

**Salaried/Exempt Employees**

**Lafayette College  
Employee Handbook**

***Instructions:*** Print *ONLY* this page (File, Print, Current page), fill out the bottom section and send it to the Office of Human Resources.

**Acknowledgement of Receipt of Web Access Instructions**

I acknowledge that I have received directions for accessing this Handbook on the Human Resources web page. I understand that if I have any difficulty in accessing the Handbook on the web I am responsible for contacting the Office of Human Resources for assistance or to request a paper copy of the Handbook. I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it by Lafayette College.

In particular, I acknowledge that I have read and understand Lafayette's Non-Discrimination and Harassment Policy. In addition, I acknowledge that I have read and understanding the Information Technology Policies on Confidentiality, Privacy, and Security, Acceptable Use, Copyright Infringement, and Data Stewardship.

I understand that this Handbook supersedes all previous versions that have been issued by the College. Further, I understand that because the College may, in its sole discretion, add, modify, delete or otherwise change provisions of the Handbook, I should contact the Office of Human Resources to obtain current information regarding the status of any particular policy, procedure or practice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Print)

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## Welcome

Welcome to Lafayette! We are proud of the College and its greatest assets – the people who work here. We are pleased that you have joined us and hope you will quickly feel at home, enjoy your work, and find your employment with us both satisfactory and rewarding.

We know you will take pride in being a member of the College community and in your association with the many distinguished professionals and skilled support colleagues who have contributed to our pursuit of excellence. We expect that your skills, enthusiasm, and team effort will make an important contribution to the College's overall success. We believe that working together in a spirit of mutual respect and goodwill will make employment with Lafayette a productive and fulfilling experience. Thank you for joining us.

## Introduction

This Handbook applies to all non-union, non-faculty employees employed by Lafayette College who are paid a salary (exempt under the Fair Labor Standards Act). For the remainder of this handbook, we will refer to these individuals as “employees,” unless otherwise specified. We encourage you to read this Handbook carefully.

This Handbook is a general guideline voluntarily adopted by the College for informational purposes only. It is not intended to and does not create an expressed or implied contract of employment or any other contractual rights, obligations, or liabilities.

Because the Handbook is not a contract, it does not contain any promises by the College and the College is not legally or otherwise bound by it. More specifically, the Handbook should not be considered as or relied upon by employees as establishing terms and conditions of employment.

We believe that every employee is an individual and that no general policy can, or should, dictate what must happen in every situation. Therefore, from time to time, situations or problems may arise which, the College believes, require or deserve special handling, even though a policy stated in this Handbook may indicate a different general rule. Accordingly, just because a particular policy or procedure is generally followed in certain circumstances does not mean that the College must apply that policy or procedure in every instance.

Your employment is **at-will**; both you and the College have the right to terminate your employment at any time and for any or no reason and with or without prior notice. Because your employment is at-will, you are not guaranteed employment or any particular job or type of work for any specified period of time. While the College may follow a disciplinary process from time to time, nothing in this Handbook or its application shall restrict the right of the College to terminate employees who are at-will. The College also retains the absolute right to change an employee's wages and position and any other terms and conditions of employment, and to discipline, transfer, reassign and/or promote, demote an employee, at any time, for any reason, with or without prior notice.

The College reserves the right to interpret the policies, rules, benefits, sections, and provisions contained in the Handbook as it deems appropriate, at any time, unilaterally, with or without prior notice, in its sole discretion. The College also reserves the right, to amend, modify, change, cancel, terminate or withdraw any or all of the policies, rules, benefits, sections and provisions of this Handbook at any time, unilaterally, with our without prior notice, in its sole discretion.

The policies, rules and benefit programs described in this Handbook are effective as of the date indicated at the lower left-hand corner of each page. This Handbook and all subsequent revisions supersede and/or replace all policies and rules issued previously.

No representative of the College (except authorized College officers, in writing) has the authority to enter into any agreement for employment for a specified period of time, to guarantee any particular position for any specified period of time, or to make any promises with respect to compensation, promotional opportunities, or any other term or condition of employment.



## **General Conditions of Employment**

## **Expectations and Your Responsibilities**

Each of us was selected for employment with the College because our training, prior experience, knowledge, and job skills closely matched the requirements for the job each of us now holds. In accepting employment, each of us also acknowledges a personal responsibility for assuring that our workplace conduct, job performance, and business practices meet the expectations of the College.

While these expectations are set forth in greater detail throughout the Handbook and will be formally and informally communicated to you further in the course of your employment with us, in general, you are expected to:

1. Conduct yourself and all of your business activities ethically and honestly;
2. Approach your job responsibilities with enthusiasm and professionalism;
3. Promote goodwill by handling all contacts with co-workers, supervisors, customers, students, alumni, vendors, and suppliers in a spirit of respect, courtesy, cooperation, and attentiveness;
4. Deal with all co-workers, supervisors, customers, students, alumni, vendors and suppliers, etc. without unlawful regard to their gender, race, color, creed, religion, sexual orientation, gender identity and expression, ancestry, national origin, handicap or disability, age, citizenship, military or veteran's status, or membership in any other legally protected group;
5. Report to work physically and mentally fit for duty;
6. Report to work promptly and regularly, keeping absences, late arrivals, and early departures to a minimum;
7. Provide appropriate notice of an unavoidable absence or lateness in accordance with established policy;
8. Perform your job responsibilities efficiently and thoroughly;
9. Remain actively engaged in the performance of your job responsibilities throughout the entire workday;
10. Perform your job responsibilities prudently and carefully, observing all health, safety, and security rules at all times;
11. Protect the confidentiality of information which you acquire in the course of your employment and which is not generally accessible to the public;
12. Avoid engaging in conduct which could create an actual or potential conflict of interest or even the appearance of a conflict of interest;

13. Safeguard College property to prevent its damage, loss, misuse, or theft;
14. Report to your supervisor accidents, injuries, fire, theft, or other unusual incidents immediately after occurrence or discovery;
15. Follow all established College policies, rules, and procedures as well as the specific instructions of your supervisor;
16. Refrain from using College property, services, or supplies for personal reasons, unless prior permission has been obtained;
17. Provide complete and honest information in connection with all pay, time, business expense, and employment records; and
18. Ensure that your personal appearance, oral communication, and physical conduct are consistent with high standards of professionalism and propriety. Your clothing should be clean, appropriate to your work assignment, and fit properly.

Notwithstanding the foregoing, your employment with the College is at-will (e.g., either party can terminate the employment relationship at any time, for any or no reason, with or without prior notice). Your failure to meet these expectations may result in corrective counseling, the goal of which is to preserve your employment by turning around unsatisfactory job performance and/or unacceptable conduct. Depending on the nature and severity of the issue, discipline may result in action up to and including termination of employment.

## Confidentiality

In the course of performing your duties on behalf of the College, you may, from time to time, be placed in a position of trust and confidence in which you receive or contribute to the creation of confidential and/or proprietary information relative to the operations of the College. This confidential and/or proprietary information includes, but is not limited to:

- The names, addresses, and telephone numbers of the College's employees, students, alumni, donors, vendors, and suppliers.
- Any and all other data or information relating to the operations and business of the College which is not known generally by and readily accessible to the public.

During your employment:

- You must protect this confidential and/or proprietary information and use and/or disclose such information only as necessary to further the College's business interests; and
- You may not use or disclose such confidential information and/or proprietary information for personal gain or for any purpose which does not further and/or which is inconsistent with the business interests of the College.

Upon your separation from the College, regardless of the reason and whether initiated by the College or you:

- You must return to the College, any and all files, records, correspondence, documents, electronic diskettes, computer compact discs, computer and electronic mail printouts, drawings, specifications, writings and similar items, retaining no copies, which relate to the College's business operations, customers, prospective customers, employees, students, suppliers, alumni, vendors, etc., regardless of where such items were kept or prepared.
- You must not use and/or disclose the College's confidential and/or proprietary information at any time, at any place, for any reason.

Use or disclosure of the College's confidential and/or proprietary information is in violation of policy and will result in appropriate disciplinary action, up to and including termination of your employment with the College and/or the commencement of legal action against you.

## **Internal Employment Opportunities**

The College generally announces employment opportunities first to the College community to inform employees of openings that may afford opportunities for advancement or transfer. Vacancies may be filled from within when an internal applicant is the most-qualified candidate for the job.

All employees who are seeking job advancement or considering a job change are encouraged to use the job posting system as a method for seeking a suitable position within the College community. Normally on a Friday, a "Job Vacancy Listing" of non-faculty positions is posted on the Office of Human Resources bulletin board, website, and distributed to the College community. Job vacancies are usually also placed on the College's Job Line (ext. 5600). The posting provides a job title, a list of the main duties for the vacant job, and the general qualifications needed so that any interested employee who believes he or she meets the qualifications can pursue the opportunity. Employees who wish to pursue an internal employment opportunity are responsible to provide a letter of interest in a timely manner to the Office of Human Resources or the Chair of the Search Committee. To the extent practicable, all internal inquiries will be treated confidentially. However, employees should expect that during the process of filling a vacancy, his or her current supervisor will be notified of his or her interest in pursuing an internal employment opportunity. An employee who successfully transfers or is promoted from one position to another may have changes in status, job level, compensation, overtime eligibility, and benefits eligibility. Any changes associated with the position change will be determined at the time of the offer of transfer or promotion.

## **Criminal Background Check**

Employees extended a conditional offer of employment will be subject to a background check by an independent investigation firm in accordance with the Fair Credit Reporting Act. Employees hired into certain positions may be subject to a credit check. Normally, these checks apply to positions relating to, or management of, financial transactions. A conviction will not automatically result in your disqualification from employment. However, a relevant job-related conviction may be grounds for non-selection for the position. Consideration will be given to the relationship between the conviction and the responsibilities of the position that is being sought.

## **Medical Examinations**

Employees extended a conditional offer of employment for positions with specific physical requirements will be required to take a fitness for duty medical examination at no charge to the employee. Should the results of the medical examination indicate that an employee has a disability, the College will make reasonable accommodations provided that the accommodations do not impose an undue hardship.

## Personnel Records

Your personnel record contains information relative to your employment with the College such as wage or salary information, performance appraisals, and benefit enrollments.

Because it is essential that the information contained within your personnel record be kept up to date, you are required to notify, in writing, the Office of Human Resources when any of the following events occur:

1. Change in your legal name;
2. Change of address or telephone number;
3. Change in your social security number;
4. Change in your marital status/dependents (only if relevant to your participation in College-sponsored insurance benefits);
5. Change in number of exemptions claimed for income-tax withholding purposes;
6. Change in designated individual to be notified in case of emergency; and
7. Change in designated beneficiaries to insurances.

On an annual basis, you may be eligible to inspect certain contents of your personnel record. If you wish to make such an inspection, you must make a written request addressed to Leslie F. Muhlfelder, Vice President for Human Resources and General Counsel in the Office of Human Resources. An appointment will then be scheduled to view the record during regular business hours.<sup>1</sup>

The College follows the "Inspection of Employment Records Law" Act of 1978 with regard to personnel records. Accordingly, the personnel record shall not include records of an employee relating to the investigation of a possible criminal offense, letters of reference, documents which are being developed or prepared for use in civil, criminal or grievance procedures, medical records, or records or material which are used by the College to plan for future operations, or information available to the employee under the Fair Credit Reporting Act.

The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, job title and information contained in the College's directory. Additional information, including salary information, generally will only be released with written authorization from the employee or when subpoenaed.

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<sup>1</sup> In addition, under certain circumstances, an employee may be eligible to inspect certain medical documents.



### **Employment of Relatives (Nepotism)**

To prevent actual, potential, or perceived conflicts of interest among employees, the College has a policy which restricts the employment of relatives. For purposes of this policy, a "relative" is defined as a parent, parent-in-law, child, child-in-law, sibling, spouse, ex-spouse, grandparent, grandchild, or anyone else who, although not related by blood or marriage, resides in the same home of the employee.

No employee may work in a position which involves a direct supervisory relationship with a relative. Further, no employee may work in a position in which he or she has the authority to influence, directly or indirectly, any term or condition of employment of a relative, or when the relative would have such authority over the employee.

An applicant will not be hired for a position which would conflict with the restrictions set forth in this policy. If an employment relationship prohibited by this policy were to develop between existing employees due to marriage or change in the relationship, change in responsibilities, promotion, or for any other reason, the employees must notify the College immediately and the College will seek to resolve the situation.

## Code of Conduct for Business Activities

The College assumes that those associated with the institution will conduct themselves ethically and in accordance with what are generally accepted as "standard business practices." The increasingly complex relationships that have evolved between the College and the numerous individuals, companies, institutions and other groups, with which it deals, require that persons representing the College exercise a high degree of personal responsibility, integrity, and sound judgment. Employees should ensure that outside activities do not conflict with or reflect adversely on the College's interest.

An actual, potential, or perceived conflict of interest arises when an employee or relative (defined as parent, parent-in-law, child, child-in-law, sibling, spouse, ex-spouse, grandparent, grandchild, or anyone else who, although not related by blood or marriage, resides in the same home of the employee) has a personal, financial, or competitive interest in the outcome of a particular matter or transaction involving the College. The following list will provide examples of conflicts which are prohibited: when an employee or relative engages in financial dealings that are contrary to the College's interests; when an employee or relative works for, is associated with, provides any services or materials to, or receives any compensation from any competitor of the College.

You should disclose to your supervisor direct or indirect conflicts of interest or any situation arising from outside business activities which might create or give the appearance of a conflict of interest.

You are responsible for your conduct on the College's premises, whether you are on or off duty. The College's general rules of conduct and behavior expectations also apply when you are traveling on College business, as well as any time you are working or representing the College away from the campus. Your conduct off campus may also affect your employment at the College. In your personal dealings outside of the College, disclose (as reasonably necessary) that you are acting personally in such endeavors and not on behalf of the College.

Employees in the Finance and Administration Division should also refer to the Finance and Administration Division Code of Ethics Policy.

<http://finadmin.lafayette.edu/files/2010/07/codeofethics.pdf>

## **Outside Employment**

There are no objections to you holding another job or other activity outside the College as long as it does not interfere or conflict with your duties and responsibilities and ability to perform your job in a satisfactory manner. "Moonlighting" is a matter of personal choice and individual judgment of the employee. Outside business activities with another education institution should be disclosed to the supervisor. Lafayette expects, however, that employees consider their position at the College to be of primary importance. An employee will be subject to discipline up to and including termination of employment where the College determines such outside employment or other activity interferes with his or her ability to satisfactorily perform his or her job.

## **Work Conditions**

## **Health and Safety**

Lafayette College believes in providing a safe and healthy environment for every employee, student, and visitor. The College complies with the Student Right-to-Know and Campus Security Act of 1990 and discloses information on a timely basis to the community. The College's yearly crime statistics are reported to the Pennsylvania State Police and the U.S. Department of Education. The College disseminates annually its campus crime statistics and copies are available upon request by contacting the Admissions, Communications, Public Safety, or Human Resources Offices.

Freedom from injury because of accidents in the workplace is very important to individual employees and their co-workers. The customary, effective and safe practices of each respective profession must be used in the fashion expected of a diligent, experienced employee.

The Office of Public Safety offers services in Police and Security, Parking and Environmental Health and Safety. The department is available twenty-four hours a day, seven days a week and can be reached at (610) 330-4444 in emergency situations and (610) 330-5330 for business calls. We strongly encourage you to register (free) at [e2Campus](#) to receive critical text alerts related to the College.

### **Police and Security**

Campus police and security officers patrol the campus at all times and respond to calls for service from employees of the College as well as other members of the campus community and visitors.

The College complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and discloses information on a timely basis to the community. Yearly crime statistics are reported to the Pennsylvania State Police and the U.S. Department of Education. This information is available in the College's [Annual Security and Fire Safety Report](#) on-line at Public Safety's website. It can be obtained upon request by contacting the departments of Admissions, Communications, Human Resources, or Public Safety.

### **Parking**

Full-time and part-time employees who drive to campus must obtain a parking permit. To obtain a permit complete the [on-line registration](#) form on Public Safety's website. You will be required to re-register your vehicle(s) every three years or when you get a new vehicle. Once registered you are expected to park in your assigned location.

## **Environmental Health and Safety (EHS)**

Safety is a core value at Lafayette College. The College is committed to maintaining a safe and healthful environment for the campus community. Faculty, staff, students and visitors have an obligation to take reasonable precautions to prevent foreseeable injury to themselves and others and to make colleague safety a part of the Lafayette Experience. It is incumbent upon the College community to avoid unsafe acts or conditions while on the Lafayette College campus and to avoid conditions resulting in environmental hazards.

The College expects you to:

- Work safely.
- Know and understand your responsibilities in the College's written Environmental Health and Safety (EHS) Standard Operating Procedures (SOP).
- Follow all safety rules and standard operating procedures.
- Eliminate unsafe acts and/or hazards promptly.
- Use required personal protective equipment.
- Use appropriate engineering and administrative controls.
- Report accidents and injuries immediately.
- Attend necessary safety training courses.

### **Report EHS Concerns**

If you have an environmental, health or work-place safety concern, report it to your supervisor and if necessary, your department head. Any employee with an EHS concern, which cannot be resolved at the department level, should contact a Public Safety, Environmental Health and Safety (EHS) Specialist at (610) 330-5330. The EHS Specialist will provide information about College policies and relevant laws; suggest ways to handle the complaint either formally or informally, and provide referrals to other support services when appropriate.

All concerns filed in good faith are protected from reprisal or retaliation. The Department of Public Safety, Environmental Health and Safety Division is authorized to take immediate action to ensure that reported violations do not pose an environmental, health, or safety threat to any College employee, student, guest, or the environment.

### **Additional Information**

For additional information, contact your Supervisor, Department Head, refer to Public Safety's website at <http://publicsafety.lafayette.edu>, or call Public Safety at 610-330-5330.

## Accident Reports

Any accident or injury to an employee occurring on the job, or because of employment, must be reported by the employee, without delay, to the employee's supervisor, manager, or director, and to the workers' compensation insurance carrier by the employee's department. This is necessary to ensure that the employee receives the appropriate level of medical care as soon as possible. It is also necessary to allow the College to complete the required forms and reports to governmental agencies and to the College's workers' compensation insurance carrier as required by state law.

For every accident involving an injured employee, the supervisor of the injured employee must ensure the following is done:

1. Complete an [Employer's Report of Injury or Illness](#) on-line using the online reporting criteria. Contact Public Safety for a User Name and Password.
2. Give a printed copy of the [Worker's Compensation Employee Notification Form](#) to the injured employee.
3. Give a printed copy of our [List of Panel Physicians](#) to the injured employee. If the injury is work-related they are required to see one of the listed physicians.
4. Complete a [Supervisor's Accident Investigation Report](#). This form can be found on the Office of Public Safety's website. (This form is different from, and in addition to, the Employer's Report of Injury listed above.)

In accordance with the Pennsylvania Workers' Compensation Act, an injured employee must choose a physician or other health care provider from the Workers' Compensation Panel List. You must continue to treat with one of the Panel health care providers for a period of at least 90-days, from the date of first treatment. In the event an employee needs treatment beyond the 90-day period, he/she may choose to go to another medical provider of his/her own choice.

If you need immediate medical attention, you should receive initial treatment from the nearest emergency medical facility. Thereafter, you must seek treatment from a health care provider found on the Panel List for at least the first 90 days from the date of your first treatment.

## **Workers' Compensation**

As required by Pennsylvania law, the College provides Workers' Compensation insurance for all employees. If an employee is injured, or becomes ill, as a result of his or her job duties, the Workers' Compensation insurance carrier will determine if the injury is a compensable claim. If the claim is determined to be compensable, the employee would be eligible for certain benefits, including the payment of claim-related medical expenses, and income replacement benefits.

The income replacement benefit is specified by law and is subject to statutory maximum and minimum limits. The College is not responsible for making the final determination of whether an employee is eligible for Workers' Compensation benefits.

Employees may become eligible to receive income replacement benefits for a disability resulting from a work-related injury. In the event an employee is paid sick, vacation, disability, or regular pay by the College during the time when they also received workers' compensation income replacement benefits, the employee will be required to reimburse the College for any such payments it made during that time period.

In the event an employee becomes disabled from work because of a work-related injury, and they are not receiving pay directly from the College, it may be necessary for the College to bill the employee for their share of certain benefit premiums. The employee will be advised accordingly should this occur.

(Regardless of an employee's eligibility for workers' compensation income replacement benefits, he/she may still be eligible for Long-Term Disability benefits, should the disability period exceed six months or 180 days).

Any accident, injury, or illness, that occurs as a result of, or in the course of, employment, should be reported immediately to the College and to the Workers' Compensation insurance carrier.



## **Disability**

The College provides income protection in the event of a qualified total disability, for all benefits eligible full-time employees, on the first day of the month following, or concurrent with, the first day of employment. The first six months (180 days) of a total disability is considered “Short-Term Disability”. During this period, an employee receives income replacement from a combination of their own Sick and Vacation time, and/or employer-paid disability.

Should total disability continue for a period beyond six months (180 days), an employee would be eligible for Long-Term Disability benefits. Long Term Disability would provide income replacement equal to 60% of an employee’s monthly base pay/salary, up to a maximum monthly benefit of \$15,000. Disability benefits may be offset by other qualified sources of income, such as Social Security Disability.

In addition to income replacement, Long-Term Disability benefits include a retirement plan contribution based on the amount of the College’s contribution at the time of disability.

Long-Term Disability provides benefits up to an employee’s Normal Social Security Retirement Age, if disability begins prior to age 63.

### **Exempt Support Staff**

The College provides eligible employees with disability income during those first six months of disability. An employee with a medically verified total disability will use all of his or her accumulated sick leave first and then earned vacation. After these sources have been exhausted, the College will pay 60% of the employee's base monthly salary for the remainder of this six-month period.

### **Administrators (Salary Continuation)**

The College provides eligible administrators with disability income during those first six months of disability. An administrator with a medically verified total disability is eligible to receive 100% of their monthly salary during the initial six-month period before Long-Term Disability becomes payable.

### **Additional Benefits During Disability**

Partial disability benefits may be payable if, during the period of Long-Term Disability, an employee is capable of working but, due to residual disability, is unable to earn more than 80% of his or her pre-disability monthly salary.

Life insurance coverage remains in effect up to the first nine months of an approved continuous disability. The employee must apply for *Premium Waiver* benefits during the first year of disability. If approved, premium waiver benefits will allow life insurance coverage to continue until the employee has reached Normal Social Security Retirement Age, if disability begins before age 60.

## Winter Weather - Emergency Conditions

Because Lafayette is a residential college, the College will close only under the most adverse weather conditions. Severe weather, however, could require the delay of the start of the workday or the early release of staff members.

When regularly scheduled work hours are reduced because of emergency conditions, employees who are allowed to arrive late or leave early will be paid for their normal workday.

The nature of some jobs, however, may require certain staff members to be at their workplace to perform some necessary tasks despite the existence of emergency conditions. Some examples of services that cannot be curtailed are security protection, snow removal, and steam generation. The following personnel are considered essential: steam plant shift operator; all grounds personnel; all custodians (both day and night,); all supervisory personnel; and general and mechanical trades personnel (unless advised otherwise by their supervisor).

Announcements of any delayed opening time will be broadcast on the College's website at [www.lafayette.edu](http://www.lafayette.edu) and on the following radio stations:

WEEX 1230 AM	WODE 99.9 FM
WEST 1400 AM	WCTO 96.1 FM
WAEB 790 AM	WLEV 100.7 FM
WAEB 104.1 FM	WFMZ Ch. 69TV

To hear a recorded announcement, employees may telephone the Office of Human Resources at (610) 330-5060.

An employee must inform their supervisor prior to the start of the employee's workday if he or she will be late for a delayed opening or are unable to report for work in accordance with the regular call-in procedure.

If an employee wishes to use an earned vacation day for weather, Department Heads may allow the request by waiving the usual five (5) days advance notice of an employee's intention to use earned vacation.

If circumstances develop during the workday, which create emergency conditions, the Office of Human Resources may give notification of an early release. Supervisors may not release their staff from work during emergency conditions without authorization from the Office of Human Resources.

## Workplace Violence Policy

To ensure both safe and efficient operations, the College expects and requires all of its employees to display common courtesy and engage in safe and appropriate behavior on the job at all times.

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

- **Threatening to harm any employee, student, alumni, or non-employee with whom we interact.** Prohibited threats can be written or oral, expressed or implied. The fact that a threatening comment may have been made "in jest" is no defense.
- **Threatening to cause damage to the College's property or the property of any employee, student, alumni, or non-employee with whom we interact.** Again, the fact that a threatening comment may have been made "in jest" is no defense.
- **Possessing or concealing a weapon while on College premises or anywhere else while working on behalf of or representing the College.** For purposes of this prohibition, a weapon is defined to include guns, rifles, firearms, knives, explosives, bombs and any and all other tools or instruments capable of inflicting harm to persons or property, except those carried by authorized personnel such as commissioned campus police officers and law enforcement (local and state police and federal agents). College premises include: buildings, parking lots, surrounding grounds, and motor vehicles owned or leased by the College, or vehicles on College property. In the case of guns, rifles and other firearms, it is irrelevant that the person has a license or that the gun, rifle or firearm has no ammunition in it. Employees should not offer or agree to store firearms for students or other members of the Lafayette community in their homes.
- **Physically assaulting, attacking or otherwise intentionally causing injury to any person with whom you interact in connection with your employment with the College.** This includes acts motivated by or related to sexual assault and/or domestic violence. The only narrow exception to this rule is an employee may use physical force in self-defense under circumstances in which the employee cannot withdraw safely from the situation without the use of physical force.

- **Intentionally causing damage to property belonging to the College or any employee, student, alumni or non-employee with whom we interact.**

Any employee who violates any of the prohibitions set forth above may be subject to immediate discharge. The employee also may be subject to criminal prosecution.

Any potentially dangerous situation must be reported immediately to the Director of Safety and Security and/or the Office of Public Safety. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The College will actively intervene at any indication of a possible hostile or violent situation.

If you encounter a person exhibiting behavior, which could be a sign of a potentially dangerous situation, you should immediately contact the Director of Safety and Security and/or the Office of Public Safety.

The prohibitions set forth above also apply to individuals who do business with or visit the College. A non-employee who violates any of these prohibitions while on College premises and/or while visiting or doing business with us may be precluded from doing any additional work for, or visiting the College, and may be subject to criminal prosecution.

## Corrective Counseling

You are expected to abide by the established policies and procedures in your department and the College. Your employment with the College is "at-will" (that is, either party can terminate the employment relationship at any time, for any or no reason, with or without prior notice). Without limiting the foregoing, the College may also elect to require corrective counseling or other discipline if you fail to meet the College's expectations. Discipline may include oral warnings, written warnings, or termination of employment depending on the specific circumstances surrounding the incident. Discipline may also be in the form of a paid or unpaid suspension. Exempt employees will be suspended without pay only in full day increments and (only for violations of workplace conduct policies applicable to all employees.)

Circumstances which may have impact on such a disciplinary decision include, but are not limited to the following:

- The severity of and conditions under which substandard performance/conduct occurred;
- Whether the unacceptable behavior violated more than one rule of conduct;
- The quality of your overall performance and record of conduct; and
- Your demonstrated willingness to make improvements in performance or behavior as needed.

While it is neither practical nor desirable to list every conceivable cause for immediate discharge, the following list is some of the causes:

- Violation of the Equal Employment Opportunity Policy.
- Violation of the Sexual Harassment Policy.
- Violation of the Workplace Violence Policy.
- Verbally or physically harassing, coercing, intimidating, or threatening a co-worker, supervisor, customer, student, alumni, vendor, supplier, donor, or any other person with whom the College does business.
- Theft, including misappropriation of College property or property belonging to any of the College's employees or any person with whom the College does business.

- Dishonesty, including willful falsification of any pay, time, business, expense, or employment record (including your application for employment and/or resume).
- Not properly recording time, recording the time worked by another employee, or permitting another employee to record time worked by you.
- Providing dishonest information or testimony in the course of an investigation being conducted by the College.
- Claiming benefits under false pretense.
- Deliberate damage to, or destruction of property belonging to the College or any of its employees, customers, suppliers, students, alumni, donors, or vendors.
- Insubordination, which is defined as refusal to obey a supervisor's instructions or willful disobedience when directed to perform work, unless to do so would be unsafe, unethical, or illegal.
- Possession of a firearm or other deadly weapon or explosive while on College premises, including the conversion or threatened conversion into an incendiary device or weapon of any substance, tool, or other object common to the workplace.
- Unethical or illegal conduct in the course of your employment.
- Reckless disregard for, or willful violation of any safety or security rules.
- Participation in a fight or other physical altercation on College premises.
- Sleeping on the job.
- Gross neglect of duties or job responsibilities.
- Loan-sharking while on College premises.
- Absence from work for three (3) consecutive days without notice.
- Obtaining other employment during a Leave of Absence (without prior written permission from the Office of Human Resources).
- Other serious misconduct as determined by the College.

## Problem Solving Procedures

If you believe you have been treated in a way that is inconsistent with Lafayette College policies, you may register a complaint by using this procedure.

An employee who has a problem has the right and is strongly encouraged to discuss that problem, with his or her immediate supervisor within ten (10) calendar days of the event's occurrence in an effort to seek a mutually satisfactory solution. The supervisor is required to respond in an appropriate amount of time. The experience of most employers and employees reveals that problems are best solved through such an informal review of the problem. At Lafayette, it is hoped that the great majority of problems will be solved before they reach the formal stages of this procedure.

If the problem cannot be resolved with the supervisor, the employee is entitled to bring the problem, within five (5) calendar days of your receipt of a response from your immediate supervisor, to the Department Head or administrator to whom the Department Head is responsible if the head is the immediate supervisor. Again, a response will follow within an appropriate amount of time.

If an employee is not satisfied with the result of the review by the Department Head, he or she may submit a written request for further review to the Division Head within two (2) weeks after the date of the Department Head's response. The Division Head will then consider the grievance and respond to the employee within an appropriate amount of time.

To request a review of the Division Head's response, an employee must submit a letter to the Office of Human Resources which clearly states the nature of the problem, supported by relevant facts, within two (2) weeks following the incident causing the complaint, or within two weeks following the receipt of a response of the Division Head.

The Director of Human Resources is available to assist employees and supervisors throughout the process.

If you do not receive a response to your complaint at any level within ten (10) working days of your notification, you automatically can proceed to the next level.

Note: If your complaint involves discrimination, harassment or retaliation, please use the Procedure in our Equal Employment Opportunity and Sexual Harassment policies. <http://hr.lafayette.edu/policies/>

## Attendance and Punctuality

Your **regular and prompt attendance** on each scheduled work day is **essential** if we are to achieve our goals and to serve the College community efficiently. Frequent incidents of unscheduled absence and/or reporting late and/or leaving before the end of the scheduled shift prevent all of us from serving the College community efficiently, impose additional burdens on co-workers, and prevent us from meeting our operational objectives.

Your record of attendance and punctuality is maintained by your immediate supervisor and is reviewed carefully on a routine basis. Substandard attendance and/or punctuality will result in disciplinary action, up to and including termination of your employment with us.

In addition, abuses of the Sick Leave Policy can result in deviations from the College's general procedures and lead to discipline. For example, if an employee claims sick leave excessively or frivolously, then a doctor's note may be required to substantiate absences which are unverified as well as verified sick leave under the Sick Leave Policy.



## **Reporting In**

If you expect to be **late** for work or are **unable to report** to work because of illness or other unavoidable cause, you should be reported in accordance with the procedure established for your department.

If you are going to be **late** for work, it is necessary to provide your supervisor with **expected length of your delay**.

If you are going to be absent from work, you must provide your supervisor with a reason for your absence and indicate to your supervisor the expected duration of your absence. If your absence continues for more than one (1) day, you are required to contact your supervisor on a day-to-day basis until the probable duration of your absence is established.

Your absence from work for a period of three (3) consecutively scheduled work days **without reporting in** constitutes an abandonment of your employment with us and is considered to be your voluntary resignation from our employ.

## **Change in Status**

Employees whose status has changed due to accepting a full-time or part-time position and/or a transfer, promotion or demotion will have their wages and benefits adjusted accordingly.

An employee who is considering a change should review the impact of this change on benefits status with a representative from the Office of Human Resources.

## **Compensation and Leave**

## **Compensation and Pay Increases**

The practice of the College has been to make compensation competitive and the College intends to continue to pursue a goal of compensating employees properly and in accordance with their skills, performance, and contributions to the College.

Pay increases, if any, are normally effective at the beginning of the fiscal year, which is July 1. The recommendation for a pay increase for an employee recognizes the quality of performance on the job, development within the individual's area of competence, the achievement of goals, and other relevant factors as determined by the College.

## **Direct Deposit**

On payday, employees may have their earnings deposited automatically into their account at any banking institution that participates in the nationwide automated direct deposit service. Anyone wishing to use the direct deposit service must complete an authorization form available at the Office of Human Resources or the Controller's Office. All new employees are required to sign up for direct deposit.

### **Early Receipt of Paycheck**

An employee request to receive a paycheck prior to the regularly scheduled payday is generally denied. When an employee, however, will be on vacation for at least a week and will miss a regular payday, or when there is an emergency situation, then the Director of Human Resources and Associate Controller may approve a request for an employee to receive a paycheck prior to the regularly scheduled payday. Any early payment will be limited, however, to pay that is already earned.

## **Garnishments**

A garnishment is a legal notice to the College from a court which requires us to withhold a portion of your pay and to forward directly to your creditor the amount withheld.

If your payroll account is garnished for reasons other than those covered by the Child Support Enforcement Amendments of 1984, you will be advised of the summons in order that you may pay the creditor immediately and arrange to have the garnishment withdrawn. Any attachment of wages will be carried out pursuant to applicable federal and/or state laws and only to the extent required by those laws.

## **Payroll Deductions/ Deductions from Exempt Employees' Pay**

The College will automatically deduct from the gross pay any withholdings required for federal, state, and local taxes as well as mandated deductions and any employee elected payroll deductions.

If your job is classified as exempt, your pay does not depend on the number of hours you work per day and/or per week. Rather, exempt employees receive a fixed salary each work week without regard to (i) the number of hours they work or (ii) the quantity or quality of their work, subject only to those deductions specifically authorized by the Fair Labor Standards Act (FLSA) as consistent with their exempt status.

Under the FLSA, exempt employees are not entitled to payment for any work week in which they perform no work for the College. In addition, the salary of an exempt employee may be prorated in their first and last weeks of employment.

If you are an exempt employee paid on a salaried basis, your pay is subject only to certain deductions as permitted by the FLSA regulations. No deductions will be taken from an exempt employee's pay inconsistent with the exempt employee's salaried status. Moreover, no policy or statement in our Employee Handbook or any other College policy or procedure shall be construed as permitting or authorizing an exempt employee's pay to be subject to deductions inconsistent with the exempt employee's salaried status.

For example only:

As a general rule, no deductions will be taken from an exempt employee's pay for absences of less than a full day. Rather, subject only to the one exception set forth below, deductions from your pay for absences due to illness or disability or for personal reasons will be in full day increments only to the extent you are not eligible for or have exhausted your eligibility for payments under our paid time off policies in accordance with their respective terms, conditions and restrictions. The one exception is that an exempt employee's pay may be subject to deductions for absences of less than a full day to the extent such absences are covered by the federal FMLA.

Exempt employees may be suspended without pay for infractions of workplace conduct rules in accordance with policies distributed to all employees, including, but not limited to, the policies included in our Employee Handbook (for example, our policies concerning confidentiality and those prohibiting harassment and violence). Suspensions of exempt employees under these circumstances will be implemented in good faith in full day increments only.

For any work week in which an exempt employee is on witness duty, jury duty or temporary military leave and performs any work for the College, the exempt employee will receive his or her full salary (minus only military, jury, or witness fees).

No deductions will be taken from an exempt employee's pay if he or she is ready, willing and able to work and the College shuts down for less than a full work week due to inclement weather or for any other reason.



If you believe your salary has been subject to an impermissible deduction inconsistent with the FLSA's salaried basis requirement, or if you have any other concerns about your pay, please contact the College's Office of Human Resources or the College's Controller's Office.

The College will conduct an immediate investigation into your concerns, disclosing them only to those who have a need to know in order to investigate and/or to take corrective action. If an improper deduction has been taken from your pay, you will be reimbursed for the improper deduction in the next possible paycheck. We also will ensure that, in the future, no similar deductions are taken from your pay or the pay of other exempt employees. Regardless of whether an improper deduction was taken from your pay, we also will ensure that there is no retaliation against you for bringing your concerns to our attention.

## **Hours of Work, Paychecks and Time Records**

Regular operating hours at the College are from 8:45 a.m. to 5:00 p.m. during the academic year and 8:15 a.m. to 4:30 p.m. between the third week of May through the third week of August. However, it is important to remember that the nature of our business and the structure of certain jobs often make it impossible to operate on a completely regular schedule. Consequently, you may be required as part of your job to work on Saturdays and/or Sundays, to have different starting times from week to week or day to day, or to be assigned irregular work hours or work weeks. Departments may have different schedules depending on needs.

Administrators and Exempt Support Staff are paid monthly on the 25<sup>th</sup> for the current month. If the 25<sup>th</sup> falls on a Saturday, Sunday, or holiday, the pay date is the preceding workday.

All employees should track their paid time off benefits (such as vacation and/or sick days where applicable) that have been used. Employee's supporting records may be helpful in the event there is a discrepancy between the balance the College has on record and the balances the employee has on record.

## **Sick Leave**

Paid time off for sickness is a privilege intended only for use when an employee is unable to work due to personal illness.

**Fitness for duty:** The College reserves the right to require any employee who is absent from work in excess of ten (10) days to submit a medical verification from his or her healthcare provider that the employee is eligible to return to work or in such other circumstances in which the College has reason to question whether the employee is fit for duty.

Abuses of the sick day benefits may lead to disciplinary action.

All absences should be reported in accordance with the College's *Reporting In* procedure.

### **Exempt Support Staff**

After three (3) months of continuous employment, an exempt support staff employee is eligible for up to a maximum of five (5) unverified (defined below) sick days per fiscal year. An employee may also be eligible for an additional ten (10) verified sick (defined below) days per fiscal year.

### **Administration of Earned Sick Leave**

During the first fiscal year of employment, sick day benefits are pro-rated based upon the number of weeks of employment.

**Unverified Sick Days:** Brief absences for minor illness, accumulating up to five (5) sick days, may be authorized as paid sick leave by an employee's department head, without medical verification from a healthcare provider.

**Verified Sick Days:** Absences in excess of five (5) days and/or frequent brief absences appearing to be excessive or questionable require submission of a written medical verification from the employee's health care provider certifying that illness makes absence from work necessary.

**Carry-Over:** Unverified, unused sick days may not be carried over to the next fiscal year. Up to ten verified unused sick days may be carried over to the next fiscal year, accumulating up to a maximum bank of one hundred thirty (130) days (the cap). Employees may resume banking verified unused sick days once the number of banked days falls below the cap. These banked sick days may be used for lengthier medical absences, including absences due to pregnancy and childbirth.

Upon termination of employment, regardless of the reason and regardless of whether initiated by the College or the employee, an employee is not eligible to receive compensation for any unused verified or unverified sick days, including any banked sick days.

## **Vacation**

The College recognizes that vacations provide a change of pace and a time for employees to relax and get away from everyday pressures. Employees are encouraged to use their vacation time.

### **Exempt Support Staff**

Exempt support staff employees earn up to fifteen (15) days vacation during the first ten fiscal years of continuous employment. Beginning with the eleventh fiscal year, an employee earns up to twenty-two (22) days vacation in a fiscal year. The maximum number of days that can be carried forward to the next fiscal year is equal to the amount of vacation earned in the fiscal year.

### **Administrators**

Beginning in the first fiscal year of employment, Administrators earn up to twenty-two (22) days vacation in a fiscal year. The maximum number of days that can be carried forward to the next fiscal year is twenty-two (22) days.

### **Administration of Vacation Benefits**

Employees are not eligible to take vacation during the first fiscal year of employment. Generally, vacation earned in one fiscal year is available to be used in the following fiscal year. In addition, except for the initial year of employment, employees may use vacation that is being earned in the current year, but may not advance vacation.

During the first and last fiscal year of employment, vacation benefits are earned on a pro-rata basis, based upon the number of weeks worked during the fiscal year.

Vacation benefits for regular part-time employees are additionally pro-rated based upon a fraction of what comparable full-time employees receive.

Each employee is responsible for maintaining accurate, up-to-date records of vacation time earned and taken. Administrators are allowed to carry vacation time from year to year. The amount of carry over vacation is equal to the amount of vacation the employee earns in a fiscal year.

All employees need to inform their supervisor, normally at least a week in advance, and secure the supervisor's agreement, when they wish to use vacation time. Vacation is to be taken at a time or times mutually acceptable to the individual and the College.

Upon termination of employment, regardless of the reason and whether by the employee or by the College, an employee will be paid for any earned but unused vacation.

## **Holidays**

Each year the Vice President for Human Resources and General Counsel announces the dates on which the holidays are observed. There are twelve (12) paid holidays annually, eleven (11) of which are scheduled and listed on the Holiday Schedule each year by the College. The other holiday is a floating holiday which is available after three months of continuous employment, and the employee may choose the date for the day off, but it does require supervisory approval. The floating holiday can help meet the need for religious observances, anniversaries, or other personal needs.

Holidays begin at 12:01 a.m. of the particular day and continue for twenty-four hours ending at 12:00 midnight.

Full-time employees are paid at their regular rate for time not worked on the holiday. College holidays occurring during a previously scheduled paid time off period are not charged to an employee's vacation allowance.

## **Jury Duty and Service as a Witness**

Jury duty is considered to be an important civic responsibility. A leave of absence will be granted if an employee is required to serve as a juror or to appear as a witness in a court in which the employee is not a party.

An employee who serves on a jury or as a witness will be paid for each day of jury or witness service on which he or she normally would otherwise have been scheduled to work (non-overtime hours only), less any jury pay or witness fees received. The provisions of this section do not apply to an employee who works his or her entire regular work schedule or shift in addition to performing jury duty.

In addition, exempt employees will be paid their full salary while serving on a jury or as a witness for any work week in which they perform any work for the College, minus fees received for jury duty or service as a witness.

In all instances, fees received for travel expenses or meal allowances are not considered or deducted from any pay received from the College under this policy.

An employee must report immediately to his or her supervisor the receipt of subpoena or notice to appear for jury duty or as a witness. However, the College may request that he or she be excused from jury duty or witness duty or be assigned to another time if his or her services are considered to be essential to our operations at the time he or she is scheduled for jury duty or service as a witness.

If an employee is dismissed as a juror or witness for a substantial portion of a workday, he or she is expected to return to work at the College.

## **Leaves of Absence Policy**

Employees may be eligible for an unpaid leave of absence under the federal Family and Medical Leave Act (“FMLA”), subject to its eligibility requirements and other terms, conditions and restrictions.

### **Leave Under the Family and Medical Leave Act (FMLA)**

#### ***FMLA Leave Entitlement***

Under the Family and Medical Leave Act (FMLA) the College will provide to eligible employees up to twelve (12) weeks of unpaid leave during a twelve (12) month rolling period, measured backward from the first date an employee uses any FMLA leave, for the following reasons:<sup>2</sup>

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition<sup>3</sup>; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

#### ***Military Family Leave Entitlements***

Eligible employees with a spouse, son, daughter, or parent on “covered active duty” (or who has been notified of an impending call to “covered active duty”) in the Armed Forces may use their 12-week leave entitlement to address certain “qualifying exigencies.”

FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) work weeks of unpaid leave to care for a covered service member during a single twelve (12) month period.

#### ***Employee Eligibility Requirements***

Employees are eligible for unpaid FMLA leave if they have worked for the Company for at least twelve months, if they have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the leave and if they work at a worksite where fifty (50) or more employees work within seventy-five (75) miles of that worksite.

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<sup>2</sup> In the event spouses work for the College, the total amount of FMLA leave available to both spouses (or to each spouse individually) may be additionally limited in accordance with the FMLA.

<sup>3</sup> Definitions of key terms used in this policy are found at the end of the Policy.

### ***Benefits and Protections During FMLA Leave***

During FMLA leave, the College will maintain an employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work (e.g., an employee is required to continue to timely pay his or her portion of the applicable premium). All other insurance coverages will continue during FMLA leave, as permitted by the Plan Document. Upon return from FMLA leave, in general, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave will not result in the loss of any employment benefit (e.g., paid time off benefits, to the extent applicable) that accrued or were allotted prior to the start of an employee's leave. However, an employee shall not accrue additional paid time off benefits during FMLA leave, except during such portion of the FMLA leave in which he or she concurrently receives available paid time off benefits directly from the College.

To the extent permitted by law, employees shall be ineligible for Holiday Pay during FMLA leave. Employees shall be ineligible for Bereavement or Juror Duty Pay during FMLA leave.

If an eligible employee needs intermittent or reduced-schedule leave that is foreseeable based upon planned medical treatment for the employee, a family member, or a covered service member, including during a period of recovery from a serious health condition, the College may require the employee to transfer temporarily to an alternative position for which the employee is qualified and which better accommodates the intermittent or reduced leave schedule.

### ***Use of FMLA Leave***

An employee does not need to use FMLA leave in one block. FMLA leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the College's operations. Leave due to qualifying exigencies as defined above may also be taken on an intermittent basis.

Employees may take intermittent or reduced schedule leave for the birth or placement of a child only with the written consent of Human Resources, after consultation with an employee's manager, taking into account relevant business needs as determined by the College.

### ***Substitution of Paid Benefits for Unpaid FMLA Leave***

Employees are required to use available paid time off benefits (describe as applicable) concurrently while taking FMLA leave to the extent the paid benefits would otherwise be available for use by the employee for the FMLA qualifying event. In order to concurrently use these paid benefits while taking FMLA leave, employees must comply with the College's applicable paid benefits policies.



In addition, an employee may also be eligible for temporary disability payments and workers compensation payments, subject to their eligibility requirements and other terms, conditions, restrictions and exclusions. In such cases, for FMLA qualifying events, the College will concurrently designate the period of time in which the employee receives those payments as FMLA leave and count the time against the employee's FMLA leave entitlement.

### ***Employee Notice Responsibilities***

#### **Timing of Notice**

Where the need for FMLA leave is foreseeable, an employee must give thirty (30) days' advance notice of the need for FMLA leave, where possible.

When the need for FMLA leave is foreseeable, but thirty (30) days advance notice is not possible, the employee must give notice "as soon as is practicable." This rule applies both with respect to an employee's initial request for FMLA leave as well as when an employee needs to change the timing of previously scheduled FMLA leave. "As soon as practicable" means as soon as possible and practical. When an employee becomes aware of a need for FMLA leave fewer than thirty (30) days in advance, it generally should be practicable for the employee to provide notice of the need for leave (or a change in previously scheduled FMLA leave) either the same day or the next business day.

Note: For foreseeable leave due to a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable.

Where the need for leave is not foreseeable, an employee must provide notice to the College as soon as practicable under the facts and circumstances of a particular situation. For example, if an employee's child has a severe asthma attack and the employee takes the child to the emergency room, the employee would not be required to leave his or her child in order to report the absence while the child is receiving emergency treatment. However, if the child's asthma attack required only the use of an inhaler at home followed by a period of rest, the employee would be expected to call the employer promptly after ensuring the child has used the inhaler.

In addition, absent an emergency or other unusual circumstances, employees are expected to provide notice in accordance with the College's call-out procedure.

#### **Content of Notice**

- Initial Request for FMLA Leave

Absent an emergency or other unusual circumstances, an employee's request for FMLA leave must be in writing. The written request must be submitted to the Office of Human Resources.

An employee must provide sufficient information to the Office Human Resources to enable the College to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave, specifying, to the extent possible, the beginning and end dates of the leave. Sufficient information may include 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 qualifying exigency and/or covered service member leave. An employee merely calling out “sick” is insufficient notice and does not constitute a request for FMLA leave.

- Tracking of FMLA Absences For Employees To Whom the College Previously Approved FMLA Leave and Who Remain Eligible for FMLA Leave Under the Prior Designation

If an employee requests leave for a reason for which FMLA leave was previously taken or certified (including in the case of intermittent leave) an employee must notify the Office Human Resources as well as his or her supervisor or manager by specifically referencing the FMLA-qualifying reason or of the need for FMLA leave when calling out in accordance with the College’s call-out procedures.

Again, merely stating that the employee is “sick,” without providing more information, will not be considered sufficient notice to trigger the College’s obligations under the FMLA. The College may follow up with you to inquire further if it is necessary for the College to obtain necessary details.

In addition, in the event an employee seeks an extension of previously approved FMLA leave or the timing or previously scheduled FMLA leave changes, an employee must notify the Office Human Resources as well as his or her supervisor or manager.

### Certifications

An employee will be required to provide periodic reports to the College of the employee’s status and intent to return to work.

An employee will be required to provide a complete and sufficient medical certification to determine his or her eligibility for leave and/or continued leave as well as other changes to an employee’s leave schedule. The College may also require a second or third medical opinion. An employee is required to provide the requested certification within fifteen (15) days of the request, unless it is not practicable to do so. In addition, the College may also require recertification of an employee’s need for leave. These requirements apply both in the event an employee is requesting leave for his or her own serious health condition and in the event of the serious health condition of a parent, spouse, or child.

In connection with a request for FMLA leave due to a qualifying exigency, or to care for a covered service member, the College may also require an employee to provide a complete and sufficient certification and/or other documentation in support of the leave.

The College may also require that an employee provide a fitness for duty certification prior to permitting an employee to return to work from FMLA leave due to his or her own serious health condition. Where an employee is on intermittent or reduced schedule leave for his or own serious health condition, the employee may also be required to provide a fitness for duty certification periodically if reasonable safety concerns exist.

The College also reserves the right to require an employee to submit to a fitness for duty examination by a healthcare provider selected by the College in accordance with the Americans with Disabilities Act as well as other applicable law.

### ***The College's Responsibilities under the FMLA; FMLA Enforcement***

The College, through the Vice President of Human Resources and General Counsel, or his or her designee, will inform employees requesting leave whether they are eligible under FMLA. If an employee is eligible, the College will provide a notice specifying any additional information required as well as the employee's rights and responsibilities. If the College determines that an employee is not eligible, the College will provide the employee with a reason for the ineligibility.

The College will inform the employee whether the leave requested will be designated as FMLA leave and the amount of leave that will be counted against the employee's FMLA leave entitlement. If the Company determines that the employee's leave is not FMLA protected, then the College will notify the employee.

The College cannot and will not interfere with, restrain, or deny the exercise of any right provided under the FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by the 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. The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights.

For additional information: 1-866-4US-WAGE (1-866-487-9243); TTY 1-877-889-5627; [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

### **Job Restoration**

As stated above, upon return from FMLA Leave, in general, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The College may deny job restoration, however, where the employee is a "key employee" as defined under the FMLA or if the employee would not otherwise have been employed at the time reinstatement is requested (e.g., if an employee's position is eliminated, where an employee was hired for only a specific term or to work on a specific project, or if an employee's shift is eliminated).

If an employee does not return to work at the end of FMLA Leave, an employee's employment ordinarily will terminate.

However, if an employee is on FMLA leave for his or her own medical condition, the employee may be eligible for additional leave beyond the FMLA as a reasonable accommodation. The College will contact the employee before he or she reaches the maximum leave to determine, based on discussion with the employee and input from his/her health care provider, where appropriate: (1) whether there are any reasonable accommodations that would enable the employee to return to work as well as (2) whether additional leave may be a reasonable accommodation.<sup>4</sup>

The College will provide employees with additional leave beyond the leave maximums set forth above as a reasonable accommodation under the ADA, unless it is an undue hardship. The College will make reasonable accommodations under the ADA to enable an employee to return to work, unless an undue hardship.

An employee's employment also shall terminate if at any time during a Leave of Absence the employee informs Human Resources that he or she does not intend to return to work at the conclusion of the leave.

### **Military Leave**

All employees shall be eligible for Military Leave for voluntary or involuntary military service in conformity with all applicable law, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). An employee on Military Leave will be reinstated in accordance with applicable law.

Employees must notify the Office of Human Resources as soon as possible after learning of their need for Military Leave. Notification may be oral or written. If the employee's order to report for duty is in writing, the employee should provide the Office Human Resources with a copy of the order as soon as possible.

Military Leave is generally unpaid. However, the College will pay its Exempt employees their full salary for any work week in which they are on Military Leave and do any work for the College, less any compensation the employees receive from the military.

Employees who are on unpaid Military Leave may elect to use their available leave (vacation) benefits and personal holidays, although they are not required to do so. In general, employees on Military Leave do not accrue additional leave benefits during Military Leave. As an exception to this general rule, employees will accrue leave benefits during such time as they use their available leave.

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<sup>4</sup> Similarly, if an Employee is not eligible for FMLA leave, but needs time off for his or her own medical condition, the Employee may be eligible for unpaid leave as a reasonable accommodation.

Employees on Military Leave will receive all seniority-based benefits which they otherwise would have received had they remained actively employed. The College treats employees on Military Leave the same as employees on other forms of comparable leave with regard to non-seniority-based benefits.

Generally, employees on Military Leave who have health coverage through the College may continue to participate in the College's health plans, as defined by USERRA, at their sole expense under USERRA and COBRA, subject to USERRA's and COBRA's eligibility requirements and other terms, conditions and restrictions.

Employees who participate in the College's retirement plan but who do not continue to contribute while on Military Leave may make catch-up contributions following their return from Military Leave, consistent with the law.

### ***Applicable Definitions***

- ***“Covered active duty”*** – For members of a regular component of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country.
- ***“Covered active duty”*** – For members of the reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a “contingency operation” as defined in section 101(a)(13)(B) of title 10, United States Code.
- ***“Qualifying exigencies”*** – Attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- ***“Covered service member”*** – A current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty (*or which existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces*) that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list as well as a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that manifested itself before or after the member became a veteran, if the veteran was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

- **“*Serious Health Condition*”** – An illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions also may meet the definition of continuing treatment.

***Contact for Leave Requests***

Please contact the Director of Human Resources/Employment or the Director of Human Resources/Benefits at (610) 330-5060 for leave requests and additional information.

## Personal Leave

The College, in its sole discretion, may grant a Personal Leave of up to twelve (12) weeks to employees who regularly work at least twenty (20) hours per week and who have been employed for at least three (3) consecutive months.

A Personal Leave is defined as a Leave of Absence for reasons that are not covered under the FMLA or Military Leave, or for individuals who are not eligible for the leaves described. A Personal Leave may be necessary for personal illness (if not covered under FMLA) or other reasons.

An employee seeking a Personal Leave must submit a written request to their supervisor/manager a minimum of thirty (30) days in advance if the leave is foreseeable; otherwise, the employee must provide written notice within one (1) to two (2) business days of the date the employee becomes aware of the need for a leave.

One (1) week prior to the end of the employee's leave; the employee must contact their supervisor/manager or the Office of Human Resources of their intention to return to work. Under certain circumstances, extensions of a leave may be granted, but in no case will the total leave (including any leave taken under the FMLA) exceed one (1) year. Upon the employee's return from a Personal Leave they will be assigned to their former position, if it is still available. If not, they will be assigned to a position of comparable responsibility and pay for which they are qualified, if available. There is no guarantee of reinstatement to the same or any other position following completion of a Personal Leave.

If the employee is requesting a Personal Leave for medical reasons, a medical certification is required. If an employee is returning from a medical leave of absence, they must provide proof in the form of a health care provider's statement that they are physically able to perform the duties of their job and must indicate any limitations they may have.

If an employee is taking a Personal Leave for medical reasons, the employee must concurrently use accrued sick time and vacation time. If the Personal Leave is being taken for non-medical reasons, the employee must concurrently use accrued vacation.

Employees also may be eligible for pay pursuant to the College's disability benefit programs (including disability benefits in connection with the birth of a child) or workers' compensation benefits, subject to their eligibility requirements and other terms, conditions, restrictions and exclusions. The receipt of these benefits will also run concurrently with any approved Personal leave.

Vacation, sick and holiday time benefits will not accrue during an unpaid Personal Leave. Arrangements may be made to continue group health insurance during an unpaid leave, with the employee paying the full group rate monthly premium for such coverage. An employee on a Personal Leave may continue other insurance benefits, at the employee's sole expense, to the extent permitted under the applicable Plan document.

## **Professional Development Leave of Absence for Administrators**

The College, in its sole discretion, may approve the following professional leaves:

### **Leave of Absence with Pay:**

An Officer of Administration who has a project or course of study other than work toward an advanced degree and which will lead to professional development may apply through the Department or Division Head for a leave with pay. Employee benefits continue during leave with pay, to the extent permitted by the applicable Plan Document.

### **Leave of Absence without Pay:**

An Officer of Administration may apply through the Department or Division Head for a leave of absence without pay. Usually such requests are made so that the applicant may accept a grant from a foundation or other source which would lead to a program of professional development.



## Employee Services

## **Identification Card**

When a new employee begins work at Lafayette, a photo identification card is routinely provided to prove his or her affiliation with the College. The card is more than a general identification, however, because it can also be used by employees to borrow books, for example, at the Library or to gain admission to specified sports or cultural events. In the event that an identification card is lost, a replacement may be obtained at the Office of Human Resources.

## **Library Privileges**

Employees may use the services of the Skillman Library and borrow books by showing their Lafayette College Identification Card. Periodicals, bound and unbound, do not circulate outside of the Library. The normal borrowing period is 28 days. Renewal is available.

## **Athletic Events/Facilities**

Employees, their spouses, and children are admitted to all home athletic events, except the Lehigh football game or special events such as championship games, upon presentation of a current College identification card. Passes may be obtained by going to <http://goleopardstickets.universitytickets.com/login/login.asp> or the ticket office.

## **Recreation Services**

All full-time employees who hold a valid Lafayette College ID have access to the athletic facilities. Employees are allocated 12 complimentary guest visits per semester. <http://recreation.lafayette.edu/>

Part-time employees who activated their Lafayette College ID. To activate the ID card you should send a receipt and *Facility Access Pass Form* (obtained from the cashier's window) to the Office of Recreation Services located in the Kirby Sports Center. Activation will occur within 48 hours of receiving the paperwork.

All employee spouses/same-gender domestic partners, and their children also can obtain a Facility Access Pass. Passes for children are limited to those who have a legal relationship (as defined by federal tax law) and who are ages 6 to 24.

Children under the age of 16 may use all facilities (except the fitness center) if they are actively supervised by an adult. Spouses and children are issued a *Facility Access Pass* when they present a paid receipt and *Facility Access Pass Form* (obtained from the cashier's window on the 2nd floor of Markle Hall) to the Office of Recreation Services in Kirby Sports Center. Picture IDs for spouses and children will be taken by appointment on weekdays only by calling (610) 330-5779. *Spouses and children are not eligible to sign in guests.*

Facilities are only available when their use does not interfere with regularly scheduled activities and events. Students and College employees have priority in the use of sports facilities. When accompanied and actively supervised by a parent, use of all recreational facilities except the weight training facilities and Fitness Center.

Athletic facility usage is a privilege. Individuals found to be destructive of equipment or who engage in abusive behavior, or act in disregard of the regulations set forth may have their privileges revoked by the Office of Recreation Services.

Hours of operation will vary due to special events and vacation breaks. All arrangements and policies are under the supervision of the Office of Recreation Services.

### **Child Care Center**

There is a childcare center, subsidized by the College and located on campus, which is available for the children of employees.

### **Cultural Events**

Each year the College arranges a series of concerts, lectures, films, dance, and theatrical programs under the auspices of the College Programming Committee. For events presented by the Williams Center for the Arts, tickets are generally available either free of charge or at a reduced price. College identification cards are used to request tickets. Because seating capacity is limited, there may be occasional restrictions on availability of tickets.

### **College Store**

Employees may use the College Store located in the concourse level of the Farinon College Center for the purchase of books, gifts, clothing, office supplies, and other miscellaneous items.

### **Parking**

The College provides assigned parking areas for employees. Vehicles driven on the campus must be registered with the Office of Security and Safety and must display a current parking sticker. All employees are expected to follow the College's driving and parking regulations.

### **Credit Union**

First Commonwealth Federal Credit Union is chartered to serve a field of membership that includes employees at Lafayette College and the members of their immediate family. Further information about the First Commonwealth Federal Credit Union can be obtained by contacting the Office of Human Resources.

### **Health Center**

The Bailey Health Center is designed primarily to serve the health needs of the students of Lafayette. Employees, however, can be treated at the Bailey Health Center for emergencies, including minor accidents and injuries occurring while at work. This emergency service is intended to enable employees to function during the workday and does not replace the services of an employee's own physician.

### **Post Office**

Postal services such as the purchase of stamps, special deliveries, etc, are available to employees at the College Station Post Office, located in the concourse level of the Farinon College Center.

### **Dining Services**

The Faculty Dining Room in Marquis Hall and all other dining options on campus are open to employees who wish to purchase food.

## Leaving the College

## Separation from Employment

### Resignation

If you are considering resigning your employment, we encourage you to discuss the matter with your immediate supervisor.

Regardless of whether you share your plans with us, we encourage you to give us proper notice of your intent to resign your position. Proper notice is defined as written notification of your intent to separate from our employ addressed to your immediate supervisor and presented at least fourteen (14) calendar days prior to the last day on which you will be actively at work. Employees paid on a monthly basis are asked to give at least four (4) weeks' notice, if possible.

You are expected to be present as scheduled for each work day during your notice period.

When an employee resigns from his or her employment, the date of the termination will be the last day of active work. The resignation date cannot be a holiday or vacation day and holidays or vacation days cannot be used to extend the resignation date.

### Leaving Without Notice (Job Abandonment)

Your absence from work for a period of three (3) consecutively-scheduled work days without reporting in constitutes an abandonment of your employment and is considered to be your **voluntary resignation** from our College's employ.

If your separation from our employ occurs under these circumstances, you will not be eligible for rehire.

### Separation Procedure

Regardless of the reason for your separation from our employ, it is necessary that you complete the entire **Separation Procedure**. Application for terminal benefits (e.g., earned but unused vacation and election to continue or to convert certain benefits), is part of this Procedure. Also, arrangements must be made for the return of all property of the College (e.g., credit cards, keys and this Handbook) and settlement of all outstanding cash travel expenses (if any).

Moreover, upon the termination of your employment with the College, whether by the College or by you, regardless of the reason, you shall return to the College, retaining no copies, any and all equipment, files, correspondence, documents, drawings, manuals, keys, College identification cards, computer printouts, disks, drives, and other writings which relate to or reflect the College's business, operations, customers, students, alumni, employees, suppliers, etc., regardless of where such files, correspondence, documents, drawings, specifications, computer printouts, disks, drives, and other writings were kept or prepared and regardless of whether you created or prepared these files,

correspondence, documents, drawings, specifications, computer printouts, disks, drives, and other writings. Library books should be returned to Skillman Library. All other College property should be turned in to the employee's supervisor before the final day of work. College store bills, Faculty Dining Room bills, and any other bills must be paid. Employees should remove decals from their vehicle at the time of termination.

Exit interviews are a routine part of the Separation Procedure and are conducted by the Director of Human Resources/Employment. During the exit interview, you may comment upon the particular aspects of specific duties and responsibilities as well as upon the College, in general. Your comments, based on your first-hand experience, can be extremely helpful.

The College complies with COBRA by extending to eligible staff and their eligible dependents the right to continue benefit coverage under the medical and dental plans if coverage would be lost by reason of a qualifying event. Additional information will be provided to you.

The Office of Human Resources should be notified of address changes in order to process final or year-end transactions such as mailing of W-2s.

### **References**

Reference requests should be directed the Office of Human Resources. It is the College's general policy to provide information such as dates of employment and position held to prospective employers of former employees. Additional information requires a signed authorization (i.e., salary information).

### **Unemployment Compensation**

Unemployment compensation is a statutory benefit designed to assist certain individuals who are unemployed. Excluded from eligibility, for example, are those who resign voluntarily from employ or who are discharged for willful misconduct. The Pennsylvania Department of Labor and Industry, and not the College, determines if an employee's claim for benefits is approved. Because the events surrounding the reason for your separation from the employ of the College will determine you eligibility for Unemployment benefits, you should inquire about Unemployment Compensation at the time you complete the **Separation Procedure**.

## **Retirement Benefits**

Benefits for qualified retired employees include the continuation of College contributions to retiree medical insurance for the retiree and his or her spouse/partner (the retiree must have been employed by the College before July 1, 1996). The College continues to assist retired employees and their spouses/partners with medical insurance claims and related advice. Complimentary season tickets for home football, except for the Lehigh game, and basketball games are available as is access to the Library and the Cultural Program.

Individuals who wish to retire and receive certain retiree benefits, may do so if they are age 55 or older and have been continuously employed by the College, on a full-time basis, for at least ten consecutive years at the time of their retirement.

The College reserves the right, in its sole discretion, to revise, modify, or terminate any benefit plan, option, or coverage including any retiree benefit plan, option, or coverage at any time, for any reason, with or without further notice.



## Appendix

Information About Lafayette College:

<http://www.lafayette.edu/about/lafayette-at-a-glance/>

<http://www.lafayette.edu/about/history/>

Policies:

<http://hr.lafayette.edu/policies/>

- Drug Free Workplace 2012
- EEO Policy and Grievance Procedure
- [Winter Weather Emergency Conditions Information](#)
- [Personnel Records](#)
- [Lafayette College Policy On Sexual Assault](#)
- [Lafayette College Policy On Sexual Harassment](#)
- [Smoking Policy](#)

Employee Benefits

<http://hr.lafayette.edu/benefits/>

Faculty Handbook - Chapter 2 (Board of Trustees) & Chapter 3 (The President and Officers of Administration)

<http://provost.lafayette.edu/files/2012/03/Rev.-2011-2012-Faculty-Handbook1.pdf>

Diversity and Inclusiveness Statement

<http://provost.lafayette.edu/policies-and-procedures/diversity-and-inclusiveness-statement/>

Finance and Administration:

<http://finadmin.lafayette.edu/information-for-faculty-staff/>

- [Reimbursement Policies](#)
- [Business Travel](#)

Plant Operations/Public Safety Work Rules

<http://hr.lafayette.edu/policies/>

Information Technology Services Policies:

<http://its.lafayette.edu/policies/>

- Acceptable Use <http://its.lafayette.edu/policies/aup>
- Copyright Infringement <http://its.lafayette.edu/policies/copyright>
- Data Stewardship <http://its.lafayette.edu/policies/datastewardship/>
- Equipment Usage <http://its.lafayette.edu/policies/equipment-usage-policies/>
- Confidentiality, Privacy, and Security <http://its.lafayette.edu/policies/privacy>

Ethics and Compliance Hotline  
<http://hr.lafayette.edu/>