

Introduction

This Employee Handbook is designed to acquaint you with St. John Fisher College (the College or Fisher) and provides information about working conditions and employee benefits, as well as an overview of the policies and procedures affecting your employment. It describes many of your responsibilities as an employee and outlines the programs Fisher has developed to benefit you.

Please familiarize yourself with this Handbook and use it as your first resource for questions about your employment. While this Handbook summarizes the College's policies and procedures, it cannot anticipate every situation or answer every question about your employment. You should see your Supervisor/Manager or the Human Resources Department regarding matters that are unclear or are of concern to you. Questions concerning the benefit plans should be referred to the Human Resources Department.

This Employee Handbook is produced and managed by the Human Resources Department. Policies and procedures in the field of human resources are subject to modification and development in the light of experience both within and outside of the College; the evolving mission, goals and objectives of the College; and changes in regulations and laws.

As such, these policies and procedures may be reviewed periodically by the Board of Trustees or its delegates, and management of the various departments. Their reviews may result in the revision, supplementation, or elimination of the policies and procedures outlined in this Handbook. The College reserves the right to modify, revoke, suspend, terminate or change its personnel policies and procedures and this Handbook at any time without notice, except as required by law.

For staff employees, the policies and procedures outlined in this Handbook supersede all pre-existing policies and procedures. Certain unique statutes governing the faculty are detailed in the Faculty Statutes. Nothing in this Handbook supersedes or replaces policies and procedures specified by the Faculty Statutes.

For all staff employees, employment at Fisher is "at-will." This means that any staff employee is free to resign at any time, for any reason, with or without advance notice; likewise, this means that the College is free to terminate its employment of any staff employee at any time, for any reason permitted by law, with or without cause, without advance notice.

Introduction

The personnel policies and procedures in effect at the time of publication are reflected herein. *The contents of this Handbook are not intended nor should they be interpreted to establish a contractual relationship with any employee.*

No one other than the President or the Assistant Vice President for Human Resources has the authority to enter into any agreement with any employee promising or guaranteeing employment for any specific length of time or for any period of time. Any and all such “agreements” are void and unenforceable, unless set forth in a written document signed by the President and/or Assistant Vice President for Human Resources. Likewise, no one has any authority to make any oral or written agreement, statement, or representation that is in any way inconsistent with the provisions in this Handbook. The only exception is a written document signed by the President and/or Assistant Vice President for Human Resources.

All full-time faculty and staff, and all part-time staff employees have access to this Handbook. These written policies and procedures should increase understanding, eliminate the need for ad hoc decisions on matters of College-wide policy, and help to assure uniformity throughout the College. If there are any questions relating to the content of the Handbook, an employee should contact his/her immediate Supervisor/Manager or the Human Resources Department.



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Handbook Acknowledgement Form

The Employee Handbook summarizes St. John Fisher College's policies and procedures and describes important information about the College. I understand that I should consult with either my Supervisor/Manager or the Human Resources Department regarding any matters that are unclear or are of concern to me.

Since the information, policies, and benefits described are necessarily subject to change, I acknowledge that revisions to this Handbook may occur and that the revised information may supersede, supplement, modify, or eliminate existing policies or procedures. I understand that changes in policy will be updated within the online handbook and substantive changes will be communicated to me through official notices and that only the President or Assistant Vice President of Human Resources of St. John Fisher College has the authority to make a written agreement, statement or representation that is in any way inconsistent with the provisions of this Handbook.

I have been directed to the location on the college website noted below to view the Employee Handbook and acknowledge that this Handbook is neither a contract of employment nor a legal document and that it is not intended to create contractual obligations of any kind on behalf of the College or contractual rights of any kind for me.

Employee's Signature

Employee's Name (Typed or Printed)

Date

Handbook location: <http://www.sjfc.edu/campus-services/hr/documents/EmployeeHandbook.pdf>

The Fisher Story



Named in honor of John Fisher—martyr, scholar, educator, and Bishop of Rochester, England— St. John Fisher College bears the name of an extraordinary man of faith and principle. Executed in 1535 for refusing to sign the Oath of Supremacy, John Fisher died for what he had lived and preached— fidelity to his Church and to his own conscience. He was canonized on May 19, 1935.

In 1948, through the combined efforts of civic leaders, the Rochester community at large, the Basilian Fathers and Bishop Kearney, St. John Fisher College, the “College on the Hill,” was borne out of the community’s desire to provide its young men with a traditional education in the humanities, social sciences, sciences, and business. The goal was to create an educational environment that would enable Fisher graduates to succeed in life and help strengthen the fabric of the Rochester community.

In June of 1949, ground was officially broken for the new institution. In 1951, beginning with just one building on campus, the original 120 men in the Class of 1955 began forming the traditions and customs that would make Fisher the college we know today.

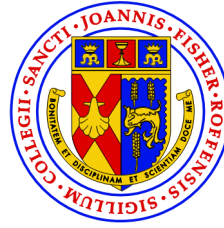
The College, which became independent in 1968 and coeducational in 1971, now educates nearly 3,500 men and women in programs of study built on a solid core curriculum. Today, Fisher offers thirty undergraduate majors and twelve graduate programs.

Concise Mission Statement of St. John Fisher College

St. John Fisher College is a collaborative community dedicated to teaching, learning and scholarship in a student-centered educational environment. The College is guided by its liberal arts tradition and its Catholic heritage as expressed in the motto of its founders, the Basilian Fathers: “teach me goodness, discipline, and knowledge.” Fisher engages individuals in lives of intellectual inquiry, professional integrity, and civic responsibility, where diversity and service to others are valued and practiced.



The Fisher Creed



THE FISHER CREED

In order to be active participants in a shared working and learning experience, we bring to Fisher:

RESPECT

for ourselves, for others, their ideas and beliefs, and for our community as a whole.

OPEN - MINDEDNESS

to things that are new, different, and unfamiliar.

INTEGRITY

that will enable us to be honest, sincere, and true to ourselves.

By bringing these qualities to our mutual experience, we help build a workplace that exemplifies the following values:

DIVERSITY

of cultural backgrounds, personal characteristics, and life situations, all of which we value for their contribution to our team.

RESPONSIBILITY

for individual actions and for their impact on others, and for creating accountability by employees.

EDUCATION

with a commitment to scholarship, academic honesty, and life-long learning.

LEADERSHIP

in an environment that fosters active engagement in our community, displayed through participation, mentorship, and service.

GROWTH

as reflected in continuous personal, intellectual, and spiritual development.

As employees of the St. John Fisher College community, we live and work in close proximity, sharing certain needs, interests and aspirations.

Our common goal is personal, communal and academic development.

By adhering to the personal attributes and values outlined here, we as Fisher employees commit ourselves to lives which fulfill the Basilian motto:

Teach me goodness, discipline, and knowledge.

A. EMPLOYMENT

Employment: Employee Status

The College maintains standard definitions of employment for staff positions and classifies employees for purposes of determining benefit eligibility. An employee's assignment to a specific classification does not guarantee employment for any specific period of time, nor does it alter the at-will nature of employment with the College. Each employee is designated as either exempt or non-exempt.

Exempt Employees

Employees whose job positions are of an executive, faculty, administrative, supervisory or professional category and meet certain qualifications stated in the Fair Labor Standards Act are classified as exempt. Exempt employees are salaried and are normally not paid for overtime. Exempt employees may be employed on a temporary or regular full-time or part-time basis.

Non-exempt Employees

Employees whose job positions do not meet the qualifications for exempt status as stated in the Fair Labor Standards Act are classified as non-exempt. Non-exempt employees are paid on an hourly basis and are paid overtime pay for time worked over forty hours per week. Non-exempt employees may be employed on a temporary or regular full-time or part-time basis.

Based on the needs of the College that determine work schedules for each position, the following categories define employment status.

Regular Full-time Employees

Employees who are regularly scheduled to work a minimum of 35 or 40 hours per week throughout the year, as determined by departmental employment requirements, are classified as regular full-time employees. Regular full-time employees are eligible for benefits provided by the College, subject to the terms, conditions and limitations of each benefit program. Regular full-time employees may be scheduled to work either 12 months a year or solely during the College's academic year.

Regular Part-time Employees

Employees who are regularly scheduled to work less than 35 hours per week are classified as regular part-time employees. Regular part-time employees are eligible for some of the benefits provided by the College as explicitly stated in this Handbook or their appointment letter. They are subject to the terms, conditions and limitations of each benefit program. Regular part-time employees may be scheduled to work either 12 months a year or solely during the College's academic year.

Employment: Employee Status

Temporary Employees

Full-time or part-time employees (including student employees) who are hired directly by the College or by a staffing agency for a limited, pre-designated period of time are classified as temporary employees. Temporary employees are not included within the definition of “regular employees.” Temporary employees are not eligible for the College's employee benefits, except those required by law.

Full-time, Part-time, and Temporary Faculty

The full-time, part-time and/or temporary status of faculty members are determined by appointment letters in conjunction with the Faculty Statutes. Refer to the Faculty Statutes or the Office of the Provost for further information.



Employment: Introductory Period

St. John Fisher College has established a three-month introductory period for all regular staff (non-faculty) employees. The introductory period for all newly hired and rehired staff employees commences at the date of hire/rehire.

During the introductory period, employees will be directly observed and regularly evaluated for proficiency, quality of work, accuracy and interaction with others. During or at the end of their introductory period, employees will receive a performance review that will outline their progress in accomplishing the requirements of the position. If the College determines that the designated introductory period has not provided sufficient time to evaluate performance thoroughly, the introductory period may be extended for an additional length of time that is deemed appropriate.

All extensions of the introductory period will be discussed with the Human Resources Department and communicated to the employee in writing. Decisions regarding job responsibilities or employment status can be made at any time during the introductory period.

All eligible employees accrue vacation and paid absence time during their introductory period and become eligible to use this time following the first three months of employment.



Employment: Employment of Relatives and Personal Associates

The employment of relatives and close friends in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

The College has the following policy regarding the employment of relatives and personal associates. For the purposes of this policy, a relative is any person who is related by blood or marriage, including domestic partnership. "Personal associates" are defined as individuals with close personal relationships such as romantic or "dating" relationships.

The following are some limits and restrictions regarding the employment of relatives and personal associates:

- a. Relatives and personal associates may not work for the same supervisor or department head;
- b. Employees may not employ or supervise their own relatives and personal associates;
- c. Relatives and personal associates may not work in a position in which they have regular access to confidential information regarding the other individual.

The College will hire, transfer, or promote employees only when their change in position will not violate one of the above restrictions. If a restricted reporting relationship is established after employment, the employees involved will be expected to resolve the situation so that a policy violation no longer exists. If they do not, then the appropriate Vice President, in consultation with the Human Resources Department, will make the decision. The College will make reasonable efforts to retain both employees but cannot guarantee that another position at the College will be available for employee(s) who are to be reassigned.

All potential candidates for hire, transfer, or promotion must disclose to the Director of Human Resources or the hiring Supervisor/Manager whether they have any relatives or personal associates at the College such that a restricted reporting relationship would be created if the candidate receives the new position.

Exceptions to this policy will be granted by the College only under exceptional circumstances. Employees who, as of April 1, 2006, already have a relative or personal associate employed by the College, and who currently are in a restricted reporting relationship, are required to notify the Director of Human Resources or the appropriate Vice President. Their situation will be reviewed on a case-by-case basis. In all cases, the College may take action as needed in the future to address any conflicts, favoritism, or impairment of confidential information that occurs.

The College reserves its right to take personnel actions to maintain the integrity of confidential information and to prevent or address conflicts of interest or incidents of favoritism in all situations, whether or not the situation is specifically addressed in this policy.

This policy applies to all categories of faculty and staff, including full-time, temporary and part-time employees. Employees who fail to disclose required information about relatives or personal associates or who otherwise violate this policy may be subject to disciplinary action, up to and including termination of employment.

Contact a member of the Human Resources Department if you have any questions.

Employment: Separation of Employment



Exit Interview

All employees separating from the College are encouraged to participate in an exit interview conducted by the Human Resources Department. The purpose of the exit interview is to confirm the reasons the employee is leaving the College, to discuss the employee's suggestions and comments about his/her employment experience, and to collect any and all College-owned property. The Human Resources Department also uses the exit interview to explain all applicable benefit extension/conversion privileges.

Final Paycheck

Payroll is responsible for preparing the employee's final paycheck in accordance with appropriate policy and for ensuring that final pay is issued to the separating employee in accordance with applicable legal requirements, but no later than the subsequent regular payday. Upon termination, employees will receive payment of accrued vacation, but *not* accrued paid absence time or floating holidays.

Benefits Eligibility

College-sponsored medical and dental coverage in which the employee is enrolled will continue through the end of the month in which the separation date occurs.

Eligible employees and their eligible dependents generally have the option of continuing College health insurance coverage for a period of time at their own expense upon employee separation.

College-sponsored Group Life Insurance ceases on the last day of the month in which separation occurs. Long Term Disability ceases on the last physical day of work.

Eligibility for tuition benefits under the Tuition Remission and Tuition Exchange programs ceases at the conclusion of the semester in which the last physical day of work occurs. Benefit eligibility for retirees, and family members of retirees, and family members of deceased retirees (as defined by the College) continues beyond the last day of work as specified in the College's policies. See page E13.3 for tuition eligibility provisions at Nazareth College.

Details regarding benefits are explained in the employee's benefits termination letter issued by the Human Resources Department.

Voluntary Resignation

Voluntary resignations are initiated by the employee. It is required that employees provide a letter of resignation to his/her Supervisor/Manager which states the last date of employment. All employees who choose to resign are asked to provide a minimum of two weeks' notice. The College prefers additional notice (i.e. three or four weeks) that allows the College time to search for a qualified replacement.

Any notice period given is expected to be a "working notice." A vacation period will not be considered a part of a proper notice. In addition, once an employee has given notice of resignation, any use of paid absence, vacation, or holiday accruals must be pre-approved by a Supervisor/Manager.

Involuntary Separation

Involuntary separation is initiated by the employer.

Employment: Rehire of Separated Employees and Change in Employment Status



Rehire of Separated Employees:

The following policies will be used to calculate eligibility for certain benefits when an employee separates from service at St. John Fisher College and is subsequently rehired:

- For a rehired employee who has had a break in service of less than two years, the College will base eligibility for vacation, tuition remission, tuition exchange, and service recognition benefits on the employee's adjusted date of hire.
 - To calculate a rehired employee's adjusted date of hire, the College will first determine the length of the break in service in days and then add that amount to the employee's original date of hire. For example, if an employee's original hire date was June 5, 2007, and the employee incurred a break in service of 625 days following separation on June 5, 2008, the employee's adjusted date of hire upon rehire will be February 19, 2009 (625 days after June 5, 2007).
- A rehired employee who has had a break in service of two or more years will start as a regular new hire and follow the policies and procedures in the current handbook regarding the waiting periods for the benefits of vacation, tuition remission/exchange, and service recognition. An adjusted employment date will not be calculated.
- For information about how eligibility is calculated under the St. John Fisher College Retirement Plan for an employee who separates from service and is subsequently rehired, see Policy E3, Retirement - Saving for the Future and Benefits for Retirees.

Change in Employment Status:

The following policies will be used to calculate eligibility for various benefits for an employee who changes employment status:

- When an employee goes from part-time status to full-time status, the original date of hire will be the date used for calculating eligibility for the following benefits: tuition remission/exchange, vacation, and service recognition.
- For an employee who works in a temporary status and then becomes a regular full or part-time employee, the adjusted employment date will be the date on which the individual became a regular employee. This is the date that will be used to determine waiting periods for the benefits of vacation, tuition remission/exchange, and service recognition.
- Service as an adjunct faculty member or part-time athletic coach will not be credited toward eligibility for tuition remission/exchange or service recognition benefits should the adjunct faculty member subsequently become a regular faculty member.
- For information about how eligibility is calculated under the St. John Fisher College Retirement Plan for an employee who changes employment status, please see policy E3.

B. PAYROLL PROCEDURES

Payroll Procedures: Overview

Each pay period consists of two (2) consecutive workweeks that start on Saturday and end on Friday. Paychecks are dated on the Friday after the conclusion of each pay period. Employees may elect direct deposit into one or more checking or savings accounts at a bank or financial institution of their choice. Accounts do not have to be at the same bank or institution. If direct deposit is elected, the employee views their pay stub on the secure Employee Services module of the Fish 'R' Net web site, <http://fishrnet.sjfc.edu>. Alternatively, employees who do not elect direct deposit will receive a "live" paycheck. These checks will be mailed to the employee's permanent mailing address listed with the College.

Federal and State laws require that the College withhold Social Security, Medicare and all applicable local taxes from employee paychecks. Federal and State laws will govern deductions. The payroll stub indicates the amount of gross pay, all deductions and the net amount payable in the form of a "live" check or direct deposit.

If you have any questions regarding your pay, please see your Supervisor/Manager or a member of the Human Resources or Payroll Departments.



Payroll Procedures: Time Reporting

Employee time sheets are an essential part of the College's record keeping process. Preprinted time sheets are generated bi-weekly for all staff employees.

If you are a non-exempt employee, you must indicate the total number of hours and shifts worked each day in the appropriate columns as well as the total number of hours worked during the two-week period. Holiday, floating holiday, vacation, and paid absence hours also need to be accurately recorded and totaled on the time sheet. (See examples 1-6 below.) The time sheets must be signed and dated by your Supervisor/Manager and submitted to the Payroll Department by the indicated due date. **Failure to submit a completed time sheet by the indicated due date may result in delay or non-receipt of pay.**

If you are an exempt employee, you must indicate any lost time such as vacation, paid absence, floating holiday, etc. These lost time hours need to be accurately recorded on the time sheet. (See example 7 below.) Full-time exempt employees only need to complete and turn in a timesheet when they have lost time or are required to work a holiday in any given pay period. Part-time exempt employees must complete a timesheet each pay period.

(1) Non-exempt employee who regularly works 70 hours in a pay period.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	1	70.00			7	7	7	7	7			7	7	7	7	7	

(2) Non-exempt employee who worked 60 hours and took 10 hours of PAID ABSENCE.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	1	60.00			4		7	7	7			7	7	7	7	7	
Paid Abs	060	1	10.00			3	7											Sick/Flu

(3) Non-exempt B-shift employee who regularly works 80 hours in a pay period and their work week is Sunday through Friday.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	2	80.00			8	8	8	8	8			8	8	8	8	8	

(4) Non-exempt scheduled B-shift employee worked 72 hours and took 8 VACATION hours.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	2	72.00			8	8	8	8				8	8	8	8	8	
Vacation	050	2	8.00							8								

(5) Non-exempt scheduled C-shift employee worked 80 hours and worked 4 additional hours.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	3	80.00			8	8	8	8	8			8	8	8	8	8	
Overtime	035	3	4.00										4					

(6) Non-exempt scheduled B-shift employee worked 72 hours, took 8 VACATION hours and worked 5 additional hours.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	2	72.00			8	8	8	8				8	8	8	8	8	
Vacation	050	2	8.00							8								
Add Hours	025	2	5.00	5														

(7) Exempt employee, 70 hour, worked 54 hours, took 14 VACATION hours and 3.5 PAID ABSENCE hours.

EARNINGS CODE DESCRIPTION	EARN CODE	SHIFTS	TOTAL HOURS	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	Please state reason for using PAID ABSENCE
Regular	020	2	54.00															
Vacation	050	2	14.00			7	7											
Paid Abs	060	2	3.50												3.5			Child-seriously ill

Payroll Procedures: Absence & Lateness Reporting

We expect that you will be on the job each scheduled day and arrive on time. However, if you are unable to report to work on time or need to be absent from work, you must immediately notify your Supervisor/Manager. Notice must be made no later than the start of the work shift. If you become ill or need to leave work during your workday, you must also notify your Supervisor/Manager. In order to return to work from an absence of three (3) or more consecutive days, a physician's written statement may be required.

Repeated absences and tardiness for non-FMLA qualified absences may require disciplinary counseling up to and including termination of employment. If you are absent for three (3) consecutive scheduled working days without notice or satisfactory explanation, you may be considered as having voluntarily resigned by abandoning your job. It is imperative that you maintain an open line of communication with your Supervisor/Manager. For questions regarding your department's attendance procedures, contact your Supervisor/Manager or the Human Resources Department.



Payroll Procedures: Work Week/ Work Day, Meal Periods and Breaks

Work Week

A full-time work week for Facilities Services, Safety and Security, and certain other positions is generally 40 hours scheduled within seven consecutive days. A full-time work week for office and clerical staff is generally 35 hours scheduled within seven consecutive days. The College's normal business hours are 8:30 a.m. to 4:30 p.m.

Work Day

Due to the varying needs of the College, Fisher has different work hour requirements. Your work hours are established at the time of employment. Your Supervisor/Manager will explain your specific work hour commitment. Flexibility in determining your work hours is at the discretion of your Supervisor/Manager and the Director of Human Resources. Your Supervisor/Manager may make changes to your work hours based on business and academic needs, and will consider individual needs.

Meal Periods and Breaks

Meal periods and breaks for full-time and part-time staff are determined by hours worked each day and are provided in compliance with applicable state law.

According to New York State Law:

1. All employees who work a shift of more than six hours which extends over the 11:00 a.m. to 2:00 p.m. period are entitled to a meal period of at least 30 minutes within the above noted time period,
2. All employees who work a shift starting before 11:00 a.m. and continue later than 7:00 p.m. are entitled to a meal period of at least 20 minutes between the hours of 5:00 p.m. and 7:00 p.m.,
3. All employees who work a shift of more than six hours starting between 1:00 p.m. and 6:00 a.m. are entitled to a meal period of at least 30 minutes at some point midway between the beginning and end of the shift.

Non-exempt employees who work 8 hours per day, may take one 15 minute break in the morning and one 15 minute break in the afternoon during their shift.

For further information, please refer questions to your Supervisor/Manager or the Human Resources Department.

Payroll Procedures: Overtime Pay

The Federal Fair Labor Standards Act (Wage Hour Law) requires employers to maintain an accurate accounting of hours worked and to pay one-and-one-half times the regular hourly rate of pay to all non-exempt employees who work more than 40 hours in one work week (Saturday through Friday). Hours worked beyond the standard 35 weekly hours and up to 40 hours are paid on an equivalent straight time hourly basis. Exempt employees are not eligible for overtime pay.

"Hours Worked" are defined by law as hours actually spent on the job while performing assigned duties. Time which is taken for vacation or paid absence, for example, is not included as "hours worked" for the purposes of calculating overtime.

Any overtime worked must be authorized in advance by an employee's Supervisor/Manager.



Payroll Procedures: Shift Differential/ Call-In Pay Practices

Shift Differential

The College requires shift work in several departments to maintain continuous service and certain work flow requirements.

The majority of employees work the "A" (day) shift. Employees who work the non-standard shifts are generally in Facilities Services and the Safety and Security Department. It is the College's policy to provide extra compensation in the form of a shift differential to all regular employees who are regularly assigned to work "B" (afternoon) and "C" (night) shifts.

The "B" shift in Facilities Services and the Safety and Security Department is regularly scheduled within 3:00 p.m. and 11:00 p.m. Regular employees on "B" shift are paid a differential of \$.25 per hour.

The "C" shift in Facilities Services and the Safety and Security Department is regularly scheduled within 10:30 p.m. and 7:00 a.m. Regular employees on "C" shift are paid a differential of \$.50 per hour.

Call-In Pay Practices

There are certain non-exempt employees who may be called in for emergencies and in that event, the following pay practices will be administered:

- Employees who are asked to work prior to the beginning of their regularly scheduled shift will be paid the shift differential applicable to their regular shift or prior shift, whichever is higher.
- If an employee is called to work on his/her day off, the employee will receive his/her regular hourly rate for at least four (4) hours, or for the number of hours actually worked, whichever is more.

Payroll Procedures: Payroll Deductions

Certain payroll deductions are automatically subtracted from an employee's pay as required by law.

Federal Insurance Contribution Act (FICA)

The Federal Insurance Contribution Act (FICA) includes the combination of two taxes:

Social Security— The College deducts a certain percentage from each employee's pay for contribution to the Social Security Fund (Old Age, Survivors and Disability Insurance). This deduction will end if the annual wage limit is met within the calendar year.

Medicare—The College deducts a certain percentage from each employee's pay for contribution to Medicare (Federal Hospital Insurance).

For each employee, the College pays an amount equal to the combination of their Social Security and Medicare deductions.

Federal and State Tax

Federal and State income tax laws require the College to make tax deductions from each employee's pay. The amount deducted depends upon the income and the number of exemptions claimed by the employee on the Federal W-4 and New York State IT-2104 forms. **To change an exemption status, an employee must contact the Payroll Department.**

New York State Disability Insurance

Except for faculty, .5% of gross wages per pay period (up to a maximum of \$1.20 biweekly) is deducted from each employee's pay for New York State Disability Insurance.

Payroll Procedures: Personal Changes and Personnel Records

The Human Resources Department maintains and keeps personnel records accurate and up to date. Please notify the Human Resources Department in writing immediately after a change has taken place in any of the following:

- Name (Appropriate documentation must be presented to support a name change. The two acceptable documents include a social security card showing the new name, or a receipt that a name change has been submitted to the Social Security Administration.)
- Home address or check mailing address. Please see the Human Resources website for a change of address form at:
<http://www.sjfc.edu/campus-services/hr/documents-forms/>
- Telephone number
- Beneficiary
- Marital status
- Emergency contact
- Birth or death of a dependent
- Event qualifying dependents for continuation of group insurance coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Human Resources Department relies on you to assist with keeping your data and files current.

Personnel Records

Your personnel records are College documents and are considered business confidential. As such, you may review your personnel records only in the presence of a member of the Human Resources Department. You will not be permitted to review documents in your file if doing so violates the confidentiality of other employees or persons. You may submit a statement of your position with regard to any matters contained in your personnel file with which you disagree. Documents may not be removed from the personnel file.

Payroll Procedures: Timekeeping Policy for Non- Exempt, Overtime Eligible Employees

Pursuant to College policy, you will be paid properly for all time worked, including overtime. Hours worked include all time spent on behalf of, or for the benefit of, the College. It is the College's policy to ensure that all hours worked are correctly recorded. If you have any questions about whether you will be paid for certain hours, please ask your supervisor, Human Resources, or Payroll, who will assist you.

It is your responsibility to ensure that all time worked is recorded properly on your timesheet, including, but not limited to, time worked: (i) during your normal work schedule; (ii) during your meal break; (iii) before your scheduled shift; (iv) after your scheduled shift; and (v) from home or away from the College's facilities.

It is also the responsibility of supervisors and management to ensure that any such time is properly recorded on employee timesheets. If you are a supervisor who is aware that certain hours worked have not been recorded on an employee's timesheet, it is your responsibility to make the necessary corrections before such timesheet is submitted to payroll and to review the importance of accurate timekeeping with the employee.

Pursuant to College policy B4, Payroll Procedures: Work Week/Work Day, Meal Periods, and Breaks, you shall receive at least one-half hour unpaid meal break if you work a shift of more than 6 hours. During this meal period, you shall be completely relieved of your job duties and shall perform no work whatsoever. Even minor work-related interruptions are not permitted during this period.

You must have permission from your supervisor to work before or after your scheduled shift or any time in addition to your scheduled hours. Work beyond scheduled hours must be authorized by your immediate supervisor before it is worked, unless it is not possible to obtain such permission due to unavoidable circumstances (i.e. critically time sensitive matters). If you do not obtain permission from your supervisor beforehand, you must report to your supervisor as soon as possible that you have worked any amount of time during your meal break, been interrupted during your meal break, or worked any time outside of or in addition to your scheduled hours. You must also record such time on your timesheet, and it will be paid as appropriate.

All time worked will be paid in accordance with the Fair Labor Standards Act (Wage Hour Law). Any failure to report time worked by you will be subject to discipline. Working any time during your meal period, outside your scheduled shift, or in addition to your scheduled amount of hours ("off-the-clock work"), without properly recording it, is not permitted. No supervisor or manager has the authority to require or permit you to perform off-the-clock work. If you believe that this is occurring, it must be reported to Human Resources immediately.

If you have any questions about overtime payments, deductions from your pay, issues regarding rate of pay, and/or time keeping policies, please consult with your supervisor, Human Resources, or Payroll. The College's Whistle-Blower/Code of Conduct Policy, D4, policy prohibits retaliation against any employee who makes a report or complaint in good faith regarding a violation of this policy.

Payroll Procedures: Wage-Hour Compliance Policy

It is the policy of St. John Fisher College (the “College”) to compensate employees in compliance with the federal Fair Labor Standards Act (FLSA) and applicable New York State law.

If you are classified as a **non-exempt** employee, you will receive compensation for all hours worked and overtime compensation for all hours worked in excess of forty hours per workweek, as required by law.

If you are classified as an **exempt** employee, you will be paid on a salary basis. This means your salary is a predetermined amount that does not vary based on the quantity or quality of work you perform in a given pay period. Deductions from exempt employees’ salaries may not be made for absences from work caused by the College or by the College’s operating requirements, nor for any other reasons prohibited by federal or state law, if you are ready, willing and able to work. Certain deductions, however, if permitted by federal and state law, may be withheld from your salary. These include (but are not limited to) deductions for:

- social security/medicare
- federal, state and local taxes
- participation in College-sponsored benefit and retirement plans
- absence from work for one or more full days for personal reasons, other than sickness or disability
- absence from work for one or more full days because of disability (including work-related accidents), taken in compliance with the College’s disability policy
- full or partial days not worked during the initial or terminal week of employment
- a penalty imposed in good faith on exempt employees for infractions of safety rules of major significance, including full or partial day unpaid disciplinary suspensions
- unpaid disciplinary suspensions of one or more full days imposed on exempt employees in good faith, pursuant to the College’s written policy on disciplinary suspensions, for infractions of workplace conduct rules
- unpaid leave under the Family and Medical Leave Act, whether taken in full or partial day segments

If you have questions about payment of overtime, deductions from your salary or wages, or any other issues regarding your rate of pay, you should contact the Human Resources or Payroll Departments. If you believe that the College has improperly failed to pay you for all hours worked, including overtime, or that your salary has been subject to improper deductions, you should immediately report your concern to your immediate supervisor or manager, or the Human Resources or Payroll Departments. If you feel uncomfortable talking to your supervisor or manager (or if you have not received a prompt and fully acceptable reply), you should immediately contact the Human Resources Department. Every report will be fully investigated and if a violation is found, corrective action will be taken, including but not limited to full reimbursement of inappropriately withheld amounts.

The College’s Whistle-Blower/Code of Conduct Policy, D4, prohibits retaliation against any employee who makes a complaint in good faith pursuant to this policy. Any form of retaliation that occurs in violation of this policy may result in disciplinary action, up to and including termination of employment.

C. PERFORMANCE MANAGEMENT AND PAY PRACTICES

**C. PERFORMANCE
MANAGEMENT
AND PAY
PRACTICES**

Performance Review Process



Overview

St. John Fisher College believes that providing employees with performance feedback will help them perform to the best of their ability. The St. John Fisher College Performance Review Process is designed to ensure that staff employees understand how they are performing in their jobs and how their work contributes to the overall success of the College. As part of this process, the Supervisor/Manager and employee work together in defining job responsibilities, identifying key skills, and setting performance goals that are mutually beneficial to the College and the employee.

Expectations

The College requires Supervisors/Managers to provide feedback on an ongoing basis. All employees will receive feedback during their employment at St. John Fisher College.

Timing

The Performance Review (formal) Process takes place during the spring of each year. Employees will receive a documented performance review at least once a year. Interim and informal reviews may occur throughout the year as needed to assist employees in meeting performance expectations.

Procedure

The Performance Process Guidelines are available on the college website at <http://www.sjfc.edu/campus-services/hr/performance.dot>

Performance Review Process



The Performance Discussion

Performance review discussions between the Supervisor/Manager and employee are two-way conversations designed to provide feedback on how the employee is doing. During the annual review, performance and career development are discussed. The tool for the discussion is the Performance Review Form. The performance review process is designed to be an interactive process with both the Supervisor/Manager and employee free to exchange thoughts and ideas on the employee's performance and career development.

Setting Performance Goals

Evaluation criteria and the establishment of goals for the upcoming year also will be discussed.

The Performance Review Form

The form for capturing performance feedback is available on the Human Resources Department web site. From time to time, the Human Resources Department may make changes to the form in order to simplify or clarify the process. Changes, if made, are announced at the time of the current year's rollout of the process. A separate form is used for the probationary review process.

Probationary Performance Reviews

Each employee's work performance will be reviewed after the first three months in a new position. These reviews will include a personal discussion with the Supervisor/Manager on areas of strength and those areas that will need improvement.


Questions

Employees are able to contact their respective Supervisor/Manager and/or the Human Resources Department for advice (strategies, tips) on how to sustain the best performance. The College suggests that open communication between the employee and Supervisor/Manager is just one way to ensure that expectations are met through performance management.

When performance does not meet expectations, the Supervisor/Manager has the option of counseling the employee using a performance improvement plan. The Human Resources Department is available to the Supervisor/Manager and employee for guidance through this type of plan.

D. POLICIES/PROCEDURES

Policies/ Procedures: Equal Employment Opportunity Policy



St. John Fisher College is committed to Equal Employment Opportunity (EEO) and affirmative action, and its Senior Staff is responsible for taking steps to ensure Equal Employment Opportunity.

It is the policy of St. John Fisher College to provide Equal Employment Opportunity to all employees and applicants for employment in accordance with applicable federal, state and local laws governing non-discrimination in employment in each locality in which the College has employees.

This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

The College does not discriminate against applicants or employees in hiring, promotion, termination or the terms and conditions of employment on the basis of race, color, religion, gender, sexual orientation, national origin, citizenship, age, disability, marital status, military status, veteran status, predisposing genetic characteristics or genetic information, arrest or conviction record, status as a victim of domestic violence, or any other characteristic protected by law.

In support of this policy, the College expressly prohibits any form of employee harassment based on race, color, religion, gender, sexual orientation, national origin, citizenship, age, disability, marital status, military status, veteran status, predisposing genetic characteristics, or an individual's status in any other class protected by applicable federal, state, or local law (as listed above).

Improper interference with the ability of our employees to perform their expected job duties will not be tolerated.

In accordance with the American Disabilities Act (ADA), it is your responsibility as an employee to request an accommodation for any physical or mental disability if you require an accommodation in order to perform your job duties. The College will then work with you to provide a reasonable accommodation which will not result in undue hardship for the College.

You are required to bring questions or concerns about discrimination and harassment in the workplace to the immediate attention of your Supervisor/Manager and the Director of Human Resources. All complaints will be investigated and treated as private personnel matters, with information concerning the complaint being disclosed only on a need-to-know basis in connection with its investigation and resolution. The College will follow the Discrimination/Harassment Complaint Procedure as outlined on pages D1.3.1 and D1.3.2.

Employees who report alleged discriminatory or harassing conduct in good faith can do so without fear of reprisal or retaliation. You must promptly report any conduct you believe to be retaliatory.

Fisher reserves the right to take whatever action is appropriate, in its discretion, to protect the interests of the employee and the College in the event of a violation of this or any other Fisher policy. Anyone found to have committed any type of unlawful discrimination, harassment, or retaliation is subject to disciplinary action, up to and including termination of employment.

**Policies/
Procedures:
Unlawful
Harassment
in the
Workplace/
Sexual
Harassment**

Sexual Misconduct

Sexual misconduct in any setting is prohibited at St. John Fisher College. For the purposes of this policy, sexual misconduct includes sexual harassment, sexual assault and sexual exploitation.

Alleged violations of College policy will be subject to the [Student Conduct process](#) for situations involving students or the process and procedures applicable to College employees for situations involving College employees. All St. John Fisher College students, faculty, staff, visitors and guests are expected to comply with federal, state, or local laws.

The College recognizes its responsibility to develop and implement educational programs to help its students and employees to recognize and address sexual misconduct and is committed to the prevention of sexual misconduct.

Definitions:

Sexual Harassment: By law, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made an explicit or implicit term or condition of academic decisions and/or co-curricular opportunities,
- submission to or rejection of such conduct is used as a basis for academic decisions and/or co-curricular opportunities, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's educational experience or creates an intimidating, hostile, or abusive educational environment.

Sexually harassing conduct may include, but is not limited to, sexually charged or sexually suggestive comments or jokes, sexual advances, requests for sexual favors, sexually suggestive pictures, drawings, or emails, or similar conduct of a sexual nature.

Sexual harassment can involve persons in positions of authority over the victim or persons in equal positions: i.e., College employee-student, student-student, College employee-College employee. This behavior is a violation of College policy.

Sexual Assault: For the purposes of this policy, sexual assault is engaging in an unwanted sexual act through force or coercion involving:

- Intentional sexual contact of sexual or intimate parts without consent*
- Sexual intercourse without consent*

* Consent is unable to be given when any of the following conditions exist:

- ✘ Any person verbally or physically expresses his/her intention not to engage in sexual contact and/or intercourse
- ✘ Any person is unable to provide consent due to physical or mental incapacitation
- ✘ Any person is unable to provide consent due to intoxication or being under the influence of other drugs

Policies/ Procedures: Unlawful Harassment in the Workplace/ Sexual Harassment

Sexual Exploitation: Sexual exploitation includes behaviors that do not otherwise constitute a violation of sexual misconduct policies. For the purposes of this policy, sexual exploitation includes but is not limited to:

- Taking pictures or video or audio recordings of any person in a sexual act without his/her consent*
- Voyeurism
- Knowingly transmitting an STD or HIV to any person

The College will offer appropriate medical and mental health support to persons who inform the College that they have been a victim of sexual misconduct and those who have been accused of sexual misconduct. Support may also include changes in academic, work, and/or living situations if reasonable alternatives exist, following a report of an alleged incident. Additionally, the College will assist the alleged victim in reporting the incident to outside law enforcement officials if he/she chooses to pursue a criminal complaint.

St. John Fisher College fully supports all local, state, and federal laws prohibiting rape and sexual assault and will cooperate with law enforcement officials who investigate such allegations to the fullest extent allowed under the law. Students and College employees should be aware that sexual assault must also be reported to and investigated by law enforcement agencies as required by State law. This may lead to the determination that the conduct represents a violation of state or federal law subject to criminal prosecution.

In keeping with New York State Law, incidents involving violent felony offenses reported to the College are automatically reported to local law enforcement authorities, except in those instances in which the report is made only to a campus minister in Campus Ministry (585-385-8368) or to a mental health counselor or health care provider in the Health and Wellness Center (585-385-8280).

Process for Addressing Allegations of Sexual Misconduct:

The goal of this process is to address any incidents of sexual misconduct through the process which is appropriate to the status of the alleged perpetrator.

Complaints of Sexual Misconduct Involving a College Employee as the Alleged Perpetrator

If the alleged perpetrator is a College employee, and **the alleged victim is a College employee**, the victim should report the behavior to the [Office of Human Resources](#) (585-385-8048, Kearney Hall 211), the Office of Safety and Security (585-385-8111, Haffey Hall Lobby) or the Monroe County Sheriff's Office (911).

If the alleged perpetrator is a College employee, and **the alleged victim is a student**, the victim should report the behavior to the Office of Safety and Security (585-385-8111, Haffey Hall Lobby), the [Office of Student Conduct](#) (585-385-8007, Campus Center 206), or the Monroe County Sheriff's Office (911).

When reported to a College official, complaints will be addressed through the process which is appropriate to the status of the alleged perpetrator. When reported to the Monroe County Sheriff's Office, the sheriff's office will follow their procedures.

**Policies/
Procedures:
Unlawful
Harassment
in the
Workplace/
Sexual
Harassment**

Complaints of Sexual Misconduct Involving a Student as the Alleged Perpetrator

If the alleged perpetrator is a student, and **the alleged victim is a student or College employee**, the victim should report the behavior to the Office of Safety and Security (585-385-8111, Haffey Hall Lobby), the [Office of Student Conduct](#) (585-385-8007, Campus Center 206) or the Monroe County Sheriff's Office (911).

When reported to a College official, complaints will be addressed through the Student Conduct process. When reported to the Monroe County Sheriff's Office, the sheriff's office will follow their procedures.

Complaints of Sexual Misconduct Involving Non-Members of the Campus Community

If the alleged perpetrator is not a member of the campus community and **the alleged victim is a student or College employee**, the victim should report the behavior to the Office of Safety and Security (585-385-8111, Haffey Hall Lobby) or the Monroe County Sheriff's Office (911.)

If the alleged victim is not a member of the campus community, and **the alleged perpetrator is a student or College employee**, the victim should report the behavior to the Office of Safety and Security (585-385-8111, Haffey Hall Lobby) or the Monroe County Sheriff's Office (911).

Consensual College Employee/Student Sexual Relationships

Students are not peers of College employees. Therefore, regardless of whether a sexual relationship between a student and a College employee is "consensual," and regardless of whether or not the relationship constitutes sexual harassment, such relationships are prohibited. All College employees, full and part-time, must refrain from entering into any inappropriate sexual relationships with students. <http://www.sjfc.edu/campus-services/hr/documents/EmployeeHandbook.pdf>

Allegations of inappropriate College employee/student sexual relationships should be reported to the Office of Human Resources (585-385-8048; hr@sjfc.edu) located in Kearney Hall 211.

Relationships between two employees are discussed in the Employment of Relatives and Personal Associates Policy on page A3. <http://www.sjfc.edu/campus-services/hr/documents/EmployeeHandbook.pdf>

Policies/ Procedures: Discrimination/ Harassment Complaint Procedure

The College has provided the following procedure to address faculty and staff complaints of unlawful discrimination or harassment.

- A. It is the responsibility of each member of management to create an atmosphere free of discrimination and harassment, sexual or otherwise. In addition, it is the responsibility of each employee to respect the rights of co-workers, students and visitors to our facilities.**

Any problem concerning discrimination or harassment in violation of the College's EEO or Unlawful Harassment Policies may be addressed and resolved using the following guidelines:

1. If an employee witnesses or experiences any job-related discrimination or harassment, or has a complaint about discrimination or harassment, or believes he or she has been treated in an unlawful discriminatory manner, he or she is encouraged to voice his or her objection to the individual engaging in the conduct and firmly and directly ask that the offensive behavior stop.
2. If the employee is uncomfortable confronting the individual engaging in the behavior or if the employee has done so and the conduct continues despite the protest, the employee must promptly report the matter to his/her immediate Supervisor/Manager or the Director of Human Resources. The Human Resources Office is located on the second floor of Kearney Hall.
3. Supervisors/Managers who receive complaints are required to immediately notify the Director of Human Resources of the complaint.
4. Upon receipt of a complaint, Human Resources will undertake an investigation ensuring confidentiality to the maximum extent possible.
5. Human Resources will ensure that the investigation is conducted in a thorough, objective manner and is considerate of the rights and emotions of all the parties involved.
6. Investigations of harassment or discrimination claims as well as other complaints will take place within a reasonable amount of time. Your complaint will be investigated as a private personnel matter.
7. The investigation will be private and confidential to the greatest extent possible. Information concerning the complaint will be disclosed on a need-to-know only basis in connection with its investigation and resolution.
8. When the investigation is concluded, Human Resources and appropriate management will decide on an appropriate course of action with respect to the alleged offender, if the investigation reveals that an individual has harassed or discriminated against another individual. This may include disciplinary action up to and including termination.

Policies/ Procedures: Discrimination/ Harassment Complaint Procedure

9. If the matter does not receive follow-up or is not resolved satisfactorily, the employee may contact the President of the College in writing, or by appointment for a meeting. The President will review the information relating to the employee's concern and make a final decision.
10. The ultimate goal of this process will be to stop and remedy any harassment or discrimination which, after investigation, is shown to have occurred, and to prevent any harassment or discrimination from occurring in the future. The College will utilize a disciplinary process which is appropriate to assist in achieving these goals. The College also recognizes its responsibility to develop and implement an educational process to help its employees recognize and deal with sexual and other harassment and to assist the College community in changing attitudes and behavior.

- B. The College expressly prohibits any form of retaliatory action against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you voice your concerns and report acts of harassment or discrimination in good faith, you can do so without fear of reprisal or retaliation. You should also promptly report any action taken against you or others that you believe is retaliatory. Violation of the College's policy against unlawful harassment or discrimination will not be tolerated and will result in disciplinary action, up to and including termination of employment. Non-employees (contract employees, vendors, service technicians, etc.) who engage in harassing or discriminatory conduct may be deprived access to the College's facilities. The College is committed to maintaining a work environment free of inappropriate or denigrating conduct or communication of any nature.**
- C. However, if after investigating any complaint of harassment or unlawful discrimination, the College determines that an employee has knowingly provided false information regarding the complaint, disciplinary action may be taken against the individual who knowingly gave the false information.**

Policies/ Procedures: Staff Grievance Procedure

Grievance Resolution Policy:

An employee with a complaint, problem, or concern that inhibits his or her ability to perform the duties of the job is encouraged to express it, with the assurance of support and without fear of retribution.

Grievance Procedure for Staff Members:

Please see the policy on Discrimination/Harassment Complaint Procedure (pages D1.3.1 and D1.3.2) for complaint procedures relating to those issues.

The College expects a cooperative working environment where concerns, complaints and problems are responded to promptly and dealt with fairly. This culture and communication style encourages open communications and the free exchange of ideas among staff, regardless of position or department within the College. As such, employees are welcome and encouraged to talk to others in the College and to share ideas with both staff and management, up to and including the President.

The following grievance procedure is available to staff:

1. You are encouraged to share your concerns, seek information, provide input, and resolve problems/issues through your immediate Supervisor/Manager. At this level, employees usually reach the simplest, quickest, and most satisfactory solution. Your Supervisor/Manager is expected to listen openly and respectfully to your concerns, clarify issues, encourage your input, and to discuss next steps with you including potential resolutions to your problems/issues. If the problem concerns your Supervisor/Manager, you may meet with another manager in your reporting line (e.g. Department Head, Vice President, President) or the Director of Human Resources or designee. The Human Resources Office is located on the second floor of Kearney Hall.
2. If your problem involves a co-worker, we encourage you to first speak with that person. If you feel uncomfortable speaking with your co-worker or if the issue is not resolved, you should speak with your immediate Supervisor/Manager.
3. If you do not feel the problem is adequately solved, you may request an appointment with the appropriate Vice President to discuss the problem further. You are encouraged to submit the problem in writing prior to the meeting. The Director of Human Resources or designee will, if desired, assist you in describing the problem.
4. If you are not satisfied, you may request an appointment with the President. Such requests will be coordinated through the Director of Human Resources. The final decision of the President will be binding.

Policies/ Procedures: Standards of Conduct



The orderly operation of any organization is dependent on the rules and regulations established to guide its members in their day-to-day activities. The goal in establishing the rules and regulations at St. John Fisher College is to set the framework for the successful operation of the College and to protect the rights and safety of all employees.

The following are examples of unacceptable behavior and practices:

- Failure to follow College policies, procedures and work rules.
- Falsification of data, timekeeping, employment application information or other records.
- Breach of confidentiality related to job responsibilities.
- Fighting or threatening violence in the workplace.
- Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace.
- Negligence or improper conduct leading to damage of employer-owned or student-owned property.
- Violation of safety or health rules.
- Violation of the College's Substance Abuse Policy.
- Smoking inside any campus buildings or campus vehicles, or within 50 feet of any campus buildings.
- Excessive absenteeism, tardiness or absences without notice.
- Unauthorized absence from work during the workday.
- Unauthorized use of telephone, mail systems, Internet or other employer-owned equipment or supplies.
- Unsatisfactory performance or conduct.
- Refusing a reasonable request from management.
- Disrespectful conduct towards students, management, visitors, or other employees, including spreading of unfounded rumors or gossip.
- Sexual or other unlawful or unwelcome harassment.
- Theft or inappropriate removal or possession of College, student, or other employees' property.

Disciplinary action can take one of several forms, including but not limited to verbal warning, written warning, or termination, depending upon the nature and severity of the employee's conduct, the employee's prior work record and other relevant facts and circumstances. The appropriate disciplinary action to be imposed under particular circumstances will be determined by the College, and it is not guaranteed that one form of disciplinary action will necessarily precede another.

Any written documentation of employee counseling or discipline will become a part of the personnel record that is available for review by that employee. In addition, the Director of Human Resources will be available to each employee to discuss and interpret the counseling process.

Policies/ Procedures: Whistler-blower/ Standards of Conduct: Confidential Reporting Policy

This policy is intended to encourage and enable trustees, officers, employees, students, and others to bring serious concerns to the attention of the College without fear of impairing their personal status or position at the College.

General Policy Guidelines:

All trustees, administration, faculty and staff employees, volunteers and students are expected to act with honesty, integrity, and openness in all their dealings for the College. The College depends on its constituents to help the College protect and maintain its resources and the private support that enables the College to pursue its mission. While the College has internal controls and operating procedures to detect and deter improper activities before they occur, even the best of controls cannot provide an absolute safeguard against unintentional or intentional violations of law, regulation, or College policy. We each are responsible for helping to prevent such violations.


Therefore, the College will investigate and take action to stop any suspected fraudulent or dishonest conduct or violation of law, regulation, or College policy, including any misuse of the College's resources or property. Failure to follow the College standards of conduct will result in disciplinary action, including possible termination of employment and possible civil or criminal prosecution if warranted.

All trustees, administration, faculty and staff employees, volunteers and students are encouraged to use this Policy to report serious concerns that may amount to fraudulent or dishonest conduct or violation of law, regulation or College policy (i.e. to act as "whistle-blower"), pursuant to the procedures set forth below.

Generally, these whistle-blower procedures are to be used to report matters that are not covered by other complaint procedures offered by the College. For example, complaints concerning prohibited harassment or discrimination must be reported using the procedures set out in the Discrimination/Harassment Complaint Procedure in the Employee Handbook (for employees) and in the annual Student Handbook (for students). Complaints concerning the terms and conditions of an employee's personal employment situation, other than prohibited harassment or discrimination, must be reported through the Staff Complaint Procedure or Faculty Grievance Procedure, as applicable. Complaints concerning students' academic concerns, including reports of academic dishonesty or failure to maintain academic standards, must be reported using the procedures set out in the Student Handbook or College Bulletin as applicable. Complaints concerning student violation of other College regulations must be reported using the student disciplinary system process.

Reporting Guidelines:

1. You must follow all College policies and procedures and comply with all laws and regulations in carrying out your duties and responsibilities for the College;



**Policies/
Procedures:
Whistler-blower/
Standards of
Conduct:
Confidential
Reporting Policy**

2. It is your responsibility to report violations or suspected violations, as well as fraudulent or dishonest conduct, in accordance with this policy;
3. If you become aware of a potential or actual violation of law, regulation, or College policy, or other fraudulent or dishonest conduct, you must report such potential or actual conduct to the Assistant Vice President for Human Resources, regardless of whether you are personally involved in the matter. If the Assistant Vice President for Human Resources is involved in the activity that you are questioning, you must report such conduct directly to the President;
4. If you are unsure if the practice that concerns you is inappropriate or not, and therefore unsure if your complaint would be “whistle-blower in nature,” you may seek guidance from any College Official (or your supervisor) who has responsibility for overseeing compliance with the particular policy. If your supervisor or next respective College Official is involved in the activity that you are questioning, you may address your question to the Assistant Vice President for Human Resources;
5. The College will attempt to handle all such reports with discretion and with due regard for the privacy of the whistle-blower;
6. You may make an anonymous report, with the understanding that any investigation may be hampered due to the inability to obtain a full and complete account of relevant and necessary facts, or to ask additional questions, or seek clarification as any investigation proceeds;
7. Reporting information on an anonymous basis can be done by using one of the following options:
 - i) faxing a written complaint from a copy service or other non-traceable fax number to 585-385-2102
 - ii) submitting an email message from an anonymous email source, such as yahoo or hotmail to the Assistant Vice President for Human Resources at hr@sjfc.edu
 - iii) using the third party hotline service “Report It” online:
 - 1) Go to: www.reportit.net
 - 2) Click “Report it Online”
 - 3) Click the orange “reportit now” button
 - 4) Enter the College’s username/password: sjfc/reportit
 - iv) Using the third party hotline service “Report It” by phone:
 - 1) Dial 1-877-778-5463
 - 2) Provide the operator with the College’s username/password: sjfc/reportit
8. Allegations of suspected improper activities should be made in writing so as to assure a clear understanding of the issues raised but may be made orally.

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Such reports should be factual and contain as much specific information as possible. All reports should be dated and should include all available backup information.

9. Allegations made maliciously or with reckless disregard for their truth or falsity are considered “baseless allegations.” Persons making such allegations may be subject to disciplinary action, up to and including termination of employment.

Rights and Responsibilities:

Supervisors

Supervisors are required to report suspected fraudulent or dishonest conduct and violations of law, regulations, or College policy. In addition, supervisors are responsible for maintaining a system of management controls which detect and deter fraudulent or dishonest conduct in those areas where they have authority.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

- Baseless allegations;
- Premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation; and
- Violations of a person’s rights under law.

Due to the important, yet sensitive nature of the suspected violations, effective professional follow-up is critical. Supervisors, while appropriately concerned about “getting to the bottom” of such issues, should not attempt to handle any “whistle-blower” matters on their own. Accordingly, any supervisor who becomes aware of suspected fraudulent or dishonest conduct or violations covered by this policy should:

- Immediately notify the Assistant Vice President for Human Resources of the matter (or the President if the Assistant Vice President for Human Resources is involved in the suspected activity);
- Not contact the person suspected to further investigate the matter or demand restitution;
- Direct all inquiries from internal or external parties, such as attorneys or the media, to the Assistant Vice President for Human Resources or, if directed, to the College’s Director of Marketing and Communications.

Investigation

Upon receipt of a complaint under this policy, the Assistant Vice President for Human Resources (or the President where applicable) will conduct an investigation or arrange for the investigation of the complaint by another College official(s) as appropriate. Relevant matters will be reviewed and analyzed, with documentation of the receipt and treatment of the complaint. Investigations will be concluded with all due speed. Investigations may warrant participation by

Policies/ Procedures: Whistler-blower/ Standards of Conduct: Confidential Reporting Policy

Investigation (continued)

independent persons such as auditors, consultants, and/or other outside personnel.

The College will take appropriate corrective and/or disciplinary action, if necessary, against any person found to have engaged in fraudulent or dishonest conduct, or found to have violated any law, regulation or College policy. Actions may include termination or civil or criminal prosecution where warrant.

Any staff employee who is disciplined or adversely affected as a result of the investigation and findings may challenge the decision by filing a written objection with the President (or with the Chair of the Board of Trustees if the complaint involved activity by the President) within ten (10) days of notification of the adverse action. The decision in response to the objection will be final and not subject to any further grievance or complaint process within the College.

Any faculty member who is disciplined or adversely affected as a result of the investigation and findings may challenge the decision by using the Faculty Grievance Procedure in the Faculty Statutes. Where termination is recommended of a faculty member with tenure or whose term appointment has not expired, the procedures for Academic Due Process in the Faculty Statutes shall be followed.

Where potential discipline of a student is involved and falls within the categories covered by student disciplinary procedures set out in the Student Handbook or College Bulletin, those procedures shall be followed.

Any trustee or volunteer who is adversely affected as a result of the investigation and findings may challenge the decision by filing a written objection with the Chair of the Board of Trustees within ten (10) days of notification of the adverse action. The decision in response to the objection will be final.

Files pertaining to the complaint and investigation process will be retained in the Human Resources Department and will be subject to the normal practices for record retention.

Whistle-Blower Protection

The College will protect whistle-blowers as stated below.

- Trustees, administrators, faculty and staff employees, students, and all other persons engaged by the College are prohibited from retaliating against a whistle-blower for any good faith whistle-blowing activity. Retaliation shall include, but not be limited to intimidation, harassment, discrimination or other retaliation. In the case of employees or students, retaliation will also include acting with the intent or effect of adversely affecting the terms or conditions of the whistle-blower's employment or student status including, but not limited to, making threats of physical harm, loss of job, punitive work or academic assignments, or impacting a whistle-blower's salary, fees, or scholarship funds. Whistle-blowers who believe that they have been retaliated against may file a written complaint with the Assistant Vice President for Human Resources or the President. All complaints of retaliation will be promptly investigated and appropriate corrective measures and/or disciplinary action taken if allegations of retaliation are substantiated. This protection from

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Whistle-Blower Protection (continued)

retaliation does not prohibit supervisors from taking action, including corrective or disciplinary action, against employees in the usual scope of their duties based on valid performance-related factors that are not part of the whistle-blowing activity. Nor does this protection from retaliation prohibit professors from making academic decisions about students based on valid factors that are not part of the whistle-blowing activity.

- Whistle-blowing complaints will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally this means that whistle-blower complaints will be shared only with those who have a need to know so that the College can conduct an effective investigation and determine what action to take based on the results of any such investigation. In appropriate cases, the College will contact and share information with law enforcement personnel. Should disciplinary or legal action be contemplated against a person or persons as a result of a whistle-blower complaint, such persons may also be informed of the identity of the whistle-blower where necessary to protect their own ability to defend themselves. In such cases, the person(s) accused of improper conduct will be reminded of the College's strict policy against retaliation.
- Whistle-blowers must be cautious to avoid baseless allegations (as described below in the definitions section of this policy).

Administration of Policy

The Assistant Vice President for Human Resources shall be responsible for administering this policy. Such individual shall report any actions taken pursuant to this policy to the Audit Committee.

This policy shall be distributed to all trustees, officers, employees and volunteers who provide substantial services to the College. Distribution for these purposes may include posting the policy on the College's website or at the College's office in a conspicuous location accessible to employees and volunteers.

Glossary:

"Whistle-Blower": A trustee, administrator, faculty (adjunct or full-time) employee, staff employee, volunteer or student who informs a College Official about an activity relating to the College which that person believes to be fraudulent or dishonest or a violation of law, regulation, or College policy.

Policies/ Procedures: Whistler-blower/ Standards of Conduct: Confidential Reporting Policy

“Employee” (for purpose of this policy only): All full-time and part-time faculty and staff employees, student employees, and temporary and casual employees on the College payroll.

“Baseless Allegations”: Allegations made maliciously or with reckless disregard for their truth or falsity. Persons making such allegations may be subject to disciplinary action, up to and including termination of employment, by the College.

“Fraudulent or Dishonest Conduct”: A deliberate act or failure to act with the intention of obtaining an unauthorized benefit or privilege. Examples of such conduct include, but are not limited to:

- Forgery or alteration of documents;
- Unauthorized alteration or manipulation of computer files;
- Fraudulent financial reporting;
- Pursuit of a benefit or advantage in violation of the College’s Conflict of Interest Policy;
- Impropriety in the handling or reporting of money or financial transactions;
- Disclosure of confidential or proprietary information to outside parties;
- Acceptance or seeking anything of material value from contractors, vendors, or persons providing services with the expectation of favorable action by the College official on any specific matters pending between the College and the gift giver;
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment;
- Misappropriation or misuse of the College’s resources, such as funds, supplies, or other assets;
- Authorization or receipt of compensation for goods not received or services not performed; and
- Authorization or receipt of compensation for hours not worked.

“Assistant Vice President for Human Resources”: Contact information is as follows: Office phone number is 585-385-8048; confidential fax number is 585-385-2102, mailing address is 3690 East Avenue, Rochester, NY 14618; and email address is: hr@sjfc.edu.

Other:

Employees and students should contact the Safety & Security Department at 585-385-8111 or 585-385-8000 if they observe behavior or threats that could cause physical harm to an individual. The Safety and Security team is trained to respond to all types of behaviors, including physical and emotional distress.

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Contact Information for College Officials

Areas of Concern	College Official
Employment: Performance Hiring Practices Human Resources & Benefits Unlawful Harassment	Ms. Elizabeth Skrainar Assistant Vice President for Human Resources eskrainar@sjfc.edu Office: 585-385-8048; Fax: 585-385-2102
Academic Support: HEOP Registrar's Office Career Services Library	Dr. Kevin Railey, Provost Office: 585-385-8402
Student Services: Diversity Wellness Center Student Affairs	Dr. Richard DeJesus-Rueff, Vice President for Student Affairs and Diversity Initiatives Office: 585-385-8229
Ronald L. Bittner School of Business	Dr. Rama Yelkur, Dean Office: 585-385-8094
Ralph C. Wilson, Jr. School of Education	Dr. Michael Wischnowski, Dean Office: 585-385-7316
School of Arts and Sciences	Dr. James Bowers, Interim Dean Office: 585-385-8318
Wegmans School of Pharmacy	Dr. Christine Birnie, Dean Office: 585-385-7202
Wegmans School of Nursing	Dr. Dianne Cooney Miner, Founding Dean Office: 585-385-8472
Enrollment Management: Admissions Athletics Financial Aid	Mr. Jose Perales, Vice President for Enrollment Management Office: 585-385-8068
Financial Affairs	Mr. Carl Sgrecci Interim Vice President and CFO for Business/ Finance Office: 585-385-8013
Institutional Advancement Alumni/Donor Relations Institutional Research	Mr. Phillip Castleberry Vice President for Institutional Advancement Office: 585-385-5251
Office of Information Technology	Mr. Stacy Slocum, Chief Information Officer Office: 585-385-8388
All Other Areas	Dr. Gerard Rooney, President of the College Office: 585-385-8010 Mr. Martin K. Birmingham, Chair, Board of Trustees Office: 585-627-1329 Mr. Jack A. DePeters, Vice Chair, Board of Trustees Office: 585-464-4630

Policies/ Procedures: Conflict of Interest

All employees - faculty and staff - have the responsibility of performing their job duties honestly and prudently, and of exercising their best care, skill, and judgment for the benefit of the College. Employees must exercise the utmost good faith in all transactions involved in their duties, and they may not use their positions or knowledge gained from their job for their personal benefit.

Therefore all employees must avoid actual and potential conflicts of interest with their obligations to the College. This includes avoiding any activity, agreement, business investment, or interest that is or could be perceived as being in conflict with the College's interests or that could interfere with your duty and ability to best serve the College. If you are unsure whether a conflict or potential conflict exists, consult your Supervisor, Human Resources, or College Official (Deans, Vice President) immediately.

Following is an illustrative list of activities that may pose a prohibited actual or potential conflict of interest:

- Using the College's name, logo, stationery, supplies, equipment, or other property for personal gain or profit or in your non-College employment.
- Entering into a contract to supply goods or services to the College from your non-College business, employment, or self-employment.
- Working for personal gain for any organization with which the College transacts business.
- Engaging in any activity for profit or gain outside the College in any field in which the College is engaged.
- Owning, operating, or being employed as an employee or consultant by any business or organization that competes directly or indirectly with the College.
- Engaging in any non-College employment or personal activities during work hours.
- Receiving any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the College.

Policies/ Procedures: Conflict of Interest

- Soliciting or entering into any business or financial transaction with College employees whom you supervise either directly or indirectly. This prohibition applies to all such transactions, however small, including, but not limited to:
 - Hiring a subordinate to perform personal services; and
 - Soliciting a subordinate to participate in an investment of any kind with you.
- Borrowing from, or lending money to, individuals representing organizations with which the College conducts business; having a direct or indirect financial relationship with a competitor, customer, or supplier of the College.
- With the exception of the holiday season, receiving a gift in connection with your employment without approval from a College official (Dean, Vice President).
- Receiving a gift of substantial value during the holiday season without approval from a College official (Dean, Vice President). For purposes of this policy, gifts of “substantial value” include but are not limited to any gifts with a value over \$25.
- Giving or accepting personal benefits to or from other College employees or their family members, other than the normal salary and benefits afforded similarly employed persons at the College.

Employees may have outside employment (including self-employment) as long as they meet the performance standards of their job and do not have a prohibited actual or potential conflict of interest. If the College determines that an employee’s outside work interferes with their job performance or the requirements or interests of the College, the employee may be asked to terminate the outside employment if he or she wishes to remain with the College.

If you are or have engaged in a relationship or activity which presents an actual or potential conflict of interest, you must disclose this relationship or activity to Human Resources and a College Official (Dean, Vice President) as soon as possible so that safeguards can be established to protect all parties. The College shall determine whether an actual or potential conflict exists, whether the relationship or activity must be wholly or partially ended, and whether any other steps must be taken to avoid a conflict and protect the interests of the College.

If a violation of this policy is found to have occurred, the College may take disciplinary action, up to and including unpaid suspension and/or termination of employment.

Please contact the Assistant Vice President for Human Resources regarding any questions about this policy.

Policies/ Procedures: Media & Public Relations

The Marketing and Communications Office regularly deals with the issues of public information, and the Director is the primary spokesperson for the College. The media normally call the Marketing and Communications Office for general information or to find the appropriate spokesperson for a given story.

If any employee (this includes faculty and staff) is contacted directly by the media, he/she should refer the call to the Marketing and Communications Office. The Director for the Marketing and Communications Office will either contact the media directly or determine who the appropriate spokesperson is for that issue.

All St. John Fisher College employees are representatives of the College both on and off the job. An employee's conduct and comments become a part of the total image that the College presents to the community. If an employee is asked to speak to the media on a certain topic, it is hoped that the employee will communicate his/her pride in the College to others. If the employee is uncertain about what information can be discussed, he/she should contact the Director for the Marketing and Communications Office.



Policies/ Procedures: Job Postings

Overview

St. John Fisher College has a job posting process to provide all employees with an opportunity to apply for positions that they are interested in and qualified for. Transfers to new positions may be considered lateral or promotional as defined by the College's pay policy.

- Job Postings generally include the title, essential job functions, job responsibilities, and closing date for submitting an application. Positions are normally posted for at least **five (5) business days**.
- Job postings may be found at: <https://jobs.sjfc.edu>

Eligibility

- To be eligible to participate in the job posting process, you must be employed at your current position for at least one year, have a satisfactory work record, and be in good standing at your current position. Exceptions will require approval from the Assistant Vice President for Human Resources.
- Each employee interested in applying for an open position is encouraged to have a discussion with his or her current Supervisor/Manager about his or her interest in applying for the position(s). If you indicate an interest in a new position, your current position or status at the College will not be jeopardized.
- An external search process may occur concurrently with a posting to accelerate the applicant sourcing process.
 - The College will attempt to hire and/or promote from within teams or departments when current employees may possess comparable or greater qualifications.
- When an internal candidate receives a job offer, the Human Resources Department will work with the employee's current and new Supervisor/Manager to arrange a mutually agreeable start date. Ideally, employees should be released to their new position within four (4) weeks of the offer. Release dates beyond four (4) weeks should only be considered in extreme cases and may require discussion and approval by the Assistant Vice President for Human Resources. All parties are encouraged to be flexible on a release date so that all legitimate business and academic needs may be taken into consideration.
- The hiring manager or the Human Resources Department will contact internal candidates who have been interviewed in order to provide feedback resulting from the interviewing process.

Questions

- All questions about the job posting procedure, available positions, or results of the interviewing process should be directed to the Human Resources Department.

Policies/ Procedures: Animals on Campus

Animals (with the exception of tropical fish) are not permitted in campus buildings. Campus neighbors have been granted permission to walk their animals on campus, but the animals must be on a leash, as appropriate, and can never be left unattended. Proper care must be taken to clean up after the animal. This permission is granted to Fisher members as well.

Live animals used for teaching and research in science departments are allowed on campus and must remain in designated areas of the College. The use of service animals for those with documented disabilities also are permitted on campus.

Along with state code that bans animals from dining facilities, there are health, sanitation and personal safety issues which promote the formation of this policy. At the discretion of the College, further restrictions may apply for times when the College cannot allow animals on campus (i.e. during Bills Camp).



Policies/ Procedures: No Student Housing Rentals Policy

St. John Fisher College recognizes the developmental value of a residentially based education and believes that residence hall living is a key component of a student's overall educational experience. For these reasons, provisions are made to secure appropriate housing arrangements for undergraduate students. The Residential Life Department is responsible for establishing and maintaining the College's policy as it relates to housing arrangements.

The College recognizes that some students will choose to live off-campus. In order to prevent any conflicts of interest, the College prohibits faculty, staff, and trustee members of the Fisher community from renting off-campus housing to undergraduate or graduate students who are actively enrolled in either part-time or full-time programs. This policy has been established to ensure the rights of our students are protected at all times.



Policies/ Procedures: Volunteers



This policy is designed to enable St. John Fisher College to accept volunteers, to reduce volunteers' risks, and to protect the interests of the College, its volunteers and the community it serves. The College does not intend for volunteers to perform or displace work that is presently being performed by College employees.

Volunteers are uncompensated individuals who perform services related to the business of the College, support the activities of the College, or gain experience in specific endeavors. To qualify as a volunteer, an individual must be willing to provide services according to the procedures in this policy.

Volunteers are not covered by the Fair Labor Standards Act and are not considered employees for any purpose. They are not eligible for any College benefits, except workers' compensation, as a result of this volunteer association. At all times, the College has the discretion to select volunteers. The College or the College volunteer may end the service at any time and without advance notice.

Volunteers are expected to abide by all St. John Fisher College policies, procedures, and external regulations that govern their actions, including but not limited to those relating to ethical behavior, safety, confidentiality, protected health information, computer use, financial responsibility, and drug/alcohol use.

Current employees may not volunteer for any capacity in which they are employed at the College, or which is essentially similar to or related to the individual's regular work at the College.

A person must be at least 18 years of age and must be eligible to work in the United States in order to be considered for a volunteer position.

Volunteers are prohibited from performing the following activities:

- Operating or utilizing any Facilities Services' equipment
- Making any changes to the physical assets of the College
- Working with steam, electricity, hydraulics, etc.
- Entering into any contract on behalf of the College
- Working with infectious or potentially infectious agents, including human blood
- Participating in any activity considered inappropriate for an employee

Procedures:

No volunteer may begin service at the College until all of the following steps have been completed.

- Departments considering engaging volunteers must first complete Section 1 of the Voluntary Service Approval and Acknowledgement Agreement (available on the Human Resources website), and submit a copy to the Human Resources Department for review. It is essential that each position be evaluated to determine that the position meets the definition of a volunteer. (Note: Volunteers serving as a public speaker, reunion chair, phone-a-thon or capital campaign volunteer, or in other roles as may be determined by the Human Resources Department may not be required to sign the Voluntary Service Approval and Acknowledgement Agreement.)

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- It is the responsibility of the engaging department to recruit and select the appropriate volunteer(s) and to be certain the individual(s) have the experience, qualifications, and training for the task he or she will be required to perform. Volunteers must have the necessary training and/or supervision to safely carry out their volunteer work; and depending on the particular function performed, must meet appropriate license requirements and have a good driving record.
- Prior to starting to volunteer at the College, each individual must complete the Voluntary Service Approval and Acknowledgement Agreement. An Authorization of Disclosure and Release of Claims form also must be signed and a background check must be completed by the Human Resources Department. The Human Resources Department will notify the appropriate department when the volunteer has been cleared to begin work.
- It is the responsibility of the engaging department to inform the volunteer regarding responsibilities of the assignment and College policies, procedures, parking regulations, and how to obtain a volunteer ID. Unless pre-approved by Human Resources, volunteers will not have access to Banner, campus facilities such as the workout center, or the campus email system. Volunteers will be assigned a Banner ID.



Policies/ Procedures: Service and Chaperoning Policy

At Fisher, our Service Scholarship Program offers students the opportunity for service in the context of service learning. As such, our program administrators partner with communities where resources to provide services are scarce. The program encourages person-to-person interaction with the goal of empathizing with, and getting to know, the poor and needy, appreciating who they are and what they need, and serving their needs within our ability. Service learning is supported in the classroom through ongoing, connected, challenging and contextual reflection. At the end of the program, Fisher's aim is that students will have developed a pattern of living for their future -- a pattern of service and giving not only of time but of self.

The very nature of some events requires employee participation. For example, a lead professor will chaperone a class to a functional-specific event that occurs off site from campus as part of the class curriculum. Another example involves the lead director to the Service Scholarship Program who will also accompany and lead the class of service scholars to off-site events. These examples illustrate job-related events for the professor and the lead director.

In order for our College-supported events to be successful, we rely on our faculty and staff to participate as volunteers, and in many cases, as chaperones. Therefore, the College welcomes and supports staff who want to participate in such programs when appropriate. However, there are instances when the events are not necessarily job-related. In order to maintain open and timely communications, all employees are encouraged to converse with their supervisor to accomplish the following:

- To determine if the event is job-related;
- To determine if the timing of the event causes any hardship on the operations of the employee's functional unit;
- To approve partial or full participation in the event.
- Final approval must be obtained from the Department Head and Vice President.

If a conflict is foreseen from this discussion, a supervisor has the right to disapprove the employee's participation in a volunteer event. If participation is approved but is not considered job related for the employee's position, the employee may be required to use vacation time for the duration of time away from work.

For hourly and non-exempt employees who participate in approved volunteer events, the employee will be compensated for hours worked. Compensation is calculated at straight time up to 40 hours per workweek and at time and one-half after 40 hours is worked in a workweek. For more information on overtime for such events, please refer to the Overtime Pay policy on page B5.

Policies/ Procedures: Appropriate Use And Privacy Policy for Computing and Information Technology Resources

The College expects all members of the St. John Fisher College community to use computing and information technology resources in a responsible manner and to respect the public trust through which these resources have been provided, the rights and privacy of others, the integrity of facilities and controls, and all pertinent laws and College policies and standards.

At Fisher, the computing and information technology resources support the instructional, research, and administrative activities of the College. Computing and information technology resources include but are not limited to: Banner, Web presence, e-mail appliances, telephone and instant messaging applications. Users of these computing facilities and services have access to a valuable institutional resource, to sensitive data, and to external networks. The Office of Information Technology (OIT) establishes, maintains, and supports, the computing facilities and services at the College.

The purpose of this policy is to outline the appropriate use of these resources. This policy applies to all users of computing and information technology resources, including faculty, staff, students, alumni, trustees, patrons of the Library, vendors and other suppliers, contract employees, and volunteers. By using campus computing services, users agree to abide by the guidelines contained in this document.

General Guidelines

- The computing and information technology resources at St. John Fisher College are to be used in a responsible, ethical, and legal manner.
- Users of the College's computing and information technology resources are expected to respect the rights of others at all times, following the general rules of common sense and common courtesy.
- E-mail is an official means of communication to students, faculty and staff within St. John Fisher College. Therefore, the College has the right to send communications to students, faculty and staff via e-mail and the right to expect that those communications will be received and read in a timely fashion.
- College policies (as found in the Student Handbook, the Employee Handbook, and the Faculty Statutes) provide guidance for the application of freedom of expression to electronic communication. Users of the College's computing and information technology resources are expected to act in accordance with these policies and with local, state, and federal law identified in but not limited to, the Telecommunication Act of 1995, the Patriot Act, and New York State Article 156.

Appropriate Use

The computing and information technology resources at St. John Fisher College are only available to the users defined above. Preserving the access of information resources is a community effort that requires each member to act responsibly and guard against abuses. Therefore, both the community as a whole and each individual user have an obligation to abide by the following standards of acceptable and ethical computer use:

Policies/ Procedures: Appropriate Use And Privacy Policy for Computing and Information Technology Resources

- Use only those computing and information technology resources for which you have authorization;
- Use computing and information technology resources only for their intended purpose;
- Protect the access and integrity of computing and information technology resources;
- Abide by applicable laws, College policies and respect the copyrights and intellectual property rights of others, including the legal use of copyrighted materials;
- Respect the privacy and personal rights of others (see General Guidelines above);
- Use computing and information technology resources in a manner consistent with the educational mission of the College.
- Primary use of the College's computing and information technology resources should be to advance the educational mission, research, and the administrative activities of the College.

Examples of Policy Violations

Examples of violations to this policy include, **but are not limited to**, the following:

- Using someone else's account and password or share your account and password with someone else;
- Using computing and information technology resources you have not been specifically authorized to use including another user's electronic mail, data, or programs;
- Altering or destroying information without authorization;
- Forging or in any way misrepresenting your identity;
- Using the College's computing and information resources and facilities to violate federal, state, College policy, or local laws or statutes.
- Accessing content referring directly or indirectly to illegal, pornographic or other inappropriate material;
- Intentionally releasing a virus or worm that damages or harms a system or network;
- Preventing others from accessing an authorized service;
- Downloading, using or distributing copyrighted materials;
- Tapping a phone line or running a network sniffer without authorization;
- Purposely looking for or exploiting security flaws to gain system or data access;
- Sending chain letters;
- Intercepting or monitoring any network communications not intended for you;
- Using computing or network resources for advertising or other commercial purposes.

Policies/ Procedures: Appropriate Use And Privacy Policy for Computing and Information Technology Resources

Enforcement of the Appropriate Use Policy

The Office of Information Technology (OIT) is required to monitor system and network activities to promote performance and integrity. Although OIT personnel and College administrators do not routinely monitor an individual's computer use, examine files, or read e-mail in an individual's account without permission or notice, exceptions may be necessary. These include circumstances in which a use or activity is suspected of disrupting the computing network or facilities; violating local, state, or federal law; violating College policies or standards of conduct; being an inappropriate use of computing and information technology resources as described by this document or College policy; or to administer or improve system or network performance; or in other circumstances where the College deems it necessary to the interests of the College. The computing and information technology resources provided by the College, including any files and e-mails in the system, remain the property of the College.

Web content and links referring directly or indirectly to illegal, pornographic or other inappropriate material are specifically prohibited. All web pages will be reviewed regularly and any site deemed unacceptable by these guidelines will be removed. The College reserves the right to remove any information published through its campus network if determined to be in violation of the College policy, or not in the interest of the College.

Enforcement of this College policy may include, among other actions, any or all of the following actions if users violate this policy:

Sanctions as described in the Student Handbook, the Employee Handbook, or the Faculty Statutes.

- For employees, this means disciplinary action, up to and including termination of employment;

Persons violating this policy may be subject to:

- Loss of computing privileges at the College;
- Prosecution under applicable civil or criminal laws.

Employees who may have questions relating to the content of this policy should contact his/her immediate Supervisor/Manager or the Human Resources Department. Students with questions relating to the content of this policy should contact the Assistant Dean for Student and Residential Life.

Policies/ Procedures: Total Compensation Policy

St. John Fisher College affirms the importance of each employee's contribution to its educational mission and accordingly is committed to providing appropriate compensation – the combination of direct pay and benefits – to everyone who works at the College. This commitment is grounded in two principles: First, St. John Fisher College adheres to basic values of fairness and equity in the workplace. Second, the College can fulfill its mission only by hiring and retaining members of its faculty, staff, and administration who are capable of meeting the highest standards of performance and are motivated to do so.

The College also strongly believes that working at Fisher should be rewarding not only because of compensation but also because of:

- the advantages of being associated with an excellent liberal arts college noted for its unique sense of community;
- an interesting and engaging work environment;
- opportunities for continuing education and where possible, career advancement within the College;
- educational opportunities extended to family members; and
- opportunities to participate in institutional governance.

For these reasons, the College will strive both to maintain externally competitive and internally equitable levels of compensation and to consider other factors affecting job satisfaction in strategic planning, in budgeting, and in other areas of institutional decision making.

To address issues of compensation, the College will identify overall goals for compensation and then develop specific targets in order to maintain a competitive pay and benefits structure. In establishing such targets, the College will take account of appropriate external benchmarks while attending to considerations of internal equity. The College will also aim to provide individual choices, where possible, for managing health and welfare benefits. Targets for both salary and benefits will be reviewed regularly and modified as necessary. The College will also regularly explore alternative approaches to salary and benefits. Such decisions will necessarily be informed by constraints on resources and other budgetary considerations. In all cases, the Board of Trustees retains final authority to approve budgetary principles, as well as annual budgets and projected expenditures.

This framework is predicated on the ideas that the community spirit of the College is paramount and that compensation programs should reflect the needs of both the College, as an institution, and its employees. The College's progress in meeting its goals will be reviewed regularly by the College administration in collaboration with appropriately constituted governance bodies. The results of such analyses, any ensuing changes in the compensation system (along with reasons for such changes), and their implications for employees, will be communicated in a clear and timely manner.

The following principles will inform the College's decision regarding compensation:

Policies/ Procedures: Total Compensation Policy

Goals for External Positioning

Within the constraints of its financial resources, St. John Fisher College will aim to:

- Set salary ranges using publicly available market data according to experience, skill levels and job performance;
- Provide regular salary and wage increases to maintain market competitiveness and, where possible, to improve such positioning relative to external benchmarks;
- Ensure that hourly wage levels are positioned at or above the current “living wage” level for the region.

Market Comparisons

The College will seek market data for similar positions at like or aspirant institutions from third-party organizations that collect and maintain such data. Comparisons will be based on criteria such as the nature of the position, knowledge, education, and skills required to perform the work, areas of recruitment (national, regional, local), the nature and size of comparable institutions or employers, the financial resources of comparable institutions (in relation to the financial resources of the College), and where relevant, geography. More specifically, the following comparator groups may be utilized.

- AAUP Faculty: Peer group of schools that are comparable in size, financial structure and mission as well as national data (e.g., the annual AAUP faculty survey).
- CUPA (College and University Professional Association): Higher-ed-specific for senior administrators, administrative and mid-level administrative levels – peer group of schools that are comparable in enrollment, financial structure, geography, institutional positioning (Carnegie rating, Private vs. Public etc).
- The Greater Rochester Chamber of Commerce: Members of the support and operational staff – service, educational, and business entities in the region.
- Other – our functional units belong to niche associations and can access salary, benefit and staffing data from such networks.

Internal Equity

In order to recognize the contributions of individual employees while treating everyone with fairness and respect, the College has:

- Established ranges of compensation for different positions based on a systematic analysis of factors such as responsibilities, level of education required for the position, and skills and experience required to perform a given function. The goal is to provide equitable compensation for comparable work and will
- Acknowledge an employee’s individual contribution to Fisher – as reflected both in current levels of skill and the history of performance at the College – when determining individual positioning of salaries within the salary range.

Policies/ Procedures: Total Compensation Policy

Work Satisfaction and Career Development

The College is committed to the principles that work should be satisfying in its own right, that employees should find that they are able to employ their skills effectively, to contribute thoughtfully to the advancement of institutional goals, and that their time on the job is well spent. To implement these principles, the College will strive to:

- Give proper attention to training and oversight of those employees in supervisory and administrative roles.
- Provide employees with opportunities to develop their professional skills and increase their knowledge in ways that contribute both to professional and personal growth.
- Provide opportunities, where possible, for employees to enhance both their personal satisfaction and their contributions to the College through lateral moves to new areas, promotion, or involvement in new areas of work through participation on committees or task forces.

Acknowledgment of Individual Performance

In all cases, the expectations and ways of assessing individual performance should be clear and consistently applied and should support the College's values and mission. Fair and constructive performance reviews should be an integral aspect of work at all levels within the College. Where possible, the College will develop ways of acknowledging high levels of performance, individual contribution, and achievement.

In unusual circumstances, where employees have taken on additional responsibilities or time commitments that substantially exceed the normal expectations of their positions, the College may be able to acknowledge that extra work with stipends or other forms of supplemental pay. (See Additional Compensation Policy.) Where possible, such additional compensation will be standardized to ensure the employees performing comparable work receive equitable pay.

Policies/ Procedures: Additional Compensation Policy for Exempt Staff & Faculty Members

Statement of Policy

The College is subject to a wide range of laws and regulations with respect to its operations, including State education and non-profit laws, State and federal employment laws, federal laws for tax-exempt organizations (including excess benefit excise taxes), and new accounting and auditing pronouncements by organizations including, but not limited to, the Financial Accounting Standards Board (FASB), the American Institute for Certified Public Accountants (AICPA), and the New York State Attorney General. The practices of the College go beyond mere compliance with these rules, however, in order to promote fair treatment and to avoid even the appearance of impropriety.

St. John Fisher College endeavors to compensate employees fairly and equitably and to make compensation decisions using a review and approval system. To ensure consistent practices in compensation, the following policy and procedure must be followed in all cases where additional compensation is paid to a faculty member or to a salaried exempt staff employee. This policy does not apply to compensation received by faculty and staff members for grant-based work.

Exempt staff are those employees who perform certain types of job duties (professional, executive, administrative, etc.) and are paid a fixed salary. Exempt employees are expected to work those hours necessary to complete their job duties and meet their job responsibilities. They are not eligible for overtime pay. The job description maintained for each exempt staff position summarizes the position's main duties. Additional or occasional responsibilities are subsumed within the phrase "all other duties as assigned."

Similarly, faculty members are paid a fixed salary to perform the duties of a full-time faculty member. The faculty contract/appointment letter and Faculty Statutes set out the main duties and responsibilities of a faculty member, which may include research or other scholarly pursuits in addition to classroom teaching, committee participation, student advising, and other roles within the College.

The salary set for an exempt staff member or a faculty member is meant to compensate the individual for all duties performed in the ordinary course of employment, including those duties within the scope of "other duties as assigned." A request for additional compensation will be considered only if the duties for which additional payment is sought are clearly outside the expected scope of employment and the other criteria set forth in this policy are met. Requests for additional compensation under this policy may not be made in lieu of a bonus or as a substitute for, or enhancement to, the regular compensation review and adjustment process. To the extent that additional duties, and therefore additional compensation, become a routine occurrence, consideration should be given to amending the job description and base compensation for the position.

Policies/ Procedures: Additional Compensation Policy for Exempt Staff & Faculty Members

Approval Process

All requests for additional compensation for salaried exempt staff and faculty members must be processed through the Request and Approval Process set forth in this policy and must be accompanied by a completed Additional Compensation Request Form. Except as otherwise provided in this policy, the signature of the Direct Supervisor/Manager **and** his or her direct supervisor or manager are required to authorize payment of additional compensation. These may include:

- *Direct Supervisor/Manager:* This is the person who is prompting the request for additional compensation to be paid to the employee. This person should be the direct supervisor even though their title may be a higher level.
- *Dean:* Academic School Dean for the College.
- *Provost or Divisional Vice President:* The Provost or Vice President shall have authority on all requests for stipends made in accord with a published schedule, pre-approved as to reasonableness.
- *President of the College*

In addition, in order to provide College-wide oversight and consistency, the Human Resources Director must review each Additional Compensation Request Form as to reasonableness of the amount and duties outside the expected scope of employment before any additional compensation is authorized. The Controller also shall receive a copy of each Additional Compensation Request Form. No additional compensation may be paid to any employees of the College except as approved according to the process set out in this policy.

Types of Additional Compensation

The following type of additional compensation may be available to faculty and exempt staff.

- A stipend is a set dollar amount used to compensate faculty or exempt staff for work performed that is significant and is clearly outside the scope of the employee's job. The employee's job includes enumerated items in the job description (or faculty contract or appointment letter) in addition to "other duties as assigned." The College recognizes three types of stipends:

Faculty Overload – A stipend paid to a faculty member for teaching or other duties undertaken in addition to those normally expected of faculty of the individual's rank and status (*e.g.*, teaching during the summer; a full-time faculty member teaching an additional class during a regular semester; a part-time faculty member teaching a full-time schedule). The amount of the stipend is determined according to a scale prepared in advance by the College. **Requests for variation from the scale must be supported by specific information justifying a variance.**

Policies/ Procedures: Additional Compensation Policy for Exempt Staff & Faculty Members

Staff Overload – A stipend paid to a staff member for teaching duties undertaken in addition to regular staff duties. The amount of the stipend is determined according to a scale prepared in advance by the College. **Requests for variation from the scale must be supported by specific information justifying a variance.**

Administrative or Other Stipend – A stipend paid to an exempt staff employee or a faculty member, including academic deans, department chairs, academic program directors, and graduate program directors, for administrative or other work outside the normal scope of the individual’s job duties (*e.g.*, a department director with an outside expertise in a particular area conducts a series of seminars sponsored by the College; a faculty member agrees to develop a new degree program; a faculty or staff member coaches a College sports team). **The amount of the stipend must be agreed to and approved in advance before the employee performs additional work.**

Process for Requesting Additional Compensation

General – Supervisors/managers requesting additional compensation for employees who report to them must provide a description of the work to be performed and explain how that work is outside the scope of the employee’s normal job duties. In addition, the supervisor/manager must describe how the work to be performed supports the College’s core mission and initiatives and how the additional work will affect the employee’s ability to perform his or her regular job duties. The supervisor/manager must identify a budget for the proposed additional compensation. The supervisor/manager is responsible for obtaining approval signatures. The Human Resources Director must review the proposed payment as to reasonableness of the amount and duties outside the expected scope of employment before the Payroll Department is authorized to accept any salary changes or make payment of any additional compensation. The Controller shall receive a copy of the Additional Compensation Request Form. When all signatures are obtained, Human Resources will notify the Payroll Department.

Stipends – Before entering into any agreements with employees and before assigning any “extra” work (special projects, events, etc), the supervisor/manager must complete an Additional Compensation Request Form and must receive the required approvals.

The Provost or Divisional Vice President shall have authority on all requests for stipends made in accord with a published schedule, pre-approved as to reasonableness. (Copies of the schedule are maintained in the offices of the Provost, Human Resources Director, and Controller.) Absent such a schedule, the requesting supervisor/manager must consult with the Human Resources Director to obtain a recommended dollar amount for the proposed stipend. The role of the Human Resources Director is to determine the reasonable value of the work to be performed and to ensure fair and consistent treatment across departments. Such review will require the Human Resources Director to compare the duties to be

Policies/ Procedures: Additional Compensation Policy for Exempt Staff & Faculty Members

performed with those performed by similarly-positioned staff, using factors such as the level of skill required and the complexity and duration of the additional duties. A review of stipend levels paid to other staff for additional duties may help inform the process as well. Recommendation of the stipend amount will be made by the Human Resources Director in consultation with the appropriate Dean and/or Vice President overseeing the division where the work is to be performed. The Vice President for Financial Affairs must be able to confirm that funds are available within the budget to cover such requests. No additional compensation will be provided to the employee unless all required approvals are obtained.

Additional Compensation Considerations

All additional compensation received by faculty members or exempt staff is subject to state and federal tax withholding and will be reported on the individual's Form W-2.

Under the terms of the College's benefit plans, additional compensation is not subject to retirement contributions. This means that the types of additional compensation referenced in this policy are not used to calculate contributions (employee and employer) made to the 403(b) Retirement Plan. Contributions to the 403(b) plan are calculated only on base earnings.

In the event that a supervisor/manager or employee believes that additional compensation is warranted but the circumstances do not align with the terms of this policy, the employee or supervisor/manager may request that the Human Resources Director review the employee's job duties and pay band. In appropriate cases, the job grade or salary may be adjusted.

Policies/ Procedures: Guidelines for Managing Solicitation on Campus

To avoid disruption of College operations and to eliminate any pressure to support a variety of causes, St. John Fisher College limits workplace solicitation and distribution.

Only persons who are employees, students, volunteers, bona fide visitors or business invitees of the College are permitted on College property for any purpose, including soliciting or distributing literature on behalf of any cause; canvassing others on College property on behalf of any cause; and selling articles, chances, or memberships in any group, society or organization. Bona fide visitors are those visitors who come to the campus to participate in a College-sponsored activity to which the visitor has been specifically invited or which is open to the public.

Non-College business disrupts the workplace and puts an unfair burden on colleagues. All working time should be used exclusively for matters that are directly job related.

In the best interests of employees and the College, the following rules must be observed:

- Solicitation by employees is prohibited while the person doing the soliciting or the person being solicited is on working time. Working time is that time when employees are expected to be engaged in work on behalf of the College and does not include authorized breaks, meal periods, or the time before and after work.
- Distribution of literature or other written materials by employees is prohibited in any work area or while the person distributing or receiving the material is on working time.
- Non-employees, including students, must be sponsored by a student organization or an administrative office, to solicit or distribute literature on College property for any purpose, including but not limited to selling goods or services, seeking charitable contributions, or obtaining employee support for any particular cause or purpose. The Vice President for Student Affairs and Diversity Initiatives and the Director of Human Resources, or their designees, however, may invite and authorize representatives of charitable or student organizations to solicit contributions, conduct fund-raising activities, or distribute literature.
- “Solicitation” includes, but is not limited to, seeking monetary contributions and the buying and/or selling of foods, tickets, material goods, services and memberships. “Distribution” refers to the distribution of any literature, including but not limited to circulars, handbills, pamphlets, or written materials of any kind.

E. EMPLOYEE BENEFITS

Employee Benefits: Overview



This Employee Handbook summarizes the benefits available to our employees.

The College has the sole discretion to determine eligibility for benefits and to interpret and administer these benefit plans. The College also reserves the right to change or remove the plans' terms. Plan changes might include an increase or decrease in benefits, eligibility or funding changes, or changes in the costs incurred by employees. Any such change could affect retired employees and beneficiaries as well.

Eligibility for these benefits is determined by the actual plan documents and policies, and not by the summaries contained in this Handbook. The specific terms of these plans are described more completely in summary plan descriptions that are available online at:

<http://www.sjfc.edu/campus-services/hr/documents/wrap-plan/WelfareBenefitPlanSPD.pdf>

and

<http://www.sjfc.edu/campus-services/hr/documents/benefits/RetirementPlan.pdf>

or from the Human Resources Department. If you have particular questions about a benefit plan, you should consult the relevant summary plan description. The plan documents, copies of which also may be obtained from the above websites or by contacting the Human Resources Department, are the controlling legal documents should any dispute arise over the terms and conditions of a plan.

As provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, certain events may qualify employees or dependents who would otherwise lose health benefits to continue their coverage under the College's medical and dental insurance for a period of time at their own expense plus a two percent administrative fee.

For further information about any benefits, employees may contact a member of the Human Resources Department.

Employee Benefits: Flexible Benefit Plan

Plan Description

The College offers a Flexible Benefit Plan (Section 125 Cafeteria Plan) that allows employees to select the benefits coverage they need from a variety of coverage options. All regular full-time faculty and staff members are eligible to participate in the Plan on the first day of the month following their date of employment with the College.

The employee contributions toward the following benefits will be paid on a pre-tax basis:

- Health Insurance
- Dental Insurance
- Employee Life Insurance
- Flexible Spending Account (FSA) dollars for unreimbursed medical and dependent care expenses

- Health Savings Account (HSA) dollars for unreimbursed medical expenses

Post-tax employee contributions will pay for spouse/dependent life insurance and personal accident insurance.

Effective January 1, 2007, the College's health and dental benefits are available to the domestic partners of employees to the same extent such benefits are available to spouses of married employees. However, since federal law does not recognize domestic partners as spouses for tax purposes, domestic partner benefits can only be offered on a post-tax basis, except in those instances where a domestic partner qualifies as a dependent for tax purposes.

Health Insurance

The College offers a variety of health insurance options. Payment for health insurance is part of a cost sharing plan. The employer contribution varies annually based on rates quoted by the insurers and the College's budgeting process. Specific information on the various health plans is available from the Human Resources Department.

Dental Insurance:

Dental options are offered and specific information is available from the Human Resources Department. The dental premium is 100% paid by the employee.

Employee Benefits: Flexible Benefit Plan



Life Insurance

The College provides one times base salary of group term life insurance to all eligible employees (up to a maximum of \$160,000). Employees may elect to purchase additional group term life insurance of one, two, or three additional times their base annual salary. The total basic and additional group term life insurance benefit is \$460,000. Additional employee life insurance must be elected in order to purchase the spouse/dependent insurance described below. A request for additional life insurance that is not elected in the new hire process will be subject to evidence of insurability. Life insurance in force prior to age 70 will reduce to 50% coverage at age 70.

Health Savings Account (HSA)

If you enroll in the High Deductible Health Plan (HDHP) you can contribute to a Health Savings Account (HSA). A Health Savings Account allows you to pay for certain health and dental expenses (such as copayments, deductibles and non-reimbursable expenses like eye glasses) that are not covered by insurance. This money is not taxed and may be used to reimburse you for the eligible out-of-pocket medical expenses you incur throughout the year.

The College will contribute \$500 for single coverage and \$1,000 for family coverage to your account. In order to receive the College contribution new enrollees to the High Deductible Health Plan must complete the required HSA enrollment application.

If you are age 55 or over, you can save an additional \$1,000 in catch-up contributions. Upon reaching age 65, you and/or your spouse can no longer contribute to an HSA, although you can remain in the HDHP plan.

Domestic partners are not eligible for this benefit.

Flexible Spending Account (FSA)

A Health Flexible Spending Account allows you to pay for certain health and dental expenses (such as copayments, deductibles and non-reimbursable expenses like eye glasses) that are not covered by insurance. This money is not taxed and may be used to reimburse you for the eligible out-of-pocket medical expenses you incur throughout the year, after submitting the appropriate claims and supporting documents.

Contributions to a Medical FSA are limited to \$2,600 per year. Over the counter medications are not reimbursable through an FSA.

Domestic partners are not eligible for this benefit.

Dependent Care Flexible Spending Account (FSA)

The Dependent Care Flexible Spending Account Plan allows you to pay for dependent care expenses for children under the age of 13 or an older dependent who is physically and/or mentally incapable of self-care.

To be eligible for reimbursement, the expense must be incurred so that you and your spouse can work, look for work, or continue to attend school as a full-time student. This money is not taxed and may be used to reimburse you for the eligible

Employee Benefits: Flexible Benefit Plan



dependent care expenses you incur throughout the year, after submitting the appropriate claims and supporting documents. Expenses claimed under your Dependent Care Flexible Spending Account must be for the care of your eligible dependents (i.e., not for medical expenses). Costs incurred for education, overnight camp, or enrichment programs (e.g. music or computer camp) may be either partially or completely ineligible for reimbursement. Consult IRS Publication 503 or your personal tax advisor if you have any questions about eligible expenses.

Normally, you will not be taxed on your dependent care benefits, up to the limits indicated above. However, to qualify for tax-free treatment, you will be required to list the names and taxpayer identification numbers of any persons who provided you with dependent care services during the calendar year for which you have claimed tax-free reimbursement. You may not claim any other tax benefit for the tax-free amounts received by you under this plan.

Up to \$5,000 may be elected per Plan year for the FSA dependent care reimbursement provided that you meet the following conditions:

- a. You are married and file a joint return; or
- b. You are married, but furnish more than one-half the cost of maintaining those dependents for whom you are eligible to receive tax-free reimbursements under the dependent care assistance plan, your spouse maintains a separate residence for the last six months of the calendar year, and you file a separate tax return; or
- c. You are single or head of a household for tax purposes. If you are married and reside with your spouse, but file a separate income tax return, the maximum benefit that can be elected is \$2,500. The \$5,000/\$2,500 limit for highly paid employees may be reduced in any year if the plan should fail certain IRS-imposed antidiscrimination tests in that year.

Long Term Disability Insurance:

The College provides a benefit equal to 60% of base monthly earnings under a Long Term Disability Insurance policy to all eligible employees (not to exceed a monthly maximum benefit of \$7,500). See Page E7 for additional information.

Spouse/Dependent Life Insurance

All regular full-time employees may purchase spouse/dependent life insurance on an after tax basis, if the employee has purchased additional supplemental life insurance. There are two spouse/dependent life insurance plans that employees may choose from and the employee is automatically the beneficiary on the policy. Dependents are defined as spouse and children between the age of 14 days and 19 years, or if enrolled full-time in school, up to 23 years of age. Additional spouse/dependent life insurance that is not elected in the new hire process may be subject to evidence of insurability.

Supplemental Accidental Death and Dismemberment Insurance

All regular full-time employees may purchase additional accidental insurance through payroll deduction on an after tax basis. The employee pays the full cost of this voluntary accidental death and dismemberment insurance that provides additional coverage against accidents incurred on or off the job, subject to certain exclusions and limitations. The benefits provided under this plan cover such outcomes as loss of life,

Employee Benefits: Flexible Benefit Plan



limbs or sight, and are payable in addition to any other insurance which may be in effect at the time of the accident. Employees may purchase the insurance for themselves and their family members.

Plan Administration

The Plan Administrator has full discretionary authority to interpret the Plan and all related documents, and to respond to all questions arising in the administration, interpretation, and application of the Plan, including the exclusive authority to determine eligibility for benefits. The Plan Administrator may designate other persons to administer or carry out its duties under the Plan. The insurance carriers are responsible for determining the benefits available under their policies.

Enrollment Changes

Changing or revoking an election within the current Plan year may occur only as a result of one or more of the following significant changes in status known as qualifying events and require you to notify the Human Resources Department within 30 days of the event:

- Marriage or divorce;
- Birth or adoption (or placement for adoption) of a child;
- Death of a spouse or child;
- Change in dependent's eligibility;
- Becoming eligible for COBRA;
- Becoming eligible for, or losing Medicare or Medicaid benefits;
- Change in worksite or residence outside an elected HMO area;
- There is a significant change in the medical benefits or premiums available either to you as a result of your employment with the College, or to your spouse, through his/her employer.
- Any of the following changes affecting you or your spouse or dependent:
 - Commencement of employment
 - Termination of employment
 - Strike or lockout
 - Commencement or return from unpaid leave
 - Change in worksite
 - Change in employment status that affects eligibility to participate in a plan.


Failure to inform the Human Resources Department within 30 days of the date of event will result in no changes being made to your current elections. Appropriate written documentation to support the change will be required.

If you and/or your dependents are covered under Medicaid or a state Child Health Insurance Program (CHIP) and lose eligibility for such coverage, you may be able to enroll yourself or your dependents who lost such coverage in a health insurance Program, provided that you request enrollment within 60 days after the loss of coverage. Likewise, if you and/or your dependents become eligible for Medicaid or CHIP premium assistance, you may be able to enroll yourself or your dependents

who become eligible for premium assistance in a health insurance Program, provided that you request enrollment within 60 days after the date you are determined to be eligible for premium assistance. If your dependent child is receiving Medicaid or CHIP premium assistance toward the cost of plan benefits, you may also be able to disenroll the child from a health insurance Program and enroll the child in and receive child health assistance under the state child health plan, effective on the first day of any month for which the child is eligible for premium assistance, to the extent required by law.

Additionally, the Plan Administrator may modify an employee's election(s) downward during the Plan Year if the employee is a highly-compensated officer of the College or if he/she is a member of the "highly paid" group of employees (as defined by the Internal Revenue Code), if necessary, to prevent the Plan from becoming discriminatory within the meaning of the federal income tax law. Any change(s) will be discussed with the employee(s).





**Employee
Benefits:
Retirement—
Saving for the
Future and
Benefits for
Retirees**

Saving For the Future

The St. John Fisher College Retirement Plan is a program that enables you to set aside funds for your future in a tax-advantaged way. Under the Plan, you can defer a portion of your pay before income taxes (called elective deferrals) to an account in your name. This deferral opportunity alone can be an advantageous way for you to save money for your retirement. But if you satisfy certain requirements, the College will also make its own contributions to your account (called college contributions), supplementing those amounts that you have deferred from your pay.

A separate document, known as the Summary Plan Description (SPD), explains how the Plan works for eligible employees who are on the employee payroll. The SPD is only a summary of your benefits and rights under the Plan. It cannot cover all details of the Plan or how the rules of the Plan apply to every person, in every situation. You can find the specific rules of the Plan in the Plan Document, which you may request from the plan administrator.

If you find a difference between the information set forth in this policy and the information in the SPD or Plan Document, your benefits will be determined based on the information found in the Plan Document.

Eligibility

If you are an eligible employee, you can begin contributing elective deferrals to the Plan starting on the first day of the month after your hire date if you have completed a valid enrollment form and salary reduction agreement.

If you:

- Have attained age 22, and
- Are either (1) scheduled to complete 1,000 hours of service (750 hours of service for an adjunct faculty member) during a calendar year, or (2) actually complete 1,000 hours of service (750 hours of service for an adjunct faculty member) in the 12-month period beginning on your hire date or, if later, a calendar year beginning after your hire date,

you are eligible to receive college contributions beginning on the date that is six months after your hire date. This six-month waiting period is waived if you came directly to the College from another employer and were actively participating in that employer's 403(b) plan.

Hours of service are tracked under a series of rules set forth in the Plan, but generally speaking, you are credited an hour of service for each hour for which you are paid, or entitled to payment, by the College for the duties you perform. If you are an adjunct faculty member, the College tracks hours of service differently. Please refer to the SPD or the Plan Document for more information.

You cannot participate in the Plan for any purpose if you are a student performing certain types of services or a nonresident alien with no income from sources within the United States.

**Employee
Benefits:
Retirement—
Saving for the
Future and
Benefits for
Retirees**

Rehire of Separated Employee

- If you are a rehired employee and you were previously a participant in the Plan, you may begin contributing elective deferrals to the Plan again by completing a valid enrollment form and salary reduction agreement. As a rehired employee, you also must meet the required hours of service for eligibility.
- If you are rehired and did not previously fulfill the requirements to be eligible for College Contributions, you must complete the initial eligibility requirements to receive them.

Contributions

The Federal government has placed a maximum limit on the amount of elective deferrals that you can make to the Plan each year, and the IRS adjusts this limit annually based on changes to the cost of living. Contact the Plan Administrator for information on what the current limit on elective deferrals is. If you are over 50 or will be over 50 by the end of the year, or if you have at least 15 years of service with the College, you may be able to contribute additional amounts to the Plan. Contact the Plan Administrator for information on these special catch-up opportunities.

If you are eligible for College Contributions from the College, the amount that the College will contribute to the Plan on your behalf depends on what percentage of your compensation you choose to contribute to the Plan as Elective Deferrals, subject to the following schedule:

<u>Your Contribution</u>	<u>College Contribution</u>
Less than 2% of compensation	0% of compensation
2% or more of compensation	8% of compensation


For purpose of calculating college contributions, your compensation is determined in different ways, depending on the type of employee you are - staff, full-time faculty, or adjunct faculty. Please refer to the SPD or Plan Document for more information.

Investment of Your Account

You decide how the money in your account is invested. When you become eligible to participate in the Plan, you may select from a variety of professionally managed investment funds. You will receive enrollment materials that include information about each fund. Once you decide how you would like your contributions invested, you will need to complete an investment election form. You must then return it to the Plan Administrator who will forward it to the appropriate fund sponsor.

You can change the way your contributions are invested by contacting your selected fund sponsor. You can also transfer money among the various investment funds by contacting your selected fund sponsor.

Employee Benefits: Retirement— Saving for the Future and Benefits for Retirees



Ownership of Your Account

Vesting refers to the portion of your account that you are entitled to receive when you terminate employment. You are 100% vested in all amounts contribute to the Plan.

Loans

You may apply for a loan from your account by submitting a loan application in writing or electronic form to the fund sponsor, subject to certain restrictions. Your account balance determines the maximum amount you may borrow. You may borrow up to the lesser of 50% of your vested account balance or \$50,000. You may have only two loans outstanding at any time. You must repay the loan within the period specified by the fund sponsor in substantially equal payments. Taxes and penalties may apply if your loan is defaulted.

In-Service Withdrawals

If the fund sponsor permits, you may withdraw all or a portion of your account after attaining age 59-1/2, even if you are still employed by the College. The fund sponsors may allow you to take a hardship withdrawal if you are under age 59-1/2 and encounter financial hardship. The amount of any hardship withdrawal is limited to the total elective deferrals you have made as of the date of withdrawal, reduced by the amount of previous hardship withdrawals. You cannot contribute to the Plan for at least six months after making a hardship withdrawal.

Benefits

If you terminate service, you have the option of receiving the total vested value of your account at any time. The Plan is required by law to distribute your benefits no later than April 1st of the calendar year following the year in which you reach age 70-1/2. However, if you are still working for the College at the time you reach age 70-1/2, you can delay payment of your benefits until April 1 of the calendar year following the year you retire.

The automatic form of benefit under the Plan is a single lump sum. Alternatively, if permitted by the Fund Sponsor, you may elect to receive a distribution in periodic installments over a period not greater than or equal to your life expectancy.

If you die before receiving benefits, your account balance will be paid to your beneficiary. If you are married, at least 50% but not more than 100% of your account balance will be paid to your spouse unless your spouse waived spousal entitlement to receive retirement or survivor benefits in a writing witnessed by a Plan representative or a notary public. The percentage of your account balance that your spouse will receive is determined by the Fund Sponsor.

If you fail to designate a beneficiary, if your beneficiary designation is not valid, or if your beneficiary fails to survive you, your benefits will be paid to your spouse or your estate, in that order. To make a beneficiary designation, you must contact the Plan Administrator to request a beneficiary designation form.

Employee Benefits: Retirement— Saving for the Future and Benefits for Retirees

Additional Information

The Plan is administered by the plan administrator. The plan administrator has full discretionary power to construe and interpret the Plan and has full responsibility for administering the Plan.

Each fund sponsor performs some, but not all, of the recordkeeping services for your Plan. Each fund sponsor performs these functions at the direction of the plan administrator in accordance with the provisions of the Plan. The fund sponsors receive Plan contributions, credit your accounts for those contributions, and pay benefits to you and/or your beneficiaries.

The Plan is purely voluntary on the part of the College, which reserves the right to terminate the Plan and to discontinue contributions completely at any time.

No provision of the Plan is to be considered a contract of employment between you and the College. The Employer's rights with regard to disciplinary action and termination of any employee, if necessary, are in no manner changed by any provision of the Plan.

Benefits for Retirees

In order to be a retiree of St. John Fisher College for purposes other than the St. John Fisher College Retirement Plan, you must have at least 10 years of full-time employment with the College **and** your years of service plus your age must equal at least 65. As a retiree, you are entitled to the following benefits:

- A life insurance policy in the amount of \$5,000.
- The ability to enroll in a College-sponsored health insurance plan
 - The College will make a contribution towards the cost of health insurance if you so elect and are enrolled in a College health insurance program. For single coverage, the College will contribute \$50 per month. For two-person coverage, the College will contribute \$100 per month.
 - If you die, your spouse may continue to participate in the program, without the College contribution.
 - If you are a retirement-eligible employee who remains active with the College and dies while active, your surviving spouse may elect the retiree status health benefits available at that time, without the College contribution.
 - If you are eligible to participate in the program, you remain eligible for life. You may even leave the program and join again at a later time.
 - Health insurance is not extended to domestic partners of retirees.
- The ability to enroll in College-sponsored dental insurance, at cost, without College contribution.
- A retiree, his/her spouse and any dependents under the age of 24 are eligible to receive full tuition remission for undergraduate courses taken at St. John Fisher College. The spouse of a deceased employee, who at the time of death was retirement eligible, or deceased retiree and any of the surviving spouse's dependents from that marriage under the age of 24, are eligible to receive full tuition remission for undergraduate courses taken at St. John Fisher College. Benefit eligibility for retirees, and their family members, and family members of deceased retirees and deceased retirement eligible employees (as defined by the College) continues beyond the last day of work.

Employee Benefits: Paid Absence Policy

The College recognizes that health issues may occur which require an employee's absence from work. To accommodate these situations, the College established a paid absence policy which provides time off with pay to eligible employees who are occasionally absent from work due to health reasons beyond their control.

- All regular exempt and non-exempt, full-time employees and part-time employees normally scheduled to work at least 17.5 hours per week, (except faculty and temporary employees) begin to accrue paid absence upon hire by the College.
 - The paid absence accrual will be pro-rated for eligible regular part-time employees based on the approved working hours for the position for the fiscal year .
- All eligible employees accrue paid absence from the first day of employment, and become eligible to use paid absence following the first three months of employment and after the successful completion of their probationary period.
- Any unpaid leave time and overtime is not used in the calculation of paid absence accruals.

This benefit is intended to provide employees with a bank of paid time to be used to care for themselves and/or family members. Approval of paid absence usage will be determined by the employee's Supervisor/Manager.

Employees accrue paid absence time equivalent to twelve (12) days during each full anniversary year. Anniversary years are computed from the employee's first full day of employment to her/his anniversary date and thereafter from one year's anniversary date to the next. Unused paid absence hours will accumulate up to a maximum of one hundred thirty (130) work days (approximately six (6) months - the equivalent of the New York State Disability Insurance program.)

All employees who are ill and/or unable to report to work should notify their Supervisor/Manager as far in advance of the beginning of their shift as possible so other arrangements can be made. Paid absence time is **not** to be used to extend periods of vacation or scheduled days off (ie. weekends). Paid absence immediately preceding or following vacations and/or weekends must be pre-approved by a Supervisor/Manager.

Once an employee has given notice of resignation, any use of paid absence time prior to the date of separation must be pre-approved by a Supervisor/Manager. Upon separation from the College, unused paid absence time is not reimbursed to the employee.

Paid absence time is intended for the following:

- Personal illness or injury;
- Illness in an employee's immediate family;
- Appointments which cannot be conducted outside of an employee's normal working hours;

In order to monitor the effective use of paid absence, Supervisors/Managers may approve paid absence for the following:

- Death outside the immediate family (See Bereavement section for leave policy on death of an immediate family member);
- Religious holiday observance not observed by the College;
- Court appearance other than as a juror or witness;
- Acts of nature which temporarily prevent an employee from reporting to work.

Employee Benefits: Vacation Policy

Paid vacation is provided as a part of the College's benefits for all regular full-time and part-time employees, excluding faculty, part-year employees (i.e., 9 or 10 month employees), part-time employees normally scheduled to work less than 17 1/2 hours per week, and temporary employees. Vacation is intended to ensure time off for rest and recreation at times mutually convenient to the individual and her/his department. All eligible employees accrue vacation from the first day of employment, and become eligible to use vacation following the first three months of employment and after the successful completion of their probationary period. Any unpaid leave time is not used in the calculation of vacation accrual.

Vacation Accrual

Full-time Employees

Full-time employees accrue vacation based upon regularly scheduled working hours each payroll period, years of completed service, and employment classification (i.e., non-exempt, exempt). Overtime and unpaid hours are not used to compute accrued vacation hours. Vacation days per year are earned according to the schedule below:

Years of Completed Service	Employee Types	
	Non-Exempt	Exempt
0-5	10 days	15 days
6	11 days	16 days
7	12 days	17 days
8	13 days	18 days
9	14 days	19 days
10	15 days	20 days
11	16 days	20 days
12	17 days	20 days
13	18 days	20 days
14	19 days	20 days
15 and over	20 days	20 days

Senior Staff, department directors, associate directors, and exempt librarians accrue four weeks (20 days) of vacation each year.

Part-time Employees

Part-time employees who are normally scheduled to work at least 17 1/2 hours per week over 12 months will accrue vacation that is pro-rated based on the approved working hours for the fiscal year, the position, and length of service. *Example:* A non-exempt assistant with two years of service works part-time for 17 1/2 hours per week, or 1/2 the normal work week of 35 hours. The annual vacation entitlement would be 35 hours (divide the full-time rate of 70 hours, or ten days, by 1/2). Please consult a member of the Human Resources Department for other specific examples of the application of this policy.

Carryover and Termination of Employment

- Employees may carry over up to one year of accrued vacation entitlement to the following vacation year. The vacation year runs from October 1 through September 30.
- Employees will not be permitted to receive payment in lieu of taking vacation time off, except upon termination.
- Once an employee has given notice of resignation, any use of vacation time prior to the date of separation must be pre-approved by a Supervisor/Manager.

Employee Benefits: Paid Holidays



St. John Fisher College provides nine paid holidays per year to all regular exempt and non-exempt staff employees. These holidays are:

New Year's Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Labor Day	

Employees will be paid for these holidays if they are in full pay status on the working day either immediately preceding or immediately following the holiday. Full pay status is defined as hours worked and/or the use of accrued vacation, paid absence, or floating holiday hours for scheduled hours worked. An employee out of work on FMLA, and/or collecting short-term disability or workers' compensation is not considered at full pay status. Any use of intermittent vacation or floating holiday accruals to supplement short term disability or workers' compensation does not place an employee in full pay status.

Non-Exempt Employees:

- Regular full-time and part-time non-exempt employees who are required to work on a holiday will be compensated for their scheduled work hours, plus one-and-one-half times their regular hourly rate for the hours worked.
- Regular part-time non-exempt employees who do not work on a holiday, but are normally scheduled to work that day, will receive their regular base pay for the day.
- When New Year's Day, Independence Day, Christmas Eve, and Christmas Day fall on a Saturday or Sunday, the College may elect to "observe" the holiday either the preceding Friday or the following Monday. In these instances, plus Easter Sunday, employees who are required to work on the actual holiday, will be compensated for their scheduled work hours, plus one-and-one-half times their regular hourly rate for the hours worked.

Exempt Employees:

- Upon approval of the supervisor, full-time and part-time exempt employees required to work on a holiday will earn one additional floating holiday (equivalent to their schedule) that can be used anytime prior to May 31.

College Holidays

The President may designate as "College Holidays" other days when the College will be closed. All regular staff employees will be paid for these holidays if they are in full pay status on the working day immediately preceding or immediately following the College Holiday (see above) and they are normally scheduled to work that day. Employees required to work on a College Holiday will earn an additional floating holiday that can be used anytime prior to May 31.

Employee Benefits: Paid Holidays

Floating Holiday

A floating holiday is provided on June 1 each year to all regular exempt and non-exempt full-time and part-time staff employees. Full-time employees receive a floating holiday that is equivalent to one scheduled work day. Part-time employees receive a floating holiday that is pro-rated on the approved working hours for the fiscal year.

Floating holidays must be used prior to May 31 of the following year or will be forfeited. Floating holidays may not be carried forward into another year.

Arrangements to take floating holiday time off must be made in advance with the employee's Supervisor/Manager. Once an employee has given notice of resignation, any use of accrued floating holidays prior to the date of separation must be pre-approved by a Supervisor/Manager. At the time of separation, employees will not receive payment for any accrued floating holiday.



Employee Benefits: Short and Long Term Disability Insurance

Short Term (New York State) Disability Insurance

All eligible employees (except faculty) are insured by New York State Disability Insurance, which is mandated by the New York State Disability Benefits law. This insurance is designed to protect employees against income loss due to non work-related accidents or illnesses, including pregnancy-related disabilities. Benefits begin on the eighth calendar day of non-occupational disability, and provide 50% of the last eight weeks average salary, up to a statutory maximum (currently \$170 per week) as established by law, for up to twenty-six (26) weeks. If you are unable to return to work after 26 weeks your employment may be terminated unless an extension is required by law. For full-time faculty and staff, the College's Long Term Disability program may cover disabilities extending beyond twenty-six (26) weeks.

If applicable, disability leave will run concurrent with Family and Medical Leave time.

Employees on disability leave will receive full pay to the extent of their paid absence accrual. If an employee is receiving full pay from accrued paid absence, all monies payable by Disability Insurance will be payable to the College. In such cases, the employee's paid absence accrual will be re-credited with the equivalent of 1/2 day of pay for each full day of qualified disability payment received by the College. (Recredited paid absence time cannot be used for future absences relating to the same disability.) When paid absence has been exhausted, the employee will receive Disability Insurance benefit payments directly from the insurance carrier if he/she still qualifies.

Supervisors/Managers and disabled employees must contact the Human Resources Department for claim forms and information on disability benefits when an absence is expected to extend beyond five work days. When possible, advance notice of absence due to disability and expected duration should be provided, as in the case of pre-scheduled surgery or childbirth-related disability.

Faculty should consult the [Faculty Statutes](#) and the Human Resources Department for information regarding medical leaves of absence.

Long Term Disability Insurance

All regular full-time employees, including full-time faculty, are eligible for Long Term Disability Insurance payments if their approved disability extends beyond six months (New York State Short Term Disability Insurance limit). Please refer to the plan's Certificate of Coverage for additional information.

The College's insurance policy provides a benefit of 60% of earnings. The insurance carrier will continue retirement plan contributions of 10% (your 2% plus the College's 8%) of the employee's pre-disability monthly earnings during the period of disability, not to exceed the maximum contribution allowable by law.

For further information on Long Term Disability Insurance coverage, contact the Human Resources Department.

Employee Benefits: Leaves of Absence



Personal Leaves of Absence

At management discretion and under certain conditions, personal, extended leaves of absence may be granted without pay when an employee is ineligible for paid leave or their accrued vacation time has been used. Consideration will be given to the reason for the request and factors such as work record, length of service, etc. The types of personal leave granted may include educational or public service-related leaves. Upon completion of extended personal leaves of absence, every reasonable attempt will be made to place individuals in a comparable position with comparable pay. Unless not permitted by law, your benefits cease during an extended leave of absence. See the attached Leave and Benefit Table for information on the status of benefits for a specific leave of absence.

During a leave, health and dental benefit coverage may be continued via direct payment under the federal law permitting continuation of health insurance coverage (COBRA).

Family and Medical Leave Act (FMLA)

It is the policy of the College to grant Family and Medical Leave (“FMLA Leave”) to eligible employees (including faculty) in accordance with the Family and Medical Leave Act of 1993 (FMLA). This policy describes your right to obtain family and medical leave and how this leave relates to the College’s other benefits.

A. Eligibility: You are eligible to take family and medical leave if, at the time your leave would commence, you have been employed by the College for at least twelve months, have worked at least 1,250 hours in the preceding twelve (12) month period, and work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

B. Reasons for Leave: If you are eligible, you may take family and medical leave for any of the following purposes:

1. The birth of your child or the placement of a child with you either through adoption or foster care, and to care for that child in the first 12 months after childbirth or placement.
2. To care for your spouse, parent or child who has a serious health condition as described below.
3. To care for yourself because of a serious health condition, as described below, that prevents you from performing the essential functions of your job.
4. **Qualifying Exigency Leave:** Eligible employees with a spouse, son, daughter, or parent on covered active duty in the Armed Forces or under a call or order to cover active duty in the National Guard or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include short-notice deployment, military events and related activities, arranging for alternative childcare and certain other childcare and school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment activities, rest and recuperation, and other activities that the employee and the employer agree upon.

Employee Benefits: Leaves of Absence



5. Military Caregiver Leave (also known as Covered Servicemember Leave): You may take a special leave of up to 26 weeks during a “single 12-month period” if you are the spouse, child, parent, or next of kin of a Covered Servicemember to care for the Servicemember. “Covered Servicemember” means (a) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in, or aggravated by service in, the line of duty on active duty, or (b) a veteran undergoing medical treatment, recuperation or therapy for a serious injury or illness incurred in, or aggravated by service in, the line of duty on active duty, where the veteran was a member of the Armed Forces, National Guard, or Reserves within five years preceding the treatment. The “single 12-month period” for the purpose of this type of leave begins on the first day the eligible employee takes FMLA leave to care for a Covered Servicemember and ends 12 months after that date.

Leave for the birth or placement of a child must be taken all in one block and must conclude within one (1) year of the birth or placement.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves (1) an overnight stay in a medical care facility; or (2) continuing treatment by a health care provider. A serious health condition that involves continuing treatment by a health care provider includes one or more of the following: (a) a period of incapacity of more than three full consecutive days, and any subsequent treatment or period of incapacity that also involves treatment two or more times by a health care provider or treatment by a health care provider on one occasion plus a regimen of continuing treatment; (b) pregnancy or prenatal care; (c) a period of incapacity or treatment for a chronic serious health condition; (d) a period of incapacity which is permanent or long-term such as for Alzheimer’s or a severe stroke; (e) a period of absence to receive multiple treatments by a health care provider.

The maximum amount of leave for any FMLA-qualifying reason that may be taken in any 12-month period is 26 weeks, provided that no more than 12 weeks of leave may be taken for any FMLA-qualifying reason other than Military Caregiver Leave.

C. Amount and Crediting of Leave: For all FMLA leave other than Military Caregiver Leave, an eligible employee may take up to 12 weeks of leave in any rolling 12-month period measured backward from the date an employee uses any such FMLA leave. This means that at any point in time, the amount of leave available for such FMLA leave is 12 weeks less the amount of leave used during the preceding 12 months. For the purpose of the Military Caregiver leave, a “single 12-month period” is used, which is measured differently; as noted above, the “single 12-month period” for the purpose of this type of leave begins on the first day the eligible employee takes FMLA leave to care for a Covered Servicemember and ends 12 months after that date.

Military Caregiver Leave is to be applied on a per-covered-servicemember, per-injury basis such that an eligible employee may only take one 26 week period of leave for the same servicemember with the same injury; however, an eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Employee Benefits: Leaves of Absence



If the College employs both spouses and both spouses request leaves for the birth, adoption or foster care placement of a child, for the care of that child, or to care for a parent (but not a parent “in law”) with a serious health condition, then the aggregate, combined leave for both employees for that purpose shall be limited to 12 weeks during any rolling 12-month period. If the College employs both spouses and one or both spouses take Military Caregiver Leave, they are limited to a combined total of up to 26 weeks of leave during the single 12-month period depending upon the type and length of leave taken.

Staff employees will be required to utilize their available paid absence time for leaves based on a serious health condition (for yourself, your spouse, child, or parent), during any time the employee is not receiving disability benefits. You may use vacation and floating holiday accruals for all types of family and medical leave when paid absence time is not used. Both paid and unpaid leave will count toward the twelve (12) (or twenty-six (26)) week leave allotment. In addition, leave taken as part of another benefit plan will count as family and medical leave if the reason for the leave otherwise meets the standards for family leave (e.g., disability leave for the birth of a child, workers’ compensation, etc.) You must satisfy the procedural requirements of the College’s paid absence and vacation policies in order to receive paid leave.

D. During the Leave: While you are on leave, you may continue in the College’s health benefit plans under the same terms and conditions as active employees. You must pay your normal share of the plan costs on time during your leave time. If you do not pay the premiums on time, the College has the right to discontinue coverage. If you participate in the College’s Flexible Spending Account, you may pay for your anticipated premiums during the leave on a pre-tax basis by accelerating your payments and taking them out of any paycheck you have earned prior to taking the leave. Other benefits will not normally be continued during unpaid leave, but may be continued if a particular benefit plan authorizes benefits for employees on unpaid leave. Use of FMLA will not result in the loss of any employment benefits that accrued prior to the start of an employee’s FMLA leave (unless such accrued benefits, such as paid leave, were used during FMLA leave). If you do not return to work after the leave for reasons other than health conditions or some other reason beyond your control, the College will recover the cost from you of any payments made to maintain your health insurance coverage. While you are on leave, the College may require you to report periodically on your status and intent to return to work.

E. Procedures: In general, if the need for leave is foreseeable, you must give the College thirty (30) days advance notice before commencing family and medical leave; for Qualifying Exigency Leave, you must give notice as soon as practicable. If you are unable to foresee the need for any FMLA leave 30 days in advance, then you must give the College notice as soon as practicable and must comply with the College’s call-in procedures. In giving notice, you must provide sufficient information for the College to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include, for example, that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military leave. You must also inform the College if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employee Benefits: Leaves of Absence



Upon receipt of medical certification of the medical need for leave on an intermittent or reduced schedule basis, the College will grant such leave for purposes of your own serious health condition or to care for a parent, child or spouse with a serious health condition, or for Military Caregiver Leave. Leave may also be taken on an intermittent or reduced schedule basis when necessary for Qualified Exigency Leave. If intermittent or reduced schedule leave is needed for planned medical treatment for the employee, a family member, or a covered servicemember, including during a period of recovery from one's own serious health condition, a serious health condition of a spouse, parent, son or daughter, or a serious injury or illness of a covered servicemember, the College may require you to transfer temporarily, during the period that the intermittent or reduced leave schedule is required, to an available alternative position for which you are qualified and which better accommodates recurring periods of leave than does your regular position. You will receive your same salary while working in the alternate position.

If the leave is requested for purposes of planned medical treatment for you or your spouse, parent or child, you must make a reasonable effort to schedule the treatment so as not to disrupt unduly the College's operations. You are expected to consult with the College prior to the scheduling of treatment in order to work out a treatment schedule that best suits the needs of both the employer and the employee.

After you have requested FMLA leave, the College will inform you whether you are eligible under the FMLA, and if not, let you know the reason for ineligibility. This notice will specify additional information required from you as well as your rights and responsibilities. The College will inform you if leave will be designated as FMLA leave or not and the amount of leave counted against your leave entitlement (where the amount of leave to be taken is known).

The College may condition its approval of a leave for purposes of personal or family illness or to care for a Servicemember on your submission of a satisfactory medical certification from the employee's, family member's, or Servicemember's health care provider. The College will provide you with the certification form for this purpose, and it is your responsibility to ensure that the health care provider submits a fully completed form to the College within 15 days. The College has the right to obtain a second opinion at its expense on the need for you to take family and medical leave. If the first and second opinions differ, the College, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the College and you. The College may also require certification for Qualifying Exigency Leave. You must provide a complete and sufficient certification to the College; if you do not, the College will give you seven calendar days to cure any such deficiency. The College may also require you to submit periodic recertifications throughout the leave, but generally will not do so more often than every 30 days unless there is a change in circumstances or other circumstances warranting an earlier recertification. Failure to provide an appropriate certification or recertification, upon request, may result in the denial of leave. FMLA certification forms are available from the Human Resources Department.

F. Returning to Work: When you are able to return to work, if you have complied with your obligations under this policy, the College will restore you to your same job or an equivalent position and restore all benefit programs for which you are eligible, unless business conditions resulted in the elimination of your former position during the leave or you would not otherwise have continued to be

Employee Benefits: Leaves of Absence



employed had you continued in active employment. The College however, may refuse to restore those employees considered to be “key,” for purposes of the Family and Medical Leave Act, to their previous positions under certain circumstances. If you took leave due to your own serious health condition, you may be required to submit a certificate of fitness from your health care provider before you begin work. Reinstatement may be delayed until a satisfactory medical certification has been provided. If you do not provide either a fitness-for-duty certification or a new medical certification for a serious health condition at the time FMLA leave for your own serious health condition is concluded, your employment may be terminated.

G. Miscellaneous: The College has the authority and the responsibility to take all steps necessary to administer this leave policy, including deciding which absences from work will be charged to family and medical leave time. To the extent consistent with applicable law, the College has the responsibility to interpret this policy and to decide any issues not expressly addressed by it. The College may at any time change this policy, provided such changes accord with applicable law.

The FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA; or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights. If you have any questions about your exercise of FMLA rights, please contact the Human Resources Department.

Nothing in the family and medical leave policy insulates you from the application of any other College policies, i.e., while on family and medical leave you remain subject to all changes that may occur in the College’s health care program and are subject to all other employment-related policies of general applicability, including layoff. The policies and guidelines stated in this Family and Medical Leave Policy shall be subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993 and applicable state leave laws.

For further information regarding FMLA procedures, you should contact the Human Resources Department.

Type of Leave/Benefit	Duration of Leave	Health Insurance	Dental Insurance	Life Insurance	FS&A	Retirement Contributions	Personal AD&D	Short Term Disability	Long Term Disability
FMLA - paid (using paid absence, vacation, or faculty salary)	Generally up to 12 weeks per year; up to 26 weeks for leave to care for injured servicemember	ee pays regular share	ee pays regular share	Coverage will continue; ee must pay for supplemental and dependent coverage	continues	continues	Coverage will continue; ee must pay premium	Runs concurrent	Eligibility continues
FMLA - unpaid	Generally up to 12 weeks per year; up to 26 weeks for leave to care for injured servicemember	ee may drop coverage or continue coverage and pay regular share on after-tax basis during leave; arrangements must be made in advance to take pre-tax premium deductions from pay before leave begins	ee may drop coverage or continue coverage and pay regular share on after-tax basis during leave; arrangements must be made in advance to take pre-tax premium deductions from pay before leave begins	Coverage will continue; ee must pay for supplemental and dependent coverage	ee may drop coverage or continue coverage and pay on after-tax basis during leave; arrangements must be made in advance to take pre-tax premium deductions from pay before leave begins	discontinued	Coverage will continue; ee must pay premium	Runs concurrent	Eligibility continues
Workers' Comp	Generally up to 26 weeks per injury/illness (employee moves to Long-Term Disability status after 26 weeks even if still receiving WC benefits); runs concurrent with FMLA for up to 12 weeks per year; employment may be terminated after 26 weeks	ee pays regular share	ee pays regular share	Coverage will continue; ee must pay for supplemental and dependent coverage	continues; ee must make arrangements for pre-tax deductions if not using paid absence, vacation, or faculty receiving salary; see FMLA	continues if employee is using paid absence, vacation, or faculty receiving salary	Coverage will continue; ee must pay premium	Runs concurrent	Eligibility continues
Short Term Disability	Generally up to 26 weeks per injury/illness; runs concurrent with FMLA for up to 12 weeks per year; faculty are not eligible (see Faculty Medical Leave)	ee pays regular share	ee pays regular share	Coverage will continue; ee must pay for supplemental and dependent coverage	continues; ee must make arrangements for pre-tax deductions if not using paid absence, or vacation; see FMLA	continues if employee is using paid absence, or vacation	Coverage will continue; ee must pay premium	Runs concurrent	Eligibility continues

Type of Leave/Benefit	Duration of Leave	Health Insurance	Dental Insurance	Life Insurance	FSA	Retirement Contributions	Personal AD&D	Short Term Disability	Long Term Disability
Long Term Disability	Long-Term Disability benefits may be approved after 180 days; employment may be terminated after 26 weeks	COBRA	COBRA	Coverage will continue until approved for disability benefits (up to 12 months); ee must pay for supplemental and dependent coverage; may apply for conversion of 100% of policy after lose coverage; ee pays full cost for conversion	N/A	Insurance carrier will contribute 10% of employee's salary when disability is approved for the duration the benefit is payable	N/A	N/A	Benefit is payable based on age and continued disability
Faculty Medical Leave	Up to 6 months with pay; runs concurrent with FMLA for up to 12 weeks per year	ee pays regular share	ee pays full share	Coverage will continue until approved for disability benefits (up to 12 months); ee must pay for supplemental and dependent coverage; may apply for conversion of 100% of policy after lose coverage; ee pays full cost for conversion	continues	continues	Coverage will continue until approved for disability benefits (up to 12 months); ee must pay for additional coverage	N/A - faculty not covered by Short Term Disability Policy	Eligibility continues
Paid Sabbatical	full academic year at half pay or one semester at full pay	no change - deductions continue to be made from ee pay	no change - deductions continue to be made from ee pay	no change - deductions continue to be made from ee pay if additional insurance has been elected; BUFC must notify Hartford in advance of leave; no coverage beyond 12 months	no change - deductions continue to be made from ee pay, if elected	no change - deductions continue to be made from ee pay, if elected	no change - deductions continue to be made from ee pay, if elected	N/A - faculty not covered by Short Term Disability Policy	coverage will be extended for the duration of the approved leave, not to exceed 12 months

Type of Leave/Benefit	Duration of Leave	Health Insurance	Dental Insurance	Life Insurance	FSA	Retirement Contributions	Personal AD&D	Short Term Disability	Long Term Disability
Unpaid Leave - faculty	Faculty - usually one semester; at most, one academic year	COBRA; see Faculty Statutes	COBRA; see Faculty Statutes	Coverage will continue for 1 month; after 1 month ee may apply for conversion of 100% of policy; ee pays full cost for conversion after loss coverage; ee pays full cost for conversion; will require EOI upon return following leave more than 1 month	N/A	N/A	Coverage will continue for 1 month; ee must pay premium	N/A - faculty not covered by Short Term Disability Policy	not covered
Unpaid Leave - staff	At management discretion; Employee Handbook ES.1	COBRA	COBRA	Coverage will continue for 1 month; after 1 month ee may apply for conversion of 100% of policy; ee pays full cost for conversion after loss coverage; ee pays full cost for conversion; will require EOI upon return following leave more than 1 month	N/A	N/A	Coverage will continue for 1 month; ee must pay premium	not covered	not covered
Military Leave	Generally up to 5 years over a career	Treated like FMLA for up to 26 weeks, followed by COBRA/USERRA continuation coverage for additional 18 months	Treated like FMLA for up to 26 weeks, followed by COBRA/USERRA continuation coverage for additional 18 months	Coverage will continue up to 26 weeks; ee must pay for supplemental and dependent coverage; may apply for conversion of 100% of policy; ee pays full cost for conversion	ee may drop coverage or continue coverage and pay on after-tax basis during leave; arrangements must be made in advance to take pre-tax premium deductions from pay before leave begins	will be made in accordance with USERRA upon employee's return and employee may be entitled to make catch-up contributions	Coverage will continue up to 26 weeks; ee must pay premium	not covered	not covered

Employee Benefits: Military Leave

Leaves of absence for Active Military duty, Military Reserve duty, or National Guard training are granted to all employees. If you are called to Active Military duty, Military Reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to your Supervisor/Manager as soon as it is practical. You will be granted a Military Leave of Absence for the period of military service, in accordance with applicable federal and state laws. If you are a Reservist or a member of the National Guard, you are granted time off for required military training. If you are a regular, full-time or part-time employee and have been employed for at least six (6) months, the College will provide the difference between military pay and normal earnings for up to three (3) weeks per calendar year for military reserve training.

Employees not eligible for paid leave, may take leave without pay or choose to use accrued vacation, or use a combination of unpaid and vacation time.

Re-employment, seniority and other applicable benefit privileges will be retained by employees in accordance with applicable law, providing that the employee requests reinstatement after their military discharge within the applicable time periods.



Employee Benefits: Bereavement

In the event of the death of a member of an employee's immediate family, up to three (3) days leave with pay may be granted. Immediate family is defined as your spouse, parent or guardian, parent-in-law, child, sibling, grandchild, grandparent, ward or any other relative who is a permanent resident of your household.

This benefit also applies to employees in a domestic partner relationship.

A statement on the time sheet record should indicate the relationship of the deceased to you. You may be required to provide documentation to your Supervisor/Manager.



Employee Benefits: Jury Duty/Court Appearance

Employees will be granted leave to serve as a juror or when subpoenaed for a court appearance. Full base pay will be continued for the duration of jury service for regular employees, up to a maximum of four weeks. After four weeks, employees will receive up to \$40 per day for the duration of service. Temporary employees hired directly by the College will be provided up to \$40 per day of their wages for the first three days, and leave without pay thereafter. You are expected to report to work if jury service does not require absence for the full day.

Leave with pay is provided when you are subpoenaed as a witness in a court case in which you are not a party.

You are required to notify your Supervisor/Manager promptly upon receipt of a summons to serve as a juror or as a witness. The College may request postponement of jury duty if your absence would cause serious inconvenience.

A court statement should be attached to your time sheet indicating the time spent on jury duty.



Employee Benefits: Workers' Compensation Insurance

Workers' Compensation Insurance provides medical cost reimbursement and wage replacement benefits to all employees who become ill or injured due to work-related circumstances. Workers' Compensation coverage is required by law, and the College pays the full cost of this insurance. Workers' Compensation benefits consist of the following:

- Payments for all necessary medical care including doctor's fees and prescription drugs related to the illness or injury.
- Weekly payments to employees unable to work because of work-related illness or injury. Benefits begin after a one-week waiting period and payments are based upon the weekly wage or salary paid by the College. Benefit payment is $\frac{2}{3}$ of the average weekly rate up to a maximum as established by law. Benefits are retroactive to the first day of absence, in the case of absences of more than fourteen (14) calendar days.
- For Workers' Compensation qualifying cases, paid absence time will be used prior to your receiving payments from the Workers' Compensation carrier. When the College receives reimbursement from the Workers' Compensation carrier, your paid absence balance will be credited at the equivalent level of $\frac{2}{3}$ day of pay for each full day of Workers' Compensation qualifying absence.

If applicable, Workers' Compensation leave will run concurrent with Family Medical and Leave (FMLA) time.

For further information on Workers' Compensation Insurance, please contact a member of the Human Resources Department. Please see Section H1 for the procedure on reporting accidents.

Employee Benefits: Undergraduate & Graduate Tuition Remission

In order to support employees' personal and professional development and to foster life-long learning experiences, the College offers several educational assistance plans for employees and/or their spouses and dependents. The following outlines the criteria and eligibility requirements associated with these plans.

Tuition Remission - St. John Fisher College – Undergraduate and Graduate

Undergraduate Programs Eligibility:

- After completion of one (1) year of service with the College, all regular full-time employees, their spouses and dependents are eligible to receive full tuition remission for undergraduate credit courses taken at St. John Fisher College.
- After completion of one (1) year of service with the College, all regular **part-time** staff employees are eligible for full tuition remission for one 3-hour credit course per semester at St. John Fisher College. Usage of this benefit begins the semester following the employee's anniversary date.
- Dependents are defined as those under the age of 24 (at the time the semester begins) who qualify as dependents for federal tax purposes. A spouse is the employee's spouse for federal tax purposes. All must be claimed on an employee's federal income tax return for the prior year and also will be claimed as a dependent for the years in which tuition benefits are being requested. If you and your spouse file separate tax returns, both tax returns must be provided along with a copy of your marriage license.
- A retiree, his/her spouse and any dependents under the age of 24 are eligible to receive full tuition remission for undergraduate courses taken at St. John Fisher College. The spouse of a deceased employee, who at the time of death was retirement eligible, or deceased retiree and any of the surviving spouse's dependents from that marriage under the age of 24 are eligible to receive full tuition remission for undergraduate courses taken at St. John Fisher College. Benefit eligibility for retirees, and their family members, and family members of deceased retirees and deceased retirement eligible employees (as defined by the College) continues beyond the last day of work.
- The employee, spouse, and dependents must meet the normal requirements of the undergraduate programs and remain in good standing as defined by the "standards of academic progress" according to the College's Undergraduate Bulletin.

Employee Benefits: Undergraduate & Graduate Tuition Remission



Graduate Programs Eligibility:

- After completion of one (1) year of service with the College, all regular, full-time employees are eligible to receive full tuition remission for credit courses taken in the graduate programs at St. John Fisher College. Spouses of full-time employees are eligible to receive and pay the difference between the graduate and undergraduate tuition rates per credit hour. Usage of this benefit begins the semester following the employee's anniversary date.
- Part-time employees and dependents of full-time or part-time employees are not eligible for graduate tuition remission.
- The College reserves the right to limit the number of employees (and spouses) accepted into each master level program. The maximum representation of employees (and spouses) is 10% of each class. The employee (and/or spouse) must meet the normal requirements of the graduate programs and remain in good standing. All graduate enrollments require the approval of the respective Divisional VP and President. If the number of combined employee and spouse applications for any given class exceeds the 10% limit, the Program Director will consult with the Divisional VP and Director of Human Resources. Consideration will be given to:
 - Fisher employees;
 - Current job enhancement;
 - Employee hire date;
 - Employee performance
 - Other as deemed appropriate
- Consistent with IRS guidelines, graduate tuition remission in excess of \$5,250 annually, is considered income to the employee and added to the employee's taxable income.
- The employee and spouse must meet the normal requirements of the graduate programs and remain in good standing as defined by the "standards of academic progress" according to the College's Graduate Bulletin.

Criteria for Both Undergraduate and Graduate Programs:

- **Tuition Remission does not include any doctoral level programs, including the Pharm.D., Ed.D., and DNP.**
- Full tuition remission is defined as an amount equal to the full cost of tuition only. Books, lab fees, room and board fees, study abroad, the Washington Semester, workshop and special seminar fees and other specialty course fees are not included.

Employee Benefits: Undergraduate & Graduate Tuition Remission

- Tuition Assistance Program (TAP) awards, grants or other scholarship assistance, as may be made available, are deducted from the tuition benefit.
- Those eligible to seek tuition remission must apply through the Financial Aid Office for any type of State and Federal assistance for which they may be eligible. In addition, parents must submit a Free Application for Federal Student Aid (FAFSA) for their eligible dependents (undergraduate courses only). As a result of applying for aid, the applicant may be asked for specific financial information. Applicants will be held responsible for any account balance resulting from failure to complete the financial aid process.
- Repeated withdrawals from classes or a failure to comply with necessary paperwork requirements may, at the College's sole discretion, result in a loss of eligibility for future tuition remission benefits.
- Employees should normally take courses outside their standard working hours. However, with prior approval from the employee's supervisor/manager and the divisional Vice President, one course per semester may be taken during working hours if that course is not available to be taken at any other time. The approval will take into consideration how the absence will affect the needs of the department, the ability of the department to continue to provide excellent customer service during the absence, and what effect the absence may have on the workload of other employees within the department. Class time during working hours, including travel time to and from class, must be made up during that workweek.
- Tuition benefits under the Tuition Remission Plan cease at the conclusion of the semester in which an employee separates from service. Tuition remission forms completed and submitted prior to separation will be honored to the extent an employee has already registered for classes and the classes have started.
- Application forms for tuition remission and an explanation of the process are available from the Human Resources Department or from the HR website at <http://www.sjfc.edu/humanresources/>

Employee Benefits: Undergraduate & Graduate Tuition Remission

Nazareth College—Undergraduate Tuition Remission Only:

All regular full-time employees, spouses and dependents of St. John Fisher College are eligible to receive tuition remission for undergraduate credit courses, on a space available basis, at Nazareth College subject to the following:

- One (1) year of service from date of hire for two undergraduate courses per semester, for employees only.
- One (1) year from date of hire for a spouse and/or dependents for undergraduate courses. Must meet admissions requirements and maintain satisfactory academic standing as described in the College catalogue.

Full tuition remission is defined as an amount equal to the full cost of tuition only. Books, lab fees, room and board fees, private music lessons, study abroad, workshop and special seminar fees and other specialty course fees are not included.

Tuition Assistance Program (TAP) awards, grants or other scholarship assistance, as may be made available, are deducted from the tuition benefit.

Students are expected to apply for all scholarships and educational grants for which they may be eligible.

Part-time employees and family members of part-time employees are not eligible for tuition remission at Nazareth.

Non-matriculated students may not enroll in pre-professional or field-based professional courses (clinical, methods based or other designated courses).

Employees should normally take courses outside their standard working hours. Exceptions must be approved by the employee's Supervisor/Manager and the Department Vice President. Full-time faculty and staff members, and their eligible dependents also may audit courses, subject to the above waiting period.

When qualified applicants wish to attend Nazareth College, each semester the Human Resources Department will prepare a letter giving the name of the full-time employee, date of hire, and spouse/dependent information, if applicable, in order to validate the request. This letter must be presented by the employee to the Human Resources Office at Nazareth before registration. If tuition is for the spouse or dependent child of an eligible employee, a copy of the employee's most recent federal income tax return indicating dependency and verification of the child's age (i.e. copy of a driver's license) must be presented as part of the required paperwork.

If the employment of faculty or staff members should terminate, tuition remission benefits end on their termination date. Tuition for the remainder of the semester will be adjusted on the student's account.

If an employee, whose dependent child(ren) or spouse is matriculated and attending the reciprocal college becomes totally disabled or dies, his/her dependents will be allowed to finish the semester at the reciprocal college.

The Nazareth College-St. John Fisher College Tuition Remission Program is subject to an annual review by the administration of both colleges and is subject to termination by either college with sixty (60) days notice.

For details on the application process, please contact the Human Resources Department.

Employee Benefits: Undergraduate Tuition Exchange

Tuition Exchange Policy:

Policy

All regular full-time employees who have been employed for at least three (3) years at St. John Fisher College are eligible to have their dependent children apply for the undergraduate tuition exchange benefit. Applicants from St. John Fisher College must be dependent children of employees who qualify to receive this benefit. The availability of this tuition benefit from a member college is directly dependent on its debit/credit situation in the program as well as the debit/credit status of St. John Fisher College. A member college **may** consider an applicant for tuition exchange if all of the following criteria are met:

- Dependents are defined as children of employees who are under the age of 24 and claimed as dependents on an employee's federal income tax return for the prior year and who will also be claimed as a dependent for the years in which the tuition benefits are being requested.
- The applicant has been certified for tuition exchange by St. John Fisher College.
- The applicant meets the admissions requirements for the college of choice.
- The college of choice is in a debit/credit position allowing the acceptance (import) of additional applicants and St. John Fisher College is in a debit/credit position allowing the export of the applicant.
- Please note that, even if an applicant has been certified for tuition exchange by Fisher and meets the admission requirements for the college of choice, receipt of tuition exchange is not guaranteed.

St. John Fisher College is a participating college in the following tuition exchange programs.

- **National Tuition Exchange Program** www.tuitionexchange.org
- **Council of Independent Colleges (CIC)** www.cic.edu/tep/

To determine the participating colleges or universities, please visit the websites listed above. Specific information regarding the program is as follows:

- The National Tuition Exchange Program is a partnership of over 530 colleges and universities offering competitive scholarships to members of faculty and staff families employed at member institutions. Likewise, the CIC tuition exchange program has over 300 member colleges.
- One of the fundamental principles of tuition exchange is that member colleges and universities set their own policies and procedures for determining eligibility and certification of students sent on the exchange, as well as determining the requirements for students received or hosted. For this reason, it is important to work with Fisher's Director of Freshman Admissions, who has been appointed to facilitate exchange matters. The eligibility guidelines and additional information can be obtained from the Director of Freshman Admissions at (585) 385-8064.

Employee Benefits: Undergraduate Tuition Exchange

- *Scholarships are not fringe benefits; they are competitive awards.* Even if you are eligible to apply for an award and are certified by Fisher, you may not receive an award because each institution is obligated to maintain a balance between students sent on the exchange (exports) and students received on the exchange (imports). The final decision for acceptance into a tuition exchange program rests with the importing institution.
- **Tuition Exchange Scholarships are competitive.** In addition to meeting the admissions requirements of the receiving institution, some member institutions have established additional requirements, such as higher academic standards or limit awards to just a few students each year. To avoid disappointment, file your application early and apply to one or two schools that offer scholarships to a large proportion of the applicants, as well as your first choice.
- St. John Fisher College limits employee eligibility to eight semesters of undergraduate education per dependent. Most Tuition Exchange Scholarships do cover four years (eight semesters) of undergraduate education, but importing institutions have the right to limit the duration of a scholarship, for example, to two years of support (four semesters).
- Importing institutions also will vary as to limitations and renewal policies of the Tuition Exchange Scholarship. For example, the award may not cover study abroad or other educational experiences. Please check with the importing school for specific Tuition Exchange Scholarship policies.
- The employer-provided educational assistance exclusion has been made permanent. Under this provision, exchange scholarships are not deemed to be part of the employee's taxable income.
- The Tuition Exchange Program is subject to annual review, and utilization of the program may be limited by action of the President.
- Qualified applicants should contact the Director of Freshman Admissions, Tuition Exchange Liaison at (585) 385-8064 to begin the process of tuition exchange certification. **Member colleges will typically have deadlines for certification application on or around January 15th prior to fall enrollment.**

Employee Benefits: Early Learning Center

The St. John Fisher College Early Learning Center offers pre-school teaching programs which focus on all aspects of a child's growth and development patterns. A before and after school program is also offered with bus service to a limited number of area schools. The staff includes professionals who meet New York State requirements for child care providers.

The Center provides for children of students, employees and the community. Fees are reduced for students and employees. Children may be registered for full weeks, full days, and half days. "Drop-in" care is offered on a space available basis. The Center accepts children beginning at 18 months through 8 years of age.

The Center, located in Murphy Hall, is open during the months of September through June, on weekdays from 7:30 P.M. until 6:00 P.M. College holidays are observed.

For more information regarding the Child Care Center, call 385-8327 or visit their web site at: <http://www.sjfc.edu/campus-services/childcare/>



Employee Benefits: Employee Assistance Program

St. John Fisher College offers an Employee Assistance Program to all its employees. The program provides free, confidential, and professional assistance to help employees and their families resolve problems that affect their personal lives or job performance. These problems may include alcohol or drug abuse, marital difficulties, financial or legal problems, emotional difficulties, or parent/child issues.

The request for help may be initiated by you or your family. The College retains the services of **the Strong Employee Assistance Program of Rochester (EAP)**. Offices are located in Rochester, Henrietta, Webster, Gates, and Newark. Day and evening hours are available. To contact EAP for more information or to make an appointment, please call 585-475-0432. All emergency or crisis calls will be handled immediately. For non-emergency calls, an appointment will be arranged.

Confidentiality is assured. The discussion of the problems is strictly between you, the employee, and/or your family and the counselor. The College will never have any knowledge of your contact without your permission and a signed release.



Employee Benefits: ERISA Rights



As a participant in this Plan (other than tuition benefits which are not subject to ERISA), you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to:

Receive Information About Your Plan and Benefits—Examine, without charge, at the plan administrator’s office and at other specified locations, such as worksites, all documents governing the plan, including insurance contracts and collective bargaining agreements, and a copy of the latest annual report (Form 5500 Series) filed by the plan with the United States Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.

Obtain, upon written request to the plan administrator, copies of documents governing the operation of the plan, including insurance contracts and collective bargaining agreements, and copies of the latest annual report (Form 5500 Series) and updated summary plan descriptions. The administrator may make a reasonable charge for copies.

Receive a summary of the Plan’s annual report. The Plan Administrator is required by law to furnish each participant with a copy of this summary financial report.

Continue Group Health Care Coverage—Continue health care coverage for yourself, spouse or dependents if there is a loss of coverage under the plan as a result of a qualifying event. You or your dependents may have to pay for such coverage. Review this summary plan description and the documents governing the plan on the rules governing your COBRA continuation coverage rights.

Reduction or elimination of exclusionary periods of coverage for preexisting conditions under your group health plan, if you have creditable coverage from another plan. You should be provided a certificate of creditable coverage, free of charge, from your group health plan or health insurance issuer when you lose coverage under the plan, when you become entitled to elect COBRA continuation coverage, when your COBRA continuation coverage ceases, if you request it before losing coverage, or if you request it up to 24 months after losing coverage. Without evidence of creditable coverage, you may be subject to a preexisting condition exclusion for 12 months (18 months for late enrollees) after your enrollment date in your coverage.

Prudent Actions by the Plan Fiduciaries—In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called “fiduciaries” of the plan, have a duty to do so prudently and in the interest of you and other plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA.

Enforce Your Rights—If your claim for a welfare benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of

Employee Benefits: ERISA Rights



documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the administrator. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or Federal court. In addition, if you disagree with the plan's decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in Federal court. If it should happen that plan fiduciaries misuse the plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the United States Department of Labor, or you may file suit in a Federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

Assistance with Your Questions—If you have any questions about your plan, you should contact the plan administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the plan administrator, you should contact the nearest office of the Employee Benefits Security Administration, United States Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, United States Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.

Your Rights under the Newborns' and Mothers' Health Protection Act. Group health plans and health insurance issuers generally may not, under Federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a caesarean section. However, Federal law generally does not prohibit the mother's or newborn's attending provider, after consulting with the mother, from discharging the mother or her newborn earlier than 48 hours (or 96 hours as applicable). In any case, plans and insurers may not, under Federal law, require that a provider obtain authorization from the plan or the insurer for prescribing a length of stay not in excess of 48 hours (or 96 hours).

Qualified Medical Child Support Orders ("QMCSOs"). A medical child support order shall be filed with the Plan Administrator as soon as reasonably possible after it has been filed. Promptly upon the receipt of such order, the Plan Administrator shall notify the Participant and each person eligible to receive benefits under the terms of the order ("alternate recipients") of its receipt and of the procedures set forth in this section.

Employee Benefits: ERISA Rights



The participant and the alternate recipients may provide comments to the Plan Administrator with respect to the order during the 30-day period commencing as of the date the Plan Administrator sends them notice of receipt of the order. The Plan Administrator shall, within the 60-day period commencing as of the expiration of the 30-day comment period specified in the preceding sentence, determine whether the order is qualified and shall so notify the participant and the alternate recipients in writing of its decision. The parties may waive the 30-day comment period. If they do so, the 60-day period shall commence as of the date all parties have waived their rights to submit comments. The Plan Administrator's determination on the qualified status of an order is final. As soon as reasonably practicable following its notification that an order is "qualified," the Plan Administrator shall take such steps it deems appropriate to implement the order.

The Plan Administrator encourages parties to submit draft orders for "pre-approval" of their qualified status prior to their being submitted to a court for signature, as such pre-approval will expedite approval procedures.

An alternate recipient may designate a representative for receipt of copies of notices that are sent to an alternate recipient with respect to a medical child support order.

Special Enrollment Rights

If you are declining enrollment in any College health plan for yourself or your dependents (including your spouse) because of other health insurance or group plan coverage, you may be able to enroll yourself and your dependents in the College's plan if you or your dependents lose eligibility for that other coverage (or if the employer stops contributing towards your or your dependents' other coverage). However, you must request enrollment within thirty (30) days after your or your dependents' other coverage ends (or after the employer stops contributing toward the other coverage).


In addition, if you have a new dependent as a result of marriage, birth, adoption, or placement for adoption, you may be able to enroll yourself and your dependents. However, you must request enrollment within thirty (30) days after the marriage, birth, adoption, or placement for adoption.

If you and/or your dependents are covered under Medicaid or a state Child Health Insurance Program (CHIP) and lose eligibility for such coverage, you may be able to enroll yourself or your dependents who lost such coverage in a health insurance Program, provided that you request enrollment within 60 days after the loss of coverage. Likewise, if you and/or your dependents become eligible for Medicaid or CHIP premium assistance, you may be able to enroll yourself or your dependents who become eligible for premium assistance in a health insurance Program, provided that you request enrollment within 60 days after the date you are determined to be eligible for premium assistance. If your dependent child is receiving Medicaid or CHIP premium assistance toward the cost of plan benefits, you may also be able to disenroll the child from a health insurance Program and enroll the child in and receive child health assistance under the state child health plan, effective on the first day of any month for which the child is eligible for premium assistance, to the extent required by law.

To request special enrollment or obtain information, contact the Director, Human Resources Dept. St. John Fisher College, 3690 East Avenue, Rochester, NY 14618.

NOTICE OF PRIVACY PRACTICES

Employee Benefits: HIPAA Notice of Privacy Practices



This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review this document carefully.

We understand that medical information about you and your health is personal and should be kept private. Moreover, effective April 14, 2004, there were legal requirements imposed on the employee assistance program and flexible spending account plans (the "Plan") to ensure the privacy of your personally identifiable health information. This Notice is intended to summarize these rules and to inform you about:

- the Plan's uses and disclosures of Protected Health Information ("PHI") (as defined below);
- your privacy rights with respect to your PHI;
- the Plan's duties with respect to your PHI;
- your right to file a complaint with the Plan and the Secretary of the U.S. Department of Health and Human Services (the "Secretary"); and
- who (the person or office) to contact for further information about the Plan's privacy practices.

Information about the privacy practices relating to the medical and dental plans is available from the insurance companies providing coverage under those plans. Contact the Office of Human Resources for more information.

Generally, the term "Protected Health Information" ("PHI") includes all individually identifiable health information concerning you that is maintained by the Plan. PHI does not include health information that is held by the College in its role as your employer (for example, health information held for purposes of your employment records.)

PHI uses and disclosures by the Plan are regulated by a federal law called the Health Insurance Portability and Accountability Act of 1996 (referred to as "HIPAA") and the regulations which were promulgated to enforce HIPAA. You can find these regulations at 45 *Code of Federal Regulations* Parts 160 and 164.

Section 1. Notice of PHI Uses and Disclosures

A. General Rule

Generally, except for the purposes discussed below, the Plan cannot use or disclose your PHI without your written authorization. Moreover, if you provide authorization to use or disclose your PHI, you have the right to revoke your authorization at any time.

B. Uses and Disclosures of PHI to Carry Out Treatment, Payment and Health Care Operations

The Plan and individuals or entities who the Plan has engaged to assist in its administration (called "business associates") will use PHI to carry out "treatment," "payment" and "health care operations" (these terms are described below). Neither the Plan, nor the business associates, require your consent or authorization to use or disclose your PHI to carry out these functions.

Employee Benefits: HIPAA Notice of Privacy Practices

"Treatment" includes the provision, coordination or management of health care and related services. This includes consultations and referrals between one or more of your health care providers, and the coordination or management of health care by a health care provider with a third party. For example, an EAP counselor who refers you for treatment with another EAP counselor with a different specialty could share information with that counselor about your treatment needs.

"Payment" includes actions to make coverage determinations and payment (including, billing, claims processing, subrogation, plan reimbursement, reviews for medical necessity and appropriateness of care, utilization review and preauthorizations). For example, the administrator of the medical flexible spending account will use PHI to determine whether your submitted claims qualify as reimbursable expenses from your health care account

"Health care operations" include quality assessment and improvement, reviewing the competence or qualifications of health care professionals, underwriting, premium rating, and other insurance activities related to creating or renewing insurance contracts. It also includes disease management, case management, conducting or arranging for medical review, legal services and auditing functions (including fraud and abuse compliance programs), business planning and development, business management, and general administrative activities. For example, the Plan may hire auditors to review flexible spending account claims processing and assess the quality of plan administration.

Business Associates provide business services to the Plan related to transactions with you like plan administration, claim processing, or audit services. Examples of third parties include medical insurers, third party administrators, consultants and reinsurance companies. Prior to disclosure, the Plan will require its business associates, through contract, to appropriately safeguard your health information.

The Plan also may disclose PHI to employees of the College if such employees assist in carrying out treatment, payment and health care operations, provided that the PHI is used for such purposes. These individuals receive training to ensure that they will protect the privacy of your health information and that it is used only as described in this notice or as permitted by law. Health information will generally not be disclosed to the College in its capacity as Plan Sponsor, except that information regarding enrollment in the Plan or enrollment in a specific benefit will be disclosed to allow for payroll processing of premium payments. Summary health information may be provided to the College, which may be used to shop for insurance or amend the Plan, but identifying information, such as your name or social security number, will not be included. Unless authorized by you in writing, your health information: (1) may not be disclosed by the Plan to any other College employee or department, and (2) will not be used by the College for any employment-related actions and decisions or in connection with any other employee benefit plan sponsored by the College.

C. Uses and Disclosures of PHI for which Consent, Authorization or Opportunity to Object Is Not Required

HIPAA sets forth a limited number of additional situations in which the Plan may use or disclose your PHI without your authorization, including:

1. When such uses or disclosures are required by law.
2. When uses or disclosures are permitted for purposes of public health

Employee Benefits: HIPAA Notice of Privacy Practices



activities, including preventing or controlling disease, injury or disability, and when necessary to report product defects in connection with FDA regulated products, to permit product recalls with respect to such products, and to conduct post-marketing surveillance. PHI may also be used or disclosed if you have been exposed to a communicable disease or are at risk of spreading a disease or condition, if authorized by law.

3. When the Plan is authorized by law to allow reporting of information about abuse, neglect or domestic violence to public authorities, and there exists a reasonable belief that you may be a victim of abuse, neglect or domestic violence. In such cases, the Plan will promptly inform you that such a disclosure has been or will be made unless the notice would cause you a risk of serious harm. In instances of reports of child abuse or neglect, it is not necessary to inform the minor that such a disclosure has been or will be made. Disclosure may generally be made to the minor's parents or other representatives, although there may be circumstances under federal or state law when the parents or other representatives may not be given access to the minor's PHI.
4. To a public health oversight agency for oversight activities authorized by law. This includes uses or disclosures in civil, administrative or criminal investigations; inspections; licensure or disciplinary actions (for example, to investigate complaints against providers); and other activities necessary for appropriate oversight of government benefit programs (for example, to investigate Medicare or Medicaid fraud).
5. When required by judicial or administrative order, or in response to a subpoena, discovery request or other lawful process which is not accompanied by an order, provided that certain conditions are met. One of those conditions is that satisfactory assurances must be given to the Plan that (a) the requesting party has made a good faith attempt to provide written notice to you, or (b) the party seeking the information has made reasonable efforts to secure a qualified protective order.
6. For law enforcement purposes, including for the purpose of identifying or locating a suspect, fugitive, material witness or missing person. Also, for disclosing information about you if you are suspected of being a victim of a crime, but only if you agree to the disclosure or the Plan is unable to obtain your agreement because of incapacity or emergency circumstances. Furthermore, the law enforcement official must represent that the information is not intended to be used against you, that the immediate law enforcement activity would be materially and adversely affected by waiting to obtain your agreement, and that disclosure is in your best interest as determined by the exercise of the Plan's best judgment.
7. When required to be given to a coroner or medical examiner for the purpose of identifying a deceased person, determining the cause of death, or other duties as authorized by law. Also, disclosure is permitted to funeral directors, consistent with applicable law, as necessary to carry out funeral directors' duties with respect to the decedent.

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8. For cadaveric organ, eye or tissue donation purposes, to organ procurement or like entities.
9. For research, subject to conditions.
10. When consistent with applicable law and standards of ethical conduct, if the Plan, in good faith, believe the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public and the disclosure is to a person reasonably believed to be able to prevent or lessen the threat, including the target of the threat.
11. When authorized by and to the extent necessary to comply with workers' compensation or other similar programs established by law.
12. If you are not present or your consent cannot be obtained because of your incapacity or an emergency circumstance, the Plan may, in the exercise of its professional judgment, disclose to your family member, relative, or other person who is responsible for your care your PHI directly relevant to such care, if the Plan concludes that disclosure is in your best interests.
13. For those specialized government functions set forth in the regulations promulgated pursuant to HIPAA or such other purposes provided under HIPAA.

Section 2. Your Rights as Individuals

A. Right to Request Restrictions on Uses and Disclosures of PHI

If you wish, you may (i) request that the Plan restrict uses and disclosures of your PHI to carry out treatment, payment or health care operations, or (ii) request that the Plan restrict uses and disclosures of your PHI to family members, relatives, friends or other persons identified by you who are involved in your care or the payment for your care. Please note, however, that the Plan is not required to agree to your request.

You or your personal representative will be required to complete a form to request restrictions on uses and disclosures of your PHI.

B. Right to Receive Confidential Communications of PHI


The Plan will accommodate reasonable requests to receive communications of PHI by alternative means or at alternative locations to better ensure your privacy.

Requests for restrictions and to receive communications by alternative means or at alternative locations should be made to the following: Human Resources Department, St. John Fisher College.

C. Right to Inspect and Copy PHI

You also have a right to inspect and obtain a copy of your PHI to the extent that it is contained in a "designated record set." This right extends for as long as the Plan maintains the PHI, but does not apply to: psychotherapy notes; information compiled in anticipation of, or for use in, a civil, criminal or administrative action or proceeding; or information subject to the Clinical Laboratory Improvement Amendments of 1988 (to the extent that providing access to that information would be prohibited by law), and information which is exempt from those Amendments.

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A “designated record set” includes: medical records and billing records about individuals which are maintained by or for a covered health care provider; enrollment, payment, billing, claims adjudication and case or medical management record systems maintained by or for a health plan; and other information used by or for a covered entity to make decisions about individuals. Information used for quality control or peer review analyses and not used to make decisions about individuals is not considered part of a designated record set.

The requested information will be provided within 30 days if the information is maintained on site, or within 60 days if the information is maintained offsite. A single 30-day extension is allowed if the Plan is unable to comply with the deadline.

You or your personal representative will be required to complete a form to request access to the PHI in your designated record set. Requests for access to PHI should be made to the following person: Karen Gagie, Director, Human Resources. St John Fisher College, 3690 East Avenue, Rochester, NY 14618. If access is denied, you or your personal representative will be provided with a written denial setting forth the basis for the denial, a description of how you may exercise review rights with respect to the denial, and a description of how you may complain to the Secretary.

D. Right to Amend PHI

You have the right to request that the Plan amend your PHI or a record about you in a designated record set that is inaccurate or incomplete for as long as the PHI is maintained in the designated record set.

The Plan has 60 days after the request is made to act on the request. A single 30-day extension is allowed if the Plan is unable to comply with the deadline. If the request is denied in whole or part, the Plan must provide you with a written denial that explains the basis for the denial. You or your personal representative may then submit a written statement disagreeing with the denial and have that statement included with any future disclosure of your PHI.

Requests for amending records containing your PHI in a designated record set should set forth the reason for the amendment and should be made, in writing, to the following person: Karen Gagie, Director, Human Resources Department, St. John Fisher College, 3690 East Avenue, Rochester, NY 14618.

E. The Right to Receive an Accounting of PHI Disclosures

At your request, the Plan will also provide you with an accounting of disclosures of your PHI by the Plan during the period covered by your request (which may be a period of up to six years prior to the date of your request).

However, such accounting need not, consistent with the HIPAA privacy regulations, include PHI disclosures made: (1) to carry out treatment, payment or health care operations; (2) to you about your own PHI; (3) incident to a use or disclosure otherwise permitted or required by law; (4) pursuant to your authorization; (5) for national security or intelligence purposes; (6) to correctional or law enforcement officials; (7) as part of a limited data set; or (8) prior to the date the Plan was required to comply with HIPAA privacy regulations.

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If the accounting cannot be provided within 60 days, an additional 30 days is allowed if the Plan gives you a written statement of the reasons for the delay and the date by which the accounting will be provided. If you request more than one accounting within a 12-month period, the Plan will charge a reasonable, cost-based fee for each subsequent accounting.

F. Copies of this Notice

You have a right to obtain a paper copy of this notice from the Plan upon request. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. A copy of this notice is found on pages E19.1-8 of the Employee Handbook, available on the Human Resources Web site at <http://www.sjfc.edu/humanresources/documents/EmployeeHandbook.pdf>. You may also request a paper copy from the Office of Human Resources at (585) 385-8048. The Office of Human Resources is located in Kearney Hall, Room 211. The address for written correspondence is Karen Gagie, Director, Human Resources, St John Fisher College, 3690 East Avenue, Rochester, NY 14618.

G. Personal Representatives

You may exercise your rights under this notice through a personal representative. If you have a personal representative, he/she will, unless otherwise allowed by law, be required to produce evidence of his/her authority to act on your behalf before he/she will be given access to your PHI or allowed to take any action for you. Proof of such authority may take one of the following forms:

- a power of attorney for health care purposes, notarized by a notary public;
- a court order of appointment of the person as your conservator or guardian; or
- proof that the representative is your parent (if you are a minor child).

The Plan retains the discretion to deny your personal representative access to your PHI to protect you if it is believed that you may be subject to abuse or neglect. This also applies to personal representatives of minors.

Section 3. The Plans' Duties

Beginning April 14, 2004, the Plan is required by law to maintain the privacy of PHI in accordance with HIPAA and to provide individuals (employees and their dependents who are enrolled in the plan) with notice of the Plans' legal duties and privacy practices. The Plan is required to abide by the terms of the privacy notice then in effect. The Plan reserves the right to change its privacy practices and to apply the changes to any PHI received or maintained by the Plan. If a privacy practice is materially changed, a revised version of this notice will be provided to all past and present participants and beneficiaries for whom the Plan still maintains PHI.

Any revised version of this notice will be distributed within 60 days of the effective date of any material change to the uses or disclosures, the individual's rights, the duties of the Plan or other privacy practices stated in this notice.

Employee Benefits: HIPAA Notice of Privacy Practices

A. Minimum Necessary Standard

When using or disclosing PHI or when requesting PHI from another covered entity, the Plan will make reasonable efforts not to use, disclose or request more than the minimum amount of PHI necessary to accomplish the intended purpose of the use, disclosure or request, taking into consideration practical and technological limitations. However, the minimum necessary standard will not apply in certain circumstances such as uses or disclosures made to you, authorized by you, made to a health care provider for treatment purposes, made to the Secretary or required by law.

B. De-Identified Information, Limited Data Sets, and Summary Information

This notice does not apply to health information that has been de-identified. De-identified information is information that does not identify an individual (i.e., you) and with respect to which there is no reasonable basis to believe that the information can be used to identify you.

In addition, the Plan may use or disclose information in a limited data set, provided that the Plan enters into a data use agreement with the limited data set recipient that complies with the federal privacy regulations. A limited data set is PHI which excludes certain direct identifiers relating to you and your relatives, employers and household members.

The Plan may disclose "summary health information" to the College without your authorization if the College requests the summary information for the purpose of obtaining premium bids from health plans for providing health insurance coverage under the Plan, or for modifying, amending or terminating the Plan. "Summary health information" means information that summarizes the claims history, claims expenses, or type of claims experienced by individuals for whom the College has provided health benefits under the Plan; and from which most identifying information has been deleted. The Plan may also disclose to the College information on whether an individual is participating in the Plan and the coverage in which an individual has enrolled.

Section 4. Your Right to File a Complaint With the Plan or the Secretary

If you believe that your privacy rights have been violated, you may complain to the Plan by contacting the following individual, at the following street address, telephone number and e-mail address: Karen Gagie, Human Resources Department, St. John Fisher College, 3690 East Avenue, Rochester, NY 14618. 585-385-8048, kgagie@sjfc.edu.

You may also file a complaint with the Secretary of the U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue S.W., Washington, D.C. 20201.

The Plan will not retaliate against you for filing a complaint.

Section 5. Who to Contact at the Plan for More Information

If you have any questions regarding this notice or the subjects addressed in the notice, you may contact the following privacy officer at the following street address, telephone number and e-mail address: Karen Gagie, Human Resources Department, St. John Fisher College, 3690 East Avenue, Rochester,

NY 14618. 585-385-8048, kgagie@sjfc.edu.

Section 6. Effective Date

This notice has been revised and is effective August 1, 2009.

This notice represents the Plan's effort to summarize the privacy regulations under HIPAA. In the event of a discrepancy between the terms or requirements of this notice and the privacy regulations themselves, the terms of the regulations shall prevail.

**Employee
Benefits:
HIPAA Notice of
Privacy Practices**



F. COLLEGE FACILITIES

College Facilities Services



As a member of the St. John Fisher College community, certain college facilities are available for your personal use. We hope you use and enjoy the available facilities.

Print Center

The Print Center is located on the ground floor of Kearney Hall. Services include copying and printing (both black-and-white and full color); stationery items; vinyl signage; poster printing and paper supplies. With its high volume printing equipment, the Print Center provides the most cost effective copy/print capabilities on campus.

Postal Center

The Postal Center offers all the services of a regular Post Office, including stamps, Express Mail, FedEx, Registered & Certified Mail, postal money orders upon request, and bulk mail. They are responsible for all faculty, staff, and student mail.

Chapel

The Harold J. Coleman Chapel is located in Murphy Hall on the south side of Fairport Road, where daily (Monday - Friday) and Sunday masses are held. Employees are welcome to use either chapel for prayer or reflection when the need arises. If you would like more information about the chapels or services, please call the Campus Ministry Office at 385-8368.

College Bookstore

The College Store is located on the lower level of the Campus Center. The College Store offers a variety of merchandise such as books, stationery, office supplies, food, clothing, etc.

Dining Services

The College provides food service for its students and employees in a number of locations. The main dining hall is in the Ward/Haffey Halls and serves breakfast, lunch and dinner when school is in session.

The Cyber Café is located in the Golisano Gateway and offers a variety of deli foods and soups. The Cyber Café is open 8:00 a.m. - 8:00 p.m. on weekdays and 8:00 a.m. - 1:00 p.m. on weekends (when Weekend College is in session).

There is also a snack window located in (the Fishbowl) Michaelhouse. It is open during lunch hours when school is in session.

The Murphy Dining Hall serves breakfast and dinner Monday through Friday when classes are in session.

Lavery Library

The Charles J. Lavery Library was named in honor of Fisher's second President and the only Chancellor of the College. The library information has a wide range of resources in all formats, and a helpful, friendly staff.

College Facilities Services

Recreational Facilities

Employees have access to the College's recreational facilities located in the Student Life Center. The facilities include tennis courts, racquetball courts, a large cardio circuit training workout area, and basketball courts. Immediate family members also have privileges to use the facilities. To sign up family members, contact the Athletic Department.

The Health and Wellness Center

The Health and Wellness Center is located on the main level of the Wegmans School of Nursing. The College has a full-time nurse, a part-time doctor and several part-time nurse practitioners on its staff during the academic year. **The professional staff provides medical attention to students only.**

Special Events

Special events such as concerts, guest lectures, movies and plays are held on campus throughout the academic year. All employees are welcome to attend these events (some are free and some require a modest charge). Upcoming events are announced in Campus publications.



G. COLLEGE SECURITY

College Security: Overview — Security Policy

The College operates its own security department called Safety and Security. The department is located in Haffey Hall (main floor). Security is provided twenty-four hours a day, seven days a week. The department is responsible for the safety of students, faculty, staff and visitors, and security of the physical facilities and College grounds. The Safety and Security Department handles reports of injuries and disturbances of any kind.

The College is committed to providing a safe workplace for all employees. Violence or threats of violence, whether by employees, students, or individuals who are not part of the College Community, will not be tolerated. Employees should promptly report any suspicious activities, incidents, or potentially violent situations to the Safety and Security Department (385-8111) and their Supervisor/Manager.



College Security: Employee Identification



Identification Cards

Identification cards are issued through the Safety and Security Department. The primary purpose of the card is to identify you as an employee or authorized person. Your identification card must be presented in order to borrow material from Lavery Library and to use the College's recreational facilities. You are prohibited from "loaning" your card to any other person for any purpose. If a card is lost, you should contact the Safety and Security Department for security reasons and to obtain a new card.

Parking Permits

Parking is available to all College employees at no charge. All parking areas are shown on the Campus map. As an employee, you must register your car(s) with the Safety and Security Department. Temporary parking permits are available through the Safety and Security Department.

Escort Service

Any employee of the College may call the Safety and Security Department (385-8111) and request an escort to his/her car, or to any building on campus at any time, day or night. This is especially useful for employees who must work late. A security officer is available to perform this service.

College Security: Key Control, Lost & Found and College Property

Keys

All College keys required by employees are issued by Facilities Services. Keys may not be duplicated or “loaned” to any other person without authorization. Upon separation of employment, employees must return all keys to the Human Resources Department as part of the exit interview. Loss of keys should be reported to the employee’s Supervisor/Manager and to the Safety and Security Department immediately.

Lost and Found

A lost and found service is provided by the Safety and Security Department. If an employee loses or finds any item, he/she is requested to inform Safety and Security.

College Property

Each employee of the College is given responsibility for the use of College supplies and equipment. These supplies and equipment are expensive and may not be removed from College premises without written permission from the employee’s Supervisor/Manager and/or the Safety and Security Department. Intentional misuse or theft of College supplies or equipment may result in disciplinary action, up to and including termination of employment.



H. EMPLOYEE SAFETY AND WELLNESS

H. EMPLOYEE
SAFETY AND
WELLNESS

Employee Safety and Wellness: Safety Policy and Reporting Accidents and Injuries



Basic Policy

The College encourages all employees to become increasingly aware of safety and accident prevention. A safe and healthy work environment must be maintained by the College. Guidelines have been established to inform employees of the safety rules applicable in their department. Employees are expected to observe all safety rules posted throughout the College.

Reporting Accidents and Injuries

Any accident that occurs while conducting College business must be reported immediately to the employee's Supervisor/Manager.

Should an injury result from the accident, the employee or his/her Supervisor/Manager also must immediately contact the Safety and Security Department. A member of the Safety and Security Department will complete and sign an incident report. A copy of the incident report will be sent to the Human Resources Department. Additionally, an Accident Report Form (<http://www.sjfc.edu/campus-services/hr/documents-forms/>) must be completed as soon as possible and signed by the injured person's Supervisor/Manager and the injured person, if possible. The Supervisor/Manager forwards the completed report to the Human Resources Department.

These steps are important, among other reasons, to protect an employee's rights under the provisions of New York's Workers' Compensation law.

Site-related Accidents

New York State law requires all employers to maintain and update a listing of toxic substances used in the workplace. All employees have the "right to know" about toxic substances to which they are exposed. Employees can contact Facilities Services or the Safety and Security Department for further information.

Employee Safety and Wellness: Smoking Policy

Monroe County and the New York State Health Department regulations prohibit smoking, including e-cigarettes and vaping devices, in any College building and in any College vehicle. Smoking is prohibited in the residence halls, including stairwells, lounges, lobbies, and individual rooms. The College maintains a smoke-free area within 50 feet of all campus buildings.

Cigarette butt containers are placed around the campus for smokers' use. Please use these containers in order to reduce campus litter.



Employee Safety and Wellness: Fire Safety

Fire prevention procedures are important to the safety of all College employees. Each employee has a responsibility to be aware of any unsafe situation that could cause a fire, and know how to react in case of a fire. The College has set standards and regulations regarding fire safety in accordance with state and local laws.

Due to the importance of the following procedures, we ask that employees be especially familiar with this section. Knowing how to prevent a fire, and what to do in case of a fire, could prevent unnecessary injuries and save many lives.

Fire and Emergency Procedures

1. If there is a fire or you suspect a fire, immediately notify Safety and Security by dialing 385-8111, or dial 911. State all the facts, such as your name and the location of the fire.
2. **Activate the building alarm system.** Go to the nearest fire alarm box and pull the lever down.
3. **Exit the building immediately.** (If you are in your office or classroom, close the doors and windows before leaving. Some offices have additional procedures to follow prior to leaving if no fire is visible. If a fire is seen, **leave immediately.**)
4. **Do Not Use Elevators.**
5. After exiting, stand a safe distance from the building and wait for further instructions from the Safety and Security Department or the officials in charge. It is important that you not leave the campus grounds until instructed to do so. In such emergencies, the College must account for the whereabouts of all of its employees.


If the Alarm Horn Rings:

1. **Exit the building immediately.** Follow the Fire and Emergency procedures 3-5 above.

Any unsafe conditions should be reported to the Safety and Security Department or Facilities Services for correction. Let your Supervisor/Manager know of any unsafe conditions, such as the following:

- Frayed or broken electrical cords.
- Flickering lights.
- Overheated office equipment.
- Spillage or improper storage of flammable liquids.
- Excess trash in receptacles.
- Burning cigarettes.
- Hover boards are not permitted on the St. John Fisher College campus due to the significant risk of fire and explosion during operation and charging.

Employee Safety and Wellness: Drug Free Workplace



Controlled Substance Policy

The Drug-Free Workplace Act of 1988 requires applicants for federally funded grants and contracts to certify that they will institute affirmative steps to prohibit the unlawful manufacture, sale, distribution, possession, and use of controlled substances in the workplace.

The apparent spirit of the requirements of this federal law is certainly consistent with the standards of conduct the College has always expected of its employees. Therefore, the following policy statement restates an existing requirement and standard for employment at St. John Fisher College:

The unlawful manufacture, distribution, sale, dispensation, possession or use of a controlled substance (drugs) is prohibited on St. John Fisher College or College-controlled property. Any College employee determined to have violated this policy will be subject to the appropriate action as provided by College policy.

This policy applies to all employees of St. John Fisher College: faculty, administrators, staff, and student employees.

Guidelines

- A. **Employee Obligation for Notification of Conviction:** In order to comply with federal law, St. John Fisher College requires that an employee notify the College of any criminal drug statute conviction, for a violation *occurring in the workplace* no later than five (5) days after each conviction.
- B. **Employer Obligation for Notification:** As required by Federal law, the College will notify the appropriate Federal contracting agency within ten (10) days of having received notice of an employee conviction, as described in Part A above.
- C. **Sanctions for Violation or Non-Compliance:** Guided by the principle that corrective actions must be consistent with the violation, the College will take corrective disciplinary action in accordance with College employment policies, up to and including termination, and/or may require satisfactory participation in a drug rehabilitation program by any employee who has violated this policy or these guidelines.
- D. **Compliance as a Condition of Employment:** The College will notify each employee that, as a condition of employment, the person, once employed, must abide by the terms of this policy and these guidelines.
- E. **Maintenance of a Drug Free Workplace:** The College is committed to maintaining a drug free workplace through such good faith efforts as implementation of this policy and continued education and dissemination of drug awareness information for all members of the College community.

Employee Safety and Wellness: Alcohol Free Workplace

Use of or Being Under the Influence of Alcohol in the Workplace

The College's policy regarding the use (abuse) of alcoholic beverages is consistent with its policy on controlled substances. Consumption of alcohol during work hours and/or reporting to work under the influence of alcohol is strictly prohibited. Employees found to be under the influence of alcohol may be subject to counseling, referral to the Employee Assistance Program and/or disciplinary action, up to and including termination of employment.

The College recognizes that alcohol is served at some College-sponsored events. In those cases, limited consumption of alcohol is permitted provided that all standards of acceptable conduct and job performance are maintained.



Employee Safety and Wellness: Weather Emergencies and College Closing

The College does not intend to jeopardize the safety of its employees if road and weather conditions make traveling hazardous. If the weather is so severe that it is dangerous for employees and commuting students to come to the College, an emergency day will be called by the Provost of the College. Radio and TV stations will be notified as early as possible so that employees will have the information before starting out for work.

When the College is closed due to severe weather conditions, all regular employees who are scheduled to work will be paid their regular pay for the day of closing. Non-exempt employees who are required to report to work during the time period when the College is closed will be paid time and a half for all hours worked.

If for any reason an employee is unable to report to work due to unpredictable weather or severe driving conditions *and* the College is not closed, the employee will be allowed to take the day as paid time either by using vacation or a floating holiday, or may elect to take the day as an unpaid absence.



Employee Safety and Wellness: General Information

Access for Physically Impaired

All campus buildings are, in some way, accessible to any employee, student, or guest who is disabled. Details are available from the Safety and Security Department. Handicapped parking is also available.

Lactation Room

The College provides a lactation and storage room for nursing mothers. It is located in the Wegmans School of Nursing (WSON), room 224. For access, please contact the WSON Assistant to the Dean at 385-8468.

Bus Service

The Regional Transit Service (RTS) bus stop is located across from Keough Hall. RTS schedules are available at the switchboard located in Kearney Hall and at the Safety and Security Department in Haffey Hall.

Employee Discounts on Special Activities

A variety of discounts are available to employees through the College's membership in the Rochester Area Recreation Employees Services Association (RARES - www.rares.org).

Employee Publications

The Marketing and Communications Office produces a number of publications that keep faculty, staff, students and alumni up-to-date with College developments. You may be interested in the *College News and Calendar* which is published monthly during the academic year.

Red Cross Blood Drive

The St. John Fisher College community contributes regularly to the American Red Cross Blood Drive. Thousands of pints of blood have been donated since the College opened its doors in 1951. Employees are encouraged to "Give the Gift of Life" during campus blood drives.

The United Way of the Greater Rochester Area

An annual appeal is made to employees of St. John Fisher College for donations to the United Way. Donations are accepted through payroll deductions, direct bill, or cash. Through the donations it receives, the United Way is able to provide funding for various local charitable organizations that are completely dependent on outside contributions to carry on their work for the community.

Verizon Cellular Services

Faculty and staff are eligible to sign up for the employee discount with the College's cellular carrier, Verizon Wireless. Information on discount and enrollment are located at: <http://www.sjfc.edu/campus-services/oit/services/faq-detail.dot?id=130767>.