discrimination-and-sexual-misconduct-policies/faq.php>

8.30 Drugs and Alcohol

The use, sale, possession, manufacturing, dispensation of any unauthorized drugs or controlled substances at any time is forbidden. Any illegal substances confiscated by the College in a search of its property will be turned over to the appropriate authorities.

The consumption of alcohol during work time (unless the college specifically authorizes an occasion) is prohibited. In addition no one may report to work or remain at work under the influence of alcohol. Alcohol, along with drugs, must not be kept either in offices, desks, lockers, etc.

Any employee found to be under the influence of alcohol will be disciplined which could include termination.

If any employee needs assistance with an alcohol and/or drug problem recommendations will be made to assist the employee. In addition, unless it is an authorized College event where liquor is served to employees, alcohol use is not permitted while on College property.

Use of alcohol and drugs are strictly prohibited during the work day including lunch.

8.31 Misuse of College Funds/Resources

It is expected that employees uphold a standard of honesty and integrity at all times. Carefully follow all college procedures concerning budget management, inventory control, cash handling, college credit cards and expense reporting. Dishonesty and theft will not be tolerated. Incidents should be reported immediately to the Human Resources Department and all employees are expected to cooperate in the investigation of any such situation. Failure to safeguard the use of these keys and/or credit cards may result in disciplinary action, up to and including termination.

8.32 Consensual Relationship Policy

<https://inside.manhattan.edu/offices/human-resources/Consensual-Relationship-Policy.php>

8.33 Minors on Campus

<https://inside.manhattan.edu/offices/Title-IX/minors-on-campus-policy.php>

8.33 Computer Pornography

College computers and computer networks are intended for uplifting and righteous activities only. All College owned computers or computers that are connected to any College network are monitored for appropriate use. Individuals who use any College computer equipment for any purpose that is not in keeping with the Code of Conduct, including sharing, transmitting, accessing, viewing, or reading pornography, will be subject to disciplinary action.

Likewise, the accessing of pornographic material sited from non-College-owned property or equipment may result in similar disciplinary action being taken. Individuals who purchase, receive, subscribe to, or possess or provide pornographic materials for others may be subject to disciplinary action including termination of employment.

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