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WELCOME TO MOLLOY COLLEGE

Molloy College, rooted in the Catholic and Dominican Tradition, has been an exceptional institution since its founding in 1955. To continue to be successful in our mission, we need to strengthen our efforts to challenge and support our students in acquiring the knowledge and skills necessary to meet the challenges of modern life.

A college with a personal approach and excellent student/faculty ratio, Molloy has long been able to sustain that unique bond between faculty and students. When joined with the sustained commitment and dedication of our administrators and staff, the focus on students is Molloy's hallmark, and sets us apart from others.

We welcome our new employees. As you interact with our continuing administrators and staff members whose dedication and spirit have made Molloy such a special place, we hope that you find your work rewarding, both personally and professionally

MISSION STATEMENT

Molloy College, an independent, Catholic college, rooted in the Dominican tradition of study, spirituality, service and community, is committed to academic excellence with respect for each person.

Through transformative education, Molloy promotes a lifelong search for truth and the development of ethical leadership.

PURPOSE OF THIS HANDBOOK

This employee handbook is intended to provide information about Molloy's policies and procedures, as well as its philosophy. This handbook supersedes any previous administrative/staff handbooks. All employees are expected to adhere to the policies and procedures listed herein. This handbook applies to all employees regardless of date of hire and campus location.

Only specified employees of Molloy College have the authority to enter into a written or oral contract. Nothing contained in this handbook is intended to alter this fact. Only written contracts of employment executed by the President or Vice President for Academic Affairs will be recognized by the College.

In addition, circumstances may require that policies, practices, and benefits be updated or changed. Consequently, the College reserves the right to amend, supplement, or rescind any provisions of this handbook as it deems appropriate at its sole and absolute discretion. Employees will be notified of such changes as soon as they occur.

For simplicity of terminology, Molloy College may also be referred to as "the College" in this handbook.

Please review this handbook carefully. If you have any questions, please contact the Human Resource Department.

100: EMPLOYMENT INFORMATION

101: EMPLOYMENT-AT-WILL STATEMENT

Employment with Molloy College ("the College") is for no definite period, and is terminable at any time by either the employee or the College, with or without cause, and with or without notice. No policy or procedure in this Handbook shall vest any right or create a guarantee of employment for any period, or create or contribute in any way to a legal cause of action against the College. No representative of the College may enter into any agreements with any applicants or employees, or make any representations, written or oral, to alter employment status, except in the case of a valid written employment agreement.

102: STATEMENTS OF NON-DISCRIMINATION

Equal Employment Opportunity Policy Statement

Molloy College is committed to a policy of equal employment opportunity. It is the College's policy that applicants for employment are recruited, selected, and hired on the basis of individual merit and ability with respect to the position being filled. The intent of this policy is to provide equal employment opportunity for all persons.

The College will administer hiring, working conditions, benefits, compensation practices, training, employment function (including but not limited to: promotion, demotion, transfer, termination, and reduction in force) and college-sponsored education, social, and recreational programs without regard to race, color, religion, national origin, gender, age, disability, marital status, creed, sexual orientation, ancestry, veteran status, or any other basis except where such conditions are bona fide occupational qualifications permitted by law.

Violation of this policy by Molloy employees is not permitted and can result in disciplinary action, including termination.

Affirmative Action Policy Statement

Affirmative Action is designed to ameliorate the present effects of prior discrimination as a result of which certain groups are under-represented in the College's working community. Under representation is an imbalance between those in the labor force who possess the relevant qualifications and their representation within the specific job category in the College. Simply put, under-representation must be shown by demonstrating the existence of an imbalance between the numbers of qualified women or minority candidates in the potential pool of applicants for a position and their presence in the College. In the event of under-representation, affirmative steps are taken to attempt to achieve as broad and inclusive an applicant pool as possible. To that end, the College embraces an affirmative action policy that encourages vigorous activities and procedures for the recruitment, hiring, retention and promotion of certain protected groups that are under-represented in the Molloy College working community. (A complete set of hiring procedures for the recruitment and selection of candidates is available in the Office of Human Resources.)

Americans with Disabilities Act

The College is committed to compliance with all provisions of the Americans with Disabilities Act of 1991 and to ensure the fair treatment and consideration of persons with disabilities in all areas of employment; including the implementation of nondiscriminatory employment decisions, terms, conditions, and practices.

Employees with disabilities shall be provided with reasonable accommodation when requested except where such accommodation would cause the College undue hardship. We encourage employees with disabilities to self-identify with Human Resources and to request any accommodations that may be necessary to effectuate performance of essential job functions. Data concerning disabilities shall be kept confidential and shall only be disseminated on a "need to know" basis.

Harassment and Fraternization Policy Statement

HARASSMENT AND FRATERNIZATION POLICY

Policy Statement

As an educational institution Molloy College is committed to maintaining an environment in which its faculty, students, administrators and staff members are safe, can be trusted and count on others to be trustworthy, and receive and extend to others respect as human persons. Indeed, mutual respect among faculty members, students, staff persons and administrators is an essential ingredient in the educational process and the greatest care must be taken that it not in any way be eroded. Consistent with Molloy's respect for the rights and dignity of each employee, harassment based on race, color, religion, national origin, age, disability, sexual orientation, citizenship status or any other characteristic protected by law will not be sanctioned or tolerated.

Virtually all faculty members, administrators and staff members are, or can appear to be, in a position to exercise power or authority, directly or indirectly, over other persons on campus, whether or not an individual is enrolled in their classes, are subject to their direct supervision, or have some form of business to transact with offices at the College. Therefore, Molloy College prohibits romantic, sexual, exploitative relationships between College employees in a supervisory/ subordinate role, and between employees and students.

Reason for Policy

This policy delineates the process outlined to ensure a prompt, thorough and impartial investigation of any complaint. It is designed to provide a fair and reliable determination about whether any College policy has been violated. If so, the College will implement prompt and effective remedies designed to end the harassment, prevent its recurrence and address its effects. In cases of College employees, violations of harassment policy will be considered misconduct on the part of the employee and will be

subject to institutional sanctions, including possible termination of employment. Treatment of allegations and imposition of sanctions will be governed by procedures specified in the Dismissal Procedure, p. 30a of the Faculty Handbook or section 406 of the Employee Handbook.

Additionally, the policy explains Molloy's approach to investigating, adjudicating and disciplining acts of harassment. An act of harassment may also be considered a crime. Molloy strongly encourages the reporting of such incidents to the local police by dialing 911. Public Safety will assist a complainant in reporting an incident to the police if he or she so requests. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted or dismissed will not prevent Molloy from pursuing disciplinary action. Despite any gendered nature of its language, this policy is inclusive of all members of the Molloy community. In this policy, the term "Molloy community" is used to refer to faculty, staff, students and others affiliated with the College by reason of employment or education.

Complaint and Grievance Procedures

Any community member who believes that he or she has been the victim harassment is encouraged to report it immediately. The College has designated the following individuals to receive complaints of sexual harassment and sexual misconduct:

- The Director of Human Resources and Title IX Coordinator, Lisa Miller, 323-3046
- Deputy Title IX Coordinators: Enrollment Management, Brendan Caputo 323-4021, Athletics, Michael Grasso, 323-3602, Student Affairs, Janine McElroy, 323-3458, Academic Affairs, Mary Jane Reilly, 323-3023
- Public Safety 323-3500

I. Advocacy Panel

The College has appointed several faculty, staff and administrators to serve on the College Harassment Advocacy Panel who are available to meet with any community member. The Advocacy Panel is a group of individuals composed of College employees who have been selected based upon their skill in resolving these issues, knowledge of this topic, training, and willingness to dedicate the time and resources necessary for completion of their responsibilities as assigned.

Advocacy Panel members are instructed how to respond to allegations of harassment and are kept up-to-date on Molloy's current Harassment Policy and campus and national harassment cases and they stand prepared to provide information on the avenues of recourse available to resolve the alleged complaint.

The members of the Advocacy Panel may change at any time but every effort will be made to ensure that the Panel meets on an annual basis, that it contains at least one female and one male member and that the composition of the panel is diverse.

Each individual on the Panel can assume the following roles:

- meet with individuals who allege that they have been the victim of harassment;
- clarify the definitions of harassment and discuss how these definitions may or may not pertain in the circumstances described by the complainant;
- discuss with the complainant whether counseling should be considered based upon the circumstances;
- where appropriate, assist the complainant in filing a formal, written complaint regarding the harassment;
- facilitate the filing of the complaint;
- participate in on-going education for the campus community regarding matters of harassment to include the creation and dissemination of appropriate educational materials about harassment, and to conduct or host seminars or training sessions for all members of the campus community;

For a list of the members of the Advocacy Panel for each academic year (including names, titles, office location, office hours, telephone number, e-mail address) please see the Office of Human Resources or consult the Human Resources page of the Molloy College website.

II. On Campus and Off-Campus Behavior

This policy applies to conduct that occurs on any part of Molloy's campus or property. It also applies when college community members travel off-campus as part of a College activity, team, organization or event. Additionally, Molloy has the discretion to discipline behavior that occurs off-campus, and/or during a time when the College is not in session

III. Timeframe for Making a Complaint

While there is no time limit for bringing forward a complaint, the passage of time may make an incident difficult or even impossible to investigate fairly or fully and to adjudicate. Therefore, complainants are encouraged to make a complaint as soon as possible after the incident has occurred.

IV. Definition of Harassment

Under this policy, **harassment** is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, citizenship or any other characteristic protected by law that has the purpose or effect of creating an intimidating hostile, or offensive work/academic environment and/or has the purpose or effect of unreasonably interfering with an individual's work/academic performance; or, otherwise adversely affects an individual's employment/academic work.

Harassing conduct includes, but is not limited to: epithets, slurs, negative stereotyping; threatening, intimidating or hostile acts; and the circulation of written or graphic material either in person or through social media or other electronic medium that denigrates or shows hostility or aversion toward an individual or group.

Sexual Harassment : is defined as unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the College's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Types of Sexual Harassment include:

Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive.

Quid pro quo sexual harassment exists when there are:

- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and when
- the submission to or rejection of such conduct could result in adverse educational or employment action(s).

Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Examples of Harassment

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of a protected characteristic;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
6. Violence between strangers or those in an intimate relationship to each other;

7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

Acts of sexual violence are considered harassment. The Molloy College Sexual Misconduct Policy details these complaints more thoroughly.

V. Sanctions

A determination as to whether harassment occurred depends on the totality of the circumstances, such as the severity of a particular incident, the context in which it occurred, whether the conduct was repeated, whether the conduct was verbal or physical, and whether it was threatening or merely annoying. For purposes of federal and state law, harassment has occurred if a reasonable person would have found the behavior offensive and his or her living, learning or working environment would be impaired as a result of the conduct. However, Molloy reserves the right to discipline offensive conduct that is inconsistent with community standards even if it does not rise to the level of harassment as defined by federal or state law.

In assessing a disciplinary penalty, the seriousness of the harassment incident will be evaluated. Although relatively minor incidents usually result in lesser forms of disciplinary action, Molloy reserves the right to impose any level of discipline, up to and including termination of employment for any act of harassment, based on the facts and circumstances of the particular case.

VI. Retaliation

Victims have the right to report harassment without fear of retaliation. Retaliation includes threats, intimidation, or reprisals. For example, it would be retaliatory to intimidate a witness or to shun a person from a student organization in retribution for the person's having made a complaint of harassment.

Molloy strictly prohibits retaliation by anyone against a person who makes a report of harassment or assists someone with a report, or participates in any aspect of the investigation or resolution of a report.

Acts of retaliation are subject to the standard disciplinary procedure set forth by procedures specified in the Dismissal Procedure, p. 30a of the Faculty Handbook or section 406 of the Employee Handbook.

VII. Confidentiality

Molloy understands that a victim of harassment may wish to talk about the incident with the assurance that the discussion will be confidential. There are several support resources that victims may utilize on a confidential basis. These include Personal Counseling Services, the Campus Ministry's Office, and College Health Services. Because these services are confidential, a discussion with any of these sources does not result in a complaint being filed

with the College or result in action being taken by the College to respond to the incident. A victim who wants emotional support only should contact the confidential counseling resources listed above. Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint in accordance with the procedures described below.

A victim can seek advice from certain resources who are not required to share private, personally identifiable information unless there is cause for fear for the victim's safety, or the safety of others. These are individuals who the College has not specifically designated as "responsible employees" for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. These resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as office staff, adjunct faculty and others. These individuals have been instructed to share incident reports with their supervisors, but not to share any personally identifiable information about the report unless authorized by the complainant, except in the rare event that the incident reveals a need to protect the victim or other members of the community. If personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect the complainants' privacy.

Molloy College has designated the following groups of employees as "Responsible Employees": The College President, Vice Presidents, Deans, Assistant and Associate Deans, employees with supervisory responsibility, employees of the student affairs offices, public safety department and athletics as well as all full time faculty and their administrative staff. If you are unsure of someone's duties and ability to maintain an individual's privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

The College endeavors to respect and follow the wishes of an individual who brings forward a harassment concern. However, they should understand that Molloy may have ethical and legal obligations to investigate, attempt to resolve or adjudicate incidents of harassment that come to its attention. Therefore, depending on the circumstances, it may not be possible for a conversation with Public Safety personnel, the Director of Human Resources or other administrators to be kept in confidence always or, said another way, for these individuals simply to listen without taking action.

VIII. Reporting Procedures & The Complaint Process

An individual who feels that he or she has been the victim of harassment may consult a member of the Harassment Advocacy Panel or go directly to the Director of Human Resources to make a complaint.

Members of the Advocacy Panel do not make a determination as to the nature of the incident being reported, but can:

- clarify the definitions of harassment and discuss how these definitions may or may not pertain in the circumstances described by the complainant;

- discuss with the complainant whether counseling should be considered based upon the circumstances;
- where appropriate, assist the complainant in filing a formal, written complaint regarding the harassment;
- facilitate the filing of the complaint with the appropriate party;

Complainants have the right and can expect to have incidents of harassment be taken seriously when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Witnesses are expected to cooperate fully with an investigation and share their knowledge of any incident in a truthful and honest manner. Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.

The College offers both informal and formal resolution options. Generally, the College seeks to follow the complaining party's wishes as to which procedure to pursue. However, there may be situations in which, due to the nature of the allegations, informal resolution is inappropriate. This decision will be based on factors such as the egregiousness of the allegations, whether the accused individual is a repeat offender, or whether there is otherwise reason to believe that the safety or interests of the campus community demand adjudication. In those instances, the College will apply the formal procedure only.

Informal Resolution Procedures

Informal procedures are designed to assist the parties to reach a mutually agreeable resolution. An individual wishing to employ informal procedures in the resolution of a complaint will meet with the Director of Human Resources or designee, who will explain the process and options available to the complainant.

(i) Mediation

Mediation sessions will be held only if the complaining party and the accused party both agree to mediate. The goal of mediation is to facilitate the parties' discussions with each other such that a mutually acceptable resolution can be reached. At any point in the process or if no mutual resolution is reached, the complaining party may move the complaint to the formal adjudication process described below.

(ii) Contractual Agreement

In certain situations, a formal understanding is reached between the parties. This agreement is formalized in writing and is subject to approval by the Director of Human Resources or her designee. The terms may include a pledge that the parties will have no further contact with each other, known as a "No Contact Agreement." Once a contractual agreement is signed, it may not be revoked, and the terms may not be appealed. An employee's failure to adhere to any term of the agreement may result in formal disciplinary action.

Formal Adjudication Procedure

Formal procedures are designed to determine the merits of the allegations through adjudication and, where appropriate, to determine a disciplinary consequence for the accused.

(i) Formal Statement

An individual wishing to have a complaint formally adjudicated will be asked to give a statement of complaint to the Director of Human Resources. The complaint should be as specific as possible and the report of the complaint should be signed and dated by the complainant.

The grievance should clearly describe the alleged incident(s), when and where they occurred and the desired remedy sought. Any supporting documentation should be included. The Director of Human Resources will investigate the complaint or forward the statement to a trained investigator to meet with the complaining person and explain the process.

(ii) Investigation

The investigator will then take the following steps:

- Initiate any necessary remedial actions;
- Determine the identity and contact information of the complainant;
- Identify the correct policies allegedly violated;
- Conduct an immediate initial investigation to determine if there is reasonable cause to charge the accused individual, and what policy violations should be alleged as part of the complaint;
 - If there is insufficient evidence to support reasonable cause, the grievance should be closed with no further action;
- Meet with the complainant to finalize the complaint and
- Prepare the notice of charges on the basis of the initial investigation;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the accused individual, who may be given notice prior to or at the time of the interview;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- Prepare a complete report of the investigation and findings;
- Share the findings and update the complainant on the status of the investigation and the outcome;
- Present the findings to the accused individual, who may accept the findings, accept the findings in part and reject them in part, or may reject all findings

(iii) Possible Outcomes of the Complaint Process

1. If the investigator finds that further adjudication is not warranted, he or she will consult with the Director of Human Resources and/or Vice President of Academic Affairs and/or

Vice President for Student Affairs. If they concur, the complaint will be dismissed and the investigation will be closed.

2. When the accused individual accepts the findings that he or she violated College policy, the Director of Human Resources in conjunction with the appropriate Vice President will impose appropriate sanctions for the violation. The College will act to end the discrimination, prevent its recurrence and mitigate its effects on the victim and larger College community.
3. In the event that the accused individual rejects the findings in part or entirety, the Director of Human Resources will convene a hearing to determine whether the accused individual is in violation of the contested aspects of the complaint. At the hearing the findings will be admitted and the investigator may give evidence. The hearing will determine whether it is more likely than not that the accused individual violated the policies forming the basis of the charge. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil rights of all participants. The Director of Human Resources has final decision making authority with regard to formal complaints, subject to appeal. Where an accused individual is found in violation, the Director of Human Resources and appropriate Vice President will impose appropriate sanctions for the violation. The College will act to end the discrimination, prevent its recurrence and mitigate its effects on the victim and larger College community.

(iv) Time Frame and Grounds for Filing an Appeal Request:

In the event that an accused individual accepts the findings of the investigation, those findings cannot be appealed. Sanctions imposed can be appealed by any party according to the grounds, below.

All sanctions imposed will be in effect during the appeal. A request may be made to the Director of Human Resources for special consideration in exigent circumstances, but the presumptive stance of the College is that the sanctions will stand. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the person to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

The decision may be appealed by a written petition within three (3) business days of receiving the written decision for a review of the judgment or the sanctions imposed. Any party who files an appeal must do so in writing to the the Director of Human Resources who will share the appeal with the other party. All appeals and responses are then reviewed to determine if the appeal meets the grounds for appeal and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final. If the appeal has standing, the documentation is forwarded to a trained panel for their

consideration. The party requesting appeal must show error as the original finding and sanction are presumed to have been decided reasonably and appropriately. The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.;
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

XII. Statement of Rights

STATEMENT OF THE RIGHTS OF THE ALLEGED VICTIM

- The right to investigation and appropriate resolution of all credible complaints of harassment made in good faith;
- The right to be treated with respect by college officials;
- The right not to be discouraged by college officials from reporting an assault to both on-campus and off-campus authorities;
- The right to be informed of the outcome and sanction of any disciplinary hearing, usually within 24 hours of the end of the conduct hearing;
- The right to be informed by college officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the victim's desire;
- The right to be notified of available counseling, mental health or student services for victims, both on campus and within the community;
- The right to have complaints of harassment responded to quickly and with sensitivity.
- The right not to be questioned by the alleged harasser or to be required to question the alleged harasser.
- The right to appeal the finding and sanction of the conduct body, in accordance with the established standards for appeal;

- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a hearing closed to the public;
- The right to petition that any member of the conduct body be removed on the basis of demonstrated bias;
- The right to bring a victim advocate or advisor to all phases of the investigation and campus conduct proceeding;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- The right to have College policies and procedures followed without material deviation;
- The right to be informed in advance of any public release of information regarding the complaint;
- The right not to have released to the public any personally identifiable information about the complainant, without his or her consent.

STATEMENT OF THE ACCUSED PERSON'S RIGHTS

- The right to investigation and appropriate resolution of all credible complaints of harassment made in good faith;
- The right to be treated with respect by College officials;

- The right to be informed of and have access to campus resources for medical, counseling, and advisory services;
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- The right to make an impact statement for the campus conduct proceeding and to have that statement considered in determining the sanction;
- The right to appeal the finding and sanction, in accordance with the established standards for appeal;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to a hearing closed to the public;
- The right to petition that any conduct officer be removed on the basis of bias;
- The right to have College policies and procedures followed without material deviation;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and hearing process. This advisor can be anyone, but the advisor may not take part directly in the hearing itself, though they may communicate with the accused as necessary;
- The right to a fundamentally fair process, as defined in these procedures;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to written notice of the outcome and sanction of the hearing;

- The right to be informed in advance, when possible, of any public release of information regarding the complaint.

103: EMPLOYMENT STATUS

Employee Classifications

Essential Personnel

All personnel assigned to the following departments are considered Essential Services Personnel; Campus Safety, Maintenance and Housekeeping.

Full-Time Employees

Full-time employees are those scheduled to work at least thirty-five (35) hours per week and twelve months per year on a regular basis. Full-time employees are eligible to receive the benefit package as set forth in this handbook following the completion of any applicable waiting periods.

Part-time Employees

Part-time employees are those scheduled to work less than thirty-five (35) hours per week on a regular basis. Part-time employees are entitled to receive certain benefits specifically stated in this handbook following the completion of any applicable waiting periods. Benefit entitlements vary based on the actual number of hours worked per week.

Summer-Off Employees

Some positions are scheduled to work less than fifty-two (52) weeks per year on a regular basis. Summer-off employees are entitled to receive certain benefits specifically stated in this handbook following the completion of any applicable waiting periods. Benefit entitlements vary based on the actual number of weeks worked per year. Annually, summer-off employees and their supervisors are expected to complete and return a form authorizing their summer schedule.

Temporary Employees

Temporary employees are those hired with the understanding that employment is for a specific, limited period of time generally not to exceed three (3) consecutive months of regularly scheduled hours. ***Such employees can work up to 25 hours in a pay week inclusive of all positions*** and are not entitled to non-statutory benefits. If a temporary employee is assigned to a regular position, seniority will be retroactive to the date of starting temporary employment for purposes of calculating benefit waiting periods. Paid leave time (vacation, sick and personal) will not be applied retroactively. In the rare instances, when a temporary employee is hired for a long term temporary assignment (six months or greater), employee benefits as outlined in this handbook will be granted.

A department must request approval for the use of a temporary employee through the Human Resources office.

Exempt Employees

Employees designated as Administrators of the College are exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA). An exempt employee is paid a salary and is not legally entitled to overtime pay if he or she works more than 40 hours per week. An exempt classification is determined by applying the specific tests provided by the FLSA that look at, among other things, job duties and responsibilities, scope of authority and level of independence in decision making.

Non-Exempt Employees

Staff members of Molloy College are considered non-exempt with regard to the Fair Labor Standards Act and as such are entitled to be paid at least the minimum wage and to receive overtime payment for any hours worked over forty (40) in a given workweek. An employee who is nonexempt must have his or her hours counted so that he or she can be paid overtime pay if he or she works more than 40 hours per week. Non-exempt individuals are compensated for all hours worked as detailed on the employee's timesheet and signed off by the supervisor.

Definitions and Counting Hours under the Affordable Care Act

Initial measurement period – A designated period of not less than three months or more than 12 months used in determining whether a newly hired variable or seasonal employee is full-time. Molloy has elected to use a 3 month measurement period.

**Standard measurement period* – An annual designated period of not less than three months or more than 12 months used to determine whether an ongoing variable or seasonal employee is full-time. Molloy has elected to use a 12 month measurement period.

**Administrative period* – A period of up to 90 days for making full-time determinations and offering/implementing full-time employee coverage.

**Stability period* – An annual designated period of not less than six months (and not less than the corresponding measurement period) during which Molloy will offer affordable minimum essential health coverage to all full-time employees (30 hours or more). Molloy has elected to use a 12 month stability period.

**Full-time employees* – If a new employee is reasonably expected to average at least 30 hours per week at the time of hire, the employee will automatically be treated as full-time and offered group health coverage.

**Variable hour and seasonal employees* – A variable hour employee is someone whom the College cannot reasonably determine will average at least 30 hours per week at the time of hire. A seasonal employee would include anyone who works on a seasonal basis. Molloy will use the

initial measurement period to determine whether a newly hired variable or seasonal employee actually averages at least 30 hours per week, and the standard measurement period to determine whether an ongoing variable or seasonal employee actually averages at least 30 hours per week. If the employee does average at least 30 hours per week during the initial measurement period or standard measurement period, Molloy will offer affordable minimum essential health coverage during the stability period.

**Transition from new to ongoing employee status* – Once a new employee has completed an initial measurement period and has been employed for a full standard measurement period, the employee must be tested for full-time status under the ongoing employee rules for that standard measurement period, regardless of whether the employee was full-time during the initial measurement period.

104: GUIDELINES FOR RECRUITMENT AND HIRING

Job Posting

It is the College's policy to identify and select the most qualified applicants to fill vacant positions. To allow internal candidates the opportunity to apply, all open positions are posted for a minimum of five (5) business days on the Molloy College email system and web site. Additional recruitment activities may be internal, external, or both.

Reference Checks

As a normal course of business, past employers and other references that are supplied by candidates will be contacted to verify all information provided on an employee's application and during the interview. Falsification of any of this information is grounds for immediate dismissal. For internal candidates, the hiring supervisor may, after notification to the applicant, request references from the applicant's current or past Molloy supervisor.

Rehiring of Former Employees

Molloy College will consider rehiring of former employees if and when appropriate positions become available.

Hiring of Relatives

If a candidate is a relative of a current Molloy employee, they can be considered for employment in another College department or division with the approval of the Vice President responsible for the department, and the Director of Human Resources. For this purpose, relatives will be defined as spouse, son, daughter, brother, sister, stepchild, parent, grandparent, aunt, uncle, niece, nephew, or any dependent.

Employment Eligibility Verification and Other Requirements

In compliance with The Immigration Reform Act of 1987, Molloy requires that all persons hired in any employment category complete a Federal “I-9” (Employment Eligibility Verification) form attesting that he or she is eligible to work in the United States. The new employee must produce specific documents which verify identity and employment eligibility within 72 hours of employment. If the above requirements are not met, a candidate cannot be employed by the College. The completed I-9 form and documents are retained in the Human Resources Department. It is the responsibility of the candidate to complete tax withholding forms and any other required documents prior to employment.

Hiring for Mission

We believe that it is important that all employees experience a “fit” between their work at Molloy and the College’s mission. The Hiring for Mission policy is an important initiative of the College designed to embrace our identity as a College in the Catholic and Dominican tradition. The major purpose of the policy is to inform potential employees about the College’s mission and heritage as part of the interview process and to ensure that those hired understand, appreciate and are committed to learning about and living the values of the mission in their work at Molloy.

Outside Employment

In the event that a full-time employee has two employers, the primary employer is considered to be Molloy College. If any conflicts occur between the second employer and Molloy, the needs of Molloy must be met first. Inability to satisfy the College’s employment requirements due to outside employment will be considered grounds for disciplinary action up to and including termination.

105: JOB DESCRIPTIONS

Job Descriptions are created and should be updated annually for all College positions. The job descriptions summarize the purpose of a job, its primary responsibilities and the minimum qualifications needed to perform the job in terms of educational background, relevant experience, knowledge, skills and abilities. Job Descriptions are maintained in the employee’s personnel file and should include; job title, date created/updated, level of position, reporting relationship, brief summary of the primary purpose and a list of the essential duties and functions associated with it. The list should be general in nature and shouldn’t necessarily include every activity encompassed by the job.

106: ANNIVERSARY DATE

An employee's Anniversary Date is based on his or her first day of employment. The first Anniversary Date is twelve (12) months after the date of employment. Each successive Anniversary Date is twelve (12) months from the previous Anniversary Date.

107: INFORMATION CHANGES

In order to maintain accurate and thorough employee records, the Office of Human Resources must be notified when any of the following changes in employee information occurs; name, address, marital status, dependents for withholding, attainment of additional degrees (transcript must be furnished), home telephone, spouse's name and the birth of a child.

108: SALARY ADMINISTRATION PROGRAM

The overall objective of the salary administration program is to attract, retain, and motivate qualified employees who can help Molloy achieve its mission. In support of this, the program is designed to:

- Establish and maintain salaries and salary ranges that are competitive in the marketplace;
- Support the College's planning and budgeting process;
- Ensure that salary-related decisions are consistent and are made without regard to race, religion, color, age, disability, gender, sexual orientation, national origin, marital status, or other prohibited factors.

109: HOURS OF WORK

Traditionally, College offices are open from Monday through Friday from 9:00 am to 5:00 pm. However, many offices must remain open additional hours to better meet the needs of the College. An employee's actual number and specified time of work hours are set by the needs of the individual department and may be changed as necessary to meet the needs of the department.

110: TIMEKEEPING

All employees must complete and sign bi-weekly time reports. These serve as the formal record of the employee's hours worked and are used to track vacation and sick time. Additionally, time sheets are considered legal documents and are often subpoenaed as records in legal proceedings such as workers compensation cases and unemployment hearings.

Failure to properly record each day's activities could result in missed pay for the employee. Any irregularity or falsification of time records will be considered a serious violation of College policies. The recording of another employee's time worked is only permitted by the supervisor or Human Resource Department.

Each day non-exempt employees must keep track when they arrive for work and when they leave for the day. Exempt employees must complete the time sheet with the appropriate code for the day or portion of the day. At the end of each pay period, the employee should sign their time report and forward it to their supervisor for his/her approval and signature.

Overtime

Staff members not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) shall be compensated for all hours worked. A non-exempt employee who works more than forty (40) hours in a given work week, will be paid at the rate of one and one half times the regular hourly rate of pay for all hours worked in excess of forty (40). An employee's regular hourly rate will be paid for hours worked between the scheduled workweek and forty (40) hours. For non-essential College personnel, benefit days or vacation time are not included in overtime calculations. Non-exempt staff members are not permitted to work overtime without prior approval. Overtime approval sheets are available in the Human Resource Department.

Administrators at Molloy College are exempt from the provisions of the FLSA and as such are not eligible to receive overtime payment. Acceptance of an exempt position at Molloy constitutes the acknowledgement that job responsibilities may sometimes require working more than the regularly scheduled hours.

Pay Periods

Payday is every other Friday, and covers the two weeks ending at midnight on the preceding Sunday. If the regular payday falls on a holiday, checks will be made available on the previous workday. A pay week is a period of seven days beginning at 12:01 am on Monday and ending at Midnight the following Sunday. Every effort is made to avoid errors in your paycheck. If an error should occur, notify the Accounting Office so that an appropriate adjustment can be made.

Staff and administration have the option of either picking up their paycheck or having it mailed to their address on record. If an employee requests paychecks to be mailed, an authorization form must be completed and retained in employee's payroll file. For those employees who do not wish to have their checks mailed, each department has the option of having one assigned representative pick up all department paychecks for distribution within their department. The assigned representative must sign a receipt in the Finance Department for the checks obtained and have each employee sign a control sheet and present identification when receiving their check. The control sheet should be returned to Finance within five (5) days of the pay date, along with any undelivered checks. Those undelivered checks would then be mailed.

For those employees whose departments do not distribute checks internally, paychecks can be picked up in the Finance Department after 3:00 p.m. on the day before the pay date. When picking up a check, identification must be presented (Molloy ID Card preferable). No exceptions to presentation of identification will be permitted. Claiming other employee's paychecks is not permitted.

Payroll Deductions and Personal Status

Federal Income Tax, Social Security, state and local income tax will be withheld from the employee's paycheck. The amount of Federal Income Tax withheld is calculated from the status and number of exemptions claimed on the employee's W-4 form. If there are any changes in status or exemptions the employee must see Human Resources to fill out a new W-4. Employees who live within the five boroughs of New York City must also complete the New York State IT-2104 form in order to ensure appropriate withholding of New York City taxes.

Deductions for insurance premiums while on a leave of absence can also be arranged.

It is the employee's responsibility to inform the Human Resource Department of any changes to the employee's personal information (marital status, address, phone number, etc.).

Direct Deposit

Molloy College employees are encouraged to have their paycheck electronically deposited into their bank accounts (checking or savings). Doing so ensures that pay amounts are automatically available for immediate use each payday.

Garnishment of Wages

A garnishment is a legal deduction of a specified sum from wages to satisfy a creditor. If Molloy College receives legal documents requesting to garnish an employee's wages, NY State requires that the College complies.

Meal / Break Period

Employees who work schedules of six or more hours per day are entitled to a one hour break per day, as outlined below and as scheduled by their supervisor to ensure appropriate office coverage. Any conflicts in scheduling will be resolved by the appropriate supervisor(s). Break times may vary by department and can be adjusted to meet departmental needs.

- One, one-hour meal period, or alternatively.
- Two 15-minute "coffee" or "smoking" breaks and one 30-minute meal break per day , with one of the 15 minute breaks taken during the first half of the workday and the second 15 minute during the second half of the workday.

111: SUMMER SCHEDULE

Counting backwards from the Labor Day Holiday, College offices are closed for the eight consecutive Fridays. In return, from Monday through Thursday, employees are expected to work an additional hour per day.

Any full-time employee whose regular day off is Friday should discuss their schedule with their supervisor. The above may be modified to meet the demand of certain offices. Please contact the Director of Human Resources with any questions concerning this policy. For purposes of time reporting, each vacation or sick day taken while on summer schedule will be counted as eight (8) hours. A full week off taken during the summer schedule is counted as a full work week.

112: EMERGENCY CLOSING

Decisions on school closings are announced no later than 7:00 am on the days in question. The College will notify the local radio and television stations as well as posting on the Molloy College emergency notification system, website, telephone and email systems. If an employee is scheduled to take a personal or vacation day on the day of an emergency closing, the personal or vacation time will be debited as planned.

200: EMPLOYEE BENEFITS

All full-time employees working thirty-five (35) hours or more per week are entitled to the full benefits listed in this section, unless otherwise noted. Employees working fewer than thirty-five (35) hours per week may receive a pro rata share of all applicable entitlements based upon the average weekly hours worked.

The following provides information concerning benefit eligibility and what happens in the event an employee terminates employment, retires, becomes disabled, or takes a leave of absence. Please refer to the applicable Summary Plan Descriptions for specific plan details.

201: DISABILITY AND WORKERS COMPENSATION

Short Term Disability

The College provides each employee with insurance coverage for extended illness or injury (beyond seven (7) work days) that is not work-related under New York's statutory disability benefits law. Pursuant to this law, the College provides coverage for illness or injury for up to twenty-six (26) weeks. The plan pays 50% of an employee's weekly salary up to a maximum benefit of \$170 per week. For any period that an employee is covered by Molloy College's Extended Sick Leave Policy and receiving full pay, disability benefits are paid to the College. If the disabling condition extends beyond the period covered by the Extended Sick Leave Policy, disability benefits are paid directly to the employee.

A disability form must be completed after seven days of illness or injury. The premium for short-term disability insurance is paid primarily by the College, employees contribute sixty (60) cents per week toward both disability and unemployment insurance. For more information or to obtain a claim form, please contact the Human Resource Office.

Long Term Disability

The College provides long-term disability insurance to replace income lost due to an illness or accident that extends beyond the state required short-term disability insurance period (twenty-six weeks (26)). Employees must work **at least thirty (30) hours per week to be eligible. Employees hired before July 1, 2013 are grandfathered under the old policy of 26 hours per week.** Coverage begins on the first of the month following ninety (90) days of employment. Coverage ends on the first day of the month following the last day an employee is at work. The premium for the long-term disability coverage is fully paid by the College.

After six months of disability, this insurance pays an employee 60% of his or her income per month until he or she recovers, no longer meets the definition of disability under the plan, or turns age 65. The maximum benefit is \$6,000.00 per month. Employees disabled after age 60 receive benefits for a pro-rated period. Any benefits are subject to income tax when received. Benefits are reduced by other income received during disability, including Social Security benefits and benefits from all other governmental programs.

Employees should refer to their Summary Plan Description for additional plan data.

Workers' Compensation

Employees are covered for on-the-job injuries under the New York State Employee Compensation Act. This coverage is fully paid by the College. If an employee is injured or disabled while on the job or contracts an occupational disease, he or she is entitled to file a claim for Workers' Compensation Benefits. Depending on the nature of the injury or illness, the employee may receive cash benefits and payments of all necessary medical expenses as determined by the Workers' Compensation Board. All incidents must be reported to the employee's supervisor immediately and an injury report must be completed and filed with a Public Safety Officer.

202: EDUCATIONAL REIMBURSEMENT

Tuition Remission Program

Eligibility Requirements

To qualify for tuition remission benefits, an employee must be employed in a benefits-eligible position and meet the service requirements specified under each benefit. For the purpose of eligibility for this Plan:

Undergraduate Tuition Remission

Full Time Faculty, Staff and Administrators and retirees with 10 or more years of service.	50% tuition reduction for the employee and up to 3 eligible relatives after 3 months of employment. 100% tuition remission for the employee and up to 3 eligible relatives after one year of employment.
Part Time (Adjunct) Faculty	100% tuition remission for the employee after teaching 4 full semesters, 50% tuition reduction for their eligible dependents after teaching 4 full semesters. Maximum of 3 dependents.
Part Time Staff and Administrators	Receive a prorated share of the Full time benefit calculated as a function of hours worked per week.
Athletic Coaches (Full and Assistant)	A maximum of 4 courses per year for the coach or their eligible dependent. After two full years service, 100% tuition remission for the employee, 50% tuition reduction for their eligible dependents (ages 17-24). Maximum of 3 dependents.

Graduate Tuition Remission

Full Time Faculty, Staff and Administrators	50% tuition reduction for the employee after 3 months of employment. (25% for their eligible dependents). 100% tuition remission for the employee after one year of employment. (50% tuition remission for their eligible dependents)
Part Time (Adjunct) Faculty	100% tuition remission for the employee after teaching 4 full semesters. 25% tuition reduction for their eligible dependents after teaching 4 full semesters. Maximum of 3 dependents.
Part Time Staff and Administrators	Receive a prorated share of the Full time benefit calculated as a function of hours worked per week.
Athletic Coaches (Full and Assistant)	1 course per semester (up to 4 courses per year) for the coach or their eligible dependent. After two full years service, 100% tuition remission for the employee, 25% tuition reduction for their eligible dependents (ages 17-24). Maximum of 3 dependents.

Doctoral Program Tuition Remission

Full Time Faculty, Staff and Administrators	100% tuition reduction for one full time faculty, staff or administrator (with at least one year of full time service) per program cohort.
Part Time (Adjunct and Auxiliary) Faculty	50% tuition remission for the employee after teaching 4 full semesters.

*For purposes of this policy, eligible relatives are defined as the employee's spouse and children. In the case of an employee with no children of their own immediate nieces and nephews will be considered eligible relatives.

I. TUITION REMISSION FOR EMPLOYEES

Molloy College offers eligible employees the opportunity to take courses (undergraduate or graduate), that enhance work performance, promote self-improvement, or provide qualifications for higher job classifications. Tuition remission covers the balance due of tuition charged less any scholarships or grants creditable toward tuition. All other costs, with the exception of the Student Activities Fee and the Technology Fee, are the employee's responsibility.

The maximum number of credit hours granted for each eligible employee may not exceed 8 per fall and spring semester and up to 4 for each summer session and intersession semester. Classes

must be scheduled with first consideration for the work demands of the department. If classes are to be scheduled during the work day, approval must be given by the immediate supervisor in advance.

Tuition remission benefits are not applicable for most courses from which faculty compensation is derived as a percentage of revenue generated, i.e., for independent studies, tutorials, internships, performance study instruction, St. Thomas Aquinas Summer Program, or any other type of individualized study. An employee who wishes to take an independent study that is not covered under the tuition remission benefit would have to pay the normal per-hour tuition rate. In addition, tuition remission benefits may not be awarded in courses with enrollment of fewer than **eight** tuition-paying students.

AUDITING OF COURSES

The customary fee to audit a course is covered for benefits-eligible employees once they have met the eligibility period. Employees are responsible for paying the registration fee.

II. TUITION REMISSION BENEFITS FOR RELATIVES

The spouse or qualified relative of eligible employees are entitled to tuition remission benefits upon their admission to Molloy College. Graduate tuition remission covers the balance due of the tuition charged for courses taken less any scholarships and grants creditable toward tuition. The employee or relative will pay all fees.

Eligible relatives must apply and be accepted for admission through the College's standard admission process. Eligibility for this benefit has no bearing on the admission Decision.

GOVERNING GUIDELINES AND RESTRICTIONS

Tuition remission benefits are granted for a maximum of 12 credits above the number of credit hours necessary to graduate.

Tuition remission benefits are not applicable for most courses from which faculty compensation is derived as a percentage of revenue generated, i.e., for independent studies, tutorials, internships, performance study instruction, or any other type of individualized study. An eligible relative who wishes to take an independent study that is not covered under the tuition remission benefit would have to pay the normal per-hour tuition rate. In addition, tuition remission benefits may not be awarded in courses with enrollment of fewer than **eight** tuition-paying students.

COORDINATION WITH OTHER FINANCIAL AID

The maximum tuition remission benefit is the applicable tuition charge, less any tuition assistance specifically designated as an award (with the exception of Pell Grants) to be used for tuition purposes and/or based on tuition charges, whether awarded or eligible to be awarded, to a

qualifying student. That assistance may include scholarships and grants from state or federal sources, from Molloy College, or educational benefits through other employers.

A tuition remission eligible student is required to apply for the New York State Tuition Assistance Program (TAP) as well as any other state aid programs specified for tuition purposes that he/she might qualify.

A student must be aware of the deadlines for applying for financial aid as well as the tuition remission benefit. Additionally, a student who fails to apply for the appropriate outside assistance or demonstrate proof of ineligibility will have his/her tuition remission benefit reduced by the amount the College estimates the outside assistance would have been or in the absence of the ability to determine an estimate, the minimum amount of the award(s).

APPLICATION PROCEDURES AND DEADLINES

Application forms, which are available in the Office of Human Resources must be completed annually by the student and the employee and returned to the Office of Human Resources by relevant deadline. **Any student taking more than 12 credits per semester must also complete and return the FAFSA form to the Office of Financial Aid.**

Fall semester:	Forms must be submitted by May 31
Spring Semester:	Forms must be submitted by November 15
Summer semesters:	Forms must be submitted by March 31

TAXIBILITY OF TUITION REMISSION

In some circumstances, tuition remission is considered taxable income under IRS guidelines. Current tax code is as follows:

1 Undergraduate Tuition Remission:

Employee, Spouses and Dependent Children -Tuition Remission is not taxable

2 **Non Dependents** -Tuition Remission is fully taxable to the employee. Undergraduate Tuition Remission for non dependents (non-dependent children, nieces and nephews) is fully taxable as income to the employee. Tax on the value of this tuition remission will be withheld from your paycheck

2.1 Graduate Tuition Remission:

3 **Employee** – Graduate Tuition Remission is taxable for dollar amounts above a certain level as set by the Internal Revenue Service. Tax on the value of this tuition remission above and beyond the IRS limits will be withheld from your paycheck.

Spouses and Children Tuition Remission is fully taxable to the employee

“The full value of graduate tuition remission received by your spouse and dependent children is treated as taxable income to you. Tax on the value of this graduate tuition remission is withheld from your paycheck”.

WITHHOLDING TAX

Taxation Schedule: In the case of taxable remission, additional non-cash income in the amount of the remission and related withholding will be applied to the employee's paycheck over one or two months during the semester of remission (within the applicable calendar year), as follows:

for Fall semester	November and December paychecks
Spring semester	April and May paychecks
Summer semester	August paychecks

Please note that the additional taxes will probably result in a smaller take-home pay for the periods noted above. Please contact HR for further information on taxability of tuition remission.

Tuition Exchange Program

Full time employees who have been employed at the College for one year or more are eligible to apply for scholarships under the CIC and CCCTE tuition exchange programs. CIC and CCCTE are partnerships of colleges and universities offering competitive tuition exchange scholarships to children of employees of member institutions. Scholarships are not fringe benefits; they are competitive awards. Applicants must meet the admission requirements of the member institution.

If you are interested in applying for a tuition exchange scholarship you should contact the College's liaison officer approximately twelve months before you plan to use the program. Lists of the member schools are available online.

Procedure

1. The student must first contact the TEP liaison officer at the home/exporting institution.
2. The liaison officer at the home/exporting institution determines employment eligibility. Summer off employees are not eligible for the tuition exchange benefit.
3. The home/exporting liaison completes the [TEP Participation Form](#) and directs the form to the liaison at the institution to which the student is applying.
4. The student applies for admission directly to the institution(s) of his or her choice and submits all required financial aid information.
5. For new applicants, the admissions office of the host/importing institution informs the student of her/his acceptance to attend the institution.
6. For renewal applicants, the host/importing institution determines whether the enrolled student is maintaining good academic standing and satisfactory academic progress.
7. The liaison officer of the host/importing institution informs the student of her/his acceptance into CIC-TEP.

203: EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) offers an opportunity for employees and members of their households to get help in resolving difficulties that may negatively affect the quality of their lives and/or job performance.

The EAP can be accessed 24 hours a day, seven days a week, through the use of a toll free number (1-866-620-2011) By contacting the EAP, employees or members of their households, can receive confidential assistance with personal concerns, including marital, family, or financial difficulties, stress eldercare issues, and legal issues.

204: FINANCIAL SERVICES AND SOCIAL SECURITY

Credit Union

The Nassau Educators Federal Credit Union provides services to a number of educational institutions. Membership in the credit union is available to all Molloy College employees. Benefit and enrollment information is available in the Human Resource Office.

NY 529 College Savings Plan

New York's 529 College Savings Program, *Direct Plan*, provides a flexible, convenient, and low-cost way to save for college. The program features a wide range of investment choices, tax-free withdrawals when used for qualified higher education expenses, and contributions that are tax-deductible (up to certain limits) for New York State residents.

Social Security

Social Security benefits are provided to all employees of the College. The cost of these benefits is paid equally by the College and the employee. The employee's share is deducted through a payroll deduction, with a matching share contributed by the College, as required by law.

In brief, the Social Security Act provides benefits in the following five areas:

- Lump sum at death;
- Survivor payments;
- Disability income;
- Retirement income; and
- Medicare coverage.

For information concerning the benefits available under the Social Security Act, contact the local Social Security Office.

205: LIFE INSURANCE

Employees working *at least thirty (30)* hours per week are eligible for life insurance coverage on the first day of the month following ninety (90) days of employment. *Those employees hired before July 1, 2013 are grandfathered under the old policy of 26 hours per week.* The Molloy College policy provides basic coverage in the greater of annual salary (up to \$200,000.00) or \$50,000.00. An additional Accidental Death and Dismemberment benefit will be paid to the named beneficiary if a covered employee should die from an accidental injury. This coverage is fully paid by the college.

Up to \$50,000 of group life insurance is not included in your taxable income. Any employer-paid coverage in excess of this amount will be taxed to you based on an IRS table that specifies the amount includable in your income.

If an employee becomes disabled prior to age 60, life insurance may be continued to age 65 without the payment of additional premiums. The employee must submit proof to the carrier of his/her disability. If the employee recovers, this waiver will end. Employees will be given the opportunity to convert to an individual policy at the end of the waiver of premium period, unless the employee returns to work with the College.

The terms and conditions of Life Insurance coverage are determined by the applicable insurance contract, notwithstanding anything to the contrary in any other written or verbal statement. These terms and conditions are contained in the Summary Plan Description provided.

206: MEDICAL AND PRESCRIPTION DRUG INSURANCE

Molloy College offers a comprehensive medical insurance package for employees working a regular schedule *of thirty (30) or more hours per week. Employees hired before July 1, 2013 are grandfathered under the old policy of 20 or more hours per week.* An employee is eligible for coverage on the first day of the month following thirty (30) days of employment plan for themselves or for themselves and their eligible dependents. Employees are required to pay a portion of the monthly premium for their coverage as well as that of their dependents. This contribution schedule will be provided to employees in their enrollment materials. Summer-off employees are required to continue their payments while away for the summer.

The terms and conditions of the medical insurance plan and its coverage are governed by the contract of insurance between Molloy College and the insurance carrier or carriers involved. These terms and conditions are contained in the Summary Plan Description provided.

Molloy College expects to continue its medical benefit plan(s) indefinitely. However, the College reserves the right to change, modify or terminate this benefit in the future without advance notice, subject to any outstanding contractual assessments or requirements of law. Any change or termination of this benefit would not adversely affect any benefit that accrued prior to the effective date of the change, modification, or termination.

207: PENSION PLAN

As plans maintained by a Catholic college, the retirement plans maintained by the College are “church plans” as defined by the federal law known as the “Employee Retirement Income Security Act”, or “ERISA”. As such, the Plan is not subject to ERISA. Nevertheless, the Board of the College requires that the Plan be designed and administered in such a way as to ensure that participant rights are maintained at a level at least as high as ERISA would require. This Board requirement cannot be altered except by vote of at least 75% of the total number of Board members.

Retirement Annuity (RA)

All employees who meet the following criteria: (1) one year of continuous employment, (2) attaining age 26, and (3) credited with 1000 hours or more of service, are encouraged to participate in Molloy College’s pension plan. The plan is a voluntary “defined contribution benefit plan” and employees have the option of choosing between various funding vehicles offered by Teachers Insurance Annuity Association (TIAA- Cref) and/or American International Group (AIG/VALIC).

Employees who elect to participate in the plan must contribute 5% of their base annual salary. Molloy College makes an additional 9% contribution of the base annual salary to each participant’s account. This Molloy College percentage increases to 9.5% at 10 years of service and 10% at 20 years of service. Employee contributions are made as a pre-tax payroll deduction. These amounts and the interest earned are not subject to income tax until they are received as benefits. The one year’s continuous employment criterion will be waived if a new employee has at least one year of service with another institution of higher education, immediately preceding employment at Molloy.

The Retirement Annuity is governed entirely by the terms of the plan document itself. The plan document and Summary Plan Description can be reviewed in the Human Resources office.

Supplemental Retirement Annuity (SRA)

All employees are eligible to participate in a voluntary tax sheltered annuity plan. Employees may contribute up to the legal limit, which is set annually by the IRS. Please see Human Resources for a calculation of your personal limit. There is no waiting period and the College does not contribute to this plan.

All employee contributions are through payroll deduction on a pre-tax basis. These amounts and the interest earned are not subject to income tax until they are received as benefits.

Rights under the SRA are governed entirely by the terms of the plan document itself. The plan document and Summary Plan Description can be reviewed in the Human Resources office.

Neither this description nor the Pension Plan document constitutes a contract of employment. The College hopes and fully expects to continue these Plans indefinitely. However, the College reserves the right to change, modify or terminate the Pension Plan in the future without advance notice, subject to any outstanding contractual assessments or requirements of law. Any change or termination of the Pension Plan would not adversely affect any benefit that accrued prior to the effective date of the change, modification, or termination.

208: Dental Insurance

Molloy College offers a comprehensive dental insurance package for eligible employees. An employee is eligible for coverage on the first day of the month following one month of employment. If he or she is working a regular schedule *of thirty (30) or more hours per week. Employees hired before July 1, 2013 are grandfathered under the old policy of 20 or more hours per week.* Employees have the option of electing a plan for themselves or for themselves and their eligible dependents. Depending on the option chosen, employees may be required to pay a portion of the monthly premium for their coverage as well as that of their dependents. This contribution schedule will be provided in the enrollment materials.

The terms and conditions of the dental insurance plan and its coverage are governed by the contract of insurance between Molloy College and the insurance carrier or carriers involved. These terms and conditions are contained in the Summary Plan Description provided.

Molloy College expects to continue its dental benefit plan(s) indefinitely. However, the College reserves the right to change, modify or terminate this benefit in the future without advance notice, subject to any outstanding contractual assessments or requirements of law. Any change or termination of this benefit would not adversely affect any benefit that accrued prior to the effective date of the change, modification, or termination.

209 Voluntary Benefits

Vision

Molloy College offers a voluntary vision package for eligible employees. A employee is eligible for coverage on the first day of the month following one month of employment. Employees have the option of electing plan for themselves or for themselves and their eligible dependents. Employees are be required to pay the monthly premium for their coverage as well as that of their dependents. This contribution schedule will be provided to in the enrollment materials.

The terms and conditions of the vision plan and its coverage are governed by the contract of insurance between Molloy College and the insurance carrier or carriers involved. These terms and conditions are contained in the Summary Plan Description provided.

Molloy College expects to continue its vision benefit plan(s) indefinitely. However, the College reserves the right to change, modify or terminate this benefit in the future without advance notice, subject to any outstanding contractual assessments or requirements of law. Any change or termination of this benefit would not adversely affect any benefit that accrued prior to the effective date of the change, modification, or termination.

Flexible Spending Accounts

All regular full-time and part-time employees are eligible to participate in a health care and/or dependent care reimbursement accounts to pay for certain health and dependent care expenses

while reducing federal income and social security taxes. Use of the account is voluntary and is subject to IRS regulations.

Each year, employees decide whether, and how much, to contribute to one or both accounts for the following year. New employees may begin to participate on the first of the month following 30 days of their employment dates. Unless there is a change in family status, employees may only enroll or discontinue the plan during the annual open enrollment period. Complete details about Flexible Spending Accounts are available in the office of Human Resources.

Specified Disease/ Accident Coverage

Employees may choose to purchase membership in a personal lifestyle protector cancer and/or accident plan on either an individual or family basis. Both plans are designed to supplement existing accident and sickness coverage by helping to maintain the lifestyles of its policyholders by helping with the unexpected costs of fighting cancer and/or treating accidents. New employees may begin to participate on the first of the month following 30 days of employment. Unless there is a change in family status, employees may only enroll or discontinue the plan during the annual open enrollment period. Complete details on the plans are available in the office of Human Resources.

Voluntary Life Insurance

Employees may choose to purchase life insurance above and beyond the college's basic coverage for themselves and eligible dependents. Employees have the opportunity to choose a level of protection that best suits them and their family members through payroll deduction. New employees may begin to participate on the first of the month following 30 days of employment. Unless there is a change in family status, employees may only enroll or discontinue the plan during the annual open enrollment period. Complete details on the plans are available in the office of Human Resources.

210: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA)

Molloy College is committed to complying with the provisions of TEFRA. In the year that an employee reaches age 65, he or she is notified of his or her rights under this legislation, specifically:

- An employee may continue his or her Molloy sponsored health insurance, and it will remain his or her primary coverage.
- An employee may choose Medicare as primary. If Medicare is chosen as primary, the Molloy College health insurance must be cancelled.
- An employee may select a supplemental policy, however the College cannot make payment for the policy.

211: BENEFITS UPON RETIREMENT

Medical Insurance Costs

Full-time employees who retire with at least 15 years of full-time employment and having reached age 62, will be reimbursed \$700.00 yearly to defray some of the costs of health insurance in retirement. In order to receive this benefit, retirees must submit proof of their payment for medical insurance on a bi-annual basis.

Pension Plan

The College will stop contributing to the pension plan for the employee on the date employment terminates. Please refer to the Summary Plan Description for this plan for specific details concerning termination.

Tax Deferred Annuity

Employee contributions to the tax deferred annuity program will cease on the date employment terminates. Please refer to the Summary Plan Description for a description of options available after termination.

212: EFFECT OF TERMINATION OF EMPLOYMENT ON BENEFITS

Employees who terminate employment with the College are entitled to certain continuation of benefits for the insurance programs as described below. Please consult the plan materials for more specific information.

Medical Insurance - Consolidated Omnibus Budget Reconciliation Act (COBRA)

Any Molloy College employee or dependent who loses coverage under the Molloy College health plan as a result of a qualifying event that occurs, may elect to continue coverage under their health plan subject to the terms and conditions of the plan. Qualifying events under COBRA are defined as:

- The termination (other than by reason of gross misconduct) or reduction in hours of the covered employee's employment;
- The death of the covered employee;
- The divorce or legal separation of the covered employee from the employee's spouse;
- The covered employee becoming entitled to benefits under Medicare; or
- A dependent child ceasing to qualify as a dependent under the plan.

Unless otherwise stated, coverage for each qualified beneficiary electing continuance benefits shall be provided from the date of the qualifying event to the earliest of the following:

- In the case of a loss of coverage due to end of employment or reduction in hours of employment, coverage generally may be continued only for up to a total of 18 months. In the case of losses of coverage due to an employee's death, divorce or legal separation, the employee's becoming entitled to Medicare benefits or a dependent child ceasing to be a dependent under the terms of the plan, coverage may be continued for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee lasts until 36 months after the date of Medicare entitlement

Continuation coverage will be terminated before the end of the maximum period if:

- any required premium is not paid in full on time,
- a qualified beneficiary becomes covered, after electing continuation coverage, under another group health plan that does not impose any pre-existing condition exclusion for a pre-existing condition of the qualified beneficiary,
- a qualified beneficiary becomes entitled to Medicare benefits (under Part A, Part B, or both) after electing continuation coverage, or
- the employer ceases to provide any group health plan for its employees.

Continuation coverage may also be terminated for any reason the Plan would terminate coverage of a participant or beneficiary not receiving continuation coverage (such as fraud).

If benefits under the plan are changed for active participants, the benefits of the qualified beneficiary will be changed accordingly. Each qualified beneficiary who elects COBRA benefits must complete the appropriate election form and agree to pay the required contributions within 60 days of receiving the Notice of Federal Continuation Rights from the College. Failure to make an election within this 60 day period will result in the loss of the continuance option.

For continuation purposes, employees should notify Molloy College no later than 60 days after the following events occur: there is a divorce or legal separation between the covered employee and his or her spouse or a child ceases to be a dependent child as defined in the policy.

Conversion

At their request, employees who terminate employment with the College may convert their medical plan to an individual policy without submitting evidence of insurability. Conversion is available at any time after employment terminates, including at the end of COBRA. Employees are not permitted to be covered under COBRA and a converted policy concurrently.

Certification of Credible Coverage (HIPAA)

Employees who terminate employment with the College and become employed with a new company may need to satisfy pre-existing condition limitations on their new health plan. Under the Health Insurance Portability and Accountability Act (HIPAA), coverage under a prior group health plan is

applied to satisfy the pre-existing condition limitation period under the new plan. Molloy College will provide employees and their dependents with a certification of creditable coverage that documents:

- The period of creditable coverage under this plan;
- The period of creditable coverage under COBRA or any other continuation provision; and
- The duration of any waiting period imposed for medical expense benefits under this plan.

This certification will be provided:

- At the time the employee or his or her dependents cease to be covered under the policy or become eligible for coverage under a COBRA continuation provision or any continuation provision required by state law;
- At the time coverage for the employee or his or her dependents ceases under a COBRA continuation provision or any continuation provision required by state law; or
- Upon request made by the employee or his or her dependent that is made no later than 24 months after the date coverage ceases.

HIPAA Privacy Rule

At times, Molloy College acquires individually identifiable health information about you and your covered Dependents for various employment-related purposes related to your coverages under any pension or welfare benefit plans or programs. To the extent that Molloy presently or hereafter provides Medical, Prescription Drug, Dental, Vision, and Health Care Flexible Spending Account Programs, that information is “Protected Health Information” and Molloy College and the insurance carrier must maintain the privacy of your Protected Health Information under the provisions of HIPAA. In addition, under HIPAA and the Privacy Rule, the insurance carrier and Molloy College must provide you with notice of their legal duties and privacy practices with respect to that Protected Health Information.

Life Insurance

Basic life insurance will be terminated on the first of the month following the last day of employment with the College.

Employees who terminate employment may convert their policy to an individual plan. Forms for this are available in the Human Resource Office.

Employees who terminate employment due to disability are eligible for a continuation of benefits under the Waiver of Premium provision. This provision continues benefits to age 65 for former employees disabled prior to age 60 without the payment of additional premium. Former employees must satisfy the appropriate definition of disability to qualify. Molloy College will provide the necessary forms to apply for this benefit. The insurance carrier will make the appropriate benefit determination.

Disability Benefits

Short Term Disability

Short-term disability terminates when an employee terminates employment or retires. These benefits are not continued during any unpaid leave of absence.

Long Term Disability

Employees who terminate employment due to disability will continue to be covered under the long-term disability program until a benefit determination under that program is made.

Long term disability benefits terminate on the first of the month following the date a non-disabled employee terminates employment with the College, retires or takes an unpaid leave of absence. Benefits will be reinstated for employees on leave once they complete thirty-five (35) hours of full-time work.

Unemployment Insurance

Unemployment Insurance provides income to persons who are actively seeking employment while they are out of work due to circumstances beyond their control. To receive these benefits, employees must file a claim with the local Unemployment Office.

Tuition Remission

Death and/or Total Disability

Tuition remission benefits are not necessarily terminated with the end of an employee's service. If an employee dies or receives benefits through the College's long-term disability plan, before completing 10 years of benefits-eligible service, relatives currently enrolled at the College will continue to receive their tuition remission benefits until completion of enrolled degree.

If an employee dies or receives benefits through the College's long-term disability plan after completing at least 10 years of benefits-eligible service, all of the employee's dependents (spouses and dependent children ages 17-24), whether currently enrolled or not, will remain eligible for benefits.

Termination for Other Reasons

If employment is terminated for reasons other than death and long term disability, eligibility to receive benefits through Molloy College's tuition remission benefits for an employee or their relatives will cease on the last day of work. The College reserves the right to charge the appropriate prorated tuition for any time that remains between the date of termination and the end of the term.

300: TIME AWAY FROM WORK

301: HOLIDAY PAY

Full-time employees of Molloy College are entitled to fifteen (15) paid holidays each year. Part-time employees are entitled to only those holidays that fall on their regularly scheduled work day. Paid holidays are as follows:

New Year's Day	Independence Day
Martin Luther King Day	Labor Day
Presidents' Day	Columbus Day
Holy Thursday	Thanksgiving Wednesday
Good Friday	Thanksgiving Day
Easter Monday	Thanksgiving Friday
Founders' Day	Christmas Day
Memorial Day	<u>Easter Sunday (If a regular workday)</u>

The College will be closed for a minimum of five (5) additional days each year during the holiday season for all non-essential college personnel. Paid time off may also be given for Veteran's Day and/or Election Day, depending upon the academic calendar each year.

The College retains the right to require an employee to perform duties on a holiday if operational needs necessitate the employee's services. When an employee is required to work on the College observance date of a holiday, the employee will be granted the holiday on a different day.

302: LEAVES OF ABSENCE

The College recognizes that there may be reasons that require an employee to be away from work for an extended period. In order to accommodate such situations, Molloy College allows employees to request a leave of absence as set forth below. As part of such leave, the employee is required to exhaust all accrued vacation, compensatory, sick (in cases of the employee's own illness) and other accrued time to offset loss of income.

Unpaid Leave of Absence

Unpaid leaves of absence will be considered in light of the requirements of the department and the College, and may be granted to an employee in cases where an extended time away from work will be in the best interest of the employee and the College. To be eligible for an unpaid leave of absence, an employee must have successfully completed his or her probationary period and must have exhausted all accrued vacation and personal time. Molloy College may grant a leave of absence of up to one year for the following reasons: to accommodate a serious personal situation not covered by the Family and Medical Leave Act; grant personal medical leave after the FMLA has been exhausted; and Professional, Public, or Military Service.

The request is to be made in writing to the appropriate Senior Administrator, with a copy to the Director of Human Resources. The Senior Administrator in consultation with the Director of Human

Resources will then review the request and, if approved, establish the terms of the leave. All requests will be considered and either approved or disapproved by the College. Benefits are not accumulated during an unpaid leave of absence. In addition, employees will need to make arrangements for paying any insurance costs for programs that they are enrolled in to prevent a lapse in coverage.

Upon the termination of the Leave of Absence, the employee is eligible for reinstatement providing that a vacancy exists. Molloy College reserves the right to fill any position for business reasons.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) provides eligible employees with up to twelve (12) weeks of unpaid leave for certain family and medical reasons during a twelve (12) month period. The FMLA was designed to provide job security for eligible employees and may run concurrently with any paid leave accruals.

To be eligible for FMLA leave, an employee must have been employed by Molloy College: for at least twelve (12) months (which need not be consecutive); and have worked at least 1250 hours during the twelve (12) month period immediately preceding the commencement of the leave.

An eligible employee may take FMLA leave for any one of the following reasons:

- The birth of or to care for a newborn child (within one year of birth);
- Placement of a child for adoption or foster care or to care for the newly placed child (within one year of placement);
- To care for a spouse, child, parent or parent-in-law with a serious health condition; or
- For the employee's own serious health condition.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

An eligible employee can take up to twelve weeks of FMLA leave during any twelve month period. The twelve month period is considered "rolling" and is measured backward from the date the employee takes any FMLA leave.

FMLA leave may be taken intermittently or on a reduced work schedule. Intermittent leave is leave taken in separate blocks of time. A reduced work schedule is a leave schedule that reduces an employee's usual number of hours per work week or hours per workday. When an employee takes leave intermittently or on a reduced work schedule basis, he or she must attempt to schedule the leave so as not to unduly disrupt the College's operations. In addition, an employee who takes FMLA leave on an intermittent or reduced work schedule for foreseeable planned medical treatment may be temporarily transferred to an alternative position with equivalent pay and benefits that better accommodates the recurring periods of leave.

When leave is foreseeable, the employee should provide at least thirty (30) days advance notice of such leave. If it is not possible to give thirty (30) days notice, the employee must give as much

notice as is possible. The request forms for FMLA leave are available in the Human Resources Department. An employee will be required to complete and submit a Request for Leave form and have a health care provider complete and submit a Medical Certification form that documents the need for FMLA leave. When leave is taken to care for a family member, the employee must also provide documentation or statement of family relationship. The Human Resource Director may request a second opinion by an independent College designated provider at College expense. If the initial and second opinions differ, the College may, at its expense require you to obtain a third, final, and binding certification from a jointly selected health care provider. The Human Resource Department will notify the employee that leave has been designated as FMLA leave.

While on FMLA leave, employees are requested to report periodically to the Human Resource Department regarding the status of their medical condition and their intent to return to work. In addition, the College may request that employees provide re-certification of a serious health condition at intervals in accordance with the FMLA.

The FMLA provides eligible employees with up to 12 weeks of unpaid leave. However, if an employee is eligible to take paid vacation, sick, or extended sick leave, they must use paid time first and take the remainder of the twelve weeks as unpaid leave. An employee who is taking FMLA leave for his or her own serious health condition or physical recovery due to the birth of a child must use all paid sick and vacation time before being eligible for unpaid leave. An employee taking FMLA leave because of the serious health condition of a family member or for the adoption, foster care placement or care of a newborn child must use all paid vacation time prior to being eligible for unpaid leave. Any paid leave for an FMLA qualifying reason will be charged against your entitlement for FMLA leave.

During the leave period, Molloy College shall maintain coverage for the employee under its group health plan under the same conditions of coverage as would have existed had the employee continued in employment for the duration of the family or medical leave. If the employee makes contributions toward his or her group health plan, then the employee must continue to make these contributions during the leave period on the dates he or she would normally make these contributions. The College may terminate the employee's health care benefits if the employee fails to make a contribution within thirty (30) days of the date it is due.

Upon return from FMLA leave, the employee will return to the same position held before the leave or to an equivalent position with equivalent pay, benefits and other employment conditions.

303: OTHER TIME OFF

Bereavement Leave

Eligible employees are allowed paid time off to attend the services and make any necessary arrangements associated with the death of close family members as per the following schedule:

Five Days:	Spouse, Parent, Sibling or Child
Three Days:	In-law, Grandparent or Grandchild
One Day:	Aunt, Uncle, Niece, Nephew or Cousin

The employee's supervisor should be notified as soon as possible in the event of a death requiring bereavement leave.

Jury Duty or Witness Duty

If an employee is called for jury duty or in response to a subpoena, time off to complete the service will be provided. The College will pay the difference between the employee's regular pay and the amount paid by the court. The employee must notify the supervisor and the Human Resources office as soon as a jury duty notice or subpoena is received.

To be eligible for jury duty pay, the employee must present a statement from the court clerk to the Human Resources office indicating the time he or she served on jury duty and the amount of jury duty pay received. This pay will be offset from the employee's normal paycheck for the period served.

Military Leave for Periods of Intermittent Service

Employees requesting paid military leave, must submit a copy of their military orders to the Office of Human Resources. The orders should specify the dates of drills, maneuvers, etc. The employee will be paid his or her regular compensation at the College and the compensation received while on duty for a maximum of up to two weeks per anniversary year

If military leave extends beyond the two weeks, the employee will be placed on unpaid military leave status.

Military Leave for Periods of Active Service

This policy covers all persons who serve in the Armed Forces, Army and Air National Guards, commissioned corps of the Public Health Service, and any other position designated by the President in a time of war or emergency.

Employees requesting paid military leave for active service, must submit a copy of their military orders to the Office of Human Resources. For a maximum of five years, the employee will be paid the difference between his or her regular compensation at the College and the compensation received while on active military duty. To receive such compensation, the employee must submit documentation of military pay to the Human Resources Office. In addition the employee should

meet with a representative from the Human Resource Office to designate how the payroll check will be issued during his or her absence. After five years, the College will no longer pay the salary difference to the active duty employee.

Benefit coverage while on active duty military leave:

The following information should prove helpful for general planning; however, affected employees are encouraged to contact Human Resources

- Health insurance for employees is provided by the military during active service. Employees serving a period of less than 31 days who wish to continue health insurance with the College, may do so by paying the usual employee cost. Employees serving for a period of 31 days or more may continue their College health coverage for themselves and their families for up to 18 months from the date the leave began, by paying 100% of the total.
- College pension contributions, tax-deferred annuity contributions, life insurance, long term disability (LTD), and contributions to flexible spending accounts are suspended during the uniformed service leave period. Entering and/or leaving active service is a "qualifying event" which triggers the right to make benefit election changes. Employees will have the same rights as other employees who go on unpaid leave to continue their life insurance and long term disability payments through a direct billing arrangement. However, general exclusions for "acts of war" will continue to apply. Upon reinstatement, the employee will resume coverage without any new waiting periods or exclusions for pre-existing conditions.
- Upon reinstatement, time served during the uniformed services leave will be credited toward satisfying any benefit and retirement plan waiting period and toward eligible service accrual.
- Vacation, personal leave and sick leave do not accrue while on leave.
- Tuition remission benefits will continue for spouses and children of employees during active service.

Eligibility for reinstatement following a period of service in the uniformed services is in accordance with Federal Law (Uniformed Services Employment and Reinstatement Act of 1994). Upon reinstatement, an employee's compensation, benefits, retirement eligibility, and length of service will be calculated as if he/she had been continuously employed during the service leave period.

Blood Donation

In compliance with New York State law, and in recognition of the importance of this topic from a public health perspective, the College provides its regular employees, who work an average of 20 or more hours per week, with three hours of leave per calendar year for the purpose of donating blood. Requests for more than three hours are subject to supervisory approval. Employees with accrued time may choose to use accrued sick time, personal time or vacation time for all or part of the leave taken for blood donation purposes. Supervisors may require confirmation from the employee of his or her attendance at the blood donation site.

Time Away from Work for Lactation

In compliance with New York State law, and in support of the College's mission, Molloy recognizes and respects the accommodation of working mothers who choose to express milk during work time, without discrimination. The College will provide reasonable time away from work for lactating mothers to express breast milk and will make reasonable efforts to provide a private room or other location in proximity to the work area for such activity. Unpaid or paid meal time, as well as personal time, family and medical leave, vacation or flexible scheduling can be used for this accommodation. To make reasonable time away from work arrangements, College employees must request time off, in advance from their supervisor, in accordance with the department or division's procedure for requesting time off from work.

304: PERSONAL TIME

The College recognizes that from time to time employees require time off to take care of personal needs such as; to celebrate a religious holiday, to stay home with sick family members or to attend the funeral of a non-family member. In recognition of this, full-time employees are entitled to three personal days each fiscal year. Part-time employees are entitled to paid personal time on a pro-rated basis. Personal days may not be carried over into the new fiscal year, and days that are not used by the end of the fiscal year will be forfeited. Unused personal days are not paid out upon termination of employment.

305: SICK LEAVE

After three (3) months employment, full-time employees are entitled to up to seven (7) paid sick days per year. Each year days are eligible for use at the beginning of July. Part-time and summer-off employees are entitled to paid sick time on a pro-rated basis. Sick Leave eligibility is computed on a twelve (12) month year beginning July 1st and ending June 30th, and may be taken any time after July 1st and prior to the next June 30th.

Sick days are intended for bona fide illness. Supervisors may request proof of illness. In the event of a sick absence of two or more consecutive days or of a day immediately preceding or immediately following a college paid holiday, a doctor's note is expected. In the event that an employee has exhausted all sick time, personal or vacation hours will be substituted. In the situation when all paid time has been exhausted or when a doctor's note has been requested and not produced, the employee's pay will be docked as appropriate. Excessive absences, misuse of sick days, or improper notification may result in disciplinary action, up to and including termination of employment. All employees are required to verbally (text, email or voice mail are not sufficient) notify their supervisor or designee as soon as possible, but no later than 15 minutes prior to the start of the normal work schedule, if they are not going to be available for work. It is within the prevue of the supervisor to ask for a doctor's note for any reported sick day.

Sick days do not accrue and can not be carried over from year to year. If employment is terminated, either voluntarily or involuntarily, the employee is not entitled to receive pay for unused sick time. Likewise, if any sick time was used that had not yet been earned, the employee's final paycheck will be reduced accordingly.

Extended Sick Leave Policy

When an employee must be out of work due to a *disabling condition* covered by New York State Short Term Disability or Workers-Compensation, the employee is expected to utilize his or her current year's paid sick hours as well as any of the current year's vacation hours excluding three weeks of accumulation which may be carried over. After all vacation hours, excluding the three weeks that may be carried over have been exhausted, the College will continue the employee's salary in full according to the following schedule;

<u>Years of Service</u>	<u>Duration of Salary Continuance</u>
Less than 1	5 days
1 but not 5	8 weeks
5 but not 10	16 weeks
10 or more	26 weeks

306: VACATION

Molloy College grants paid vacation time to all full-time and part-time employees each year in recognition of continuous service. While every effort will be made to give employees their preferred vacation, vacation requests must be approved in advance by the employee's immediate Supervisor. Vacation eligibility is computed on a twelve (12) month year beginning July 1st and ending June 30th, and may be taken any time after July 1st and prior to the next June 30th.

Vacation Entitlement

Employees become eligible and begin earning vacation after three months of continuous employment. In the first year of employment full-time employees earn .615 days per bi-weekly pay period and is credited to the employee's pay stub after the initial three month probationary period has expired. The vacation accrual schedule increases with years of service according to the following schedule:

<u>Subsequent Years</u>	<u>Employees earn:</u>	<u>Vice Presidents earn:</u>
1 – 5 years	16 days	20 days
6 – 10 years	22 days	22 days

After the first year of employment, all days are eligible for use at the beginning of July. Employees grandfathered under the old policy maintain their 25 days/year.

Part-time and summer-off employees are entitled to a prorated share of vacation days in accordance with this schedule based on their regularly scheduled hours. An employee who uses any unearned days upon termination of employment will have their final paycheck reduced accordingly.

Scheduling Vacation Time

All vacation requests should be submitted in advance (at least 5 days) for approval. Supervisors reserve the right to approve or reject all vacation requests based on business needs. In the event that a vacation day must be taken due to an emergency, employees should notify their supervisor as soon as reasonably possible. All employees are required to verbally (email or voice mail are not sufficient) notify their supervisor or designee **as soon as possible**, but no later than 15 minutes after the start of the normal work schedule, if they are not going to be available for work.

Vacation Time Carry Over

Molloy College encourages employees to use their vacation time during the year of eligibility. There are times where efficient functioning of a department precludes the scheduling of vacation during the fall and spring semesters.

In recognition of this fact, employees are allowed to carry over no more than three weeks of the

vacation time they earned during a year. Part-time and summer-off employees are entitled to carry over a prorated share of the three weeks of vacation time. The carry-over allowance is not cumulative from year to year and carried-over days must be taken before the end of the next fiscal year.

Vacation time in excess of the carry-over allowance, not taken by June 30th of each year, will be forfeited. The only exceptions granted to the forfeiture policy will be when an employee has been unable to schedule vacation time due to an extended sick leave and/or leave granted under the Family and Medical Leave Act.

Unused Vacation Time

In the event of a termination of employment, except for gross misconduct, employees will be paid for their earned but unused vacation time. Earned vacation time includes and un-used hours carried over from the previous fiscal year as well as any days earned in the current fiscal year. Although a full year's vacation allotment is posted on an employee's pay stub at the beginning of each fiscal year, hours are earned on a monthly basis.

Likewise, if any vacation time was used that had not yet been earned, the employee's final paycheck will be reduced accordingly.

307: Catastrophic Leave Donation Policy

The Catastrophic Leave Donation Policy provides a means to assist non-faculty employees who experience a catastrophic event and have exhausted their paid leave benefits. Catastrophic Leave Donation programs allow employees who have completed one year of service to voluntarily donate accrued vacation leave to another college employee who has experienced a catastrophic event.

Intent

Molloy College provides employees with generous paid time away from work benefits including, but not limited to, sick leave and vacation accruals. It is expected that employees will exhibit good stewardship over their sick leave and vacation accruals by maintaining adequate balances if extended time away from work ever becomes necessary. However, the college realizes that a situation may arise in which an employee may experience a catastrophic event and has exhausted his or her paid leave benefits.

Note: This program is not an additional leave entitlement or benefit, but rather a means of allowing Molloy employees to assist colleagues in need.

Caution: Confidentiality is an important aspect of the catastrophic leave donation program and it is expected that all employees (e.g., donors, recipients, administrators, and supervisors), regardless of their decisions to participate in a catastrophic leave donation, will do their parts to maintain such confidentiality.

Definitions

A catastrophic event is an extremely severe health-related situation necessitating the employee's absence from work for an extended period of time. These events are one's own terminal, life threatening, or other grave illness/injury, or a family member's terminal, life threatening, or other grave illness/injury. A family member is defined as a spouse, partner, parent/legal guardian, sibling or child (including biological, adopted, foster, and stepchild).

Eligibility

All full or part-time non-faculty employees who have completed one year of service are eligible to participate, either by donating time (donors) or by accepting donations (recipients).

General Procedures

The Catastrophic Leave Donation program is intended to be used on a case-by-case basis when a qualifying catastrophic event involving an employee is brought to the attention of the College Human Resources (HR) Director or designee. The HR representative or designee is then responsible for:

1. Reviewing prospective recipient eligibility in consultation with appropriate department representatives. If the decision of the designated department representative(s) is to deny the request for catastrophic leave donation, the decision may be appealed to the appropriate Vice President, in writing, within one week of the initial denial, and the decision of the Vice President will be final.

2. Informing college personnel that voluntary donations are being accepted. Such requests to donate leave must be voluntarily and completed on the Catastrophic Leave Donation Form. Solicitation of donations by staff members is prohibited. No personal information will be included in the request. All donors will be held in confidence.

3. Ensuring that donors meet all eligibility requirements.

4. Ensuring that accurate record keeping is maintained and communicated to the Payroll Office on a timely basis, whenever transferring and crediting donated leave.

5. Ensuring that the recipient's absence is designated in accordance with the appropriate leave policy. (e.g. Short Term Disability, Family and Medical Leave, Personal Leave, etc.) If the absence qualifies under the Family and Medical Leave Act (FMLA), such leave time shall be charged against the recipient's 12 week FMLA entitlement. The department reserves the right to approve, deny, continue or discontinue a leave in accordance with the provisions of the specific leave policy, regardless of the amount of donations available.

6. Any donated time in excess of need will be stored in a general account for any future employee in need. This time will be carried over until it is depleted.

Donor Eligibility Criteria

In order to donate paid leave, the following criteria apply:

- An employee must have been employed by the college for at least one year in a regular full-time or part-time non-faculty position and have a positive vacation balance.

Recipient Eligibility Criteria

In order to receive donated paid leave, the following criteria apply:

- An employee must have been employed by the college for at least one year in a regular full-time or part-time non-faculty position; In the case of an employee's own illness/injury, all accrued vacation, sick leave and holiday time must be exhausted before receipt of donated leave. In the case of a family member's illness/injury, all applicable vacation time must be exhausted before receipt of donated leave; The absence must be expected to continue for an extended period of time, but it does not have to be in consecutive or full days to qualify for donated leave; The recipient will receive with the amount of donated leave that is actually needed. (E.g., excess or unused donations will not be kept by the recipient.); Medical verification of the illness or condition is required by the Office of Human Resources.
- The employee must not have a disciplinary history related to the abuse of leave time or absenteeism on record prior to the need for the donated leave.

Guidelines

Donor

- Only vacation time may be donated. Vacation time that is donated is irrevocable.

- Anonymity of donation is greatly appreciated.

Recipient

An application to the catastrophic leave policy in no way guarantees that donations will be available. If donations are not available, you will be required to take any approved leave unpaid.

400: STANDARDS OF CONDUCT

401: Attendance and Punctuality

Even the most efficient worker is of less value when he or she is late or absent from work. Since Molloy is a service organization, it is essential that all jobs be completed quickly and efficiently. The following describes the procedures to be followed if an employee is going to be absent or late.

All employees are required to verbally (email or voice mail are not sufficient) notify their supervisor or designee **as soon as possible**, but no later than 15 minutes after the start of the normal work schedule, if they are not going to be available for work. It is within the prevue of the supervisor to ask for a doctor's note for any reported sick day.

402: Fitness for Duty

It is the goal of Molloy College to provide a safe workplace for all employees. To accomplish this goal, Molloy has adopted the following fitness for duty policy:

- All employees are expected to be physically and mentally fit to perform their jobs in a safe manner at all times. If you are not able to perform your job for any reason, you are to inform you supervisor immediately.
- If a supervisor believes you are not fit to perform your duties, you may be sent home, relieved of certain duties, assigned to different duties, requested to take a medical examination, or asked for an explanation.
- Any employee who refuses to cooperate with a determination of whether he or she is fit for duty will be subject to corrective action, up to and including termination.
- If you are not fit for duty, you may be eligible for benefit time, such as sick leave, FMLA, or Extended Sick Leave. If you are not able to perform some duties but can perform others, an attempt will be made to reasonably accommodate your restricted activity.
- This policy will be interpreted and applied so as to conform to applicable law, including the Americans with Disabilities Act and the Family Medical Leave Act.

403: Non - Solicitation

It is the policy of Molloy College that no solicitation of employees and/or distribution of literature will be permitted within buildings on campus unless the solicitation or distribution of literature is in accordance with the content, requirements and restrictions of this policy.

Solicitation by Employees:

1. Soliciting by one employee of another employee for any purpose is prohibited during either employee's work time.
2. An employee may distribute literature only with the approval of the Department Head involved, any other distribution must be completed in a non-work area and only if all employees involved are on non-work time.

Solicitation by Non-Employees and Organizations:

1. Any non-employee or organization who intends to solicit employees or distribute literature for any purpose must request permission, in writing, at least twenty-four (24) hours prior to each proposed visit; the request should be submitted to the President of the College at 1000 Hempstead Avenue or the President's designee, stating the purpose of the proposed visit and the name of any person(s) who desire access to any campus of Molloy College.
2. The President or his designee will attempt to locate an appropriate designated area for use by the non-employee or organization submitting the request and will then issue a permit designating the appropriate room or place and the date and time it may be used. In the event two or more requests for access to an appropriate designated area for the same or overlapping times have been received, the college will attempt to provide alternate appropriate designated areas. In the event that no alternate designated area is available, the college will grant access to the available designated area on a rotating basis with equal time for its use. If the designated areas are unavailable due to a prior reservation, then the college will immediately notify the requesting party of such conflict.
3. An organization or non-employee may not distribute literature or solicit employees in any work area on either the solicited employees' work time or non-work time.
4. Any solicitations and distribution of literature by any organization or non-employee shall be limited to the designated area(s), date(s), and time(s) pursuant to paragraph (2) of this policy, except:
 - a) employees may be solicited outside of buildings and facilities in which they actually work if they are on non-work time
 - b) an organization or non-employee may solicit or distribute literature in designated parking lots.
5. The use of the Molloy College's internal campus mail system for solicitation purposes is prohibited, except for charitable solicitations that may be approved by the administration in advance.

Bulletin Board Posting:

1. Only employees of the college may post notices, literature or other appropriate information on employee bulletin boards designated as such by the College and only after receiving prior written approval from the Vice President for Student Services or his designee. If a notice contains information about an on-campus solicitation by an organization, it must conform to

the permission granted to the organization (in terms of designated area, time and date) for such solicitation.

2. Postings shall be no larger than [82 x 14] inches and shall not be posted in such a manner as to cover any other posted material.
3. Material posted on any bulletin board must be dated from the first day of posting and may remain on the bulletin boards for a maximum of fourteen (14) calendar days from the date of posting.
4. No posted material shall contain derogatory remarks or personal attacks against any college employee. Such material shall constitute immediate cancellation of bulletin board posting privileges and shall be cause for discipline of college employees who post such materials.

Disruptive Conduct:

1. The college reserves the right to regulate any solicitation or distribution activities by any non-employee, organization or employee which disrupts or interferes with the normal work activity of employees or students of Molloy College or visitors thereof.
2. Any organization (on its own or through its employee supporters) or any non-employee violating any rule or policy contained herein shall be asked to leave the campus. Repeated violations shall be cause for banning an organization or non-employee from the campus.
3. Any employee who (in his or her personal capacity or acting as an agent for any organization or non-employee) violates any rule or policy contained herein shall be subject to disciplinary action.

Procurement and Cost of Facilities, Equipment and Miscellaneous Services for Purposes of Solicitation:

An employee, non-employee, or any organization shall be subject to the policies and procedures of Molloy College and individual departments within the college with regard to procurement, and the normal cost thereof, of college facilities, equipment and miscellaneous services (e.g. - labor costs, rental fees and charges, utilities, etc.) for purposes of solicitation. Upon procurement, the responsibility for any damages or misuse of facilities and/or equipment shall be the sole responsibility of the employee, non-employee or organization.

404: Visitation

Employees may have visitors at the College. Discretion should be used when receiving personal visitors and such visits should not interfere with departmental business.

405: Children at the Workplace

The presence of children in the workplace on a regular basis can cause difficulty and awkwardness for co-workers and other members of the campus community. While an emergency may arise when a parent would have to bring a child to work for a limited period of time, the College does not expect this to occur on a regular basis, especially given the concern for possible injuries and accidents.

406: CODES OF CONDUCT

Molloy College expects a safe and professional workplace to be successful and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations of Molloy College, therefore, require that employees maintain proper standards of conduct at all times. Employees who fail to maintain proper standards of conduct toward their work, their co-workers or the students of the College are subject to appropriate disciplinary action, up to and including termination.

Dress Code

As an employee of Molloy College, we expect you to present a clean and professional appearance as all employees serve as representatives of the College. The exercise of good judgment in attire and presentation of self is required to meet the needs of the business and academic environment of the College. Supervisors' may express particular requirements in their areas, and employees must cooperate in meeting the standards of the department.

Employees who are assigned a uniform in connection with the performance of their job duties must wear the complete uniform at all times while on duty.

All employees are expected to adhere to professional attire and grooming standards; which excludes jeans, shorts, sweat pants, pajama bottoms, sweat shirts, jogging suits, halter or tank tops, baseball caps, flip flops, or athletic footwear of any kind.

Representing the College/Community

When off campus on College business, it is the employee's responsibility, as a representative of the College, to project a professional image. Employees are also expected to demonstrate the highest standards of integrity.

Civility

Molloy College aspires to promote the growth of all people in their academic, social and personal lives. Students, faculty, administration and staff create a community where people exchange ideas, listen to one another with consideration and respect. The Molloy community is committed to fostering civility through college structures, policies and procedures. We, as members of the college, strive to achieve the following individual commitments:

- Take responsibility for our own behavior.
- Respect the freedom of others to express their views.
- Be respectful to others and respect their rights.
- We will discourage intolerance, hatred and injustice, and promote constructive resolution of conflict.
- We will strive for the betterment of our communities.

Confidentiality

Many employees work with sensitive, privileged information involving confidential employee or student records and/or privileged data regarding the college's finances or business planning. Upholding the confidentiality of this information is critical to retaining the trust of students and co-workers and the success of the college, and represents the respect Molloy has for the students it services.

Employees must maintain the confidentiality of the information they come in contact with. Violation of this policy will lead to disciplinary action being taken, up to and including termination of employment.

All office and workspaces, including desks, file cabinets and lockers or other storage facilities, are the property of Molloy College; and the College reserves the right to have access to these areas and to such property at any time, without advance notice to any employee. Therefore, employees should not expect that such property would be treated as private and personal to the employee. Likewise, electronic mail and voicemail are also company property and are to be used only for business purposes. Internet accounts are also to be used only for company business. Molloy reserves the right to inspect, monitor and have access to company computers, electronic mail, voicemail messages and other Internet communications.

Good Housekeeping

Good housekeeping, like good personal appearance, projects a good image. Work areas are expected to be clean, neat, and as organized as possible. Although Molloy College does have employees directly responsible for the cleanliness of our facilities, it is up to all of us to maintain a neat environment.

Language

Offensive language or behavior is never appropriate in the work place. Incidents of the use of either should be reported in writing to Human Resources. All reported incidents will be investigated. If appropriate, disciplinary action will be taken.

Telephone Calls

In order to keep our telephones available for College business, employees are requested to keep personal telephone calls to a minimum. Work should not be interrupted by any personal calls including cell phone or text messaging usage except in the case of an emergency. Personal long distance and toll calls are the financial responsibility of the employee.

Personal Business - Employees may not conduct personal business during work hours or use College resources for personal business.

Convictions - A Molloy employee who is convicted of a felony or misdemeanor during his/her employment must notify his/her supervisor immediately. Molloy may terminate an employee as a result of such a conviction or for failure to notify the College.

Security – Care should be taken to prevent the access by person(s) not authorized to be in the College's facilities. Internal information about our services or information about students must not be duplicated, given to unauthorized person(s), or allowed to be used in any manner that places Molloy College in a position of liability.

The removal of any equipment, supplies, or property of the College without permission from Administration is not allowed and will be considered a breach in the security of the College. Should there be a breach in security, the College will investigate fully. All employees are expected to cooperate fully with the investigation.

To promote a safe work environment, the Public Safety Department periodically administers fire drills for the entire College community. All employees are expected to cooperate fully with such drills.

407: CONFLICT OF INTEREST POLICY

In general, Molloy College expects its employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the College. Business dealings that appear to create a conflict between the interests of the College and an employee are unacceptable. The College recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the College may assess and prevent potential conflicts of interest from arising.

Per Molloy College policy, a possible conflict of interest exists if an employee (or an employee's family member):

- has an existing or potential financial or other interest which impairs, or might appear to impair, that person's independent, unbiased judgment when performing responsibilities to the College.
- has a significant business relationship with a person or firm engaging in, or seeking to engage in, business with the College.
- has a significant ownership interest, and may receive a financial or other benefit from knowledge or information confidential to the College.
- If a Molloy College officer, vice president, trustee, key employee, or highly compensated professional is related to another individual in one of said categories through family or business relationship.
- If a Molloy College officer, vice president, trustee, key employee or highly compensated professional receives compensation from any other organization, whether tax exempt or taxable, related to Molloy College through common supervision or common control.

Employees have an obligation to avoid conflicts of interest or any appearance of conflicts between their personal interests and the interests of the College. Conflicts of interest can arise because of circumstances alone (in appearance) without any action on the part of the employee. However, it is also important to recognize that in some cases the risk to all concerned is so small that the College may agree to accept the existence of the conflict.

Conflicts of interest often relate to situations where an employee uses influence with the College for personal gain.

The College expects that employees will refrain from personal activities which could cause or appear to cause a divided loyalty to the legitimate interests of the College.

- All College officers, vice presidents, directors and employees designated by the President because of their respective duties and responsibilities will disclose to the College, on an annual basis, all business interests, affiliation, and/or relationships that could reasonably give rise to a conflict of interest involving the College.
- Conflict of Interest Annual Disclosure Statements will be distributed by the Office of Human Resources to all College officers, vice presidents, directors and other employees who may be

affected. The Office of Human Resources will be responsible for ensuring that all distributed statements are completed and returned to that office each year.

If an actual or potential conflict of interest is disclosed, the effected employee shall refrain from further participation in matters to which the conflict relates until the question of conflict has been resolved. The Director for Human Resources, in consultation with legal counsel, will review the applicable facts and issues, and, together with the Vice President of the subject employee=s department, will pursue resolution of the conflict after consulting legal counsel. The President, in consultation with legal counsel, will review and determine the appropriate course of action for conflicts affecting all officers of the College.

408: DRUG AND ALCOHOL POLICIES

Molloy College is concerned about illegal drug use and alcohol abuse in our society and in our community. The College regards illegal drug use and alcohol abuse as serious problems that can affect the entire College community. Members of the Molloy community must be aware of the College drug and alcohol policies, as well as pertinent local, state, and federal laws. It is also important that all members of our community know that help is available for those who need it.

The College campus is subject to local, state, and federal laws concerning the possession, use, distribution, and manufacture of drugs, including alcohol. Employees must be aware of and abide by these laws or face the possibility of legal prosecution. The College will not inhibit the legal prosecution of any member of the College community who violates the local, state, or federal law. Law enforcement officers, when in possession of the proper documents, have a legal right to search any and all buildings on the campus without prior notice. The College also reserves the right to furnish the police with information regarding illegal activities.

Employees who violate this policy will be subject to appropriate disciplinary action consistent with local, state and federal law, which may include counseling, mandatory participation in an appropriate rehabilitation program, a warning, probation, unpaid suspension from employment, termination of employment and referral to the proper law enforcement authorities for prosecution.

All categories of employees including students, who are working on a federal contract or grant, as a condition of employment, must notify Human Resources of his/her conviction of any criminal drug offense occurring in the workplace, no later than five (5) days after that conviction. Molloy is then required to notify the federal funding agency within ten (10) days of receiving notice of such a conviction.

Any employee who reports to work and appears to be under the influence of drugs and or alcohol will be immediately interviewed by a supervisor who will determine by objective standards if he or she is Fit for Duty.

Non-Smoking Policy

The following policy applies to students, faculty, staff and administrators of Molloy College as well as any contractors, vendors and all other visitors to the campus.

Molloy College is committed to providing its employees and students with a healthy environment in which to work, learn and/or live and as such discourages the use of any tobacco related products as follows:

1. Lighted cigarettes, cigars, pipes, and smokeless tobacco are prohibited within College owned or leased premises, including offices, classrooms, hallways, waiting rooms, restrooms, lunch rooms, elevators, and meeting rooms and in College-owned or leased vehicles, and on campus grounds, except in designated smoking areas (25 feet from entrance to campus buildings).
2. The Office of Human Resources and Office of Student Health Services have partnered with North Shore Long Island Jewish's Center for Tobacco Control to offer a no-cost smoking cessation program. The CTC offers free FDA-approved smoking cessation medications and cessation classes followed by a weekly support group, to any student, employee, or family member interested in quitting smoking.
3. The College requires that those who smoke on campus grounds deposit their cigarette butts in the designated vessels that are situated on campus. Smokers should not discard cigarette butts on the ground, as it serves as litter and detracts from the beauty of the campus.
4. Smoking by college staff or administrators is permitted only during nonworking time periods in designated smoking areas. Nonworking time periods include designated breaks, or before or after work.

409: NON-JOB RELATED MOLLOY ACTIVITIES

Participation in non-job related activities, during working hours, can enhance an individual's employment experience at Molloy College. For purposes of this policy, non-job related activities include but are not limited to; teaching a credit or non-credit course, taking or auditing a credit or non-credit course, chaperoning a trip, serving as an ACE tutor, serving as a club or activity advisor, serving on a college wide committee, or serving on the Staff or Administrator's councils.

In order to ensure that an employee's participation does not negatively affect his or her job performance, supervisory approval must be obtained before an employee commits to any non-job related activity. The immediate supervisor in conjunction with the department head will review the request in light of departmental needs and work schedule. Upon approval, the supervisor and applicable Vice President will sign the Non-Job Related Activity Schedule and return it to the Human Resources Office. In cases of teaching a class, a copy of the approved form should be sent to

the Associate Dean for Academic Affairs prior to the start of course work. An employee should not be placed on a Departmental Work Load Form without the prior approval of the Associate Dean for Academic Affairs.

Any time from the regular work day that is missed for teaching or taking a credit or non-credit course, serving as an ACE tutor or club or activity advisor must be made up on an hour for hour basis. The meal period is not an acceptable time to make up the time missed.

410: Working from Home Policy

Conditions Necessary to Establish a Work-At-Home Situation All of the following must be met:

- There is mutual agreement between supervisor, vice president and employee,
- Documentation defined below is developed with the involvement of the Office of Human Resources.
- All or significant components of the work can be done at home,
- Operational needs of the department are met.

Either supervisor or the employee can initiate a request to establish a work-at-home situation. Both must then agree on the establishment of the work-at-home situation, before it can proceed. Unless a position has been established specifically as work at home, neither party is compelled or required to accept a work-at-home situation, nor will there be any repercussions if either party decides not to participate.

Appropriateness of a Work-At-Home Situation Work-at-home can be used to cover an extended period of time when:

- The employee is recovering from some medical condition but sufficiently recovered to perform the assignments in a work-at-home situation.
- The employee is caring for a family member (child, spouse, or parent only).
- The employee and supervisor mutually agree to situations where productivity would be enhanced.

Documentation Required

- An explanation of how the supervisor will monitor for reasonable productivity should be prepared and attached to this document.
- A brief description of the work to be accomplished at home must be prepared and attached to this document.
- The dates for working at home and the daily work hours must be attached to this document.
- A telephone number where the employee can be reached during the work schedule.
- A copy of documentation should be sent to the Office of Human Resources.

General Guidelines

- The employee must complete assigned work according to established procedures and within reasonable and/or determined timeframes.
- Regular feedback and communication should occur with the employee during the work-at-home arrangement.
- The employee will provide progress reports on a regular basis outlining work completed and work in progress.
- Hours worked and/or benefit usage is reported on the appropriate time sheets.

411: RESPONSIBLE USE OF INFORMATION TECHNOLOGY

The computer network, internet access, electronic mail system, and college issued electronic devices (cell phones, iPads, laptops, etc.) at Molloy College are the property of the College and should be used only by those who are authorized and only for legitimate business purposes.

Every user has the responsibility to preserve and enhance the College's reputation, and must use the systems and devices honestly and professionally, respecting the privacy, confidentiality, and property rights of others. All users are responsible for the content of the text, audio, and images they send. Usage in anyway that would violate or otherwise be inconsistent with Molloy's equal employment opportunity policy or its anti-harassment policy will not be tolerated.

The College reserves the right to monitor, access, retrieve, read, disclose and/or delete any information on its devices, networks or electronic mail system. Users should have no expectation of personal privacy in any material created, received, or sent from Molloy College's devices, computer networks or electronic mail system. In addition, users should have no expectation of privacy as to their Internet usage.

412: E-MAIL POLICY

Acceptable Use of e-mail:

The e-mail system exists for the Academic and Business purposes of Molloy College. Use of e-mail should be limited to these purposes whenever possible. The system allows for both on or off campus access via the internet or another e-mail client. It is expected that employees of the college will check their accounts on a regular basis.

Prohibited Uses of e-mail:

The College's technology resources should never be used for

- A. personal monetary gain or for any commercial purposes not related to college business
- B. sending copies of documents in violation of US copyright laws
- C. obtaining sensitive information not intended for public dissemination
- D. violating any laws or regulations
- E. "spoofing" or "snooping"
- F. promoting or supporting personal agendas not in accordance with the mission of the college

Account creation:

Upon employment at Molloy and completion of the LAN Authorization Form, users will be granted access to an e-mail account in their name.

Account Retention and Deletion

E-mail users are permitted to access their accounts any time they wish so long as they are employed at the College.

Faculty, Staff and Administrators no longer employed by the college will have their accounts disabled upon departure. Accounts are disabled for a period up to 30 days during which time immediate supervisors will be granted access to retrieve any e-mails that may be needed by the department. After retrieval of necessary information and upon written approval of a supervisor, the account will be permanently deleted and all contents rendered unrecoverable.

E-mail Forwarding

Molloy College does not support forwarding of messages to other services such as Hotmail, Yahoo, or Gmail.

Mass e-mail distribution

Molloy College has established distribution lists to be used for contacting large groups of predefined constituents. Mass e-mail distribution should only be used when needed and is limited to the following purposes:

- A. **Urgent:** Highly important notices such as security or emergency notifications
- B. **Formal:** Non-emergency messages such as federal reporting requirements, changes in departmental policies, office closures, and other time sensitive notices
- C. **Informational:** University work or other non-emergency informational messages

All Mass distributions should be approved by a Vice President, Director, or Manager before being sent. All reasonable efforts should be made to check distributions for grammar and spelling as well as content. It is unacceptable to send e-mail distributions that include:

- A. Promotion of outside events not sponsored or supported by the college
- B. Political statements, expression of personal opinion, conduct of personal business, unauthorized fundraising or solicitation
- C. Notices of houses or other items for sale or rent, requests for rides, lost and found, or commercial promotions

Spam

Molloy College has worked extremely hard to limit SPAM e-mail from entering its domain. Spam blocking technology is constantly updated and improved in an attempt to eliminate spam from campus mailboxes. Occasionally, legitimate mail is flagged by the spam filter. If you are expecting e-mail from an outside source and suspect that it has been blocked, you may contact the Associate Network Manager at mailadmin@molloy.edu.

Molloy College IT staff members will not “white-list” email accounts of family, friends or any other non-college business related e-mails. We will not be responsible for deleted attachments of unknown file types and the filter will permanently block addresses of spammers as well as those who send e-mail containing viruses or other malicious content.

Account holders should never use their college e-mail to sign up for promotions, sweepstakes, or any website of questionable content not related to college business. Any correspondence that will contain personal information not related to college business should be directed to your personal e-mail account.

Storage

E-mail accounts are backed up regularly and take up large amounts of space on the college network. Anyone who wishes to preserve e-mails is encouraged to archive them. Archives may be stored on your PC, however these archived files will not be backed up. Employees required to preserve e-mails for regulatory purposes may archive messages and store them on a network drive which is backed up nightly.

Access, Privacy and Disclosure

Molloy College e-mail accounts are owned by the college and their contents considered correspondence on behalf of the college. To the extent provided by law, Molloy College reserves the right to inspect the contents of mailboxes without consent. Inspection will not occur without reasonable cause. Upon request, correspondence may be made available to authorized personnel without consent.

Electronic mail of students may constitute "education records" subject to the provisions of the federal statute known as the Family Educational Rights and Privacy Act of 1974 (FERPA). The University may access, inspect, and disclose such records under conditions that are set forth in the statute.

Molloy College will take reasonable measures to ensure the privacy and confidentiality of the contents of e-mail, but these measures cannot be guaranteed.

Penalties and Consequences

Users in violation of these policies may be subject to disciplinary action in accordance with Molloy College's code of conduct.

413: USE OF PERSONAL/ COLLEGE VEHICLES

When operating any motor vehicle while working, employees are expected to observe all laws and regulations governing the use of motor vehicles.

Following are additional guidelines and procedures of the College for employees operating a college owned or sponsored vehicle:

- Employees operating College owned or sponsored vehicles will supply the College with a valid driver's license. Driver's licenses' will be periodically reviewed by the College's

Insurance Agency for suspensions and/or violations. If any such violations are found, the employee will be contacted and his/her driving privilege's will be reviewed as appropriate.

- All accidents that occur while on job related trips must be reported immediately to the Treasurer's Office and the driver may be subject to substance testing as per section 511 of the Motor Vehicle Traffic Law.
- Driving any vehicle, while you are working, under the influence of alcohol, or any controlled substance is illegal and will not be tolerated.
- Speeding tickets, moving violations, and parking tickets are the financial responsibility of the employee.
- If there is any change in your driving status, i.e. suspension of your license, etc. you must notify the Treasurer's Office at once. If the employee's driving privileges are suspended, and driving is a regular job responsibility, employment may be terminated.

500: EMPLOYEE RELATIONS AND SERVICES

501: NEW EMPLOYEE ORIENTATION

Shortly after beginning work, new employees are expected to attend an orientation meeting conducted by the staff of the Human Resources Department. During these meetings, new employees are introduced to the culture, Dominican Tradition and Mission of Molloy College and are invited to sign up for College benefits.

Orientation to the Work Group

It is the responsibility of the supervisor to orient and integrate the new employee to his or her new work situation. The following issues should be covered as applicable:

- The employee's responsibilities and job duties and how they relate to the work of the department.
- The standards of work, attendance and conduct expected of the employee.
- The administrative procedures of the department or group such as lunch hours, completing time sheets, absence reporting, parking, etc.
- General introduction to Molloy College and to the employees with whom the new employee will be working.
- The FERPA and Sexual Harassment on line training tutorials.
- The physical layout of the office and building, the Anselma Room, restroom facilities, etc.
- Pertinent safety regulations and fire exits.
- The use and operation of any necessary office equipment.

502: PROBATIONARY PERIOD

The College requires that all employees satisfy a probationary period. During this time it will be determined whether the new employee has the skills and abilities needed to make an effective contribution to the College. Continued employment is contingent upon the satisfactory completion of this probationary period. Termination by the College, with or without notice or cause, may be made at any time during the probationary period.

Completion of any probationary period in no way entitles the employee to employment of any fixed duration. All employees are "at-will" and can be terminated at any time for any reason or no reason at all, except as prohibited by law.

The probationary period for non-exempt employees is the first three (3) months of full-time or part-time employment as a new hire or in a new position due to an internal promotion or transfer.

Exempt administrators serve a probationary period of six (6) months from the effective date of their position. Satisfactory completion of the probationary period will be demonstrated by a written performance evaluation by the employee's supervisor.

503: PERFORMANCE APPRAISAL

The work of the members of the administrative and support staff is critical to the college's mission and success. Setting performance goals and providing feedback to ensure attainment of those goals are essential in maximizing our human resources.

Managing employee performance is a key responsibility that requires a significant investment of time and attention. Its primary purpose is to facilitate communication between employees and their supervisors in evaluating how well they are performing their job responsibilities, and in devising ways for employees to become involved in continuously improving their own and their department's performance.

The performance appraisal form should be completed by the supervisor no later than one week before the end of the employee's probationary period and once a year thereafter in conjunction with the College's annual budgeting process. The performance appraisal process should in no way be considered as determining the existence or nature of any employment agreement or guaranteed salary adjustment.

504: DISCIPLINARY POLICY AND PROCEDURE

Management from time to time may make use of disciplinary warnings to inform employees of a problem that may exist. Such notification is designed to help employees correct a work related problem and improve performance. If a problem continues and the appropriate steps are not taken to correct it, further disciplinary actions will be taken up to and including termination of employment.

The College reserves the right of immediate discharge without warning, particularly in the case of major infractions of College rules or policies, a threat to the health or safety of members of the College community or a gross failure to fulfill job responsibilities.

505: GRIEVANCE PROCEDURE AND RIGHT OF APPEAL

If an employee has a problem with the interpretation of Molloy College's policies, working conditions, his or her supervision or the actions of a fellow employee, he or she may initiate the following procedure:

Step 1

The employee should notify his or her supervisor immediately. Most difficulties can be settled promptly at this time.

Step 2

If the problem is not resolved to the employee's satisfaction, he or she and, if desired, a co-worker of his or her choice, may meet with the department head within seven (7) working days and explain the situation. The employee can submit the problem to the department head in writing, if he or she prefers. The Department Head must respond in writing within two (2) working days.

Step 3

If the employee is not satisfied with the department head's response, the employee may present the problem to the Director of Human Resources either verbally or in writing within five (5) working days of the department head's response. The decision of the Human Resources Director must be made within five (5) working days.

Step 4

If the issue is still not resolved to the employee's satisfaction, the employee may present the problem in writing to the College President within ten (10) working days of the Human Resources Director's decision.

An employee, who for good reason does not wish to present his/her complaint to his/her supervisor or department head, should immediately request an appointment with the Human Resources Director as set forth in Step 3 above (bypassing Steps 1 and 2 of the procedure). If the employee feels that the response is unsatisfactory, the grievance may be taken to Step 4.

A meeting will be scheduled for the employee with the President to discuss the problem and review the facts of the situation. If desired, the employee may invite a co-worker of his or her choice to attend this meeting.

Following an investigation, the Office of the President will render a final and binding decision.

506: TERMINATION OF EMPLOYMENT

All employees of the College are employed "at-will". Employment may be terminated at any time, with or without notice or cause, by the employee or the College.

An employee desiring to resign from his or her position must give written notice at least two weeks prior to the final work date. Unused vacation, days and/or compensatory time will not satisfy the notice requirement. Pay for accrued vacation will only be granted to terminating employees who give this proper advance notice.

Termination Notice

The College is committed to providing employees with notice of termination of employment for any reason other than termination for cause. Notification will be given at least four weeks before termination of employment. The College may or may not require that the employee come to work during this notice period.

Severance Policy

With the signing of applicable Waiver and Release documents, employees with notification of termination of employment for any reason other than termination for cause are eligible for severance benefits at the expiration of their notice pay. These benefits will be equal to two weeks' salary for each year of continuous employment with the College to a maximum of 20 weeks salary.

507: RESIGNATION FROM EMPLOYMENT

An employee who resigns his or her position with the College, should provide a signed and dated resignation letter which states the last work day for the employee. Employees must return all College equipment before he or she will be issued a final paycheck.

508: EXIT INTERVIEW

Separating employees should schedule an appointment with the Human Resources Office for an exit interview. Any College issued property, keys, and ID cards that have not been returned to the employees department should be returned at the exit interview. If the items are not returned, the cost of these items will be deducted from the employee's final paycheck.

509: REINSTATEMENT RIGHTS

If a Molloy College employee is rehired, continuity of service for purposes of benefit waiting periods and vacation accrual will be granted according to the following schedule.

<u>Length of Employment</u>	<u>Break in Service</u>
Less than 3 years employment	Less than 6 months
3 – 5 years of employment	Less than 9 months
5 years of employment plus	Less than one year

510: EMPLOYEE SERVICES

ATM

For your convenience, a Nassau Educator's Federal Credit Union ATM is located in Quealy Hall – across from the Bookstore.

Campus Ministries

Molloy College's Campus Ministries Department provides informal counseling on class days and/or by appointment. Mass is celebrated as scheduled (see weekly calendar) and employees may attend as part of their regular meal break (See section 111). For more information on available services, employees should contact Campus Ministries.

Bookstore

Employees are extended a 10% discount on all sales with the exception of textbooks at the College Store. The store is located on the main floor of Quealy Hall. Any questions concerning the store's services or hours should be directed to the store manager.

Dining Services

"The Mane Street Cafe" is located in Quealy Hall and serves a variety of refreshments and snacks. The "Anselma Room", the main cafeteria, is located in *Kellenberg Hall* and serves a variety of foods for breakfast and lunch.

Fitness Center

Employees may utilize the fitness center outside of regular work hours. Operating hours are posted at the entrance, a valid Molloy College ID is required to use fitness center facilities.

ID Cards

All Molloy College employees are issued an identification card upon hire. ID cards should be carried at all times while on campus. The Molloy College ID card certifies your affiliation with the College for cashing paychecks, borrowing books from the Library, and using College facilities. Identification cards must be returned upon termination.

Keys

Office and building keys are issued to authorized users only. Authorized users are responsible for the security of the keys and are not allowed to duplicate them or lend them to unauthorized persons. Upon termination of employment, keys must be handed in to the employee's immediate supervisor.

Library Services

The Library is located on the second floor of Kellenberg Hall. A valid Molloy College ID is required to utilize the library. Loans of materials from other libraries may be arranged by the Molloy Library staff.

Parking

All employee cars must display a current parking permit to park on College grounds. Parking stickers can be obtained from Molloy College Public Safety. Special handicapped parking permits will be issued for employees with permanent or temporary disabilities. Information on Molloy College parking regulations is available from the Chief of Public Safety.

511: PUBLIC SAFETY AND SECURITY

Molloy College has an open campus and welcomes many visitors to the campus daily. However, to ensure that Molloy remains one of the safest campuses in the country, employees are asked to lock their offices/desks when not in use, to safeguard their keys and valuables, report lost keys to the Office of Public Safety, and report any suspicious persons to the Office of Public Safety.

Public Safety Officers are available 24 hours a day, 7 days a week. Officers can be reached by dialing x6276 or in the event of an emergency, by dialing 11. In addition to the office phones, 38 additional campus phones are located in the three academic buildings and are labeled [Campus Phone]. These phones can be used to call any location on campus, however their primary use should be for emergency situations. In the event of an emergency dial 11, which will go directly to the Public Safety desk. All other non-emergency calls to Public Safety should use EXT. 6276.

To promote a safe work environment, the Public Safety Department periodically administers fire drills for the entire College community. All employees are expected to cooperate fully with such drills.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I acknowledge that I have received the employee handbook and Notice of Privacy Procedures.

This handbook is intended to give me information about the main features of the employment policies, benefits, and certain other general information about Molloy College.

The Notice of Privacy Procedures describes how medical information about me may be used and disclosed.

I understand it is my responsibility to become familiar with the contents of this handbook and Privacy Procedures and I agree to abide by the conditions specified in this handbook and by any other rules, practices, or procedures that the College adopts.

Employee Name: _____

Employee signature: _____ Date: _____