

Saint Michael's College

Employee Handbook

For Faculty and Staff



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SECTION I - PURPOSE OF THIS HANDBOOK

THIS EMPLOYEE HANDBOOK IS INTENDED TO PROVIDE YOU WITH GENERAL GUIDELINES AND information about the College, working conditions, employee benefits, and some of the policies and practices affecting your employment. This handbook is presented solely for informational purposes, and nothing in this handbook is intended to constitute an express or implied employment contract or promise of your continued employment.

The policies, practices and benefits described in this handbook are subject to change as organizational needs, structures and procedures within the College evolve. It is not possible, of course, to foresee or attempt comment on every situation that may arise.

Nothing in this handbook shall limit the College from carrying out the high standards of its mission, the effective operation of College business and the implementation of prudent personnel judgments. The College reserves the right to add to, amend, change, revoke or terminate employment policies and practices and/or the provisions of this handbook from time to time as it considers necessary. It is, however, the intent of the College to make a conscious effort to review with and communicate to employees changes in this handbook prior to implementation.



SECTION II - ABOUT SAINT MICHAEL'S COLLEGE

Statement of Mission

SAINT MICHAEL'S COLLEGE, FOUNDED IN 1904 BY THE SOCIETY OF SAINT EDMUND and conducted under its auspices, is an independent, non-profit educational institution chartered by the State of Vermont. Saint Michael's College is a Catholic institution of higher education in the liberal arts tradition. The mission of Saint Michael's College is to contribute through higher education to the development of the human person in the light of the Catholic faith.

Saint Michael's College strives to be an academic community that promotes the pursuit of truth, the development of virtue, and the attainment of high levels of excellence in all its academic, social and religious programs with a view to bettering the human condition. Saint Michael's College endeavors to conduct its various programs in accordance with policies that are consistent with the principles of the Catholic faith, especially those of truth, justice, and charity, and to promote these principles, in fulfillment of its mission, throughout the world. Saint Michael's College seeks to enrich the knowledge of Catholicism in its various dimensions and in relationship to various disciplines and fields of knowledge and to promote the moral and spiritual development of the entire College community.

The History of Saint Michael's College

SAINT MICHAEL'S COLLEGE WAS FOUNDED AS SAINT MICHAEL'S INSTITUTE IN 1904 by members of the Society of Saint Edmund. These priests and brothers, known as Edmundites, came to Vermont in the late 19th century from France and continue to live, teach and minister at Saint Michael's today. Saint Michael's is truly unique—the only Edmundite college in the world.

The small school known as Saint Michael's Institute developed into an American-style college, adding buildings beginning with Founders Hall in 1904, the original building in which all students lived, ate, studied and learned. Jeanmarie Hall was built in 1921. At first the college's growth was slow, with enrollment reaching only about 250 students by the end of World War II. After the war, with the return of military veterans, Saint Michael's expanded dramatically. Barracks from nearby Fort Ethan Allen were brought to campus and served as residences, classrooms and the library.

Beginning in 1949, the College began erecting the brick buildings that make up most of campus today, including Cheray Science Hall in 1949; The Chapel of Saint Michael's the Archangel, one of Vermont's largest churches, in 1965; the Durick Library in 1968; the Ross Sports Center in 1973 and the McCarthy Arts Center in 1975. More recent campus additions include the Tarrant Recreation Center in 1995, Saint Edmund's Hall in 1987, Cashman Hall in 2002 and the Hoehl Welcome Center in 2003.

Over the past century, Saint Michael's has developed into a quality Catholic residential liberal arts college drawing students from throughout New England, the Northeast and, increasingly, the rest of the country. The college, originally all male, became fully coeducational in the early 1970s and enrollment has increased gradually to its current level of approximately 2,000 students.

The College seeks to engage the commitment of all of its constituents, including students, faculty and staff, to an educational environment characterized by critical examination and knowledge of the self and one's traditions. This will advance its goals of being an environment that in all ways promotes and upholds the importance of learning in the Edmundite tradition, which encompasses respect for human dignity; excellence in search of the truth; development of moral character; commitment to service and the value of community.

One hundred years after its founding, Saint Michael's continues to proudly pursue its mission in the conviction that quality higher education "in the light of the Catholic faith" is the best preparation for one's life and for any career in the multicultural and international world of the 21st century.

SECTION III - APPLICATION / DEFINITIONS

Application

THIS EMPLOYEE HANDBOOK APPLIES TO ALL EMPLOYEES OF SAINT MICHAEL'S COLLEGE, defined as all members of faculty and staff, unless otherwise stated. Faculty members are also governed by the Faculty Regulations; therefore, if provisions or policies in this Handbook conflict with any provisions of the Faculty Regulations, the provisions of the Regulations will prevail for faculty members.

The Handbook is intended to be an informational manual and is designed to provide you with a general description of personnel policies and practices, and the services and benefits available to you. It is produced by the Office of Human Resources, which is responsible for organizational employment policies and procedures. The Office of Human Resources coordinates recruiting, administers the wage and salary plan and performance appraisal system, manages employee benefits, oversees discipline and dismissal, coordinates personnel development programs, mediates employment problems, and handles related matters. You may direct any requests for clarification or updated information on the summarized policies in this Handbook to the Vice President, Human Resources.

Definitions

FACULTY

All definitions and policies regarding duties and responsibilities for faculty are covered in the Saint Michael's College Faculty Regulations, as adopted and amended. If a conflict exists between this handbook and the Faculty Regulations, the Faculty Regulations will take precedence. Questions regarding these regulations should be directed to the Vice President, Academic Affairs.

STAFF

Staff categories generally include the following.

Regular Full Time: Your position is budgeted as "regular, full time" and you work 2,080 hours per year (40 hours per week for 52 weeks per year).

Part Time Benefits-Eligible: You work 32-40 hours per week for at least 40 weeks per year.

Regular Part Time: Your position is budgeted as "regular, part time," and you regularly work fewer than 32 hours per week.

Temporary: The College may hire employees for specific work that is temporary (not to exceed 20 weeks). However, special circumstances may require an extension of time for a temporary employee. Temporary assignments that exceed six months must be approved by the Vice President, Human Resources.

Generally, temporary employees do not receive benefits, including paid leave time or holidays, except for those required by law, e.g. workers compensation. Taxes, as required by law, will be withheld. The employee must complete a W-4 (tax withholding form) and I-9 (Homeland Security form to verify right to work in the U.S.).

If it is determined that the temporary work is no longer "temporary" and should become a regular full- or part-time position, the temporary employee may submit a resume and/or employment application for consideration. If the temporary employee is hired to fill a regular position, his/her service time as a temporary will be added to years of service. As an exception to this provision, the service of intermittent or casual temporary employees (e.g. on call, per diem, summer camp, Playhouse, summer physical plant etc.) and all student workers will not be added to years of service.

On-Call/Per Diem: The College may hire employees for periodic, intermittent work. Generally, on-call/per diem employees do not receive benefits, including paid leave time or holidays, except for those required by law, e.g. workers compensation. Taxes, as required by law, will be withheld. The employee must complete a W-4 (tax withholding form) and I-9 (Homeland Security form to verify right to work in the U.S.). If an on-call/per diem employee is hired to fill a regular position his/her service time as an on-call/per diem employee will not added to years of service.

Exempt: Exempt jobs are defined as jobs that are not subject to the hours-of-work and overtime pay provisions of the Fair Labor Standards Act (FLSA). Employees in exempt jobs do not qualify for overtime pay for hours worked over 40 per work week.

Non-exempt: Non-exempt jobs are defined as those, regardless of title or function, are subject to the hours-of-work and overtime pay provisions of the FLSA. All jobs that do not meet the qualifications for exemption are included in the category non-exempt. Employees working in nonexempt jobs must receive time-and-one-half pay for all hours worked over 40 per work week.

Benefit Eligibility: If you work a minimum of 32 hours per week for a minimum of 40 weeks per year, and you are working in a “regular part-time” job, you are benefit-eligible. All faculty members employed under a full-time contract are benefits-eligible.

If you are working in a “regular, part-time” job and working less than a minimum of 32 hours a week for a minimum of 40 weeks per year, you are not eligible for medical, dental, life insurance benefits and tuition benefits (except for yourself), however you may be eligible for certain other benefits as defined in Section VIII.



SECTION IV - WORK ENVIRONMENT

THE STANDARDS SET FORTH BELOW APPLY TO ALL EMPLOYEES—FACULTY AND STAFF—of the College. Some of the policies below are summaries of other more detailed policies. For more information regarding these policies, you may contact the Office of Human Resources.

Discrimination and Harassment

NONDISCRIMINATION POLICY

Saint Michael's College is committed to a policy of equal employment opportunity, in compliance with applicable provisions of state and federal law that prohibit discrimination in employment on the basis of race, color, sex, gender identity, age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as such characteristics and prohibitions are defined by applicable law. The College will not rely inappropriately on such characteristics, or upon related stereotypes or biases, in making employment-related decisions. Also, in accordance with applicable law, the College will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship or otherwise would not be required by applicable law. While the College complies with provisions of applicable law, no portion of this handbook should be interpreted or relied upon as creating any rights broader than those recognized by applicable law.

The College's nondiscrimination policy applies to all of its employment practices, including hiring, job assignment, compensation, discipline, termination, and access to benefits and training. However, with respect to benefits, the terms and coverages provided in the various benefits agreements in effect at a particular time define the available coverages exclusively, and this policy should be read as consistent with such terms and coverages, and consistent with the provisions of applicable law.

Employees should feel free to raise concerns or complaints relating to discrimination or perceived discrimination without fear of reprisal or retaliation from the College, supervisors or co-workers. Violations of the College's nondiscrimination policy will likely result in disciplinary action or termination. Please refer to the College's Discrimination, Harassment, and Sexual Harassment Complaint Procedure for more information about how you should report any such concerns or complaints.

Other questions that you have regarding equal employment opportunity at the College, and/or accommodation requests by individuals with disabilities, should ordinarily be addressed to the Vice President, Human Resources. If you are not comfortable contacting the Vice President, Human Resources under the applicable circumstances, you should contact the **Associate Director, Human Resources** or the **Vice President, Academic Affairs**.

POLICY AGAINST DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT AND RELATED RETALIATION

Saint Michael's College is committed to promoting a work environment that is free from unlawful harassment and discrimination. Therefore, harassment or discrimination on the basis of characteristics recognized in the College's Nondiscrimination Policy, and/or on the basis of other characteristics as protected and defined by applicable law, will not be tolerated. The College will not tolerate harassment or discrimination by supervisors, co-workers, students or others (to the extent the College can control the conduct of others).

For the purposes of this policy, "harassment" is defined as statements or conduct of a verbal or physical nature which create an unreasonably abusive or offensive work-related environment for an employee, and which would adversely affect a reasonable employee's ability to do his or her job, because of that employee's race, color, sex (including gender identity), age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as such characteristics are defined by applicable law. "Discrimination" is defined as making decisions about the terms or conditions of a person's employment on the basis of their possessing a protected characteristic, or on the basis of related stereotypes or biases.

Examples of inappropriate harassment include, but are not limited to, the following: jokes, derogatory expressions or comments reasonably offensive to someone possessing a particular protected characteristic, the display of graphics, cartoons, or objects reasonably offensive to someone possessing a particular protected characteristic, sending and forwarding offensive electronic mail messages and/or attachments, and other conduct reasonably offensive to someone possessing a particular protected characteristic because of that characteristic.

Sexual harassment is a particular type of unlawful harassment which is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of employment; submission to or rejection of such conduct by an employee is used as a component of the basis for employment decisions affecting that employee; or the conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment because of the employee's gender.

Examples of inappropriate sexually harassing activity include, but are not limited to, the following:

- Jokes, derogatory expressions, e-mail (including attachments) or comments of a sexual nature;
- The display or communication of graphics, cartoons, e-mail or objects of a sexual nature;
- The display of sexually degrading gestures, cartoons, e-mail or objects;
- Unwelcome physical contact, flirtation or advances of a sexual nature;
- Statements or threats which imply a link between an employee's sexual conduct and his or her employment status, advancement potential, salary treatment, or other employment actions;
- Basing an employment decision such as hiring, promotion, retention, or compensation on whether an employee or applicant submits to sexual advances.

Unlawful sexual harassment may occur regardless of the genders of the employees involved. Victims can be bystanders of the individual at whom the unwelcome sexual conduct is directed.

Retaliation for an employee's having filed a good faith complaint or having participated in an investigation of a complaint of harassment or discrimination is unlawful, is strictly prohibited, and will be considered a violation of this policy. Harassment by an employee that occurs off-duty and off-campus which falls within the above definitions and which affects the work environment as described above may also constitute harassment prohibited by this policy.

It is the primary responsibility of the person who feels harassed or discriminated against to bring these concerns to the College's attention, as encouraged here and in the College's Discrimination, Harassment, Sexual Harassment and Related Retaliation Complaint Procedure. However, co-workers are also encouraged, and supervisors are required, to report incidents or patterns of prohibited harassment, discrimination or retaliation to appropriate personnel.

A copy of this policy is provided to every employee, copies are posted throughout the campus, and extra copies will be available in the Office of the Vice President, Human Resources. At least annually, every employee will be asked to re-read the College's policy against discrimination, harassment, sexual harassment and related retaliation and to sign an acknowledgment form that certifies that the employee has read the policy and understands its provisions.

Discrimination, Harassment, Sexual Harassment and Related Retaliation Complaint Procedure

When an employee wishes to make a complaint of discrimination, harassment, sexual harassment or related retaliation, the following guidelines and steps will usually be followed (though variations may be appropriate due to the circumstances of a particular situation).

- An employee need not first complain to the alleged harasser before complaining to the Vice President, Human Resources.

- In most instances, complaints should be expressed to the Vice President, Human Resources, or designee. You may also lodge a complaint with the President. Nothing in this policy shall require you to take a complaint to the Vice President, Human Resources, if the Vice President, Human Resources is being charged with harassment. In that case, the complaint should go directly to the President.
- The Vice President, Human Resources or designee will write a complaint summary based on an oral interview(s) with you. You will be able to review the summary, and if you agree with the summary, your signature will confirm its contents.
- When the Vice President, Human Resources receives a complaint he or she will also notify the College President, unless the complaint is against the President, in which case the Vice President, Human Resources will notify the Chair of the Board of Trustees.
- The President and the Vice President, Human Resources are authorized to take reasonable interim measures in order to safeguard the individuals involved.

The Vice President, Human Resources, and/or designee, shall investigate and attempt to resolve problems through a process of interviews with the complaining party, the alleged harasser and others with knowledge of the situation.

- Investigations will be conducted in as confidential a manner as practical, with disclosure only on a need-to-know basis and/or as reasonably necessary to carry out the investigation and any remedial action.
- Within a reasonable period of time, the Vice President, Human Resources, and/or designee, will issue a written report to the President. The report will include findings and recommendations as to whether the evidence gathered indicates that a violation of this policy has occurred, as well as the appropriate resolution of any problems identified.
- If the Vice President, Human Resources makes a finding that this policy has been violated, and the President, agrees with it, they shall decide upon a course of action that may include one or more of the following processes:
 - 1) training or counseling required for the harasser
 - 2) mediation between the harasser and victim
 - 3) discipline, up to and including immediate termination of the employee who has violated this policy; and
 - 4) in the case of non-employees, the President may take appropriate measures to ensure the welfare of employees.

For purposes of making a complaint under these guidelines, the address of the Vice President, Human Resources is:

Vice President, Human Resources
Saint Michael's College, Box 265
One Winooski Park
Colchester, Vermont 05439
802.654.2635
mnew@smcvt.edu

Complaints to State and Federal Employment Discrimination Enforcement Agencies

If you believe that you are a victim of unlawful discrimination, harassment or related retaliation, you are also entitled to file a complaint under state and federal discrimination laws, whether or not a complaint is filed with Saint Michael's College.

Title VII of the Civil Rights Act is enforced by the Federal Equal Employment Opportunity Commission. For additional information, contact: The Equal Employment Opportunity Commission, 33 Arch Street, Ninth Floor, Boston, Massachusetts 02110. Telephone: 1.617.289.0150

The State Fair Employment Practices Act is enforced by the Vermont Attorney General's Office. For additional information, contact: **The Civil Rights Unit, Vermont Attorney General's Office, 109 State Street, Montpelier, Vermont 05602.** Telephone: **802.828.3171.**

Generally, complaints must be presented to the Vermont and/or federal agencies within 300 days of the adverse action, but you should verify this information directly with an agency if you feel you might like to pursue a complaint. Each of these agencies can conduct investigations, facilitate conciliation, and if it finds that there are reasonable grounds to believe that unlawful harassment has occurred, can take the case to court.

All employees who hold supervisory positions are responsible for taking appropriate action to help prevent and report any such harassment of a Saint Michael's College employee, even if the employee has not filed a formal complaint. Supervisors should contact the Office of Human Resources to discuss suspected or potential harassment situations and required actions. The College is committed and required by law to take action if it learns of unlawful harassment, even if the aggrieved employee does not wish to formally file a complaint.

NON-RETALIATION POLICY

Saint Michael's College is committed to maintaining a safe workplace and fostering an environment where employees feel free to raise good-faith concerns in a professional manner and without fear of retaliation. It is, therefore, our policy and practice to maintain effective lines of communication within the College administration and to encourage, where possible, the early intervention and resolution of employee concerns.

The College will not discharge, demote, suspend, or otherwise take retaliatory employment action against any staff member, based on the fact that s/he has, in good faith and in a timely manner, notified his or her supervisor or a member of the President's Cabinet, if the employee believes his or her supervisor is involved in one of the following:

- **on-going violations by others of the College's policies or procedures or practices or actions that violate federal, state or local law or regulations; or**
- **any defect or omission which relates to the safety and health of the College community, as reflected in state and federal requirements.**

In addition, the College will not discharge, demote, suspend or otherwise take retaliatory employment action against any employee based on.

- **a good faith refusal to engage in any practice or act which violates a federal, state or local law or College policies or procedures; or**
- **a complaint to federal, state or local officials regarding violations of federal, state or local law or a complaint to the President or the Vice President of Human Resources regarding violations of College policies or procedures.**

In the event such complaint or action as described above occurs, under this policy, it is the employee's responsibility to notify the Vice President, Human Resources or the President or his/her designee. If a complaint is made against the President, the employee may complain to the Chair of the Board of Trustees.

If necessary, appropriate interim remedial action will be implemented prior to the completion of the investigation. Where, upon investigation by the Vice President, Human Resources or the President, a complaint is deemed valid, the College shall implement any appropriate measures to correct the situation. All parties will be notified when the investigation is completed. The findings of the investigation may or may not be communicated to the applicable parties upon conclusion of the matter. Regardless of the findings on a complaint, the College may enact reasonable steps necessary to prevent any adverse or retaliatory action against a complaining party under this policy by any member of the College community.

Notwithstanding the above provisions, nothing under this policy shall be construed as providing protection to an employee who, in the view of the President or his/her designee, attacks, defames, intimidates or jeopardizes the health and safety of any member of the College community, its operational capacity or reputation or otherwise exhibits acts of insubordination to his or her supervisor or a member of the Administration. Nothing in this policy should be construed to indicate that an employee who reports such a matter is somehow protected from his or her other obligations related to the proper performance of his/her job or from the requirements related to the College's personnel and administrative policies and procedures, including those concerning workplace behavior.

AMERICANS WITH DISABILITIES ACT

The College is committed to complying with all applicable provisions of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and similar state law (ADA). It is the College's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability, record of disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the College will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the College aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the College.

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

On receipt of an accommodation request, a member of the Office of Human Resources and your supervisor will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the College might make to help overcome those limitations.

The College will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the College's overall financial resources and organization, and the accommodation's impact on the operation of the College, including its impact on the ability of other employees to perform their duties and on the College's ability to conduct business.

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

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

An employee or job applicant who has questions regarding this policy or who believes that he or she has been discriminated against based on a disability should notify the Office of Human Resources. The Vice President, Human Resources, is the College's employment-related Section 504 Coordinator. All such inquiries or complaints will be treated as confidential to the extent feasible given the need to investigate, and will generally be handled under the Discrimination, Harassment and Sexual Harassment Complaint Procedures outlined above.

PROFESSIONAL CONDUCT IN RELATIONSHIPS POLICY

As a member of the faculty or staff, you must be sensitive to the power that exists in your relationships with others, especially students over whom your position at the College has given you some real or perceived authority. Amorous, sexual or other inappropriate relationships with students violate the trust that should be at the foundation of professional relationships. Such relationships can be exploitative and constitute unprofessional conduct. You must keep your relationships on a professional level and remember that we are called to model appropriate behavior and maintain the integrity of our college community. You will be subject to serious disciplinary action, up to and including dismissal, if appropriate, for unprofessional conduct in relationships.

Use of College Information and Time

TECHNOLOGY RESOURCES

The College makes technical resources, including, but not limited to, computer accounts, electronic mail services, Internet access, and telephone service, available to staff and faculty for academic and administrative purposes. These resources may be used only by you or by the employee (including work study students) to whom you have delegated responsibility for that resource. You may only delegate authority for an account to someone else with the permission of the Department of Information Technology. If you delegate responsibility for a particular resource to someone else, you are still responsible for its appropriate use.

Because the systems referenced above are the property of the College, your use of such systems for communication constitutes your consent to the College's review of such communications. You should have no expectation of privacy in such communications. If you use the systems, you agree to use them according to the rules and you agree that the College reserves the right to enforce its rules in any way it deems necessary.

Introduction

The electronic information systems at Saint Michael's College are provided for the purposes of instruction, research, personal development, and administration. The College has developed policies and procedures to insure the systems are used for their intended purpose. Users have the responsibility abide by these policies but also should have the expectation that the systems will be administered to the extent possible in a manner consistent with the College's educational mission. This policy applies to all users of Saint Michael's system resources, including those who access these resources from off campus.

Expectations

The College seeks to provide an environment in which academic usage has the first priority, and in which there is respect for freedom of inquiry and expression; opposition to censorship; privacy and confidentiality; freedom from sexual and other unlawful harassment; and protection of intellectual property. The same standards and principles of intellectual and academic freedom already supported by the College in other areas extend to material received and sent through the network. Furthermore, the same standards of intellectual and academic freedom developed for faculty and student publication in traditional media are also applicable to publication in electronic media.

Responsibilities

Users are expected to abide by the policies of the College and be considerate of the rights of other users. Some examples of prohibited actions may include, but are not limited to, the following:

- **Unauthorized use of resources for commercial enterprises.**
- **Substantially and willfully interfering with another person's authorized use.**
- **Compromising or attempting to compromise privacy or confidentiality for example; attempts to read another person's electronic mail or other protected files.**

- **Modifying or attempting to modify system facilities without authorization, including software or hardware installation.**
- **Using the Saint Michael's College system as a staging ground to attack or harm other systems.**
- **Obstructing other people's work by consuming gratuitously large amounts of system resources (e.g., network bandwidth or printers). This includes, but is not limited to, game playing or monopolizing information resources for entertainment or personal use.**
- **Allowing unauthorized access to accounts and passwords.**
- **Violating license agreements.**

Individuals using College information systems resources are subject to local, state, and national laws in addition to College policies.

Security

Network and system administrators are expected to treat the contents of electronic files as confidential, except to the limited extent necessary to inform appropriate College officials of potential violations of these or other College policies or laws. However, normal operation and maintenance of the systems requires backup and caching of data and communications, the logging of activity, and the monitoring of general usage patterns. In particular, users should be aware that systems administrators may examine files as part of these activities. Users should also know that public lab computers have no private, secure storage and work should not be kept there.

In all matters relating to privacy and security of communications and individual accounts as well as requests for release of information, College personnel will abide by any applicable U.S. law, Vermont laws and/or College policy. Records may be examined or disclosed, for example, in response to a proper subpoena or court order from external attorneys, police, and/or administrative agencies, and in response to on-campus investigations following College Security procedures, or investigations of suspected violations of these or other College policies or laws.

Complaints

Notification of possible violations of this policy may be made to the **Help Desk at extension x2020, to abuse@smcvt.edu, or to the Office of the Vice President, Human Resources.**

Please be aware that system administrators are authorized to immediately take actions such as locking accounts when the safety and well-being of students, faculty, staff or College property are at risk. As soon as practical, the Director of Information Technology will be contacted to either authorize or suspend an investigation. The means of investigating may include, but not be limited to, monitoring traffic and files, including the contents thereof.

Sanctions for violating this policy can include all regular College sanctions (admonition, warning, reprimand, termination of employment, etc.). In addition it can include loss of information systems access.

Additional Conditions

As an employee you should understand some additional conditions of use of these resources:

You must abide by all other College policies and procedures and may not use these resources to violate those policies. For example you may not knowingly use these resources to compose, transmit, access, print, or download content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any staff, faculty member, or other person. Data inquiries or information searches not directly related to your job responsibilities may also result in disciplinary action. Furthermore, you must follow College policies established to ensure efficient and secure operation of the system; for example, policies to protect system resources from viruses.

Use of the College's technical resources is subject to monitoring for security, network management, or other management purposes. Monitoring may include accessing recorded messages and printing or reading data files or entering offices to examine records and files electronic or printed. Monitoring may also include review of files recording your Internet use, and auditing of all firewalls.

College technical resources are to be used for College business with each administrative area assuming responsibility for its use. Limited personal use of these resources is permissible subject to the Usage Policy and other College regulations. The College may seek reimbursement from you for costs of personal use of any of these resources.

When possible violations of this policy threaten the integrity or security of the network or other technology resources, the Information Technology staff may act to prevent or repair any such problem without prior notification to, or consent of, any user. Those actions may include suspending the privilege to use the resources in question. When any violation of this policy is reported or discovered the appropriate manager or managers have the right to request an investigation. The request for an investigation will be discussed by the Cabinet member(s) responsible for the individual or individuals to be investigated and the Cabinet members responsible for Information Technology and Human Resources. That group, with advice of the rest of the Cabinet, if necessary, will define the scope of the investigation and the means by which the investigation will proceed. In this connection, the managers, with due regard for the rights of privacy and other rights of users, have the authority to enter a room, to examine files, passwords, accounting information, printouts, tapes, or other material that may aid the investigation. While an investigation is in progress, in order to prevent further possible unauthorized activity, the Information Technology staff may suspend the authorization to use the resources in question without prior notice. Confirmation of unauthorized use of technical resources and/or violations of College technology policy may also result in disciplinary actions, using the usual College disciplinary procedures, which could lead to termination of employment from the College and/or legal action.

Your use of the College's technical resources, including but not limited to, the College's e-mail and/or the Internet or Intranet, telephone, or computer account constitutes your consent to such review by the College. If you use the systems, you agree to use them according to the rules and the College reserves the right to enforce those rules in any way it deems necessary consistent with the policies above.

COMMUNITY SERVICE POLICY

The College encourages you to take advantage of opportunities to participate in community service activities. You may choose to make voluntary community service commitments ranging from one to five College paid working days during the fiscal year. The five days do not necessarily have to be taken consecutively and may be broken up into full or half days. In any case, the total time off for an academic year will not exceed five days. If you are a member of the Faculty, you have the opportunity to participate during academic breaks. If you are a staff member who would normally be working during the time in which the service is volunteered, you will be granted a paid leave of up to five days if the time off is approved by your immediate supervisor and the service project is sponsored or approved by the Director of MOVE.

For example, you could choose to participate in one of MOVE's trips during academic breaks. Or you may choose to work in the local community for up to a week at a not-for-profit agency such as Food Shelf, Camp Ta-Kum-Ta or with a Habitat for Humanity project. Application forms (to be signed by you, your immediate supervisor, the Director of MOVE and the Vice President, Human Resources) are available at the MOVE office and Human Resources. Approved forms must be forwarded to the Office of Human Resources.

CONFLICT OF INTEREST POLICY

If you are a party to any actual, potential, or apparent conflict of interest that may arise out of your employment at Saint Michael's College, you must provide written disclosure to a Vice President, or to the President of the College. Such conflicts of interest may arise, for example, when the use of your position or influence may further or reasonably appear to further your own personal gain or that of your relatives or associates. The supervision of one family member by another shall be considered a potential conflict of interest under this policy.

Personal situations or commitments may sometimes require employees to have additional jobs outside the College. Such commitments must not interfere or compete with Saint Michael's work, and should not be done on the College's premises or with its services, supplies or equipment.

GIFTS

You may not accept, give, offer, or promise, either directly or indirectly, any gifts valued at over \$100 from or to any vendors, solicitors, or other person in connection with any business that the College may have with that person or organization. Gifts to you or any College program worth more than \$100 should be reported to your immediate supervisor and the Institutional Advancement Office, which is designated to acknowledge and record such gifts to the College.

COPYRIGHT POLICY

Compliance with copyright legislation is part of the standards of professional and ethical conduct expected of all College personnel. Disciplinary action, including dismissal if appropriate, may be taken against any employee who violates copyright legislation.

ETHICAL AND CONFIDENTIAL HANDLING OF PROPRIETARY INFORMATION

Information obtained, accessed, or processed in the course of employment, or under the name of the College, is the property of the College. Misuse, theft, or unauthorized dissemination of information will result in disciplinary action and may result in dismissal, if appropriate, from College employment, and other remedies as available by law.

POLITICAL AND COMMERCIAL ACTIVITIES AND STATEMENTS TO THE PUBLIC

As an employee of Saint Michael's College, you may not undertake political or commercial activities under the College's name. Furthermore, you may not make political or commercial use of the College's official seal, logo, stationery, directories, or campus free mailing service. You will be subject to disciplinary action for inappropriate political and commercial activities. This policy, however, does not preclude your proper identification as an employee of Saint Michael's College, provided that you disclaim that your statements or actions represent the College.

Our Partnership in Safety and Health

ALCOHOL AND DRUG POLICY

The use of alcohol or other drugs on the job is forbidden. You will be subject to serious disciplinary action, up to and including dismissal if appropriate, if you are at work, or arrive at work, under the influence of alcohol or illegal drugs.

The College abides by **The Drug-Free Workplace Act of 1988**. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace is strictly prohibited. As a condition of your employment, if you are convicted of any criminal drug statute violation occurring in the workplace, you must notify the Vice President, Human Resources no later than five days after such conviction. The College will take appropriate action, up to and including termination, or will require that you participate satisfactorily in a drug abuse assistance or rehabilitation program, approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.

Information about the dangers of alcohol and drug abuse and community resources on alcohol and drug counseling is available through the **Employee Assistance Program** at **800.639.1596**.

ALCOHOL AND DRUG TESTING

The Omnibus Transportation Employee Testing Act of 1991 and Department of Transportation regulations effective January 1, 1996 require pre-employment, random, reasonable suspicion and post-accident alcohol and controlled substance testing of personnel in positions which require a commercial driver's license (CDL). The College complies with all relevant regulations. In the event of a positive test result, you will be subject to serious disciplinary action, up to and including immediate dismissal.

Any other alcohol and drug testing will be performed in accordance with applicable law.

WORKPLACE VIOLENCE

Saint Michael's College prohibits the use or possession on College property of any firearms, weapons, and any other dangerous or hazardous devices or substances that pose a serious threat to personal health or safety unless you have received permission from the Security Office to possess or use such on College property. If you bring any prohibited device or substance onto College property without such permission, you will be subject to discipline, up to and including immediate dismissal. Firearms or weapons that you bring onto College property with such permission, that you do not intend to use on College property (for example, an employee was hunting prior to coming to work) must be kept out of sight in a locked vehicle.

All employees should be treated with respect for their personal safety at all times. Employees are expected to refrain from conduct that may be dangerous to others.

All threats of or actual violence, both direct and indirect, are prohibited and should be reported as soon as possible to your immediate supervisor, or any manager. If appropriate, threats of violence should be reported directly to the Saint Michael's College Security Department, by calling x2374. This includes threats by other employees, as well as threats by visitors, vendors, solicitors, or other members of the public. If you report a threat of violence, it should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor or manager. You should not place yourself in a dangerous situation. If you see or hear a commotion or disturbance near your work area, you should not try to intercede or see what is happening. Rather, report the matter as soon as possible.

Saint Michael's will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Saint Michael's may suspend employees, either with or without pay, pending an investigation.

Any employee determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to disciplinary action, up to and including termination of employment.

SMOKING POLICY

In order to provide a safe and healthy environment for the College community and to assure compliance with Vermont smoking policy legislation, it is the policy of Saint Michael's College to maintain a smoke-free campus in which smoking is prohibited throughout all College buildings including all common areas, private offices, halls, restrooms and vestibules as well as in College owned vehicles.

If you wish to smoke outside, you are required to do so a minimum of 25 feet away from public entrances and to extinguish smoking materials in receptacles designed for their disposal.

HAZARD COMMUNICATION POLICY

Saint Michael's College places a high priority on the occupational health and safety of its employees and the environment. The College's commitment to occupational health and safety can be successful only if individual members of the College community accept responsibility for their personal safety and the safety of those around them by following appropriate codes, regulations and procedures. Each employee is expected to develop personal safety habits that control the hazards of their work to themselves and coworkers. The elimination or reduction of accident-related illness, injury, and property and environmental damage is a cooperative effort and an important one.

Virtually every workplace contains some chemical that could pose potential health problems to you. The College recognizes that you have the right and need to know the properties and potential safety and health concerns associated with substances to which you may be exposed. To address these concerns the College has developed a written Hazard Communication Program. The purpose of this policy is to ensure the availability of necessary information and training

regarding hazardous chemicals in the workplace. Additionally, the policy ensures compliance with the Vermont Occupational Safety and Health (VOSHA) regulation 1910.1200, Hazard Communication Standard (otherwise known as the Chemical Right-to-Know Law). The written policy is available from the College's Occupational/ Environmental Health Coordinator and in the College's Public Folders (Public Folders/Physical Plant/Environmental/Energy Office/HAZCOM).

During your formal orientation, you were presented with the brochure entitled "Hazard Communication Standard - General Employee Bulletin." The brochure is reviewed with each new employee and any questions regarding the information presented are referred to the College's Occupational/Environmental Health Coordinator at x2425. The brochure is designed to provide awareness of the HAZCOM regulation and provide information about where to get subsequent questions answered. Employees who regularly use hazardous chemicals as part of their employment receive more formal, in depth training. If your job description requires you to receive this training, or you feel you should, contact the College's Environmental/Occupational Health Coordinator at x2425.

Each department using hazardous chemicals supplements this policy document with detailed information about the hazards present in its workplaces and the precautions necessary to control these hazards. These supplements may be in the form of written procedures, literature libraries, video presentations, and/or group or individualized training.

VEHICLE USE POLICY

With the goal of a safer driving environment, we have implemented a vehicle management policy for driving vehicles on behalf of Saint Michael's College (SMC). It addresses the key areas of vehicle safety: driver qualifications and vehicle use. The policy applies to everyone who drives on behalf of SMC, whether using a vehicle owned by the College, a personal vehicle or a rented vehicle ("SMC vehicle").

Please note that the full policy and eligible drivers list may be found in the Public Folders under Vehicles.



SECTION V - EMPLOYMENT POLICIES

Your First Day

■ Completing your W-4 and I-9

On or prior to your first day of employment please come to the Office of Human Resources and complete a W-4 (tax withholding form) and I-9 (Homeland Security form to document verification of your right to work in the U.S. form).

You will need to bring your passport or a driver's license and social security card or other documentation to show that you are legally permitted to work in the U.S. These forms must be completed prior to starting work.

■ Identification

You must arrange to have a College picture ID processed through the Knight Card Office. This ID is the property of the College; you must return the card to your supervisor upon termination of your employment.

Reporting Changes

You are responsible for completing the "Employee Change Form" (available at www.smcvt.edu/humanresources) when your name, address, telephone number, or emergency contact changes. Once you have completed the "Employee Change Form" for Saint Michael's College records, please complete the appropriate vendor/carrier change forms as applicable: **Blue Cross/Blue Shield** at 800.247.2583 / www.bcbsvt.com, **TIAA-CREF** at 800.242.2776 / www.tiaa-cref.org, and/or **Delta Dental** at 800.832.5700 / www.nedelta.com. Changes will be automatically updated each payroll period with **Milliman, Inc.** Links to all carriers' Web sites may also be found at www.smcvt.edu/humanresources.

Employee Privacy Interests

Absent extraordinary circumstances, the Office of Human Resources will not release your paycheck to, or discuss with your spouse, partner or other family members your benefits or other matters related to your employment with the College, unless you sign a release form.

By completing a release form, you will give the Office of Human Resources permission to respond to inquiries by, or release your paycheck to, the person you have designated. You will need to provide the person's name, relationship to you, and what material or information related to your employment you want released to them. The form will be placed in your personnel file. You may revoke such authorization at any time, except to the extent that the College has already provided material or information in reliance upon the previous authorization. When the person you have designated comes to or contacts the Office of Human Resources, s/he should advise the HR staff that there is such a form in your file.

Employee Files

The Human Resources Department maintains separate files for each employee. These files are the property of the College.

Additionally, there are files maintained on each faculty member by the Office of the Vice President for Academic Affairs. These files are maintained in accordance with published Faculty Regulations.

The College is committed to protecting individual privacy within the context of the organizational needs of the College. You may request that relevant material be added to your files at any time. Furthermore, you may review your files at any time during the course of your employment by scheduling an appointment during regular business hours with a Human Resources staff member who will be present during the review. You may request copies of any information/materials that are in your file(s).

The College tries to balance its need to obtain, use and retain employment information with a concern for each individual's privacy. An employee's personnel file may be inspected only by management employee(s) to whom the employee reports and limited designees of the Vice President, Human Resources, who have an employment-related or legally required need-to-know. Any breach of confidentiality of an individual's personnel file or disclosure of other employment-related information is strictly prohibited.

Release of Employment Information

No information from your personnel file will be released to prospective employers who may request references other than dates of employment and title of positions held, unless you sign a release form.

The College may release information requested by others for which you have signed a release form (examples: banks, credit unions asking for compensation or employment verification needed to grant mortgages or agencies that conduct background checks). An authorization to release information may be found at smcvt.edu under Human Resources.

Employment of Relatives or Other Family Members

Members of your immediate family and other relatives may be employed at the College in any department. Generally, they may not, however, be employed in a situation in which you exercise supervision over them or they exercise supervision over you, directly or indirectly.

This policy also applies to members of your family and other relatives who are students and are working for the College in the work-study program or in a temporary position.

For purposes of the policy the term "family and other relatives" includes a spouse, domestic or civil union partner, child of your spouse/partner, ward who lives with you, foster child, and parent(s) of your spouse/partner, or other individuals in similar close personal and/or familial relationships. The Vice President, Human Resources will determine the applicability of this policy where there is some question as to its interpretation.

Any exceptions to this policy must be approved by the Vice President, Academic Affairs (faculty) or the Vice President, Human Resources (staff).

SECTION VI - EMPLOYMENT POLICIES SPECIFIC TO STAFF

Hiring Policies

THE OFFICE OF HUMAN RESOURCES COORDINATES THE RECRUITMENT OF CANDIDATES for employment at Saint Michael's College. The College will make every effort to post vacancies internally (on the College Web site and public folders) prior to announcing the job opening to the public when practicable.

If you are interested in any posted position, you may apply at any point before the closing date. A release from your current supervisor is not required.

In some cases, the promotion of an employee within the hiring department may occur without posting the position.

Applicants, including current employees applying for transfer or promotion, are selected on the basis of the needs of the College, bona fide job requirements, and the individual qualifications of applicants. For some positions, employment is contingent upon satisfactory passing of a medical exam or security screening prior to employment, as deemed necessary for the performance of essential functions of the position.

Authority for any hire resides with the President of the College, or the President's designee.

Rehired Employees (Years of Service)

If you previously worked for the College in a regular full- or part-time position and are rehired, your prior years of service will be added to your service time as long as you are rehired within a year or less of your termination date. Example:

You left the College on June 30, 2006 and were rehired on June 1, 2007 (11 months break in service). Your prior years of service will be used to calculate PTO accrual, to determine what percentage of income you will receive under the Short-term Disability Policy, and to determine eligibility for pension, tuition remission, etc.

Hourly / Non-Exempt Employees

The normal workweek is from 12:00 a.m. Sunday through 11:59 p.m. Saturday and usually consists of five eight-hour workdays except for positions that require flexible scheduling or are part time.

The workweek should not exceed 40 hours unless the additional hours are specifically required and approved by the supervisor in advance of the work being performed. If you are a non-exempt employee, you will be paid overtime (one and one-half times your regular hourly wage) for all hours worked in excess of 40 hours in any work week. "Hours worked" is defined as time actually worked as well as paid time off; it does not include unpaid leave, time absent due to short- or long-term disability, or time absent due to a work-related injury.

In accordance with federal and state regulations, the College does not permit the use of "compensatory time" in lieu of overtime pay for non-exempt employees.

Salaried / Exempt Employees

Most salaried positions carry responsibilities that from time to time require work hours exceeding 40 per week. Exempt employees work the hours necessary to accomplish the tasks required by the job.

The College does not make deductions from the salary of exempt employees that are prohibited by the Fair Labor Standards Act. If an exempt employee has a concern or complaint about a deduction that he or she feels is inappropriate, he or she should contact the Vice President, Human Resources.

Departments may allow an exempt employee to take other time off following a period of time in which the employee has worked extended hours. However, there is no formal compensatory time for exempt employees and the College does not allow accrual of compensatory time or payment for such time worked over 40 hours in a week.

Rest Periods for Hourly Employees

College departments are allowed to schedule breaks as needed and when work cycles permit. Some departments schedule two specified fifteen-minute rest periods or breaks for employees during the eight-hour day. Other departments allow you to schedule your breaks as needed and when your work permits.

Attendance and Punctuality

The effective operation of the normal routines of the College requires the appropriate attendance and punctuality of all employees. If you are going to be late or are unable to report to work, regardless of the reason, you must notify the appropriate supervisor or his/her designee prior to or in the first hour of your normal work day unless circumstances make it impossible for you to call (medical emergency, power outage, etc.).

Excessive absenteeism or tardiness may cause you to receive an unsatisfactory performance evaluation and may result in disciplinary action, up to and including dismissal. If you fail to report to work two days in a row without notifying your supervisor, you will be considered to have voluntarily resigned your position, absent extraordinary circumstances.

Resolving Employment-Related Problems

From time to time, employment-related problems or concerns may arise, and the College is committed to resolving them as quickly as possible. Should you have a problem, complaint or concern about your job, you are encouraged to first have a discussion of the problem with your immediate supervisor. If the problem is not resolved, you are encouraged to next contact the manager to whom your supervisor reports. If you feel that you cannot speak to either of these individuals about the problem, you may contact the Vice President, Human Resources.

Leaving Employment

The College values its employees and their contributions. Nonetheless, the College also understands that employees may leave employment, or the College may decide to end the employment relationship.

RESIGNATION

If you are an hourly employee and you plan to leave the employ of the College, you are requested to give as much notice as possible. The requested notice is two weeks. If you are a salaried employee, it is requested that you provide a minimum of four week's notice of your resignation. Please submit a written letter of resignation to your supervisor and send a copy to Human Resources as far in advance as possible.

INVOLUNTARY TERMINATION

There may be times when it is in the best interest of the College to terminate employment. Just as you are free to end the employment relationship, the College may decide to end your employment at any time and for any lawful reason, or for no specific reason.

Termination of employment of hourly or salaried employees may take place at any time when there is a determination made by the employee's supervisor, whose responsibility it is to evaluate performance, that in his/her judgment, termination is warranted because of unsatisfactory job performance or for other reasons or no specific reason, and the recommendation of the supervisor is approved by the Vice President, Human Resources. The employee may wish to discuss the termination decision with the Vice President, Human Resources.

Without limiting in any way the employee's and the College's employment relationship rights described above, termination of employment may be particularly likely to occur in situations that involve (by way of example and not limitation) insubordination, personal misconduct or criminal behavior affecting the College, conduct not meeting professional standards, falsified information given on an employment application, fabrication of credentials, experience or work-related information, failure to abide by College regulations or policies, conduct that is unethical or detrimental to the mission or welfare of the College or which is injurious to the community or individual members of the community, dishonesty, falsified work time reporting, sexual or other prohibited harassment, inappropriate use of alcohol or controlled substances on the job, manifesting the effects of alcohol or controlled substance use while on the job, endangerment of self or others, insubordination or violation of College policy. In all cases where time is required to collect sufficient information to make an informed decision regarding the dismissal, the College reserves the right to suspend an individual immediately, pending a decision on dismissal. In all cases the College seeks to act in an informed responsible way, balancing the needs of the College with the needs of the individual.

RE-ORGANIZATION OR REDUCTION IN FORCE

There may be times when a reorganization or reduction-in-force is deemed necessary, in which case you may be separated from employment. In such cases, a good faith effort within the context of the needs of the College will be made to recognize performance, training, and years of service in determining which employee(s) may be reassigned, retrained or separated.

UPON THE END OF YOUR EMPLOYMENT

Prior to the conclusion of your employment with the College, you will need to contact the Office of Human Resources to schedule a brief exit meeting. During this meeting arrangements for your final paycheck will be completed, and a review of benefit end information will be provided to you. You will also be asked to provide a forwarding address for tax purposes. Any outstanding advances, loans and charges will need to be settled. If you have an unpaid balance on a computer loan you will be required to pay in full immediately as agreed upon in your Promissory Note.

You will be required to return all property belonging to the College, including parking tag, College I.D., keys, uniforms, loaned equipment, and credit card(s) to your supervisor on or before your last scheduled day of work.

SECTION VII - COMPENSATION AND SALARY

Pay Schedules

IF YOU ARE A NON-EXEMPT (HOURLY) EMPLOYEE AND ARE PAID BI-WEEKLY, YOU WILL RECEIVE YOUR pay the Friday following the period end date. If you are an exempt (salaried) employee and are paid monthly, you will be paid no later than the 20th of each month.

In the event that a pay date falls on a weekend, holiday or during Christmas Break paychecks will be distributed on the last work day prior to the regular pay date.

Shift Differential

If you are an hourly employee who is regularly assigned to an evening, night or weekend shift, your regular hourly rate will include a shift differential.

If you work in a position with a rotating schedule you will be paid a differential for evening, night or weekend hours worked. The differential may be included in your regular hourly wage.

Work Week and Overtime

It is a supervisor's responsibility to oversee the hours worked by his or her staff and to approve all overtime in advance. As an hourly employee, you may not work overtime without the approval of your supervisor in advance of working hours over 40 in the work week.

To ensure that you are paid and that the proper administration of benefits and leave time occurs, it is imperative that you submit time sheets to your supervisor so that all time reports are in the Human Resources Office, Payroll according to the published deadline following the pay period.

Annual Pay Adjustments

In order to receive an annual pay adjustment, which the College may grant on July 1, you must be employed and have satisfactorily completed at least six consecutive months of service prior to July 1.

SECTION VIII - BENEFITS

SAINT MICHAEL'S COLLEGE PROVIDES BENEFITS AS AN IMPORTANT PART OF COMPENSATION. Benefits are managed by the Office of Human Resources and specific details are available there. Changes in name, beneficiary or family status including, but not limited to, marriage, civil union, death, divorce, birth or adoption, which change benefit needs must be reported to the Office of Human Resources.

The College reserves the right to amend, change or terminate any benefit plans at any time. The descriptions that follow are intended to briefly summarize the College's current benefit plans. Should there be any discrepancy between the language in this Handbook and the actual policy or contract held by the Office of Human Resources, the actual policy or contract in effect at a particular time governs exclusively.

Benefits-Eligible Employee

If you work a minimum of 32 hours per week for a minimum of 40 weeks per year, and you are a "regular part-time" or "regular full-time" employee, you are benefits-eligible. All faculty members employed under a full-time contract are benefits-eligible.

Insurance

HEALTH

If you are benefits-eligible you may enroll in the College's group medical plan. Individual and optional dependent coverage is available. Your spouse, civil union partner, dependent children, or other qualified dependents are eligible for dependent coverage. Detailed criteria for qualification as an employee dependent are available at the Office of Human Resources. A major portion of the premium is paid for by the College.

Your portions of premiums for coverage are paid through payroll deduction on a pre-tax basis. Medical coverage will be in effect on the first of the month coinciding with or following your date of hire (i.e. if date of hire is September 1 insurance is effective September 1. If date of hire is January 15 insurance is effective February 1.) Details of coverage are disclosed in plan documentation available at the Office of Human Resources.

DENTAL

If you are benefits-eligible you may enroll in the College's group dental plan. Individual and optional dependent coverage is available. Your spouse, civil union partner, dependent children, or other qualified dependents are eligible for dependent coverage. Detailed criteria for qualification as an employee dependent are available at the Office of Human Resources. A major portion of the premium is paid for by the College.

COBRA: EXTENDED HEALTH INSURANCE OPTION

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) provide an extended health insurance option to certain employees, including those terminated, their spouses and dependents who otherwise would be ineligible for coverage. Information regarding this benefit is available in the Office of Human Resources.

GROUP TERM LIFE

If you are benefits-eligible you are provided group term life insurance coverage in an amount equal to two times your annual base salary based on your primary position only. Proof of insurability is not required. Your coverage becomes effective on the first day of the month coinciding with or following your date of hire.

The College pays the full cost of the group term life insurance. The IRS has determined that the value of group life benefits in excess of \$50,000 must be declared as income by the employee. W2 wages must reflect this additional compensation; therefore any appropriate Federal, State, Social Security (if applicable) and Medicare taxes are withheld from your paycheck.

A separate, voluntary life insurance benefit is available as well, whereby you may purchase a term life insurance policy (Supplemental Life Insurance) for your spouse, civil union partner or dependent children.

You are eligible to apply for continuation of your life insurance coverage after ending your employment with the College. The granting of this insurance is the decision of the carrier and is based upon your health status at termination. You would be responsible for paying the full premium.

WORKER'S COMPENSATION

The College provides insurance that protects you under the Vermont Worker's Compensation Law for job-related injury or illness incurred while employed by the College. You should immediately report any on-the-job injuries to your immediate supervisor and the Safety and Security Office. There is a three-day unpaid waiting period for the three calendar days following a work-related illness or injury. If you are injured on the job and unable to work, you may use either PTO, vacation (if you have a vacation bank) and/or sick time (if you have a sick time bank) to receive pay during the waiting period. For absences instructed by a qualified healthcare professional and determined to be due to a work-related injury or illness beyond the three-day wait, the workers compensation carrier will pay 66 percent of your base wage. During your absence you are required to notify your supervisor of your progress and when you will be able to return to work. A doctor's note will be required upon your return listing any restrictions.

FLEXIBLE BENEFITS PLAN

If you are benefits-eligible, you are eligible to participate in the Flexible Benefits Plan effective with your date of hire. Through this plan you may pay for certain uninsured medical expenses, and dependent care expenses on a pre-tax basis. Details of the plan are contained in the Summary Plan Description, which you may obtain from the Office of Human Resources.

DISABILITY INCOME PROGRAM

Eligible employees are covered by the Disability Income Program to replace income lost due to disability. (Eligibility is determined by the Short Term Disability [STD] and Long Term Disability [LTD] outline below.) The Disability Income Program is made up of three consecutive programs: (1) **Paid Time Off (PTO)**, for absences of up to 10 consecutive business days due to illness or injury; (2) **Short Term Disability**, for disabilities due to illness or injury lasting more than 10 consecutive business days and up to 26 weeks; and **Long Term Disability**, for disabilities due to illness or injury lasting more than 26 weeks. The Disability Income Program runs concurrently with time provided pursuant to federal and state laws through the College's family and medical leave policy. Documentation from a qualified healthcare provider is required.

If a benefits-eligible employee is out of work for an extended period of time due to a disability and legally-mandated family and medical leave time has been exhausted, College needs may necessitate that the position be filled. If the position held is filled during an individual's disability period, that will not affect the individual's disability benefits and the College will make every reasonable effort to locate a comparable position within the organization at the end of the approved leave, provided the employee is able to perform the duties of the new position. If the employee does not return to work at the end of the approved leave, or contact his/her supervisor or manager and the Office of Human Resources on or before his/her expected date of return, his/her employment will be terminated and s/he may apply for Long Term Disability, if eligible.

■ **Short Term Disability (STD)**

The College provides short-term disability benefits to all benefits-eligible employees who are unable to work due to a serious non-work-related health reason and who have completed at least one consecutive year of employment with the College. Short-term disability benefits are available to you after you have been unable to work for at least 10 business days or longer, with a certified health care provider's written statement. This benefit commences on the 11th business day of disability; however, you may choose to use any PTO days that you have accrued for the first 10 consecutive business days of absence. Eligible employees will receive short-term disability benefits on the 11th day as follows:

YEARS OF SERVICE	POTENTIAL WEEKS AT 100 PERCENT	POTENTIAL WEEKS AT 66 PERCENT
Less than one year	0	0
1	0	24
2	1	23
3	3	21
4	6	18
5	10	14
6	12	12
7	14	10
8	16	8
9	18	6
10	20	4
11	22	2
12	24	0

Benefits are determined by your base salary for your primary position, and your years of service according to the benefit schedule at the commencement of the disability.

Successive periods of disability due to the same or related illness or injury will be treated as the same period of disability unless separated by four weeks of normal active service.

The commencement of the disability period is determined by the health care provider's certification of disability and review by the Office of Human Resources. Time off from work will be in conjunction with the family and medical leave policy. The College may require certification of your continuing illness or disability by your physician and/or a physician selected by the College. Payments will continue until such time as the health care provider certifies your ability to return to work. You will be expected to return to work as soon as the health care provider certifies that you are no longer totally disabled, and are able to perform the essential functions of your job. Failure to return to work in such circumstances may result in termination of employment. PTO will accrue during paid portions of short-term disability.

If you meet the eligibility requirements of short-term disability and a qualified health care provider certifies that you may return to work on a part-time basis for a specified period of time, short-term disability will continue to be paid for those hours that you do not work.

Absences due to the birth of a child for up to six weeks will be covered under the short term disability plan, provided you have completed one year of employment with the College and you have appropriate documentation of your disabled status from a qualified health care provider. You may use PTO, vacation time or unpaid leave for absences beyond the six-week period for up to 12 weeks of job-protected leave. (See family and medical leave policy).

■ **Long-Term Disability (LTD)**

Periods of disability due to illness or injury extending beyond 26 consecutive weeks may be covered under our Long-Term Disability Policy. You should contact the Office of Human Resources for detailed insurance information.

Leave Plans / “Time Off from Work”

PAID TIME OFF

Saint Michael's College provides eligible staff members with days away from work, with pay, for the purpose of rest, relaxation, recovery from illness or injury, or to attend to personal affairs. This Paid Time Off (PTO) program incorporates vacation and sick leave into one bank of days. By providing you with this paid time off, the College strives to give you the satisfaction of enjoying a high degree of flexibility in scheduling your absences in order to meet your family needs and to balance your work and family life.

With a PTO program, you decide why you need time away from work, and how to use and manage your earned leave time. Furthermore, together with your supervisor, you decide the appropriate amount of time to be taken at any one time so as not to adversely affect the level of service to students and employees.

“Grandfathering” for vacation, sick and personal days earned prior to June 30, 2002.

If you have accrued time in a vacation bank or a sick bank under the College's former policies, you will be able to use that time as needed. Use of time in the banks will be under the same terms as provided under prior vacation and sick leave policies.

Eligibility

PTO is available to all regular staff members. If you are a regular part-time employee, you are eligible for PTO at a rate proportional to the full-time benefit based on your hours worked. All eligible staff members accumulate PTO starting on their first day of work.

Accrual

PTO is earned based on your years of continuous service with Saint Michael's College, starting with your most recent hire date. PTO is accrued at the end of each payroll period and will appear on your paycheck detail. For both exempt and nonexempt new employees, PTO begins to accrue on the first full pay period following your date of hire. It is credited to your PTO bank and available for your use on the first day of the following pay period.

You may use up to 10 days or 80 hours, which are not accrued. However, you must have used all vacation time and sick time (if absence is not for vacation) before you will be allowed to use any unearned PTO time. As with any use of PTO, your supervisor must approve your request to use PTO for time off other than for your personal illness or injury (see “Scheduling” below).

PTO accrues for staff members based on the following schedule:

(Note: “bi-weekly” are non-exempt/hourly employees; “monthly” are exempt/salary employees.)

CURRENT YEAR OF CONTINUOUS SERVICE	ANNUAL ACCRUAL (EFFECTIVE 7/1/04)
<p>■ Year 0 through 5</p> <hr/> <p>Bi-weekly accrual (accrual for each hour worked)</p> <p>Monthly accrual (accrual for each full month worked)</p>	<p>20 days</p> <hr/> <p>0.0769 hr.</p> <p>13.33 hr.</p>
<p>■ Years 6 through 9</p> <hr/> <p>Bi-weekly accrual (accrual for each hour worked)</p> <p>Monthly accrual (accrual for each full month worked)</p>	<p>25 days</p> <hr/> <p>0.0961 hr.</p> <p>16.66 hr.</p>
<p>■ Years 10 and up</p> <hr/> <p>Bi-weekly accrual (accrual for each hour worked)</p> <p>Monthly accrual (accrual for each full month worked)</p>	<p>30 days</p> <hr/> <p>0.1154 hr.</p> <p>20.0 hr.</p>

If you are a part-time employee who is eligible for time off benefits, you will earn PTO on a pro-rated basis, calculated on the percentage of a full-time schedule worked.

If you are a salaried employee who works less than 2080 hours in a year, your PTO accrual will be adjusted accordingly.

If you are an hourly employee, you will accrue PTO based on the hours you actually work and military leave time. You will not accrue PTO for hours that are overtime.

Timing of PTO increases

If you are paid bi-weekly, you will begin to accrue at the higher PTO rate in the pay period in which your anniversary date falls. (Example: your anniversary date is November 13; the pay period is November 2 to November 15; your paycheck received November 21 will reflect an increase in your rate of accrual).

If you are paid monthly, you will begin to accrue at the higher PTO rate in the month in which your anniversary date falls.

Carry over and maximum accrual

You may carry over up to 120 hours of earned, unused PTO into the next calendar year. As of December 31 of each year, any amount of PTO in excess of 120 hours will be placed in the PTO donation pool (see PTO donation policy).

PTO DONATION

Purpose

The purpose of the PTO Donation Policy is to provide some level of pay continuation for an employee of Saint Michael's College who is experiencing a catastrophic or major hardship, who is not also covered by some other wage continuation program provided by the College, and whose situation qualifies under the Family and Medical Leave Act (FMLA).

This policy is not intended to cover an employee who is experiencing a normal pregnancy, has a common, non-life threatening illness, has an illness or injury covered by an employer-paid plan such as short-term disability or worker's compensation or has incurred an injury during the course of breaking any state or federal law. In addition, this policy is not intended to provide leave to any employee who has previously abused any paid leave, as determined by their supervisor.

Donated PTO time will be applied in accordance with the same schedule as the short-term disability plan, (see short-term disability program outline in this handbook).

For details regarding PTO Donation, please contact the Office of Human Resources.

Donations to the PTO Pool

A portion of the PTO time that is forfeited on December 31 of each year will help to fund the pool. If you wish to donate additional time during the calendar year, please complete the PTO/Vacation Donation form found at www.smcvt.edu/humanresources under Online Forms. To make a donation to the pool, an employee must retain a minimum of 80 hours combined of their own PTO/vacation/Sick time after the donation is made.

SCHEDULING OF TIME OFF FROM WORK

You must obtain your supervisor's approval prior to using PTO, except in cases of illness or emergency. Your supervisor will make every effort to satisfy your request whenever possible. Preference is usually given to those with seniority. Depending upon the workload within your department, if your request to use PTO exceeds 10 days, you may be asked to break an extended leave request into two or more periods. You are asked to give your supervisor as much advance notice as possible of your request for PTO so that workload adjustments can be made to accommodate all requests for staff leave.

You may schedule your PTO in full and partial day increments of not less than one-half hour.



PAYMENT OF PTO UPON TERMINATION OF EMPLOYMENT

If you leave the employ of Saint Michael's College, you will be paid for your accrued, unused PTO. You will also be paid for any remaining unused vacation time accrued and banked prior to June 30, 2002.

If you have used any unearned PTO and terminate your employment, you will be expected to sign an "Approval to Deduct Amounts owed to the College from Employee's Paycheck" so that the value of used, but unearned PTO may be deducted from your last paycheck.

HOLIDAYS

- New Year's Day
- Floating Holiday during the week of Winter Break
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Friday Following Thanksgiving
- Christmas Day

There may be offices and essential services that will need to remain in operation during a holiday. Please check with your individual supervisor regarding specific hours that may be required.

Work on Holidays

Exempt (salaried) employees who are required to work on a holiday within their normal work week will be granted an alternative day off. The date of the alternative day off should be mutually agreed upon with the supervisor.

Non-exempt (hourly) full time and part time employees who are required to work on a holiday within their normal work week will be paid at a rate of one and one half times their normal rate of pay for all hours worked on a holiday and will be granted an alternative day off. The date of alternative day off will be mutually agreed to with the supervisor.

Holiday Pay

To receive holiday pay, you must be present for work on the last scheduled work day before and the first scheduled day after the holiday. Exceptions include: approved PTO, disability leave, job-related injury, jury duty, military obligation, and death in the immediate family. The Vice President, Human Resources will resolve unusual instances.

If you are a part-time employee you will receive holiday pay only if the holiday is a normally scheduled work day. For example, if you are normally scheduled to work 4 hours on Monday, 8 hours on Wednesday and 4 hours on Friday and the holiday falls on Wednesday, you will be paid for 8 hours of holiday pay. In the same example, if the holiday falls on Tuesday, you do not receive holiday pay.

Christmas Break

Most College offices will be closed on December 26, 27, 28, 29, 30 and 31 (Saturday and Sunday included if the weekend is part of your normal work week). Those days will be considered additional time off with pay and not "holidays."

However, if you are required to work on any of the days during the period December 26 through December 31, you will be granted alternative day(s) or hours off at a future date.

“Closed” Days

If the College President designates a “closed” day, part-time or full-time employees (not temporary or on-call) normally scheduled to work on the “closed” day will be paid the number of hours that would have been worked.

“Maternity Leave”

The College provides time off for the birth of a child under the provisions of the Family and Medical Leave and Short Term Disability policies in this handbook.

“Parental Leave”

The College complies with all requirements of state and federal leave laws. Please contact the Office of Human Resources for additional information.

Adoptive Parents

The College provides time off for the adoption of a child under the provisions of the Family and Medical Leave policy in this handbook.

Bereavement Leave

You may take time off to attend to family obligations regarding death and funerals. Time off will be charged to either PTO or accrued vacation or sick time. Please notify your immediate supervisor of your needs and plans.

FAMILY AND MEDICAL LEAVE

The College adheres to all federal and state laws regarding family and medical leave. The federal Family and Medical Leave Act of 1993, also known as FMLA, as well as the Vermont Parental and Family Leave Act, requires the College to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical leave reasons (as defined below):

Eligibility

You are eligible for family and medical leave if you have been employed by the College for at least 12 months, and if you have worked a minimum of 1,250 hours in the preceding 12-month period.

Entitlement

If eligible, you are entitled to one or more leaves of absence totaling a maximum of 12 weeks in a rolling 12-month period for the following family and medical reasons:

- birth, adoption, or foster care placement of a child under 18 years of age;
- employee’s own serious health condition; or
- serious health condition of an immediate family member of the employee.

Definitions

I. A “serious health condition,” as defined by law is an illness, injury, impairment, or physical or mental condition involving either:

- any period of incapacity or treatment connected with inpatient care; or
- any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by, or under the supervision of, a health care provider; or
- continuing treatment by, or under the supervision of, a health care provider for prenatal care or a chronic or long-term health condition that is so serious or incurable that, if not treated, would likely result in a period of incapacity of more than three calendar days.

A serious health condition does not include the common cold, flu, earaches, headaches (except migraines), and routine dental or orthodontia problems, unless complications arise. Furthermore, it does not include routine preventative exams, minor short-term conditions involving brief treatment and recovery period, and outpatient elective and cosmetic treatments.

Chronic conditions such as asthma and diabetes are classified as serious health conditions even if the covered episode does not involve a period of incapacity of more than three days or a health care provider is not visited. Pregnancy, prenatal care and pregnancy-related conditions are also considered serious health conditions.

2. An “immediate family member” is defined as: a) a biological, adopted, foster, or stepchild, or legal ward, who is under 18 or incapable of self care; b) a parent or one who stands in the place of a parent; or c) a spouse, civil union or domestic partner

3. A “health care provider” is defined as

- a doctor of medicine or osteopathy, licensed by the state of practice;
- a podiatrist, dentist, clinical psychologist, clinical social worker, optometrist, chiropractor, nurse practitioner or nurse midwife, authorized to practice under state law, and performing within the scope of their practice;
- a Christian Science practitioner listed with the First Church of Christ Scientist in Boston, Massachusetts; or
- a health care provider practicing in foreign countries.

Certification

The College may require you to provide a health care provider’s medical certification of the serious health condition if you request leave for your own or a family member’s serious health condition. In certain circumstances, the College may also request a second medical opinion, to be provided by a second, independent, health care provider at the College’s expense. You may be requested to provide subsequent certifications of the ongoing medical necessity for leave after every 30 days of leave.

Intermittent or Reduced-Schedule Leave

If medically necessary due to your illness or the illness of an immediate family member, you will be allowed to take an intermittent leave or leave on a reduced schedule. Intermittent leave is leave that is taken one day at a time, as needed. Reduced-schedule leave is leave resulting in a schedule of fewer hours per day or fewer days per week than would normally be worked. You may be required to obtain certification of the medical necessity of intermittent or reduced-schedule leave. Intermittent or reduced-schedule leaves following the birth, adoption, or placement of a child for foster care will be permitted only as authorized by your supervisor and will be handled on a case-by-case basis.

Reinstatement

If the employee returns to work with the College within 12 weeks (or within the period of available FMLA leave, if lesser), you will be reinstated to your former job, or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment, unless the job has been eliminated. After the available leave period has expired, reinstatement to your former or an equivalent job cannot be guaranteed.

Continuation of Benefits

Subject to the terms, conditions, and limitations of the applicable policies, insurance plans and the law, the College will continue to provide health insurance benefits for the full period of the approved family or medical leave under the same terms and conditions as if you were working.

If the employee takes unpaid leave, the employee is responsible for paying his/her portion of the premium(s).

Application of Other Leaves

In instances where you are on any other approved paid or unpaid leave, taken for FMLA purposes, the College may designate such an absence as family and medical leave and count it against your family and medical leave entitlement. Furthermore, such leaves will be considered to run concurrently with the period of family and medical leave.

Paid Leave

Family and medical leaves of absence are normally unpaid. However, you may choose to receive leave with pay by utilizing your accrued PTO time, according to the College's policy during any FMLA and/or short-term leave. Short-term disability benefits may be utilized during the employee's own serious health condition and may run concurrently with use of family or medical leave.

Request for Leave

If you need to take family or medical leave, please complete a leave request form and submit it to your supervisor. The request form with your supervisor's signature must be forwarded to the HR Office. You should make requests at least six weeks in advance of foreseeable events, and as soon as possible for unforeseeable events.

An employee eligible for parental, medical, and/or family leave under applicable Vermont and federal laws is a person who has worked for the College for an average of 30 hours per week for 1 year or a person who has worked for the College for at least 12 months and has been employed for at least 1,250 hours during the year preceding the leave. During any consecutive 12-month period commencing on the first day of the leave, the College will provide up to 12 weeks of unpaid leave for the following circumstances:

- **During an employee's pregnancy and following the birth of an employee's child, or within a year following the initial placement of a child 18 years of age or younger with the employee for the purpose of adoption.**
- **Due to the serious illness or serious health condition of the employee or the employee's child, stepchild, ward, foster child, parent, spouse, civil union partner, or parent of the employee's spouse or civil union partner.**

The definition of "serious illness" or "serious health condition" in the applicable laws is too lengthy to be stated fully here. In sum, covered conditions include: 1) an accident, disease, impairment, and/or physical or mental condition that poses an imminent danger of death; 2) a condition that requires inpatient care in a hospital (including any period of incapacity caused by such condition, such as inability to work, attend school, perform daily activities, etc.), or any subsequent treatment in connection with such inpatient care; 3) a condition that requires continuing in-home care under the direction of a physician; 4) a serious health condition that requires certain types of continuing treatment (intermittent leave may be available for such a condition). Questions about whether a particular condition is covered should be addressed to the Human Resources Office.

The employee must give reasonable written notice of intent to take leave, including the anticipated dates the leave will start and end. The College requires up to six weeks notice in the case of birth or adoption. In the case of leave sought because of the serious illness or serious health condition of the employee or a qualifying family member, a health care provider's statement may be required to verify: the condition, why the condition necessitates the leave, and the anticipated beginning and expected ending dates of the leave. Any changes in this information should be promptly reported to the College.

Eligible employees with accrued sick, personal, vacation, or other paid leave may use this paid leave during the 12 total weeks of leave provided by this policy. Utilization of accrued paid leave shall not extend the 12-week period provided herein, unless prior approval is obtained from the College in writing. The College will provide all employees' current benefits during a leave period that falls within this policy to be paid by the employee as during active employment.

In certain circumstances, before an employee may return from leave, the College may require certification from the employee's health care provider that certifies the employee's ability and fitness to perform the duties associated with the employee's position with the College. This certification will only pertain to the serious illness or serious health condition that necessitated the employee's leave of absence. An employee failing to provide a certification will not be permitted to resume work until it is provided. The College, through its own health care provider, may contact the employee's health care provider, with the employee's consent, for the purpose of seeking clarification of the employee's ability and fitness to return to work.

Upon return from leave, a returning employee must be offered the job held previously, or a comparable one at equal pay, benefits, and seniority subject to the exceptions noted below. There are two exceptions to a covered employee's entitlement to reinstatement following a parental, medical, or family leave that apply only if the College can demonstrate one of the following conditions:

- The College is not required to reinstate an employee returning from leave if the College can show that the employee's job would have been terminated for reasons unrelated to the leave.
- The "key employee" provision allows the College to hire a permanent replacement worker, after giving reasonable notice to the employee of intent to do so, if the College can demonstrate that the employee performs unique services and the hiring of a permanent replacement is the only alternative available to the College in order to prevent substantial and grievous economic injury to the College's operation.

Return to work decisions for employees who take leave beyond the 12-week period are at the discretion of the College.

If an employee fails to return to work on the agreed-upon return date without contacting the College regarding the reason for this failure, the College will assume that the employee has resigned. If an employee does not return to the College's employment at the end of a leave period, the College may require the employee to compensate the College for any benefits-related payments made by the College to, or on behalf of, the employee during the leave period, in accordance with applicable law.

This policy is intended to comply with the provisions of applicable Vermont and federal laws, and should be interpreted and applied so as to be co-extensive with such laws. Any questions you have about the College's family and medical leave policy and the requirements of applicable laws should be addressed to the Human Resources Office.

SHORT-TERM FAMILY LEAVE

In addition to the Family and Medical Leave provided above, employees are entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period. The College may require that leave be taken in a minimum of two-hour segments and such leave may only be taken for any of the following purposes:

- to participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child or ward who lives with the employee, such as a parent-teacher conference;
- to attend or to accompany the employee's child, stepchild, foster child or ward who lives with the employee or the employee's parent, spouse, civil union partner or parent-in-law to routine medical or dental appointments;
- to accompany the employee's parent, spouse, civil union partner or parent-in-law to other appointments for professional services related to their care and well-being; and
- to respond to a medical emergency involving employee's child, stepchild, foster child or ward who lives with the employee or employee's parent, spouse, civil union partner or parent-in-law.

You are asked to make every reasonable attempt to schedule such appointments outside of regular work hours. You are required to provide your supervisor with the earliest possible notice, but in no case later than seven days, before leave is to be taken except in the case of an emergency. An "emergency" means circumstances where seven days notice could have a significant adverse impact on the family member or yourself. You may use your accrued PTO leave for such short-term family leave.

JURY DUTY

The College will pay you your regular wages while serving jury duty. Benefits, including the accrual of paid time off, will continue as if you were working a normal schedule. It is expected that you will report for work on any day you are not required by the court to serve.

MILITARY SERVICE LEAVE

In keeping with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), if eligible, the College will release you for active duty in the Reserve and/or National Guard for a maximum of five years of cumulative service as defined by USERRA.

The College will provide the following pay/benefits for those full-time and regular part-time employees who have completed a minimum of one year of service with the College, are in the National Guard or Reserves and are called to active duty for an extended period. These additional pay/benefits do not apply to eligible employees taking leave for normal annual or other military training programs.

- If eligible and appropriate notification has been provided to the Human Resources Office, you will continue to receive your normal salary/wages for up to the initial six months of active duty.
- You and your family will be eligible to continue to participate in the College's health, dental, retirement, and paid time-off accrual benefit programs for a period of up to the initial six months of active duty.

Upon the completion of six months of active duty, the continuation of pay/benefits will cease with the exception of that which is required under USERRA.

You will be required to submit a copy of your orders and provide advance notice of your intent to take military leave, unless giving such notice is impossible, unreasonable or precluded by military necessity.

Health and Dental Insurance

Benefit coverage will continue for 31 days as long as you pay your normal share of premiums. During a military leave of greater than 30 consecutive days, you may, at your own election, continue on the College group health and dental insurance plans for a period of up to the lesser of (1) the day after your deadline to apply for reemployment as defined by USERRA, or (2) 24 months. You will be required to pay the College 100 percent of your full premium for this coverage.

Paid Time Off Accrual

Accrual of paid time off will continue, for a maximum of 12 weeks, as if you were still working in your normal capacity. Additionally, as dictated by USERRA, for the purpose of determining your paid time off accrual rate, you will be credited with the time you are on leave as if you had been continuously employed.

Reporting Back to Work

If your military leave is less than 31 days, you must return to work within eight hours after returning home at the beginning of the first full regularly scheduled work period. If the length of your military leave is between 31 and 180 days, you must request reemployment no later than 14 days after completion of your service. If your military leave is greater than 180 days, you must submit an application for reemployment no later than 90 days after completion of your service. The prescribed time periods may be extended for up to two years for employees who are hospitalized or convalescing because of a disability incurred or aggravated during the period of military service. Employees who fail to report to work or apply for reemployment within the required time period will be considered to have voluntarily terminated their employment.

Reemployment

Depending upon the length of your service and as long as you are qualified or able to come qualified, you will be restored to your prior position, a position you would have attained but for your period of military service, or a position of like seniority status, pay and benefits. Reemployment rights do not extend to those employees with a disqualifying discharge from military service. In addition, reemployment is not required when doing so would be impossible or unreasonable, given a change in the employer's circumstances.

If you are required to participate in annual National Guard or Reserve training once a year for two weeks, you will be provided time off and the College will make up any difference that may occur between your military pay and your pay at the college. A copy of your military earnings statement and orders will be required. As an alternative you may also use PTO if you wish during the annual training period.

UNPAID PERSONAL LEAVE

Each request for leave for personal reasons is considered on an individual basis and requires the approval of your supervisor and the Vice President, Human Resources. Individual terms and conditions of leave may be established and written as conditions for approval. Personal Leave is unpaid and you will be required to pay for the entire cost of your insurance premiums during the period of leave.

PROFESSIONAL ENHANCEMENT LEAVE - STAFF

The President may grant a paid leave for professional enhancement. Each request will be considered individually and the decision to grant the leave will depend on such factors as the benefit to the College and the applicant, the availability of replacements, the cost to the College and assurance that the operation of the institution will not be impaired. This leave is a privilege and not a right; in some cases leave will not be granted. To request such leave, please submit a proposal in writing to be considered by a committee of three (the Vice President for your area, the Vice President, Human Resources and a staff member from another area appointed by the President). The committee makes a recommendation to the President who will then inform you of the decision.

Educational Benefits

Educational benefits are available to all interested employees who meet the criteria spelled out below, their spouses or other qualified dependents, and their dependent children (as defined by the IRS).

TUITION REMISSION

If you would like to take advantage of these benefits, you must complete and have approved a **Tuition Remission Request Form** for each academic session. You may obtain these forms from the Office of Human Resources or by going to www.smcvt.edu/humanresources and clicking on Online Forms. Tuition benefits do not include payment of board, independent study, fees, or supplies required for courses. You, your spouse or other qualified dependent, and/or your dependent children must go through the application process for undergraduate and graduate programs. Should you, your spouse or other qualified dependent, or your dependent children receive other tuition grants, the College will not be responsible for that portion of tuition costs. Tuition benefits will not be continued for individuals on academic or disciplinary probation.

BENEFITS-ELIGIBLE EMPLOYEES

If you are a regular benefits-eligible College employee and have successfully completed three months of continuous employment, you may take one course per academic semester (fall, spring or summer) tuition free. An employee will not be eligible for a course tuition free in a semester in which the employee does not meet eligibility requirements. You may take additional courses in the same semester at one-half tuition.

You are required to obtain permission from your supervisor if the classes are held during your regular working hours. You are expected to make up time spent away from the job attending classes at a time agreed upon with your supervisor.

PART-TIME EMPLOYEES

If you are a regular benefits-eligible College employee and have successfully completed three months of continuous employment, you may take one course per academic semester (fall, spring or summer) tuition free. An employee will not be eligible for a course tuition free in a semester in which the employee does not meet eligibility requirements. You may take additional courses in the same semester at one-half tuition.

You are required to obtain permission from your supervisor if the classes are held during your regular working hours. You are expected to make up time spent away from the job attending classes at a time agreed upon with your supervisor.

Part-time faculty members who have taught a minimum of two regular undergraduate or graduate courses within the previous two academic years, may take one tuition-free course per academic session (fall, spring, summer).

TEMPORARY EMPLOYEES

Temporary employees are not eligible for tuition benefits.

RETIRED EMPLOYEES

Retired employees who worked for the College for five years or more may take one course per academic session.

SPOUSE, CIVIL UNION PARTNER OR OTHER QUALIFIED DEPENDENT OF EMPLOYEES

If you have been a regular full-time employee of the College for a minimum of one full year of continuous service, then your spouse, civil union partner or other qualified dependent may take one undergraduate or graduate course per academic session (fall, spring, or summer) tuition free. Your spouse, civil union partner or other qualified dependent may not shift a course to another semester and may not take the course in a semester in which you do not meet eligibility requirements. Detailed criteria for qualification as an employee dependent are available at the Office of Human Resources. Please note: the tuition benefit is fully taxable for those who are not deemed an eligible dependent as defined by the IRS.

Tuition waivers do not apply to the spouse, civil union partner or other qualified dependent of a retired, former or part-time employee.

TAXATION OF TUITION BENEFIT FOR SPOUSES TAKING GRADUATE CLASSES

In accordance with Section 117 of the Internal Revenue Code (IRC), Saint Michael's College employees, along with eligible spouses and dependents can use the Saint Michael's tuition benefits for undergraduate classes without having to pay taxes on the value of the tuition. In most cases, under the terms of IRC Section 132, employees can also take Saint Michael's College graduate classes without having the benefit taxed to the extent the classes relate to their current job. Graduate tuition benefits for spouses however, are in fact taxable.

Saint Michael's College is required by the IRS to withhold appropriate taxes on taxable benefits. Even though the taxable benefit is for the spouse's tuition, the related withholding tax is withheld from the employee's salary because the benefit is available through the employee's benefits plan.

The Taxation Process

At least two weeks prior to the spouse's graduate class beginning, the employee is required to complete a Tuition Taxation Form for Spouses Taking Graduate Classes and turn it in to Human Resources, Box 265.

DEPENDENT CHILDREN OF EMPLOYEES

If you are a regular benefits-eligible employee and have worked for the College for a minimum of one full year of continuous service as defined in this policy, your dependent children (as defined by the I.R.S.) are entitled to up to four years of tuition waivers, as detailed below. This benefit only applies to each child's first undergraduate degree. For purposes of this policy, dependent children may also include biological/adopted children who as a result of a divorce/separation may not be claimed as a dependent on your tax returns, but meet all other eligibility requirements. Stepchildren must be claimed on the Saint Michael's College employee's tax return. This benefit is available regardless of whether the student is on part-time or full-time status. You may be required to furnish proof of dependency by providing a copy of the top page of your most recent federal tax return or other documentation. These benefits are available to qualified dependents up to age 25.

DEFINITION FOR THE PURPOSE OF THE TUITION REMISSION POLICY

One full year of continuous service is equivalent to a minimum of 32 hours per week for a minimum of 40 weeks per year. Tuition waivers are granted as follows:

- Upon completion of one full year of continuous service as defined above in this tuition remission policy (within 10 days of the beginning of the academic session) and through the second year of full-time employment, the amount of tuition remission is 20 percent.
- Upon completion of two full years of continuous service as defined above in this tuition remission policy (within 10 days of the beginning of the academic session) and through the third year of full-time employment, the amount of tuition remission is 40 percent.
- Upon completion of three full years of continuous service as defined above in this tuition remission policy (within 10 days of the beginning of the academic session) and through the fourth year of full-time employment, the amount of tuition remission is 60 percent.
- Upon completion of four full years of continuous service as defined above in this tuition remission policy (within 10 days of the beginning of the academic session) and through the fifth year of full-time employment, the amount of tuition remission is 80 percent.
- Upon completion of five full years of continuous service as defined above in this tuition remission policy (within 10 days of the beginning of the academic session), the amount of tuition remission is 100 percent.

If you are hired into a benefits-eligible position Saint Michael's College directly from another educational institution that offered tuition benefits, then you are automatically granted, on your date of hire, the same percentage of tuition remission for any dependent children that you had attained at your prior employer. With each additional year of full-time service with the College, the percentage will increase by 20 percent until 100 percent tuition remission is attained.

If you are a benefits-eligible employee who is eligible to receive less than 100% of the tuition remission benefit defined above, you may be eligible to receive some Saint Michael's College financial aid. Saint Michael's College financial aid is only to be used for tuition costs, and under no circumstances should the financial aid and tuition benefit together exceed the equivalent of 100% of tuition costs.

For regular benefits-eligible employees with at least five years of continuous service as defined above in this tuition remission policy: In the event that you die or become permanently disabled from further employment while employed by the College, your dependent children are entitled to the same tuition benefit they would have received had you continued employment. Permanent disability will be determined by qualification for benefits under the College's Long Term Disability Insurance Plan. As long as you are considered permanently disabled by the College's Long Term Disability Insurance Carrier, you will be considered permanently disabled with regard to this benefit.

Tuition benefits are not available to the children of employees who work less than 32 hours per week/40 weeks per year, or to temporary, seasonal or on-call employees.

TUITION EXCHANGE

Saint Michael's College is one of over 500 participating institutions in The Tuition Exchange, Inc. (TE), a non-profit 501(c)(3) organization. TE is a reciprocal scholarship program for children of eligible employees at participating institutions. The policies and criteria for making TE awards are set entirely by the receiving institutions. Awards are competitive and are not automatic. Saint Michael's College only certifies eligibility of a dependent of an employee of the College. You can obtain more information on the Tuition Exchange Program at tuitionexchange.org.

If you are a regular benefits-eligible employee and have worked for the College for a minimum of five full years of continuous service as defined in the Tuition Remission Policy, your dependent children (as defined by the I.R.S.) are eligible for participation in the tuition exchange program. For purposes of this policy, dependent children may also include biological/adopted children who as a result of a divorce/separation may not be claimed as dependent on your tax returns, but meet all other eligibility requirements. Stepchildren must be claimed on the Saint Michael's College employee's tax return. You may be required to furnish proof of dependency by providing a copy of the top page of your most recent federal tax return or other documentation. These benefits are available to qualified dependents up to age 25. Interested employees should contact the College Financial Aid Office for additional information.

Retirement

RETIREMENT PLAN

The College offers a defined contribution 401(k) Plan. As a part-time or full-time employee you are eligible to make a voluntary, pre-tax contribution to the 401(k) upon initial employment with the College. Once you have completed one year of service as defined by the Plan you will begin to receive a College contribution equal to 10 percent of your base wage. Vesting is immediate upon enrollment in the Plan.

RETIREMENT PLANNING (PROFESSIONAL FINANCIAL COUNSELING)

If you have at least 10 years of service and are over the age of 55, you may, within five years of planned retirement, take advantage of the College's benefit for retirement planning. The College will pay 50 percent of the charges for professional financial counseling, up to a \$500 maximum. Further details are available from the Office of Human Resources.

Other Benefits

COMPUTER LOANS

Following the completion of six months of employment with the College, a regular full-time or part-time employee may request an interest-free loan from the College for the purchase of a computer or other computer hardware and programs. You must submit your receipt (proof of purchase) to the Office of Human Resources and complete required paperwork. The purchase of the computer must be after the six-month period.

Repayment will be by payroll deduction. You will be required to sign a Promissory Note and a form that authorizes the College to deduct from your final paycheck any amounts owed on your computer loan at the time of termination of employment with the College.

The maximum computer loan is \$2,400 with a maximum repayment period of 24 months.

You may not have more than one loan at a time and you must repay the first loan before you will be given a second loan.

EMPLOYEE ASSISTANCE PROGRAM

The Saint Michael's College Employee Assistance Program or "EAP" is a confidential and voluntary program designed to assist any staff, or faculty member and/or immediate family member with personal, emotional, family, substance abuse, or work related issues.

All employees, including those who are not otherwise benefits-eligible are eligible to take advantage of the Employee Assistance Program. This program is in place to assist with your overall well-being. Assistance is also available for any College department dealing with the death or loss of a colleague, unusual stress, or other crises. For additional information please go to www.smcvt.edu/humanresources.



SECTION IX - YOUR CAREER WITH THE COLLEGE: PROFESSIONAL & PERSONAL DEVELOPMENT

Staff and Management Development Programs

THE COLLEGE COORDINATES A VARIETY OF STAFF AND MANAGEMENT DEVELOPMENT PROGRAMS. Some programs such as safety training, hazardous materials handling, and certain management informational programs are mandatory. You will be notified should you be required to attend. Some departments also provide mandatory in-service staff training.

Performance Evaluation

SUPERVISORS ARE EXPECTED TO CONDUCT PERFORMANCE EVALUATIONS ANNUALLY or more often if deemed appropriate. A standardized form will be used and your supervisor will discuss the evaluation with you in a one-on-one interview. You will have the opportunity to respond orally and in writing. A copy of the evaluation will be given to you and another copy will be kept in your personnel file.

Should you feel that there is some error or misunderstanding in the evaluation that is not sufficiently resolved with your supervisor during the evaluation process, you may raise the issue with the manager to whom your supervisor reports. If afterward you still feel that the issue is unresolved, you may raise the issue with the Vice President, Human Resources. If you remain dissatisfied, you may discuss the problem with the area Vice President whose decision is final. If you report directly to a Vice President or to the Edmundite Campus Ministry, you may have a final discussion about this matter with the President. The decision of the President is final.



SECTION X - EMPLOYEE SERVICES & FACILITIES

Athletic Facilities

Full- and part-time employees are permitted to use the Tarrant Recreation and Ross Sports Centers. Employees must present a valid Saint Michael's College identification card upon entering.

You are welcome to bring immediate family members during family hours. A family pass must be obtained through an application at the control desk of the Tarrant Recreation Center. You are responsible for your family member at all times. Anyone under the age of 18 must be accompanied by an adult at all times. Further information is also available in a brochure that can be obtained at the Tarrant Center.

Bookstore

All employees are eligible for a 10 percent discount on all non-book and non-food purchases at the College Bookstore upon presentation of their College identification card at the time of purchase.

This discount is for employees only and will not be extended to family members or friends.

Durick Library

Family members of staff and faculty are welcome to use Durick Library and much of its facilities and services, including most databases, for scholarly activities. We expect that a responsible adult will supervise all minors under high school age. Saint Michael's College and the Library are not responsible for minors or monitoring their use of materials or equipment.

Pastoral and Spiritual Ministry

The care and support of all members of the College community, regardless of religious affiliation, has been and continues to be an important goal at Saint Michael's. Toward that end, the priests of the Society of Saint Edmund and the staff of the Office of Edmundite Campus Ministry are available to assist in spiritual growth through numerous pastoral programs that are open to all staff and faculty. You are invited to inform the Director of Edmundite Campus Ministry of serious illnesses, deaths and other times when the prayers of the community may be beneficial to you and your family.

The Chapel of Saint Michael the Archangel is open to all members of the College community for prayer and quiet reflection. For information about Catholic weddings, funerals, and baptisms, arrangements for which may be made by permission of the Director, please contact Edmundite Campus Ministry.

Special Campus Events

You are encouraged to participate in the many and varied special events held on campus. Lectures, concerts, films, sporting events, student drama productions are usually available to College personnel at no charge or a reduced price.

SECTION XI - GENERAL INFORMATION

College Property

Any loss of or damage to College property should be reported to your immediate supervisor at once.

No College equipment or vehicles may be used during off-duty hours unless specially approved by your supervisor or other appropriate College official.

Commercial Activities, Salespeople and Solicitors

College policy prohibits salespeople or others from calling on employees for personal business during working hours or while on College premises unless specifically approved by the Cabinet. You are asked to refrain from conducting personal business activities during work hours.

Directories

Faculty and staff directories are intended for internal use only. The use of such information for commercial or political solicitation activities or releasing directories to unauthorized persons is strictly prohibited. Employee directories are published by and available at the Office of Human Resources.

Fundraising

Any group or individual fundraising project that uses the College name must receive prior written approval from the College President.

Safety and Security

CAMPUS EMERGENCIES - CALL 2911

Security officers are on duty and on campus 24 hours/day. Any crime or accident on campus should be reported immediately to Security by calling x2374 during business hours or '0' after hours and weekends. Anyone observing unusual or suspicious activity is urged to call as soon as possible and report it for a timely response and investigation.

Suggestions for the Risk Management and Safety Committee may be forwarded through the Facilities office.

PARKING

Designated parking areas are established for faculty and staff. A valid parking permit issued by the Office of Safety and Security **MUST BE DISPLAYED** in order to park in a designated area. Faculty and staff are responsible for any fines assessed for violations of campus parking regulations. Habitual offenders risk towing and suspension of parking privileges. Parking maps and regulations are available from the Office of Safety and Security or in the Security public folder.



SAINT MICHAEL'S COLLEGE

**Office of Human Resources
One Winooski Park, Box 265
Colchester, Vermont 05439
www.smcvt.edu**

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