



**UNIVERSITY OF
MOUNT SAINT VINCENT**

Employee Handbook

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Introduction

The University of Mount Saint Vincent is pleased to present its Employee Handbook. This Employee Handbook applies to all employees of the University, including student employees and faculty, unless specified otherwise. In addition, a separate Faculty Handbook pertains to members of the faculty only. The policies stated in this Handbook provide information about benefits, policies and regulations concerning your employment at the University.

It is the University's present intention to continue the practices, benefits and policies described in this Handbook. However, nothing in this Handbook is intended to create a binding obligation, and the University reserves the right to add, modify or eliminate any practice, benefit or policy. The University will notify you of any material policy change in advance of its effective date. All updates, changes or modifications to this Handbook or any existing policy are also available online on the intranet on the Human Resources section.

Certain of the benefits that are described generally in the Handbook, such as insurance policies, are set out in detail in official documents. These documents are the controlling documents and prevail entirely over any statement in the Handbook. The controlling documents are available for review at the Human Resources Department.

We encourage you to also read other publications including the Undergraduate Catalog, Graduate Catalog and Student Handbook, in particular, which govern the students' experience at the University of Mount Saint Vincent.

Employment At Will

Employment at the University of Mount Saint Vincent is on an at-will basis. This Handbook is not a contract, express or implied, guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be long term, either you or the University may terminate this relationship at any time, for any reason, with or without cause or notice, unless expressly guaranteed otherwise in writing, such as in the Faculty Handbook or a personal contract entered into between you and the University. Only the President of the University or their designee has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing.

Upon commencement of your employment, you will receive a letter of appointment outlining the parameters of your employment. The letter of appointment does not change the at-will nature of your employment. Please direct any comments, concerns or questions you may have to the Human Resources Department.

Mission, Vision, and Values Statement

Mission Statement

Founded by the Sisters of Charity of New York, the University of Mount Saint Vincent is an academically excellent, authentically inclusive, independent liberal arts University. Committed to the Vincentian/Setonian tradition and to ecumenism, the University combines a strong undergraduate core curriculum with a full array of majors in the liberal arts and, within the tradition of liberal education, selected professional fields of study.

The University also provides high quality opportunities for professional advancement, accomplishment, and service through graduate and certificate programs.

At Mount Saint Vincent, a student's education extends beyond knowledge, skills, and preparation for work. We seek the development of the whole person. In the spirit of Vincent de Paul and Elizabeth Ann Seton, we foster an understanding of our common humanity, a commitment to human dignity, and a full appreciation of our obligations to each other.

Vision Statement

Building on its strengths, the University of Mount Saint Vincent aspires to be recognized as among the finest, most authentically inclusive, Catholic and ecumenical liberal arts Universities in the nation.

Values Statement

The University's Values are defined by our Mission and exemplified by our Motto:

"Teach Me Goodness, Discipline and Knowledge."

- Academic Excellence
- Our Common Humanity which calls us to recognize the Equality of All
- Human Dignity which calls us to have Respect and Compassion for All
- Our Obligations to Each Other which calls us to Service and Servant Leadership

Code of Conduct

As an integral member of the University team, you are expected to abide by certain rules of conduct that are based on a mutual understanding of institutional needs, as well as, expectations for work performance, safety, and respectful behavior.

Employees are expected to exhibit a high degree of personal integrity at all times. This includes sincere respect for the rights and feelings of others and refraining from any behavior that might be harmful to you, your coworkers, and/or the University, or that might be viewed unfavorably by current or potential students, alumni, donors, business partners or by the greater community.

Whether you are on or off duty, your conduct reflects on the University. You are, consequently, encouraged to observe the highest standards of professionalism at all times.

Listed below are expectations of appropriate and inappropriate behavior that the University will monitor. This list should not be viewed as being all-inclusive. Any type of behavior or conduct that the University considers inappropriate could lead to disciplinary action up to and including termination of employment, at the sole discretion of the University.

All UMSV employees must:

1. **Professional Commitment:** Begin each day prepared, ready, and willing to work.
2. **Work Attendance:** Maintain regular attendance and punctuality, avoiding chronic lateness or absenteeism.
3. **Responsibility:** Perform assigned duties diligently and avoid insubordination, including refusal to carry out tasks.
4. **Professional Conduct:** Act with honesty, integrity, and respect when interacting with colleagues, students, vendors, volunteers, visitors, and other stakeholders.
5. **Professional Appearance:** Maintain good hygiene and dress in attire appropriate for your role.
6. **Cleanliness:** Keep workspaces and shared areas clean and free of clutter.
7. **Respectful Communication:** Refrain from insolent behavior such as cursing, verbal or physical intimidation, personal insults, eye-rolling, mocking, or argumentative speaking.
8. **Conflict Resolution:** Actively work to diffuse confrontations, reporting incidents to your manager or Human Resources when necessary.
9. **Open to Feedback:** Be receptive to constructive feedback and follow your manager's instructions.
10. **Professional Relationships:** Never engage in romantic or sexual relationships with current students, and strictly adhere to the University's Sexual Misconduct Policy.

11. **Harassment-Free Workplace:** Avoid threats, offensive language, ethnic slurs, sexual language, or gestures, and refrain from harassing, bullying, or abusive behavior.
12. **Violence-Free Workplace:** Avoid possessing weapons and engaging in any violent or threatening behavior.
13. **Substance-Free Workplace:** Do not report to work under the influence of alcohol, cannabis, or illegal drugs. Refrain from using these substances during working hours.
14. **Smoke-Free Campus:** Adhere to the University's Smoke-Free Campus policy by not smoking on campus premises.
15. **Theft and Integrity:** Do not steal or aid in the theft of university property or the belongings of colleagues.
16. **Safety:** Perform your work safely and responsibly, operating machinery only if trained or certified to do so.
17. **Incident Reporting:** Promptly report policy violations or incidents to Human Resources via email.
18. **Lost Items:** Return any lost items to the Security Department.
19. **Conflict of Interest:** Avoid actual or perceived conflicts of interest, including soliciting personal gain while on duty.
20. **Asset Management:** Use University assets and resources responsibly. Avoid damaging, tampering with, or misusing University property.
21. **Integrity of Records:** Do not falsify or alter records, employment applications, timecards, or other documents.
22. **Confidentiality:** Respect the confidentiality of sensitive information obtained through your work, disclosing it only when authorized or legally required.
23. **Compliance:** Follow all applicable rules and regulations from federal, state, and local governments, as well as private and public regulatory agencies.
24. **Whistleblower Policy:** Report any suspected illegal activity to Human Resources or follow the University's Whistleblower Policy.
25. **Reputation Management:** Protect the University's reputation by avoiding unauthorized communication or actions that could harm its image. Adhere to the University's communication guidelines. Seek proper authorization before representing the University in any official capacity.
26. **Adherence to Policies:** Abide by the policies and practices outlined in the University's Employee Handbook.

Introductory Period for New Employees

All newly hired employees of the University are considered to be in an introductory period for the first ninety (90) calendar days of employment.

The purpose of the introductory period is to provide both the employee and the University with an opportunity to evaluate whether the employment relationship is appropriate. During this time, the employee is expected to demonstrate satisfactory performance, attendance, conduct, and the ability to meet the requirements of the position.

At or near the conclusion of the introductory period, the supervisor may conduct a formal or informal performance review to assess whether the employee has met the expectations of the position.

The University reserves the right, at its sole discretion, to:

- Confirm successful completion of the introductory period
- Extend the introductory period if additional time is needed to evaluate performance
- Separate employment during the introductory period

If, at any time during the introductory period, an employee's performance, conduct, attendance, or overall suitability for the position is determined to be unsatisfactory, the University may take appropriate action, up to and including termination of employment.

Termination during the introductory period may occur with or without prior notice, and without the use of progressive discipline, unless otherwise required by an applicable collective bargaining agreement.

Alternatively, successful completion of the introductory period does not entitle an employee to continued employment for any specific duration.

Employee Relations Philosophy

Our philosophy on employee relations is an extension of our values, and our obligations to each other. Our approach starts with human dignity, and a respect and compassion for all.

We aim to provide an inclusive and respectful workplace that encourages person-to-person collaboration and problem solving through open communication; where questions or concerns may be addressed and appropriate steps can be taken toward an appropriate resolution. We appreciate and try to take into account the individual circumstances and needs of each employee.

You're encouraged to first speak with your manager about issues you may encounter or questions that you might have during the course of your employment. For any issues that cannot be resolved by your manager or that may be sensitive in nature, you're encouraged to contact the Office of Human Resources for support.

However, for issues involving discrimination and/or harassment, you should follow the reporting procedures set forth in the University's Non-Discrimination and Non-Harassment Policy outlined in this handbook.

While the University values open communication, we recognize that situations may arise that will need to be treated differently. There will be times that the institution will be required to keep information confidential or private.

We expect that our employees operate in a manner that is consistent with our values and code of conduct. Additionally, we expect that all our employees:

- Act in a polite, respectful manner toward one another
- Encourage and embrace each other's differences
- Make safe and smart decisions when approaching their work
- Be flexible and adaptable in their work
- Take responsibility for themselves, their work, and the best interests of the university
- Admit to and learn from their mistakes
- Work together as a team, finding compromises where different needs are at play
- Maintain honesty, fairness, and open communication in their work and interactions

2 | Employment Policies & Practices

Promotion & Transfer

The University desires to fill all vacancies with the best-qualified applicants and values the opportunity for promotion from within. For this reason, the University often attempts to fill job vacancies by promotion or transfer from within the University's existing workforce. Job openings are advertised to university personnel and members of the University community who are encouraged to apply for any vacancy for which they feel qualified. The Human Resources Department publicizes all vacancies through the University website and maintains a listing of all vacancies.

A promotion is movement to a position in another classification at a greater level of responsibility and will sometimes be accompanied by an increase in compensation. A lateral transfer is movement to a position at a similar level of responsibility and is rarely accompanied by a salary increase. A demotion/transfer is a movement into another classification at a lesser level of responsibility and is often accompanied by a reduction in salary.

In evaluating an employee for promotion or transfer, several factors will be considered. These factors may include:

- Knowledge and experience
- Education and adaptability
- Attendance
- Past performance and productivity
- Judgment and responsibility
- Interpersonal relationships

It is best practice for an employee to be in their present position for a minimum of six months before a promotion transfer will be considered. In addition to these factors, the University may consider any other factor it deems appropriate and in the best interest of the University.

Employee Appraisals

Employee performance is important to the University and written appraisals will be conducted at least once annually. However, managers should be meeting with their staff regularly outside the annual formal reviews.

The employee appraisal review provides the basis for fostering a better understanding between you and your manager, with respect to your job performance, skill building, and professional development within the institution, as well as setting goals for the upcoming year.

Adjunct Employment

Full-time, non-faculty employees may be eligible to request to take on adjunct, part-time teaching responsibilities at the University.

Eligible, non-faculty employees who are interested in part-time adjunct work must submit a formal written request to their manager, detailing the proposed adjunct teaching assignment, including course(s) to be taught, schedule, and expected time commitment. The request must be approved by the manager and the Division Vice President.

Eligible employees can teach up to a maximum of 2 courses per semester.

The primary duties and responsibilities of the full-time role must take precedence over adjunct teaching assignments. Employees are expected to maintain the same level of performance and productivity in their full-time positions. Adjunct teaching responsibilities must be scheduled outside of the employee's regular working hours or in a manner that does not conflict with their primary job duties. Any teaching-related activities (e.g., office hours, grading) should not encroach upon the time dedicated to the employee's full-time role.

The employee's performance in both roles will be monitored to ensure that neither is adversely affected. If performance issues arise, the employee may be required to reassess their adjunct teaching commitment.

Adjunct teaching compensation will be provided in accordance with the University's standard pay rates for adjunct faculty and will be processed separately from the employee's full-time salary.

Disclosure of Outside Employment

All full-time employees are expected to consider their employment with the University as their primary employer and professional commitment. Full-time employees are expected to dedicate their time and efforts to the responsibilities and duties associated with their role at the University.

Employees are required to disclose any concurrent outside employment to their manager and the Office of Human Resources as part of their ongoing commitment to transparency.

Employees seeking to engage in concurrent employment outside of the University, including consulting relationships, must disclose this information in writing to the Office of Human Resources for approval and to avoid any conflict of interest.

Requests for concurrent employment will be considered on a case-by-case basis. Approval will be granted based on factors such as the nature of the additional employment, potential impact on

the employee's performance at the University, scheduled work hours and compliance with relevant laws and regulations.

Engaging in concurrent employment without the necessary approval may result in disciplinary action, up to and including termination of employment.

Members of the faculty should see the Faculty Handbook for additional information regarding outside employment.

Remote Work Schedules

At the Mount, we believe there is critical value in having employee presence onsite, in the office, for effective collaboration, consistency, and efficient completion of work. However, the University also acknowledges the importance of providing a flexible work environment that allows employees to work remotely.

Remote work schedules may be appropriate for some employees but not for others. Employee considerations for remote work eligibility are listed below.

- **Employee suitability.** The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote work.
- **Job responsibilities.** Human Resources and the manager will discuss the job responsibilities and determine if the job is appropriate for remote work.

An eligible position suitable for remote work is one whose majority of their responsibilities can be conducted virtually using basic telecommunications technology at home without affecting the quality of work or the institutional needs and operations.

Characteristics of positions that *are not eligible*:

- Job duties require access to specific personnel, onsite files, or specialized space/equipment/technology in order to effectively perform the job
 - (That cannot be accessed virtually)
- The position had regular in-person client/customer/student interaction pre-COVID which became less efficient or effective in a remote environment
- Position's job duties require participation in onsite meetings or presentations
- Telework relationship adds additional cost to the employer
 - For example, a remote telework arrangement should not typically result in the duplication of office equipment.
- Employees continued telework negatively impacts team performance

Characteristics of positions that *are eligible*:

- Job duties can be conducted outside of the worksite
- Teleworking does not affect the service quality or organizational operations
- Teleworking does not add additional cost to the employer
- Teleworking does not negatively impact team performance

To Apply

Employees must complete and submit a remote work application to Human Resources to be considered for a remote work schedule. Employees interested in applying for remote work should first discuss it with their manager before submitting their application.

Remote work schedule requests can vary between a hybrid work schedule or full-time remote.

- **Hybrid Work Schedule:** A work schedule combined of working onsite, in the office, and remote from an offsite location.
- **Full-time remote Schedule:** A work schedule where the employee works full-time remote from an offsite location.

Remote Work Application

The application can be found on the Intranet in the Human Resources section. You can also reach out to the Office of Human Resources for more information. Human Resources in collaboration with the manager will review the application and work collaboratively to determine the employee's eligibility for remote work.

All applications will be considered on a monthly rolling basis. Applications must be submitted by the 15th of the month for a determination by the end of the month, for a start date, if applicable, of the first of the following month.

Any remote work schedule arrangement approved may be discontinued at will and at any time at the request of either the employee or the University. Every effort will be made to provide 30 days' notice of such change to accommodate any issues or concerns that may arise from the termination of the remote work schedule. There may be instances, however, when no notice is possible.

Performance

The expectation while working remotely is to keep communication with your manager and team at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved. Employees should work with their manager on how to approach their work, their frequency of check-ins, and regular project updates.

Time Worked

Remote employees who are not exempt from the overtime requirements of the Fair Labor Standards Act, hourly employees (staff), will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance

approval of your manager. Failure to comply with this requirement may result in the immediate termination of the remote work schedule.

Equipment

The University will allow employees to take their issued UMSV laptops or desktops to use while working remotely. Equipment supplied by the University is to be used for business purposes only. The employee must sign an inventory of all UMSV property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property, including employee ID, keys, laptop, laptop bag, charger, desktop, keyboard, mouse, etc, will be returned to the company, unless other arrangements have been made.

The employee will establish an appropriate work environment within his or her home for work purposes. The University will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. The University will not be reimbursing the employee for expenses incurred for phone or internet usage while working remotely.

Location

Employees who work remotely must maintain a private and secure location. Employees must obtain permission from their manager and Human Resources prior to working remotely outside of the State of New York.

Change in Personal Data

Employees are required to notify the Office of Human Resources of any change in legal name, home address and primary telephone number. For employees enrolled in the health insurance plans offered by the university, employees are also required to inform Human Resources of changes in marital status and/or number of dependents.

Lived/Preferred Names

The University recognizes that some employees may wish to use a first name other than a legal/primary first name to identify themselves in daily use. The University permits use of lived/preferred names as long as such names are not used for misrepresentation. Employees who wish to use a first name that differs from their legal name should notify Human Resources. Employees lived/preferred first names will be listed on their email, ID cards, in directories, promotional materials, news releases and related systems. Employees' legal/primary first names will continue to appear on university records and documents where legally required (including employment records).

Employing Relatives

The University permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the University, create actual or perceived conflicts of interest. For purposes of this policy, “relative” means a spouse, direct descendant of an employee’s grandparents or the grandparents of the employee’s spouse (i.e., child, parent, sibling, grandchild, aunt, uncle, cousin, or corresponding in-law) or any person living in the same household as the employee. The University will exercise sound judgment in the placement of related employees in accordance with the following guidelines:

Individuals who are related by blood, marriage, or domestic partnership are permitted to work at the University, provided no direct reporting or manager relationship exists. That is, no employee is permitted to work within the “chain of command” of a relative such that one relative’s work responsibilities, salary, or career progress could be influenced by the other relative.

No relatives are permitted to work in the same department or in any other positions in which the University believes an inherent conflict of interest may exist. Employees who marry or join households while employed are treated in accordance with these guidelines. That is, if, in the opinion of the University, a conflict or an apparent conflict arises as a result of the marriage/partnership, one of the employees will be transferred at the earliest practicable time. As such, it is the duty of any employee who experiences marriage/household status changes that may affect this policy to notify Human Resources immediately.

In addition, the University recognizes that at times, employees and their “close friends” or “significant others” may be assigned to positions that create a coworker or manager subordinate relationship. The University will, in its discretion, exercise sound judgment with respect to the placement of employees in these situations in order to avoid the creation of a conflict or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.

Ending Your Employment

Employees desiring to terminate their employment relationship with the University are urged to notify the University in advance of their intended last day. Last day notice should be given in writing to your manager and Human Resources. Please note that the University reserves the right to acknowledge or not acknowledge your last day after putting in notice. The University has the right to release you of your duties in advance of your intended last day if it is in the best interest of the University. Employees who plan to retire are encouraged to provide the University with a minimum of two months’ notice. This will allow ample time for the processing of appropriate retirement benefits.

Proper notice allows the University sufficient time to plan for the transition of duties. Employees who fail to provide the requisite notice will not be paid for any accrued, unused vacation upon termination of employment. Any accrued, unused vacation time will be forfeited. Once an employee has provided notice of resignation or retirement, he or she will not be permitted to use any accrued vacation time.

All employment relationships with the University are on an at-will basis. Thus, although the University hopes that our relationships with employees are long term and mutually rewarding, the University reserves the right to terminate the employment relationship at any time, with or without cause or notice.

Exit interviews with the Office of Human Resources are normally scheduled for outgoing employees after a manager receives notice of resignation or intent to retire and for employees whose termination is initiated by the University. The purposes of these interviews are to review eligibility for benefit continuation and conversion, to ensure that all necessary forms are completed, to collect all issued University property that may be in the employee's possession (e.g., employee ID, office keys, parking pass, laptop), and to provide employees with an opportunity to discuss their job-related experiences.

Resignation Without Notice

Employees who do not report for work for three (3) consecutively scheduled workdays without communicating to either their manager or the Office of Human Resources a reason for their absence will be considered to have voluntarily resigned from their employment with the University to the extent permitted by applicable law.

Employment Verification & Reference Checks

It's the University's policy to maintain strict confidentiality with respect to all matters relating to the employment or termination of any current or former employee, intern, volunteer, or independent contractor. This policy is for the benefit of both the University and its employees, interns, and volunteers.

Verification of employment of current employees for the purposes of establishing credit, bank loans, etc., will be released only by the Office of Human Resources upon receipt of employee authorization.

Any requests for professional references must be discussed with your direct manager and/or colleagues. Human Resources cannot serve as a reference for employees.

3 | Employee Classification & Payroll Practices

Classifications of Employment

For purposes of salary administration and eligibility for overtime payments and employee benefits, the University classifies its employees as follows:

Full-Time Regular Employees

Employees hired to work the University's normal, full-time, thirty-five (35) or forty (40) hour minimum workweek on a regular basis. Such employees may be "exempt" or "nonexempt" as defined below.

Part-Time Regular Employees

Employees hired to work up to a maximum of 19 hours per week. Such employees are considered "nonexempt."

Exempt and Nonexempt Status

- **Nonexempt Employees:** Employees who are entitled to overtime pay at the rate of time and one half (i.e., one and one-half times) their regular rate of pay for all hours worked beyond forty hours in a workweek, in accordance with applicable state and federal wage and hour laws.
- **Exempt Employees:** Employees who are not entitled to overtime pay, in accordance with applicable federal, state or local law. Executives, administrators, professional employees, employees who handle confidential matters for the University, and employees in certain computer-related positions are typically exempt.

Exempt employees may have to work beyond their normal schedules as required by business demands. No overtime compensation will be paid to exempt employees, as their salary covers all hours worked.

You will be informed of your employment classification and of your status as an exempt or nonexempt employee on your employment offer letter. If you change positions during your employment as a result of a promotion, transfer, or otherwise, you will be informed by the Office of Human Resources of any change in your exemption status. Please direct any questions regarding your employment classification or exemption status to Human Resources.

Administration

The Senior Administration/President's Cabinet. Reserved only for the Provost, Vice Presidents, University Deans, and Dean of Students.

Temporary or Seasonal Employees

Employees engaged to work full-time or part-time on the University's payroll with the understanding that their employment will be terminated at or before the completion of a specific assignment. (Note that a temporary employee may be offered and may accept a new temporary

assignment with the University and still retain temporary status.) Such employees may be “exempt” or “nonexempt.”

(Note that persons placed with the University by temporary employment agencies or leasing agencies for specific assignments for specific periods of time are employees of the respective agency and not of the University.)

Student Employment

On campus employment helps students develop professional work skills that will be valuable throughout their careers. Working on campus helps develop communication, interpersonal, computer, and customer service skills, all of which are indispensable in today’s work place. To be eligible to work as an hourly student employee, a student must be an actively enrolled, full or part time as an undergraduate at the University of Mount Saint Vincent.

Student employees may work a maximum of 12 hours per week during a regular semester. During the Winter and Summer break, students are allowed to work a maximum of 19 hours per week.

Students working under a stipend position may work an additional 12 hours in any other department as an hourly student employee.

To hire a student employee, please contact the Office of Human Resources for the new hire paperwork that is required for all new and returning student employees.

Schedule of Payments

All employees are paid semi-monthly or on a bi-weekly basis depending on their job category.

- **Exempt, salaried Staff and Faculty** are paid semi-monthly - 24 payrolls per calendar year
- **Nonexempt, hourly Staff and Students** are paid biweekly – 26 payrolls per calendar year

Work Schedules

The University’s regular office hours are Monday through Friday from 8:30 am to 4:30 pm. The workweek starts on Monday and ends on Sunday.

You’ll be assigned a work schedule by your manager, and will be expected to begin and end work according to that schedule. To accommodate the needs of the University, at some point the

University may need to change individual work schedules on either a short-term or long-term basis. The University reserves the right to change your schedule at any time.

- **Full-time Staff:** Monday through Friday, 8:30 am – 4:30 pm
- **Full-time Security employees** work a 40-hour work week. Their schedules vary depending upon departmental needs and are based on a seven-day work week and a 24-hour day.

Access before or after these schedules is available, but may be limited, and will require the use of keys. You can make arrangements with Security to access entrance to buildings or offices which you do not have keys to enter.

Payroll Deductions

As required by law, the University will make the following deductions from employees' paychecks:

- Federal Income Tax
- Social Security Tax (FICA)
- State Income Tax
- Local Income Tax
- Garnishments
- NYS Disability Insurance premium

At the request of the employee the University will make the following voluntary deductions from an employee's paycheck:

- Medical/dental/vision insurance premiums
- Retirement Plan contributions Supplemental and/or Long-term
- Disability premiums
- Life Insurance premiums
- Other Voluntary Deductions

The University intends those deductions be made from your pay only in circumstances permitted by applicable law. If you believe that any improper deduction has been made from your pay you should immediately raise the matter with your manager or the Office of Human Resources. If an investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed. In addition, the University reserves the right to, among other things, suspend exempt employees for one or more full days with or without pay, at the discretion of the University, for infractions of workplace conduct rules.

Under federal and state law, salary is subject to certain involuntary deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- Full-day absences for personal reasons;
- Full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy, or practice or after the employee has exhausted the leave allowance under the plan);
- Full-day disciplinary suspensions for infractions of our written policies and procedures; to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- The first or last week of employment in the event the employee works less than a full week;
- Any full work week in which the employee does not perform any work.

Overtime Pay Procedures for Nonexempt Employees

Full-time, nonexempt, Staff are eligible for overtime pay. Approved overtime work is paid at a rate of one and one-half (1.5) times your regular hourly rate of pay for all hours worked beyond the fortieth (40) hour in any given workweek.

Your manager will attempt to provide you with reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible.

You will normally receive payment for overtime in the pay period following the period in which such overtime is worked, providing that your timesheet has been properly prepared, approved by your manager, and forwarded to payroll for processing in a timely manner. Non-worked hours such as Vacation, Sick Days, Holidays, etc., do not count towards the initial work week overtime threshold or when calculating overtime.

Premium Pay Hours

Nonexempt, hourly Staff are eligible for premium pay hours. Premium hours are hours worked within the regular workweek for which a premium rate is paid.

Premium hours are paid for Holidays and/or adverse weather and emergency University closings. If an employee works overtime hours which also happen to be premium hours, i.e., a holiday worked, which is also the sixth day worked in a week, overtime or premium pay will apply, but not both.

New York Temporary Schedule Change Law

Under the New York Temporary Schedule Change Law, all employees who work 80+ hours per calendar year and who have been employed by the University for 120 or more days have a right to request temporary changes to their work schedule for “personal events.”

Temporary change to a work schedule for a “personal event” can be requested for up to two occasions each calendar year. This includes the following two scenarios:

- Two separate occasions, each for one business day OR
- One occasion for up to two business days

A “personal event occurs” when an employee needs to:

- Care for a minor child for whom the employee provides direct and ongoing care
- Care for an individual with a disability for whom the employee provides direct and ongoing care to meet the needs of daily living and who is a family member or who resides in the caregiver’s household
- Attend a legal proceeding or hearing for public benefits for the employee, a family member, or the employee’s minor child or care recipient
- Use leave for acceptable reasons under NYC’s Paid Safe and Sick Leave Law

If you need a temporary change to your work schedule:

As soon as you become aware of the need for a temporary schedule change, request one from your manager either orally or in writing. If you requested the schedule change orally and received oral approval (for example, in person or by phone), you must formalize the approved request in writing by the second business day after you return to work. You can submit the request in writing by using a ‘Schedule Request Form’ which can be found in the Human Resources section of the intranet by emailing Human Resources.

The request should include:

- the date of the change,
- that the change is due to a personal event for the reasons noted above, and
- propose the type of temporary change you request (for example, using unpaid time off, paid time off, working remotely, or swapping or shifting working hours)

Managers cannot require employees to use paid time off or any type of paid sick/safe time for a temporary schedule change or ask them to use paid sick/safe time prior to requesting a temporary schedule change. The employer may require the employee to take unpaid leave instead of granting the type of temporary change the employee proposes in the temporary change request.

4 | General Protocols & Procedures

Professional Boundaries with Students

Employees of the university are expected to uphold the highest standards of professionalism and integrity in their interactions with students. To protect the interests of both employees and students, and to prevent situations that could lead to perceived or actual conflicts of interest, favoritism, exploitation, or inappropriate behavior, the following guidelines must be observed.

Professional Boundaries:

- **Respect and Trust:** Employees must recognize the inherent power dynamics in their relationships with students and exercise care to avoid actions or behaviors that could be perceived as taking advantage of this dynamic.
- **Avoiding Personal Relationships:** Employees should avoid developing personal relationships with students that could compromise their objectivity or professional judgment. Socializing with students outside of a professional context should be approached with caution and, when in doubt, discussed with a manager or relevant department head.
- **Physical Contact and Personal Space:** Employees should respect the personal space of students and avoid any form of physical contact that could be perceived as inappropriate or unwelcome.
- **Sharing Personal Information:** Employees should refrain from sharing personal information or engaging in personal conversations with students that could blur professional boundaries.
- **Perception Matters:** Even if an action is well-intentioned, employees should consider how it may be perceived by others, including other students, colleagues, and the broader university community. If an action could reasonably be interpreted as favoritism or a breach of professional boundaries, it should be avoided.

Prohibited Conduct:

- **Romantic or Sexual Relationships:** Romantic or sexual relationships between employees and students are strictly prohibited even when the relationship is consensual. Relationships that pre-date the employment or enrollment of one of the parties must be disclosed immediately to Human Resources.
- **Gifts and Favors:** Employees should not give or receive gifts, favors, or hospitality to or from students that could be perceived as attempts to influence, gain favor, or create a sense of obligation.
- **Social Media and Communication:** Employees should exercise discretion when engaging with students on social media platforms or through personal communication channels. Professional communication channels provided by the university should be the primary means of communication.

Employees who become aware of a breach of this policy or have concerns about a colleague's conduct are encouraged to report the matter to their manager or the Office of Human Resources. Reports can be made confidentially and will be handled with sensitivity and discretion.

Violations of this policy will be taken seriously and may result in disciplinary action, up to and including termination of employment, in accordance with university policies and procedures.

Dress Code and Professional Appearance

All employees are expected to present themselves in a manner that upholds the university's standards of professionalism and reflects positively on the institution. Personal appearance, including attire and grooming, plays an important role in creating a respectful and effective workplace.

Employees should dress in attire appropriate for a professional, business-oriented environment. Clothing should be clean, neat, and well-maintained. Employees should use discretion to ensure their attire is appropriate for their specific role and work environment.

Employees are required to maintain a high standard of personal hygiene and grooming. A clean, neat appearance is essential in presenting a positive image of the university.

All employees must:

- Dress in clean, neat, and well-maintained clothing appropriate for a professional, business-oriented environment.
- Maintain a high standard of personal hygiene and grooming.
- Use good judgment, keeping in mind how their appearance is perceived by students, colleagues, and visitors.

The following attire is considered **acceptable** in the general workplace:

- Business suits, slacks, and dress trousers
- Blouses, button-down shirts, polo shirts
- Dresses and skirts (modest length)
- Cardigans, blazers, and professional sweaters
- Dress shoes, loafers, flats, boots, or heels
- Professional head coverings worn for religious or cultural purposes

The following items of clothing and appearance are **not permitted** in a professional setting:

- Jeans of any color
- Leggings, yoga pants, shorts, sweatpants, miniskirts, or beachwear
- T-shirts, crop tops, tank tops, halter tops, strapless tops, or shirts that expose the midriff or undergarments
- Low-cut or excessively revealing clothing (Transparent)

- Ripped, torn, faded, or distressed clothing
- Flip-flops, slides, house slippers, or athletic sandals
- Clothing with offensive, controversial, or inappropriate language, graphics, or slogans
- Hats or caps worn indoors (except for religious or medical purposes)

Some roles may require specific uniforms or dress codes. Security, Facilities, and Dining Services personnel must wear their issued uniforms while on duty. Uniforms must be clean, properly fitted, and in good condition. Employees in these roles must also carry any department-required equipment necessary for health, safety, or emergency response.

On designated “casual” or “spirit” days, the university may relax the dress code. However, all clothing must remain clean, modest, and workplace-appropriate. T-shirts with the university logo or name are permitted on these days unless otherwise specified.

Managers are responsible for enforcing dress code standards and addressing violations. Employees who do not meet appearance expectations may be sent home to change and may be subject to progressive disciplinary action, including verbal or written warnings. Repeated or serious violations may result in further disciplinary action, up to and including termination

Workplace Cleanliness and Organization

Maintaining a clean, organized, and secure work environment is essential for promoting a productive and professional atmosphere at the university.

Employees are responsible for keeping their immediate workspaces clean, orderly, and free from clutter. Regular attention to tidiness ensures a safer and more efficient work environment.

Employees handling sensitive or confidential materials are expected to safeguard them at all times. Before leaving their workspace for the day, employees must secure sensitive documents, lock all files and cabinets, and ensure that desk surfaces are cleared of any confidential materials.

All employees are required to follow basic closing procedures at the end of their workday, which include clearing work areas, securing files, and turning off electronic devices as appropriate.

Managers are responsible for ensuring that employees within their department comply with these expectations. Managers should address any concerns about an employee’s workspace in a timely and constructive manner. Employees who fail to maintain appropriate standards of workplace cleanliness may be subject to corrective action including verbal or written warnings, and in serious or repeated instances could lead to termination of employment.

Attendance

Students and colleagues depend upon employees' attendance and punctuality. For the smooth, efficient operation of all offices, it is imperative that all employees regularly report for work on time and complete all scheduled hours. Promptness and faithfulness in reporting for work are important in an employee's performance.

If it is not possible for an employee to report to work on time due to illness or for any other reason, they are to notify their manager. This notice should be given as far in advance of regular starting time as possible. If an employee cannot reach their manager, it is the employee's responsibility to make arrangements for a friend or relative to make the call.

If you are absent for more than three (3) consecutive workdays, the University may require proof of illness in the form of medical documentation before you will be permitted to return to work.

Chronic tardiness or unexcused absences may result in disciplinary action, loss of pay and/or termination of employment

Office Keys

Office keys are distributed to employees by the Office of Operations. Under no circumstances should an employee initiate the changing of a lock. Keys are not to be duplicated for any purpose. Replacement keys can be obtained from the AVP for Operations. Upon the termination of employment, the employee must return their University keys to the Office of Human Resources.

Searches

To maintain security and to protect the University's and employees' property, all persons entering and leaving the University's premises may be subject to questions and/or a search. A search may include offices, lockers, parked vehicles, packages, purses, handbags, briefcases, lunch boxes, and all other possessions on university property. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of the University and are issued for the use of employees only during their employment with the University. As such, employees should not have any expectation of privacy in any University-provided storage devices or in any personal property stored in any University-provided storage devices. Inspections may be conducted at any time at the discretion of the University.

Employees refusing to comply with this policy may be subject to disciplinary action, up to and including termination.

Personnel Files

The University maintains personnel files for each employee. These files contain documentation regarding all aspects of the employee's tenure with the University, such as emergency contact information, performance appraisals, salary history, attendance records, disciplinary warning notices, and letters of commendation. You may review your personnel file by contacting the Office of Human Resources to schedule an appointment.

To ensure that your personnel and other employee files are up-to-date at all times, notify your manager or the human resources department of any changes in your name, telephone number, home address, marital status, dependents' information, beneficiary designations, scholastic achievements, and the individuals to notify in case of an emergency.

Confidentiality

As a university employee, you may have access to or knowledge of information pertaining to a student or students on the campus. All information directly related to any student or group of students should be considered strictly confidential. Never disclose such information to others, not even to other employees, unless such disclosure is job-related, clearly in the student's educational interest, is a matter of health and welfare, or otherwise constitutes an exception under the Family Educational Rights and Privacy Act of 1974 (FERPA). Employees should contact the Office of Student Affairs for clarification, if needed.

Information about students, employees, and internal relationships in the University may only be released to outside parties by designated University personnel, within limits set by university policy and in compliance with state and federal regulations.

Information relating to the business of the University and its employees and students, regardless of the source, is considered confidential and may not be disclosed to any person other than those within the University who have a legitimate need to know. Be careful not to discuss office matters outside the office, even if names are not used. In particular, confidential matters should not be discussed in places such as elevators, restaurants or public transportation where they might be overheard.

Any employee failing to comply with this policy may be subject to disciplinary action, up to and including termination.

Telephone Usage

The telephone is essential in day-to-day business and how employees use it is important to the effective operation of the University. When using the phone, be sure to respond in a prompt,

courteous manner, identify yourself and your office, respond to the caller with prompt answers and/or explanations, and take accurate messages. The impression given over the telephone is often the only one the caller will have of the University of Mount Saint Vincent.

Employees must strictly limit the number and duration of personal calls made from, or received at their office phone. Employees are responsible to reimburse the University for the cost of personal calls.

Employees must ensure telephone coverage during office hours. To ensure that the use of communications systems is consistent with the University's legitimate business interests, authorized representatives of the University may monitor the use of such equipment from time to time. This may also include listening to stored voice-mail messages.

From time to time the University may tape, record, videotape, or otherwise monitor conversations or other communications between employees and/or between employees and non-employees for legitimate purposes. In addition, the University's telephone lines may be monitored and taped consistent with applicable federal and state law. Such monitoring or taping may be done if the University is conducting an investigation into allegedly unlawful or unethical activities, in conjunction with regulatory or other enforced authorities, or for any other business reason in the University's sole discretion. Violations of this policy may result in disciplinary action, up to and including, termination.

Cellular Phone Use

The use of personal cellular phones and similar devices in the office should be kept to an absolute minimum, as such usage is disruptive.

Use of text messaging to communicate about university business is strictly prohibited. Use of text messaging for any work-related communication is strongly discouraged.

Using a cellular telephone while operating a motor vehicle is prohibited. Employees should plan to allow adequate time for the placement of telephone calls either prior to or after driving or while on rest breaks. If an employee absolutely must (because of an emergency) use a cellular telephone while driving, the employee must use a hands-free device, and must comply with applicable local, city or state laws. Additionally, if using a cellular telephone while driving, an employee must attempt to pull off the road and safely stop the vehicle before placing or accepting the call. Under no circumstances may an employee place themselves (or anyone else) at risk in order to fulfill an actual or perceived business need. Text messaging while driving is strictly prohibited.

Employees who are charged with traffic violations or are involved in accidents because of their use of a cellular telephone while driving will be solely responsible for all liabilities that result from such

actions. Employees violating this policy will be subject to disciplinary action, up to and including termination of employment.

Computer Use

All electronic systems and all communications and information transmitted by, received from, or stored in these systems are the property of the University and as such are to be used for job-related purposes consistent with the Computer Use/Appropriate Use and Policy Agreement. Although limited use of university software and business equipment, including, but not limited to, facsimiles, cellular phones, tablets, other handheld communication devices, telecopies, computers, the University's e-mail system, the Internet, and copy machines for private purposes is generally permitted, abuse of this privilege will result in discipline, up to and including termination of employment.

Employees using this equipment for personal purposes, however, do so at their own risk. Further, employees are not permitted to use a code, access a file or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from an authorized University representative. All access credentials (passwords, passcodes, recognition systems, etc.) are the property of the University. No employee may use access credentials that have not been issued to that employee or that is unknown to the University.

You should have no expectation of privacy in any message, file, data, document, communication or facsimile, or any other form of information accessed, transmitted to, received from, or stored on any electronic communication system made available by the University.

To ensure that the use of electronic communications systems and business equipment is consistent with the University's legitimate business interests, authorized representatives of the University may monitor the use of such equipment from time to time. This includes monitoring Internet usage of any kind.

The University provides access to the Internet. The Internet represents a useful tool for the University in conducting its business, but like any other tool, it must be used properly. For purposes of this policy, Internet includes any public electronic data communications network as well as the equipment, technology and devices that are used to access and maintain that network.

Electronic communications provide an efficient way to communicate with others. Nevertheless, you must remember that the ease of using e-mail is not a license for unprofessional conduct, and you should exercise good judgment, forethought and common sense when creating and distributing e-mail messages.

Whenever you send e-mail, your name, user ID, and location are included in each e-mail message. You should also be aware that the messages can be as permanent as (or even more so than) conventionally mailed letters and materials.

E-mail can be archived in any system through which it passes. Deleting e-mail from your inbox does not remove it from the University's database. Accordingly, employees should consider each e-mail message to be a letter and compose it accordingly. Do not write anything in an e-mail message that you would not want disclosed in a legal or other proceeding. This is true for external as well as internal e-mail.

Email messages may carry one or more attachments. An attachment may be any kind of computer file, such as a word processing document, spreadsheet, software program, or graphic image. E-mail from sources external to the University may contain dangerous attachments. When the source of an attachment is unknown, it should be analyzed by the University's data security team before being opened.

The following are unacceptable uses of the University's e-mail:

- Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam);
- Sending or receiving harassing, threatening, obscene, racist, sexist, discriminatory, inappropriate, embarrassing or other objectionable messages via e-mail to anyone (such messages include, but are not limited to, threats, jokes, cartoons, unwelcome propositions, chain letters and love letters);
- Unauthorized use, or forging, of e-mail header information;
- Solicitation of e-mail for any other e-mail address, other than that of the poster's account, with the intent to harass or to collect replies;
- Use of unsolicited e-mail originating from within the University's networks of other Internet service providers on behalf of, or to advertise, any service hosted by the University or connected via University's network;
- Actual or attempted forgery via e-mail message;
- Attempts to read, copy, modify or delete e-mail messages of other users; and
- Proselytizing for commercial ventures, religious or personal causes, or outside organizations, as well as other non-job-related solicitations via the University's e-mail.
- Also note: employees should avoid, if possible, sending University-wide e-mails with large logos and/or photos. Such e-mails tend to take up a lot of space on the University's exchange server.

Just as the University has an official Internet web site, so do other organizations. Most public web sites are "read only," meaning that they permit a person who visits the site to read material posted on the web site but not to leave a message. Other web sites permit visitors to establish continuing contact by leaving a message (the electronic equivalent of leaving your business card or a

telephone message). The owner or operator of a web site may record the information that a connection was made from the University.

As a general rule, employees may not forward, distribute, or incorporate into another work, material retrieved from a web site or other external system. Very limited or “fair use” may be permitted in certain circumstances. Any employee desiring to reproduce or store the contents of a screen or web site should contact the Office of Human Resources to ascertain whether the intended use is permissible. For more information, please see the Copyright Procedures and Information policy.

Use of the World Wide Web includes all restrictions, which apply generally to the use of the University’s e-mail and other electronic and telephonic equipment, as noted above. For more information, please see the Safe Computer Practices policy.

In addition, the following rules apply with respect to Internet usage:

- No Browsing of Restricted Content Web Sites: The University has blocked access to Web sites which contain certain objectionable material, include pornography. However, the World Wide Web changes on a daily basis. In this connection, users who find new sites which the University has not yet blocked are required to report such sites to the appropriate individuals in the University’s Office of Information Technology (“IT”).
- No Downloading of Non-Business-Related Data: The University allows the download of files from the Internet. However, downloading files should be limited to those directly related to university business.
- No Downloading of Application Programs: The University does not permit the download or installation on university computers of application software from the Internet. Such software may not only contain embedded viruses, but also is untested and may interfere with the functioning of standard University applications.
- No Participation in Web-Based Surveys without Authorization: When using the Internet, the user implicitly involves the University in his/her expression. Therefore, users should not participate in Web or e-mail-based surveys or interviews without authorization.
- No Use of Subscription-based Services without Prior Approval: Some Internet sites require that users subscribe before being able to use them. Users should not subscribe to such services without the express approval of the IT Office.
- No Violation of Copyright: Many of the materials on the Internet are protected by copyright. Even though they may seem to be freely accessible, many of the intellectual property laws which apply to print media still apply to software and material published on the Internet. Employees are permitted to print out Web pages and to download material from the Internet for informational purposes as long as the purpose for such copying falls into the category of “fair use.” Please do not copy or disseminate material, including pictures, which is copyrighted. Employees having any questions regarding such materials should contact the Human Resources Department or the IT Office for guidance.

The restrictions and limitations established in this policy apply equally to any remote or off-site use of the University's electronic communication systems, including VPN and intranet access via the Internet.

As a condition of employment and continued employment, employees are required to sign an e-mail and voice-mail acknowledgment form (see sample form following this policy statement). Applicants are required to sign this form on acceptance of an employment offer by the University.

Employees who violate this policy are subject to disciplinary action, up to and including dismissal. Such violations may lead, under certain circumstances, to individual civil and criminal liability.

University Name in Public Endorsements

The University of Mount Saint Vincent strictly prohibits the use of its name, logo, or any other official affiliations in connection with public endorsements, including those related to political parties, candidates, or campaigns. While we encourage active participation in civic and political processes as individuals, it is important to ensure that such activities are clearly separate from any representation of the University.

The University's name must not be used to imply support or endorsement of any political party, candidate, or cause.

When engaging in political discourse or activities, all faculty and staff should ensure that their personal views are not misconstrued as representative of the University.

Be mindful of how you represent yourself online. Any references to your affiliation with the University on social media platforms should not be linked to political endorsements or statements. All employees should refer to the social media policy and guidelines to uphold the University's commitment to impartiality and academic integrity.

Social Media Policy and Guidelines

Social media networks are powerful communication tools that have a significant impact on organizational and professional reputations. Because they blur the lines between personal voice and institutional voice, the University of Mount Saint Vincent has adopted the following policy to help clarify how best to enhance and protect personal and professional reputations when participating in social media.

Social media can be defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include, but are not

limited to: Instagram, Facebook, TikTok, LinkedIn, X, YouTube, Wikis, and blogs, as well as photograph and video sharing sites, such as Flickr and Vimeo.

Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. The same laws, professional expectations, and guidelines for interacting with students, parents, alumnae/i, donors, media, and other University constituents apply online as in the real world.

Employees are liable for anything they post to social media sites.

While this document will provide more specific guidelines to help navigate particular interactions, all these spring from a set of basic principles:

- Don't post anything you would not say.
- Assume anything you post is public, regardless of privacy settings.
- Assume anything you post is permanent.

Institutional Social Media

If you post on behalf of an official University unit, the following policies must be adhered to in addition to all policies and best practices included in this document:

- **Notify the University:** Departments, divisions, partnerships, offices, organizations, and groups that have a social media page or would like to start one must first contact the Office of Public Relations, Marketing, and Communications. All institutional pages must have a full-time appointed employee who is identified as being responsible for content. Ideally, this should be the head of the department and a generic, office-specific email account should be used to access the account. The responsibility for content is not linked solely to an individual but to their position; if the responsible individual leaves the University, his/her replacement would assume responsibility for content unless other arrangements are made by the head of the department.
 - All login information (username/email and passwords) for pages created to represent a department/office must be shared with the Office of Public Relations, Marketing, and Communications. Additionally, all page names, logo development, and profile images must be approved by the Office of Public Relations, Marketing, and Communications.
- **Acknowledge who you are:** If you are representing UMSV when posting on a social media platform, acknowledge this when appropriate.
- **Have a purpose and a plan:** Departments should: define their goals in using social media on behalf of the institution, create appropriate messages to reach those goals and audiences, and develop a strategy for keeping information on social media sites up-to-

date. The Office of Public Relations, Marketing, and Communications can assist and advise you with all social media planning.

- **Link back to the University:** If possible, it is advised to link back to the University of Mount Saint Vincent, where applicable. Ideally, posts should be creative, engaging, and brief. It's encouraged to include media, such as posters, flyers, images, videos, web pages, and other resources to connect accounts together and to the University. Try to avoid links in photographs and explore options like QR codes instead.
- **Protect the institutional voice:** Posts on social media sites on behalf of the University should protect the University's institutional voice. Though we ask accounts to remain professional, we also prefer our university accounts to have fun and engage with the Mount community in ways and tones that best align with the department. No individual University department should construe its social media site as representing the University as a whole. Consider this when selecting content and/or images to post—such content should be clearly linked to the particular department or unit rather than to the institution as a whole.
- **Violation of the Social Media Policy:** Any violations of the institutional social media policies risk disciplinary action or termination of employment.

Policies for All Social Media Sites, Including Personal Sites

- **Protect confidential and proprietary information:** Do not post confidential or proprietary information about University of Mount Saint Vincent, students, or alumnae/i. Employees must still follow the applicable federal requirements such as FERPA and HIPAA, as well as NCAA regulations. Adhere to all applicable University privacy and confidentiality policies. Employees who share confidential information do so at the risk of disciplinary action or termination of employment.
- **Respect copyright and fair use:** When posting, be mindful of the copyright and intellectual property rights of others and of the University. Intellectual property rights must be respected when utilizing networks whether for personal or professional purposes. When posting materials owned by others, an individual bears the responsibility of compliance with licensing and copyright requirements. For example, some materials may allow posting under Creative Commons Licensing which may have more liberal use terms, in contrast to a book publisher that may have more restrictive use terms. When in doubt, one should request permission from the publisher, content creator, or owner of the materials. These same considerations should be applied to institutional materials and your colleagues' materials.
- **Don't use UMSV logos or name for endorsements:** Do not use the University's seal, wordmark, logo, or any other University images or iconography on personal social media

sites in a manner that may indicate endorsement, agreement, or sponsorship by the University. Do not use UMSV's name to promote a product, cause, or political party or candidate. The use of UMSV's seal, wordmark, and logo shall comply with the Brand Guide published by the Office of Public Relations, Marketing and Communications. The UMSV logo and wordmark, known as a lockup, is the University's official public identifier (visual mark). In the majority of official UMSV communications, the lockup shall be used to ensure consistency of the University's image. Be advised these standards are updated periodically and should be checked regularly to ensure compliance.

- **Respect University time and property:** University computers and time on the job are reserved for university-related business as approved by managers and in accordance with the University's Computer Use/Appropriate Use Policy.
- **Do not violate University policies:** It is a violation of university policy to post any material that violates University policies and procedures, such as the University's policies against harassment and discrimination.
- **Terms of service:** Obey the Terms of Service of any social media platform employed.

Best Practices

This section applies to those posting on behalf of an official University unit/department, though the guidelines may be helpful for anyone posting on social media in any capacity.

- **Think twice before posting:** Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the University. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. If you wouldn't say it to someone personally or professionally, consider whether you should post it online. If you are unsure about posting something or responding to a comment, contact the Office of Public Relations, Marketing, and Communications.
- **Strive for accuracy:** Get the facts straight before posting them on social media. Review content for grammatical and spelling errors. This is especially important if posting on behalf of the University in any capacity.
- **Think before you post:** Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster and/or the University and its institutional voice. The University supports and respects the intellectual property rights of copyright holders. Content posted on the internet must conform to copyright law.
- **Remember your audience:** Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes prospective students, current

students, current employers and colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, or provoke any of these groups.

- **Personal sites:** On personal sites, identify your views as your own. If you identify yourself as a University of Mount Saint Vincent employee online, it should be clear that the views expressed are not necessarily those of the institution. When participating in an online community, content of postings should benefit the community as a whole. Consider the nature of the community and the expectations of its members when contributing. Do not use membership purely as a means of promoting yourself or your organization. Do not use the name of the University to endorse products, causes, political parties, or candidates.
- **Photography:** Consider posting images at 72 dpi and approximately 800×600 resolution to protect your intellectual property. Images at that size are sufficient for viewing on the web, but not suitable for printing. Remember that the policies of University of Mount Saint Vincent related to purchasing and using images apply online as well as in print. Contact the Office of Public Relations, Marketing, and Communications with questions.

FERPA

All legal privacy laws and policies regarding student records must be followed without exception. The Family Educational Rights and Privacy Act (FERPA) ensures the privacy of “educational records” of students. At no time should information that is considered part of a student’s educational record be submitted, posted, or referenced through a social media network.

A social media site can be used for instructional purposes. Student content created and/or posted to fulfill a course assignment using social media does not violate students’ privacy rights, if done properly, and in accordance with FERPA. Here are some policy suggestions for instructors who want to incorporate social media into their classrooms:

- When students are assigned to post information to public social media platforms outside of the University LMS, they should be informed that their material may be viewed by others.
- Students should not be required to release personal information on a public site.
- Instructor comments or grades on student material should not be made public. (Interestingly, grades given by other students on “peer-graded” work can be made public under FERPA). (ACE, 2008)
- While not clearly required by law, students under the age of 18 should get their parent(s)’s consent to post public work.

FERPA does not forbid instructors from using social media in the classroom, but common sense should be used to ensure the protection of students.

It is important to exercise extreme attention to student information and err on the side of caution in these situations. When utilizing social media for instruction, some planning can ensure that student, faculty, and University rights are protected. Any doubts or questions can be addressed to the Provost/Dean of Faculty.

Need Help?

A successful social media account takes time to maintain and requires regular and timely updates. Inactive social media accounts reflect negatively on the institution. The Office of Public Relations, Marketing, and Communications frequently monitors accounts and may request that inactive accounts be taken down. If you have questions about maintaining your social media account, how to increase engagement, or any other questions about social media, please contact The Office of Public Relations, Marketing and Communications via email at publicrelations@umsv.edu or phone at x3746.

Smoke Free Campus

The University of Mount Saint Vincent fosters a full appreciation of our obligations to each other. At the Mount, our values keep us committed to providing a safe, clean, respectful, and healthy environment to promote the well-being of our students, employees and visitors. As such, in the interest of all members of our community, the University has implemented a Smoke-Free Campus policy that applies to all students, employees and visitors that prohibits smoking on university property. This new policy is consistent with the [New York City Department of Health "Smoke Free Air Act" \(SFAA\)](#). The SFAA prohibits smoking in indoor and outdoor public establishments and spaces in order to reduce the risk of secondhand smoke exposure.

To maintain the commitment of the University to provide a safe, clean, respectful and healthy living, learning, and working environment for all members of our campus community, smoking including the use of vapes, hookahs, and electronic smoking devices (ESD) is prohibited.

- **“Smoking”** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. Smoking also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device.
- **“Hookah”** means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- **“Electronic Smoking Device (ESD)”** means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term

includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

All students, employees, contractors, consultants, vendors, volunteers, and visitors (regardless of the purpose for their visit) are expected to comply with this policy.

All forms of smoking devices are prohibited on UMSV property including all indoor and outdoor locations. The use of smoking devices is also prohibited in all University vehicles including buses, shuttles, vans, cars, and trucks.

Smoking will not be permitted in any enclosed space, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, and residential housing buildings.

Smoking will not be permitted outdoors on all UMSV property, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus.

Employees who violate this policy will be subject to disciplinary action up to and including termination. Students who violate this policy will be subject to disciplinary action as referenced in the Student Handbook.

To report violations or submit complaints about the smoke-free policy:

All violations/complaints should be brought to the attention of the Human Resources department. The violations/complaints should be submitted in writing and should be specific in detail. Human Resources will investigate the violation/complaint and resolve it in accordance with the policy.

No employee shall suffer any form of retaliation for raising a complaint.

The University recognizes the challenges associated with breaking the addictive nature of tobacco use. For information on how to quit smoking and tobacco cessation please refer to the resources available below. If you are enrolled in the medical plan offered by the University, Christian Brother Services (CBS), offers nicotine replacement therapy through the prescription drug program. In addition, CBS has a partnership with Quit Genius to help members wanting to cease tobacco use.

For everyone

Centers for Disease Control and Prevention <http://www.cdc.gov/tobacco/>

New York State Smokers' Quitline

NY State Department of Health Tobacco Control Program (866) NY-QUITS / (866) 697-8487
<http://www.nysmokefree.com>

For full-time employees enrolled in the CBS medical plan

Quit Genius <http://my.quitgenius.com/expressscripts> (877) 349-7755
CBS Health & Benefits
<http://mycbs.org/health>

Solicitation and Distribution

The selling of tickets, merchandise or other commercial promotion on University property not related to and administratively-approved University or employee or student program activity, etc. is prohibited unless specifically authorized by a Senior Administrator and/or the Office of Human Resources.

Employees may not solicit anywhere on University property while they or the other employees involved are on working time. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time. The distribution of literature not related to administratively approved University or employee or student programs, activities, etc. on University property by employees is prohibited in working areas of the University, unless authorized by a Senior Administrator and/or the Office of Human Resources. This policy also prohibits solicitations via the University's e-mail and other telephonic communication systems.

Likewise, non-employees are not permitted anywhere on the University property to solicit employees or students to purchase or distribute literature.

Making a Financial Commitment

Arrangements made with any commercial entity that obligates the University financially must be approved, in advance, by a Senior Administrator or authorized budget controller. Failure to secure prior approval may cause the employee to become individually liable for the settlement of expenses with the commercial entity.

No employee has individual authority to sign contracts or otherwise legally bind the University except as authorized by the President or designee.

Use of University Vehicles/Use of Personal Vehicles

Drivers who are approved to use University-owned vehicles will be required to register with the University's insurance company, and to agree to maintain responsibility for the vehicle at all times. Employees should report all license restrictions, traffic violations, citations and infractions under

applicable state vehicle and traffic laws in accordance with applicable law to their manager and/or the Business Department.

Mileage for the use of personally owned vehicles to conduct approved University-related business will be reimbursed at the allowable rate established by the federal government. A Check Request Form, with supporting statements as to travel itinerary and purpose, should be submitted for reimbursement at the published IRS rate. Receipts for tolls paid or parking should also be submitted with the reimbursement request form.

Please see the Cellular Phone Use policy elsewhere in this Handbook for information pertaining to phone use while driving on University business.

Use of the University Name

No employee may use the name of the University or represent the University in any official capacity without permission of the President or her/his designee. University stationery is to be used only for official University business.

University Identification

A UMSV I.D. should be obtained upon hire at the office of Student Affairs in the Administration Building. Every employee should carry a University Identification Card and be prepared to present it upon request from a Security Officer. ID Cards are also necessary to obtain discounts from the Food Service, to obtain books from the Library and to access the residence halls and fitness center.

Press Releases

The Director of Public Relations is the official spokesperson of the University of Mount Saint Vincent. All prospective press releases, promotional materials or any other contact with the media must be coordinated with the Office of Public Relations.

Conflict of Interest

No employee can use their position with the University to obtain personal gain or benefit beyond that provided through the University's compensation and benefit program. Gifts and/or rewards offered by vendors or other firms/individuals should not be accepted as the impression of

influence or favor undermines the proper conduct of business. Failure to maintain the proper ethical standards will be grounds for dismissal.

Event Planning

All meetings and events planned by any office or individual must be coordinated through the Office of Campus Events. Campus Events will reserve a room and assist in all facets of room preparation, food service, publicity, etc. Events not “booked” through this department have no assurance that the event will not be cancelled due to unavailability of space, conflicts with time or any other number of reasons.

All individuals or groups planning catered events on the Mount Saint Vincent campus are required to use the University caterer. If the individual or group planning the event is unable to come to terms with the dining contractor or the dining contractor is unable to provide the service or menu desired or opts not to cater the event, the Director of Campus Events may authorize the services of an outside caterer to handle the event. Alternatively, “take-out” food can be brought in from off Campus. All catered events must be approved through Student Activities or Campus Events to insure the appropriate approvals. Due to issues of liability, the University insists that any outside caterer on Campus meet criteria involving liability insurance, workers’ compensation, use of facilities, etc. A complete listing of those criteria is available in the Office of Campus Events or Student Activities.

Adverse Weather/Emergency Closings

As a result of adverse weather, or other emergency situations, which would impede the smooth and efficient operation of the University, classes may be cancelled. The cancellation of classes does not necessarily constitute a general campus closing. Classes may be cancelled while University offices remain open. A decision to close the University will be published on the University’s website, and incorporated in the greeting on the University’s main telephone number. The University also utilizes an automated notification system called Send Word Now. Those who have registered with this system will receive notification of emergency closings automatically.

Even in the event of a campus closure, certain essential workers may be required to report to campus as determined by their managers. Additional employees may be required to perform work remotely as well and will be notified of any such requirement by their managers.

5 | Employee Benefits

General Statement on Benefits

The University has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness, disability, and death, and to help you plan for retirement, deal with job-related or personal problems, and enhance your job-related skills.

The University's benefit programs are described more fully in materials with which you are provided once you are eligible to participate in these programs. Complete descriptions of our group health insurance programs are also in the University's master insurance contracts with insurance carriers, which are maintained in the employee benefits section of the Office of Human Resources.

The University reserves the right to amend or terminate any of its benefit programs or to require or increase employee co-pays, deductibles and/or premium contributions with or without advance notice, and at its discretion. This reserved right may be exercised in the absence of financial necessity. Whenever an amendment is made to any of the University's benefits programs, the respective plan administrator will draft and submit the amendment to the University's policy committee for review and approval. The respective plan administrator will notify plan participants of all approved amendments or plan terminations, in accordance with the requirements of applicable law.

Benefits Eligibility

Your benefits eligibility is determined by your employment status with the University. Benefits are effective the first of the month following an eligible employee's hire date.

Full-time Employee Benefits

The following benefits are presently provided to eligible full-time, year-round employees of the University:

- Medical, dental, vision and prescription drug coverage
- Flexible spending account (FSA) and dependent care account (DCA)
- Commuter benefits (transit and parking)
- Employer contribution to a 403(b)-retirement plan
- Employer sponsored long term and supplemental short-term disability insurance
- Employer sponsored life insurance and AD&D insurance

For more complete information regarding any of our benefits programs, please contact our Office of Human Resources and/or refer to the employee benefits guidebook.

COBRA Benefits

Employees covered by the University's group health insurance plans are eligible to continue their coverage if that coverage is lost because of a reduction in hours, the termination of employment, or another qualifying event, in accordance with federal and state COBRA laws. In certain circumstances, employees' spouses and/or other dependents may also be eligible for such continuation of coverage. For further information, please contact the University's Human Resources Department, or consult the applicable summary plan description.

Tuition Exchange Program

The University provides the opportunity for full-time employees' spouses, and qualified dependents to attend one of several University's and universities under the auspices of two tuition exchange programs: (1) The Council of Independent University's' (CIC) Tuition Exchange Program; and (2) Tuition Exchange, Inc. Approximately 1,600 University's and universities participate in the programs. All terms and conditions of the institution to be attended such as entrance requirements, academic standing, personal conduct, and payment of fees other than tuition must be satisfied. Additional information may be obtained from the Human Resources department.

Tuition Remission

The primary objective of the tuition remission program is to encourage full-time regular employees, their spouses and dependent children under the age of 26, to pursue an undergraduate University education. Employees, and their eligible dependents, are able to pursue an education in all areas of study within the undergraduate University's traditional academic programs.

Excluded Areas of Study

All online undergraduate, and accelerated programs are not eligible for tuition remission. Graduate level programs both traditional and online are also excluded from tuition remission. This exclusion applies to all eligible employees, dependents, and retired employees.

Tuition remission applications require the approvals from the manager and the Division Vice President, the CFO and the Office of Human Resources. Applications are due one (1) month prior to the first day of classes for the applicable semester.

Application and approval for tuition remission for one (1) term does not infer approval for subsequent terms. Tuition Remission benefits will not be applied retroactively.

Eligibility for Employees

After three (3) months of employment, a full-time regular employee who does not have an undergraduate degree is eligible to apply for full tuition remission benefits towards a baccalaureate degree. The employee must meet all admission requirements as listed in the University academic catalog and is obligated to pay all associated fees. Tuition Remission forms must first be obtained from the Human Resources department.

The maximum number of credits for which an employee may be enrolled is six (6) per academic term or to a maximum of thirty (30) credits per academic year. An employee may only enroll in courses held outside his/her scheduled work hours. This benefit extends to evening, summer, weekends, and intersession courses.

Eligibility for tuition remission benefits ceases before the beginning of the academic term following the separation of the employee from employment at the University.

The University requires that, to receive Undergraduate tuition remission, employees commit to remaining employed at the University for at least two (2) years after completion of degree requirements. If this commitment is not kept, it is the employee's obligation to refund the University 50% of the total amount of tuition remitted by the University for their coursework.

Eligibility for Spouses and Dependent Children

The spouse or dependent child under the age of 26 years of a full-time employee is eligible for half (1/2) undergraduate tuition remission in the academic term following the employee's third month of employment.

Beginning with the academic term following the first year of the employee's employment at the University, the spouse or dependent child under the age of 26 years old must meet and maintain the standards for matriculation at the undergraduate University to receive full (100%) undergraduate tuition remission. Additionally, the spouse or dependent child under the age of 26 years old must file for all available financial aid including state (TAP and Regents Scholarship), federal, incentive and all other awards for which the student may be eligible. Once matriculation (enrollment) begins, these monies are returned to the University.

This benefit is only available for eight (8) consecutive academic terms up to 120 attempted credit hours toward the completion of a Bachelor degree. All summer and intersession tuition, fees, and room and board are the responsibility of the student and/or parent. Credits earned during additional academic terms and/or intersession or summer sessions must represent normal progress towards the degree. The requirement for consecutive enrollment may be waived in cases of military service, serious illness or other extenuating, unavoidable circumstances.

Eligibility for tuition remission ceases the academic term following the separation of the employee from employment at the University.

Eligibility for Retired Employees

A retiree who has given at least ten (10) years of full-time continuous service and has attained at least the age of 59 1/2 immediately prior to retirement is eligible to receive six (6) free undergraduate credits per academic term to a maximum of thirty (30) credits per year, until such time that a degree is earned.

A retiree who has given at least ten (10) years of part-time continuous service and was at least age 59 1/2 at the time of retirement, is eligible to receive three (3) free undergraduate credits per academic term to a maximum of thirty (30) credits per year, until such time that a degree is earned. Tuition Remission forms must first be obtained through the Human Resources Department. All retiree students are subject to the requirements listed in the Academic Catalog.

Tuition Remission is offered at the discretion of the University, which has the right to modify or discontinue this program at any time, with or without notice.

6 | Time off From Work

Holidays

Holiday schedules are published and distributed each spring for the fiscal year beginning July 1 and ending June 30. Certain essential employees may have to report to work as per their schedule and manager's instructions. Excessive weather-related closings may result in the resumption of normal campus activity on subsequent holidays.

The University observes and pays for the following twelve (12) holidays during the year:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Easter Monday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Vacation Days

The University provides vacation time for its full-time regular employees, with the exception of faculty, who are expected to maintain their own work schedule around the academic calendar.

Part time employees are not eligible to receive vacation days.

Vacation time is accrued from September 1 through August 31. Vacation days can be used in full-day or half-day increments. Newly hired employees are not eligible to take vacation time during the first month of employment. If a new employee has a previously scheduled vacation during their first month of employment, their time off will be unpaid.

Vacation time is to be requested as far in advance as possible, at least two weeks in advance. It is subject to the manager's approval, taking into consideration, among other things, work demands. Full consideration will be given to such requests, and the employee will be notified whether the vacation request is approved. All vacations are approved on the basis that efficient operations be maintained. Vacation periods in excess of two weeks at a time generally will not be permitted.

Vacation Accruals

Employees have immediate access to all their vacation entitlement as of their date of hire or as of September 1 when it renews. Please note that although you have access to all your vacation days, they still accrue on a monthly basis. If your employment terminates, and you have used more vacation days than you have accrued at the time of your termination, you will be responsible to reimburse the University for days taken in advance.

Full-time Exempt Staff

Vacation Entitlement	Monthly Accrual Rate
20 days	1.67 days per month

Full-time Nonexempt Staff

Years of Service	Vacation Entitlement	Monthly Accrual Rate
0 – 3 years	15 days	1.25 days per month
3 years and more	20 days	1.67 days per month

Vacation Carryover

All regular full-time employees, may roll over up to five (5) vacation days into the first six months of the following year. If these five days are not used by June 30, then they're forfeited.

Payout Upon Separation

Vacation time cannot be paid out in lieu of taking time off. No vacation time will be paid out for employees who are terminated involuntarily for cause. Upon separation of employment, eligible employees will be paid for up to ten (10) days of accrued and unused vacation time if four (4) weeks' notice is given. Eligible employees will be paid for up to five (5) days of accrued and unused vacation time if two (2) weeks' notice is given. Any previously scheduled and approved vacation time that falls during the employee's notice period will not be honored.

Sick Days

The University recognizes that inability to work because of illness or injury may cause economic hardship. The University also recognizes that employees may require time off to secure necessary treatment for their own or their family members' disabilities.

- **Full-time regular employees are granted twelve (12) sick days per calendar year.**

Eligible, full-time employees accrue sick days at a rate of one (1) day per month beginning on their first day of work and the first day of every calendar month thereafter. Unused sick days are carried over from one calendar year to the next for a maximum accrual of 36 sick

days. Sick days can be used in minimum increments of one (1) hour, half-day or full-day increments.

No payments are made for accrued and unused sick days upon termination of employment.

- **Part-time regular and temporary Staff who work for the University, at least 80 hours a year, are eligible to earn one (1) hour of sick time for every 30 hours worked.**

Such employees may earn up to a maximum of 40 hours of sick time each year. Unused sick time may be carried over from one year to the next, but is not paid out at the end of the year, or upon termination of employment. Such employees may not use more than 40 hours of sick time in any 12-month period.

The University may require evidence of an illness when an employee calls out sick for more than three (3) consecutive workdays. Abuse of sick days may result in discipline, up to and including termination of employment. Employees are expected to give their manager as much notice as possible. The procedure to follow when you are absent and other important guidelines are set forth in the attendance section of this handbook. Please familiarize yourself with these guidelines.

Sick time may be used for the following reasons:

- The employee's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment, or need for preventive medical care;
- Care of a family member needing such medical diagnosis, care, treatment, or preventive medical treatment;
- Closure of the office due to a public health emergency (as declared by the commissioner of health and mental hygiene or the mayor) or to care for a child whose school or child care provider is closed due to a public health emergency.

When an employee or a member of the employee's family has been the victim of a family offense matter, sexual offense, stalking, or human trafficking, ***employees are entitled to use safe time for absences from work do to:***

- Obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from a family offense matter, sexual offense, stalking, or human trafficking;
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future family offense matters, sexual offenses, stalking, or human trafficking;
- Meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding, including but not limited to matters related to a family offense matter, sexual offense, stalking, human

trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, discrimination in employment, housing, or consumer credit;

- File a complaint or domestic incident report with law enforcement;
- Meet with a district attorney's office;
- Enroll children in a new school; or
- Take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

Paid Prenatal Leave

All full-time and part-time employees are entitled to 20 hours of Paid Prenatal Leave per year. Leave is paid at the employee's regular rate of pay. Employees may take Leave on an hourly basis.

Covered Prenatal Health Care Services

The 20 hours of Paid Prenatal Leave are available for employees to take paid time off work for pregnancy-related health care appointments, such as:

- physical examinations
- medical procedures
- monitoring
- testing
- discussions with a health care provider needed to ensure a healthy pregnancy
- end of pregnancy care
- fertility treatment

Paid Prenatal Leave is only available to the pregnant person receiving health services. A spouse, partner, or other support person attending prenatal appointments with a pregnant person is not able to use Paid Prenatal Leave for these appointments.

Paid Prenatal Leave may not be used for health care services after pregnancy.

Family Medical Leave Act (FMLA)

The Family & Medical Leave Act (FMLA) provides up to twelve (12) weeks of unpaid leave to eligible employees for certain family and medical reasons, or 26 weeks of unpaid leave to eligible employees for service member family leave in a twelve-month period. See below.

Although FMLA leave is unpaid, employees may be eligible for pay during an FMLA leave pursuant to other university policies, applicable law, and/or applicable insurance plans or programs. For additional information, employees may contact the Office of Human Resources.

To be eligible for an FMLA leave you must have worked for the University for at least 12 months, and for at least 1,250 hours during the last 12 months.

The leave must be taken for one or more of the following reasons:

- Birth of a child and to care for the newborn child;
- Placement with the employee of a child for adoption or foster care and care for the child after placement;
- To care for a covered family member (spouse, child, or parent) with a serious health condition;
- The employee's own serious health condition which makes the employee unable to perform the essential functions of their position;
- A serious mental health condition that requires continuing treatment by a health care provider; or

The following reasons related to military service:

- While the employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation (an action or operation against an opposing military force) for the following reasons:
 - Short-notice deployment (seven or less calendar days);
 - Military events and related activities;
 - Childcare and school activities;
 - Financial and legal arrangements (i.e., preparing powers of attorney, obtaining military identification cards, preparing or updating a will or trust);
 - Counseling (provided that the need for counseling arises from the active duty or call to active-duty status of a covered military member);
 - Rest and recuperation (up to five days of leave to spend time with a covered military member who is on temporary leave during the period of deployment);
 - Post-deployment activities; and
 - To address other similar events, as may be agreed upon between the employee and the University; or Service Member Leave, as described on the next page.

Service Member Family Leave

Service Member Family Leave is available to care for the employee's spouse, son, daughter parent or next of kin (nearest blood relative) who has incurred serious illness or injury in the line of duty in the Armed Forces, including the National Guard and Reserves, and that illness or injury has rendered the service member medically unfit to perform the duties of the member's office, grade, rank or rating.

Notes Regarding Limitations on Certain Leaves

Leave because of birth or adoption must be completed within a 12-month period beginning on the date at birth or placement. Spouses and/or registered domestic partners employed by the University of Mount Saint Vincent who request a leave because of birth or adoption are eligible

for a combined total of 12 weeks of leave. In addition, if both spouses are employed by the University, and are eligible for service member leave, the two may take a combined total of 26 weeks to care for a particular service member.

Intermittent and Reduced Schedule Leave

If medically necessary, leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (by reducing the usual number of hours one works per week or day). If leave is unpaid, the University will reduce the salary to reflect the amount of time actually worked. While an employee is on an intermittent or reduced schedule leave, the University may temporarily transfer the employee to an available alternative position which better accommodates the recurring leave and which has equivalent pay and benefits.

Length of FMLA Leave (Other Than Service Member Family Leave)

An eligible employee is entitled to up to 12 work weeks of unpaid leave during a 12-month period for FMLA qualifying reason(s), except for service member family leave as described below. The 12-month period in which leave can be used begins the first date FMLA leave is taken, subject to the other limitations described herein. An employee's eligibility for subsequent leave is determined on a "rolling" basis, measured backward from the date an employee seeks to use subsequent FMLA leave. The maximum length of any leave will be the difference between 12 weeks and the total amount of FMLA leave taken by the employee during the preceding 12 months.

Length of Service Member Family Leave

An eligible employee is entitled to a combined total of 26 work weeks of unpaid leave within a single 12-month period for service member family leave. Leave to care for an injured or ill service member, whether or not combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. The amount of leave available to an employee will be calculated by looking backward at the amount of leave taken within the 12-month period immediately preceding the first day of leave (and not on a "rolling" basis as described above).

Reporting While on Leave

The employee may be required to contact the Office of Human Resources on a regular basis. This is necessary in order to inform the University of the status of the leave and the anticipated return to work.

Compensation and Benefits During the Leave

During FMLA leave, the employee may be eligible for short term disability, workers' compensation benefits, or paid family leave benefits. All leaves of absence, including but not limited to short term disability, workers' compensation, paid family leave, and any other applicable university paid leaves of absence will run concurrently with any FMLA leave. For more information regarding university paid leaves of absence, disability, workers' compensation, or paid family leave, contact the Office of Human Resources.

If an employee requests FMLA leave under this policy, during the paid portion of the leave of absence, employees will be eligible for holiday pay. However, during any unpaid portion of the

leave of absence, employees will not be eligible for holiday pay. Employees out on leave do not accrue vacation or sick days.

During the leave period the University will continue health benefits as if the employee were actively employed. If the employee is presently contributing towards their health benefits, they must continue to do so. Premium payments will be collected by the Office of Human Resources. Health care coverage will cease if the premium payment is more than 30 days late. Should the employee not return to work at the end of the leave, they will be required to reimburse the University for the cost of the premiums paid to maintain the coverage. This requirement will be waived, however, if the employee cannot return to work due to a continuation of the serious health condition.

Returning from Leave

Prior to returning to work from a leave due to the employee's own serious health condition after a leave of greater than ten (10) work days, the employee may be required to provide the Office of Human Resources with a medical certification that they are able to return to work. This certification should be submitted at least a week before the anticipated return date.

Exemption for Highly Compensated Employees and Changed Circumstances

Eligible employees are entitled on return from leave to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees under certain conditions. The University of Mount Saint Vincent will notify an employee if they qualify as a highly compensated employee, but such employees usually consist of the President, Vice Presidents, Deans and Division Heads.

New York State Paid Family Leave (NYPFL)

Employees who are regularly scheduled to work 20 or more hours per week will become eligible for NYPFL benefits after 26 consecutive work weeks of employment. Employees who are regularly scheduled to work fewer than 20 hours per week will become eligible for NYPFL benefits after the 175th day worked.

Approved vacation, sick or other time away from work (except for a period of temporary disability under the New York Short Term Disability Law) is counted toward the 26-week or 175-day eligibility requirement, provided that the employee continues to make contributions to the cost of NYPFL benefits during that time.

Eligible employees may take PFL for the following reasons:

- To participate in providing care, including physical or psychological care, for a family member of the employee made necessary by a serious health condition of the family member; or
- To bond with the employee's child during the first 12 months after the child's birth, or the first 12 months after the placement of the child for adoption or foster care with the employee; or
- Because of any qualifying exigency as interpreted under the federal Family and Medical Leave Act arising out of the fact that the spouse, domestic partner, child, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the U.S. Armed Forces.

Under the NYPFL, "covered family members" include an employee's spouse or domestic partner, child (including a biological, adopted or foster child, step-child or child of a domestic partner, legal ward or one to whom the employee stands in loco parentis), parent (including a biological, adoptive or foster parent, step-parent, legal guardian, or one who stood in loco parentis to the employee as a child), sibling, parent-in-law, grandparent and grandchild.

Eligible employees shall be provided with PFL for any of the above-mentioned covered reason(s) according to the following schedule:

January 1, 2026 and going forward:

Up to 12 work weeks of NYPFL in a 52-week period at 67% of the employee's average weekly wage, *up to a benefit maximum of \$1,228.53.*

The 52-week period is a rolling 52 consecutive week period measured backward from the date an employee seeks to use any NYPFL. Employees may take NYPFL in either weekly increments or intermittently in increments of one full day (based on the employee's usual work day). NYPFL benefits are paid directly by the University's NYPFL carrier.

Leave to bond with a newborn or a newly adopted or placed child must conclude within 52 weeks after the birth, adoption or placement of the child. In the case of multiple family members employed by the organization, only one employee at a time shall be permitted to take NYPFL during a given period to care for the same covered family member with a serious health condition or to bond with a newborn or newly adopted or placed child.

Employees may be entitled for up to 12 weeks of Paid Family Leave insurance benefits, in accordance with applicable law. All leave under this policy will run concurrently with leave taken under the federal Family and Medical Leave Act ("FMLA") where applicable.

Leave taken under this policy will be partially paid, in accordance with applicable law. An employee may not use their available vacation, sick time and/or personal days in order to bring their pay up to full pay on any day of paid family leave. In no instance may employees receive more than 100% of their regular pay while receiving New York Paid Family Leave benefits.

When the need for leave is foreseeable, employees must provide the University with at least 30 days' advance notice prior to the anticipated leave date. If the leave is unforeseeable, notice should be provided as far in advance of the anticipated leave date as is practicable. Normally, this should be the same day or the next business day after the employee becomes aware of the need for leave.

With respect to intermittent leave, the employee must provide notice as soon as is practicable before each day of intermittent leave. The notice must include the reason for the leave, as well as the expected timing and duration of the leave. Employees must also submit an insurance claim, and may be required to provide appropriate documentation. For information about these benefits, including how to file a claim for benefits and what documentation may be required, please contact the Office of Human Resources.

Unpaid Extended Leave of Absence

Upon request, a leave of absence may be extended for up to a maximum of an additional four (4) weeks. All approved extended leave of absence will be unpaid. Employees are not entitled to unpaid time off from work, except as provided in this policy or otherwise required by law.

Eligibility

Full-time employees who have completed at least one (1) year of service with the University, and are taking an approved leave of absence, are eligible to request an extension of that leave of absence.

An employee is required to use any accrued paid time off, including vacation and sick days to substitute but may not be used to lengthen the leave beyond the maximum period allowed of four (4) weeks. The employee must also first exhaust any applicable legally required leaves including, but not limited to, Family Medical Leave Act leave (FMLA), New York State Paid Family Leave (NYPFL), and short-term disability.

Notice of Leave

Unless it is not possible to do so, an employee must provide written notification to their manager and the Office of Human Resources at least thirty (30) days before leave commences.

The notification must contain the reason for the extended leave, its anticipated length, and, if applicable, medical certification from the treating health care provider. The University may, at its own expense, request a second opinion (or subsequent re-certification) by a health care provider of its own designation. If the opinions of the two health care providers conflict, the University may ask for a third and final examination at its own expense. Furthermore, the University of Mount Saint Vincent may require subsequent medical re-certification on a reasonable basis.

The University will have the discretion to grant or deny any request, based on staffing needs and any other factors that it deems to be relevant to the particular request.

Reporting While on Leave

The employee may be required to contact the Office of Human Resources on a regular basis. This is necessary in order to inform the University of the status of the leave and the anticipated return to work.

Returning From Leave

Prior to returning to work from an extended leave of absence, the employee may be required to provide the Office of Human Resources with a medical certification that they is able to return to work. This certification should be submitted at least a week before the anticipated return date.

If an employee does not return to work on the scheduled return date or request in advance an additional extension of the unpaid leave of absence, the employee will have voluntarily terminated employment with the University. If the employee requests an extension of leave beyond the initial approved period, the employee must submit medical certification of the continued serious health condition, if applicable, in advance of the expected return to work date.

Unless required by law, reinstatement is not guaranteed on an extended leave of absence and will depend on the University's needs. In cases of extended leave, while employment may not be guaranteed, the employee may be entitled to disability payments in accordance with our Disability Insurance and/or Worker's Compensation Plans.

Compensation and Benefits During the Leave

During the leave the employee does not accrue vacation or sick days. If a holiday falls during an unpaid portion of a leave, the employee will not be paid for the holiday.

During the leave period the University will continue health benefits as if the employee were actively employed. If the employee is presently contributing towards their health benefits, they must continue to do so. Premium payments will be collected by the Office of Human Resources. Healthcare coverage will cease if the premium payment is more than 30 days late. Should the employee not return to work at the end of the leave, they will be required to reimburse the University for the cost of the premiums paid to maintain the coverage. This requirement will be waived, however, if the employee cannot return to work due to a continuation of the serious health condition.

UMSV Medical Disability Leave

All non-union, full-time employees, and faculty who must be absent from work due to any period of short-term disability including prolonged illness, surgery, childbirth and related conditions are entitled to 100% salary continuation which is dependent on years of service up to a maximum benefit of 12 weeks.

Years of Service	100% Salary Continuation Benefit
1 year of service	4 weeks
2 years of service	8 weeks
3 years of service	12 weeks

To be eligible for 100% salary continuation, the employee is required to apply for short-term disability benefits via ShelterPoint. ShelterPoint is the disability insurance carrier for the University. All short-term disability benefits the employee is eligible to receive will be paid to the University. Disability benefits are coordinated through the Office of Human Resources and application for benefits must be made within 30 days of the onset of the disability. Any leave taken under this policy will run concurrently with any FMLA, workers’ compensation or short-term disability leave.

During the paid portion of the leave of absence, employees will be eligible for holiday pay. However, during any unpaid portion of the leave of absence, the employee will not be eligible for holiday pay and will not accrue vacation or sick days.

Full-time Faculty

Full-time Faculty are eligible to utilize this benefit when they are experiencing a period of disability that falls during the Fall and Spring semesters. Faculty members are not eligible to use this benefit during any time in the year that they are not working including the Winter and Summer sessions, except for Faculty who are on a year-round contract.

Health insurance benefits continue, along with regular payroll deductions, as long the employee is generating a payroll check. If the employee enters an unpaid status while on leave, the health insurance benefits continue if required employee contributions are made or a re-payment plan is discussed with Human Resources and Payroll.

Once the salary continuation benefit ends and the period of disability continues, if the employee is unable to return to work, and decides to remain on leave they are eligible to do so. The employee must discuss the details of their leave continuation with the Office of Human Resources.

Workers’ Compensation Insurance

To provide for payment of your medical expenses and for partial salary continuation in the event of a work-related accident or illness, you are covered by workers’ compensation insurance. The number of benefits payable and the duration of payment depend on the nature of your injury or illness. In general, however, all medical expenses incurred in connection with an injury or illness are paid in full, and partial salary payments are provided beginning with the fourth consecutive day of your absence from work.

If you are injured or become ill on the job, you must immediately report such injury or illness to the Security Office, the University Health Center, one’s manager and/or the Director of Human

Resources. This ensures that the University can assist you in obtaining appropriate medical treatment. Your failure to follow this procedure may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently may delay or jeopardize your right to benefits in connection with the injury or illness.

Questions regarding workers' compensation insurance should be directed to the Human Resources Department.

Military Leave

Leaves of absence without pay for military or Reserve duty are granted to full-time regular and part-time regular employees. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you should notify your manager and submit copies of your military orders to him or her as soon as is practicable. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

In addition, spouses or registered domestic partners of deployed members of the uniformed services may be eligible for up to ten (10) days of unpaid leave in accordance with applicable laws.

Employees may also be entitled to leave pursuant to the FMLA in certain circumstances related to (1) employees and/or their family members being called to active military duty and (2) employees or their family members suffering from certain illnesses or injuries while serving in the military. If you think you may qualify for leave under these circumstances, please contact the Human Resources Department for additional information.

Jury and Witness Duty Leave

An employee called to jury duty will receive regular pay during the jury duty leave up to a maximum of 15 days per calendar year. All employees are allowed time off if summoned to appear in court as a witness.

To qualify for jury or witness duty leave, you must submit to your manager and the Office of Human Resources a copy of the summons or subpoena as soon as it is received. In addition, proof of service must be submitted to Human Resources when your period of jury or witness duty is completed. In return the employee must reimburse the University, if they receive payment from the court.

The University will make no attempt to have your service on a jury postponed except when business conditions necessitate such action.

Bereavement Leave

Bereavement leave is intended to give employees time to grieve, attend funeral or memorial services, and handle related personal matters.

Employees may be required to provide documentation to support their request for bereavement leave. Acceptable documentation includes a copy of the death certificate, obituary, or funeral program.

An employee who requests time off as a result of the death of their spouse, registered domestic partner, child, parent (or parent-in-law or parent of registered domestic partner), sibling, grandchild or grandparent are entitled to five (5) paid bereavement days.

An employee who requests time off as the result of the death of his/her sibling-in-law, sibling of registered domestic partner, or other family member is entitled to three (3) paid bereavement days.

Please note that “step” relationships are considered the same as non-step relationships.

If additional time off is needed beyond the allocated bereavement leave, employees may use their paid time off (PTO) to extend their bereavement upon manager approval.

Bereavement leave does not accrue and is not paid out upon termination or resignation.

Voting Leave

The University believes that every employee should have the opportunity to vote in any state or federal election, general primary, or special primary.

If an employee’s work schedule does not provide four (4) consecutive hours to vote either from the opening of the polls to the beginning of their work shift, or four (4) consecutive hours between the end of a working shift and the closing of the polls, they will be granted up to two paid hours off in order to vote. Any additional time off will be without pay. The University reserves the right to select the hours an employee is excused to vote.

Exempt employees may be provided additional time off with pay when necessary to comply with state and federal wage and hour laws.

Employees must notify the Human Resources Department and their manager of the need for voting leave two to ten days before the election. When the employee returns from voting leave, they must present a voter's receipt to the Human Resources Department as soon as possible.

7 | Employee Available Services

Campus Dining Facilities

The University's Dining Service operates two dining facilities, Hudson Heights and Mag's Kitchen. All facilities are open to students, employees and visitors. Discounts are available to employees. In addition, vending machines are located in several buildings. For information on restrictions involving other caterers being invited to campus, please see Events Planning Policy in this Handbook. Employees and students may purchase My Dollars (on campus use) and My Dollars (off campus use) by visiting My Card in order to use their UMSV My Card ID at the cashier to purchase their meals.

Athletic Facilities/Fitness Center

Athletic facilities are located in Hayes Gymnasium and the Peter J. Sharp Athletic and Recreation Center. The Center is open when classes are in session. All registered students, faculty, and staff may access the facilities upon presentation of a current UMSV I.D. However, access may be limited to employees during busy periods and/or University vacations. The schedule for all facilities is posted throughout the campus each academic term.

All users will be required to complete a waiver and release prior to accessing the facilities.

No-Bookstore

The University Campus Store sells University-imprinted clothing and souvenir items. The store also carries a supply of non-prescription pharmaceuticals, personal items and school and office supplies. Hours vary according to the University calendar and are posted on the Campus Store entrance. All employees are entitled to a 10% discount off the price of most items.

Campus Ministry

Campus Ministry serves the entire University community as a center for spiritual development and community building and fosters a spirit of service and a sense of responsibility for our world. Staff members welcome all and seek to respond to the faith needs of a diverse population. Programs include Eucharistic celebrations and other liturgical events, social gatherings, retreats, discussion groups, lectures, inquiry classes, volunteer service opportunities and activities to promote peace and justice within and beyond our University community. Campus Ministry welcomes employees to participate and assist in all of its activities, especially their various outreach programs.

ATM

An Automated teller machine (ATM) is located on campus in the Maloney Computer Center. The ATMs are restricted to cash withdrawals only via bank or credit card, with the customary charge for transactions.

Student Events and Activities

Employees are encouraged to take advantage of the various athletic, cultural, religious, social and education events taking place every day at the University. Although some events are limited to students, many are open and of interest to every constituent of the University as well as their families. For more information, watch bulletin boards and/or contact the Office of Student Activities.

Library

The Elizabeth Seton Library is available to all University personnel. Books, periodicals, and videos may be borrowed. A University I.D. is required.

Parking

When space is available, employees who drive to campus may register to park their vehicles on campus on an annual basis. Application forms are available at the Office of Campus Safety and Security and should be completed at the time of hire. A UMSV parking sticker will be issued and must be affixed to the left front bumper of the vehicle registered. Employees may not park a car on campus without such registration.

Parking is permitted in designated areas only. Failure to park in designated areas and/or any serious violation of regulations regarding cars on campus may result in the loss of campus parking privileges and/or the car being booted or towed from the premises at the owner's risk and expense.

The University is not responsible for damage to or loss of property from automobiles on the University premises.

Lost and Found

The Office of the VP of Student Affairs/Dean of Students serves as the central “Lost and Found” location on campus. When this office is closed, items may be stored for a limited time in the Office of Campus Safety and Security in the Maloney Center.

Security

The Office of Campus Safety and Security operates 24 hours a day, 365 days a year. Security personnel are available to assist employees who may need an escort to their car or office. Security should be contacted any time an unusual person or situation is encountered.

8 | Governing Principles of Employment

Equal Employment Opportunity and Non-Harassment

The University of Mount Saint Vincent provides equal employment opportunities to all employees and applicants for employment without regard to age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, in accordance with applicable federal, state or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

The University expressly prohibits any form of employee harassment based on age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, or membership in any group protected by state or local law. Improper interference with the ability of the University's employees to perform their expected job duties is not tolerated.

This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a manager, coworker, or even a non-employee with whom the employee is involved, directly or indirectly, in a professional or potential professional relationship.

Conduct violates this policy when it subjects an individual to inferior terms, conditions or privileges of employment because of the individual's membership in one or more protected categories.

Complaint Procedure

Employees are responsible for respecting the rights of their coworkers.

If you experience any job-related harassment based on your age, sex, race, national origin, disability, or another factor, or believe that you have been treated in an unlawful, discriminatory manner, whether by a manager, co-employee, vendor, client, or any other person with whom you come into contact as part of your employment with the University, promptly report the incident to your manager, who will report it to the Director of Human Resources. If you believe it would be inappropriate to discuss the matter with your manager, you may bypass your manager and report it directly to the head of your department or to the Director of Human Resources, who will undertake an investigation. (Faculty members should report any incident to the Provost and refer to the Faculty Handbook for disciplinary procedures.) Your complaint will be kept confidential to the extent possible.

If the University determines that an employee is guilty of discriminating against or harassing another employee, guest, or student, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

The University prohibits any form of retaliation against any employee for filing a complaint under this policy or for participating in the filing or investigation of a complaint.

Sexual Harassment

The University is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the University recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and managers are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the University commitment to a discrimination-free work environment.

Goals of this Policy

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the University. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Harassment and Discrimination Prevention Policy

1. The University of Mount Saint Vincent's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals, such as volunteers, student workers and assistants. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors,

gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the University. The remainder of this policy will use the term “covered individual” to refer to these individuals who are not direct employees of the company.

2. Harassment based on any protected characteristic, including sex, is unacceptable. Any employee or covered individual who engages in such harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

3. Retaliation is prohibited. Any employee or covered individual that reports an incident of harassment or discrimination, provides information, or otherwise assists in any investigation of a harassment or discrimination complaint is protected from retaliation. No one should fear reporting harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of The University who retaliates against anyone involved in a harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a manager, manager, Title IX Coordinator or Human Resources. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.

4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the University to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or managers who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and managers who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.

5. The University will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or harassment, or when it otherwise knows of possible discrimination or harassment occurring. The University will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or harassment occurred, the University will act as required. In addition to any required discipline, the University will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and managers, are required to cooperate with any internal investigation of discrimination or harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and managers are required to report any complaint that they receive, or any harassment that they observe or become aware of, to the Title IX Coordinator or Human Resources.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty

slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the University's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid pro quo harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This

includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;

- This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. Harassers can be anyone in the workplace. A manager, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful

workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or manager that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and NYC law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a manager or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were

unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Managers and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a manager, manager, Title IX Coordinator, or Human Resources. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a manager, manager, Title IX Coordinator, or Human Resources.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Manager Responsibilities

Managers have a responsibility to prevent sexual harassment and discrimination. All managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the University's Title IX Coordinator or Human Resources. Managers should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Managers will also be subject to discipline for engaging in any retaliation.

While managers have a responsibility to report harassment and discrimination, managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can record or take notes on the harassment incident to benefit a future investigation;
- A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
- If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment or discrimination as a bystander is required to report it. A manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The University will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The University recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Title IX Coordinator or Human Resources:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, [person or office designated] will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Title IX Coordinator or Human Resources will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the University, but it is also prohibited by state, federal, and NYC law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to The University does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

University employees may also file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at the University and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age,

race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

Whistleblower Policy

The University of Mount Saint Vincent requires officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Officers and employees of the University must practice honesty and integrity in fulfilling all responsibilities and comply with all applicable University policies and all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all officers and employees to report violations or suspected violations of University policies or applicable laws and regulations in accordance with this “Whistleblower” Policy.

No Retaliation

No officer or employee who in good faith reports a violation of University policy or of law or regulations shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This “Whistleblower” Policy is intended to encourage and enable employees and others to raise serious concerns within the University rather than seeking resolution outside the University.

Reporting Violations

The University has an open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an employee’s manager is in the best position to address an area of concern. However, if an officer or employee is not comfortable speaking with her/his manager or if she/he is not satisfied with her/his manager’s response, the officer or employee is encouraged to speak with the Director of Human Resources.

The Director of Human Resources, managers and managers are required to report suspected violations of University policy or law or regulations to the University President, who must investigate all reported violations. If in the judgment of the Director of Human Resources, manager, or manager, a report to the University President is not fitting, the Director of Human Resources, manager, or manager shall report the suspected violation directly to either Abed Elkeshk, Corporate Compliance Officer, the Chair of the Trustee Audit Committee or to the Chair of the Board of Trustees, who have, in such instance, specific and exclusive responsibility to investigate all such reported violations or suspected violations.

Compliance Officer

The University President or, in cases reported directly to Abed Elkeshk, Senior Executive Vice President, Treasurer, & CFO, Abed is responsible for investigating and resolving all reported complaints and allegations concerning violations of University policy, law or regulations, and each shall report to the Audit Committee at least annually on all compliance activity.

Accounting and Auditing Matters

The Audit Committee of the Board of Trustees shall address all reported concerns or complaints regarding accounting practices, internal controls or auditing. The President or Abed Elkeshk shall immediately notify the Audit Committee of any such complaint and work with the Audit Committee until the matter is resolved.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of University policy, law or regulation, must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Compliance Officer (President or Abed Elkeshk) will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Open Door Policy

Our experience has shown that when employees deal openly and directly with their Department Heads, the work environment is more likely to be productive and positive. We encourage employees to speak with their Department Heads about matters of workplace concern. In the event that open communication with your Department Head does not address the concern(s) to your satisfaction, you may bring your concern(s) to the Vice President of your Division or the Senior Director of Human Resources.

This policy does not preclude use of other procedures for resolving workplace issues set forth in other UMSV policies.

Business Ethics and Conduct

The University of Mount Saint Vincent is committed to conducting all of its business and educational activities in compliance with applicable laws and regulations and requires the same of all its employees. All employees (whether full or part-time) are expected to use good judgment and adhere to the highest ethical principles in discharging their duties and responsibilities. If you have any questions concerning your responsibilities in this regard, you should discuss it with your Department Head, the Vice President of your division or the Director of Human Resources.

Any employee who believes in good faith that there has been a violation of applicable law or regulation should report the suspected violation promptly to his or her Department Head or the Vice President of their division. If for any reason the employee is uncomfortable reporting in this manner, the employee should report directly to the Director of Human Resources. Any Department Head or divisional Vice President receiving a report of violation of applicable law or regulation must notify the Director of Human Resources.

Following receipt of a violation report, the University will conduct an appropriate investigation. The investigatory process is intended to be confidential to the extent possible under the circumstances.

No employee who reports a violation of applicable law or regulation pursuant to this policy will be subjected to retaliation. An employee who believes that retaliation is occurring should report it immediately to the Director of Human Resources who will undertake an appropriate investigation.

Failure to comply with this policy may lead to disciplinary action, up to and including termination of employment.

Drug-Free Workplace Standards

It is the goal of the University of Mount Saint Vincent to protect the health and environment of all members of the University by promoting a drug-free environment for all members of the University in accordance with the Drug-Free Schools and Communities Act Amendments of 1989. The University of Mount Saint Vincent, therefore, prohibits the manufacture, distribution, dispensation, possession, or use of cannabis, any controlled substance or illegal drug on its premises or at University-sponsored events or in University-owned vehicles.

Substance abuse is present when the substance adversely affects one's social, emotional, mental, physical, or spiritual well-being, or that of one's family or close associates. The term "substance abuse", as used in this policy, refers to the use of cannabis, illegal drugs or other controlled substances and consumption of alcohol in quantities to the extent that an employee is unable or risks being able to perform work in a safe and productive manner. An employee who abuses

cannabis, drugs and/or alcohol is a danger to him/herself and to other employees. Therefore, employees who engage in such prohibited activities on campus in University-sponsored events or in University-owned vehicles will be subject to disciplinary action up to and including termination of employment.

The University will apply this policy to all individuals who receive any reimbursement from the University for their services. As such, individual grant recipients and contractors are required by federal law to clarify in writing that they will not use intoxicating substances, including cannabis, in the workplace.

An employee found in violation of the University of Mount Saint Vincent policy on intoxicating, illegal or controlled substances will face University disciplinary action resulting in termination of employment. At the University's discretion, the violator may be permitted to maintain employment by participating satisfactorily in a drug abuse assistance or rehabilitation program.

Employees who by their behavior or statements create reasonable suspicion of intoxication or drug or alcohol abuse, may be required by the University to provide medical evidence of the absence of controlled substances in their system in order to remain in employment.

Reporting Convictions

Employees must notify their immediate manager, the appropriate Vice President, and Human Resources within five (5) days of any conviction of a sex offense, criminal drug statute or felony of any kind.

Reasonable Accommodation

The University is committed to making reasonable accommodation to employees (including interns) that permit them to perform the essential functions of their job for any of the following circumstances, unless doing so will result in undue hardship to the University.

- **Victims of domestic violence, sexual offenses, or stalking**
- **Individuals with pregnancy and related conditions (including lactation)**
- **Individuals with religious needs**
- **Individuals with disabilities**

There is no one-size-fits-all formula for determining when and how to grant a reasonable accommodation. The reasonable accommodation process must be flexible, interactive, and

individualized with meaningful, cooperative, and timely communication between the individual requesting the accommodation and the University.

Process

Requests for reasonable accommodations can initially be made orally but they must be confirmed in writing. Employees can send the written request to their manager or a member of the Human Resources Department. Another option is to complete the Reasonable Accommodation Application by reaching out to Human Resources. Most requests for accommodation must be supported by a doctor's note. Managers should notify a member of Human Resources when presented with a request for a reasonable accommodation regarding one of the identified eligible circumstances.

To ensure that requests are processed in a timely and appropriate manner, we encourage you to provide Human Resources with the following information: the name of the person seeking the accommodation; and telephone number where the person may be contacted if additional information is needed; a statement of the change or adjustment sought; and if possible, what the person believes would constitute a reasonable accommodation.

In instances where a person's disability, or the need for an accommodation is not obvious, we will ask the person to provide a letter from a health care professional which describes the functional limitations caused by the disability. Any records or documentation relating to the person's request for an accommodation, including their medical information, will be treated confidentially and stored separately from the other information about the person.

The University will provide to the individual requesting an accommodation a written final determination identifying whether the accommodation is granted or denied, and in instances where a request has been denied, will provide reasons for the denial. Requests for accommodation will be responded to within a timely manner.

Retaliation against individuals who request an accommodation will not be tolerated.

Lactation Accommodation

The University supports employees who are nursing. Nursing mothers will be given reasonable break time for the purpose of expressing milk following the birth or adoption of a child. Employees will be provided with a private room or other suitable location (not a bathroom) close to their work area to pump breast milk.

The University is committed to promptly assisting employees in need of accommodations to pump during their work hours. As much as possible, you are expected to take nursing breaks at times which do not interfere with your duties. When nursing breaks are longer than 20 minutes, nonexempt employees may be required to record such breaks and may not be paid unless

otherwise required by law or unless you voluntarily elect to use your paid break time for this purpose.

Nothing herein precludes you from voluntarily electing to express milk during your unpaid meal break. If you anticipate the need to arrange for nursing breaks you should consult with Human Resources in advance of returning to work so that appropriate arrangements can be made.

Americans with Disabilities Act

The University is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities. This includes providing reasonable accommodations to employees and applicants when such accommodations do not fundamentally alter the nature of the position or impose an undue hardship on the University. It is the employee or applicant's responsibility to notify their manager or Human Resources of the need for accommodation. Upon doing so, the University may ask the employee for input as to the type of accommodation they believe may be necessary. When appropriate, the University may need the employee's permission to obtain additional information from the employee's physician or other medical or rehabilitation professionals.

Once appropriate information is received, the University will engage with the employee or applicant in an interactive process in order to determine what, if any, reasonable accommodation may be appropriate. Reasonable accommodations may include:

- making existing facilities accessible;
- job restructuring: part-time or modified work schedules;
- acquiring or modifying equipment;
- changing tests, training materials, or policies;
- providing qualified readers or interpreters; and
- reassignment to a vacant position

The goal of the process is to ensure that an employee with a disability has an equal opportunity to enjoy the benefits and privileges of employment.

9 | Emergency Responses & Workplace Safety

Role of the Security Department

In most emergency situations, the first call should be made to the Security Main Gate, which is staffed 24/7 at (718) 405-3434. A call to the Main Gate will activate many emergency procedures thereby assuring that assistance will arrive promptly and without unnecessary delays. In case of a life-threatening emergency, however, please call 9-911 prior to calling the Security Main Gate, but then, immediately call the Security Main Gate to alert them that you have contacted 9-911.

Once on the scene, the Security Department is responsible for and authorized to initiate crowd control, coordinate emergency services' responses, assist or perform first aid, direct chain of command contacts, and secure the appropriate areas/offices. Failure to comply with Security Department directives is a serious violation of University policy and will result in disciplinary action.

Send Word Now

The University has an emergency notification system in place called Send Word Now. This automatic notification program has proven very helpful in campus situations across the country when emergency messages were needed. Employees are required to enroll and provide their personal information (home and cell phone numbers, personal email addresses, etc.) In case of the need for emergency notification, a message will come from the "Mount Saint Vincent Alert System [swnalert@sendwordnow.com]". If you have any questions, please contact the Computer Services Help Desk, at (718) 405-3340.

Safety and Health

The University is committed to providing a safe and healthful working environment. In this connection, the University makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

The University's policy is aimed at minimizing the exposure of our employees, students, and other visitors to our facilities to health or safety risks. To accomplish this objective, all University employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses.

The responsibilities of all employees of the University in this regard include:

- Exercising maximum care and good judgment at all times to prevent accidents and injuries;
- Reporting to managers and seeking first aid for all injuries regardless of how minor;
- Reporting unsafe conditions, equipment, or practices to management, Security or the Human Resources Department;

- Using safety equipment provided by the University at all times;
- Observing conscientiously all safety rules and regulations at all times; and
- Notifying a manager, before the beginning of the workday, if any medication an employee is taking may cause drowsiness or other side effects that could lead to injury to the employee and/or his/her coworkers.

Workplace Violence

The University is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. The University has taken steps to help prevent incidents of violence from occurring on campus.

It is the policy of the University to expressly prohibit any acts or threats of violence by any University employee or former employee against any other employee, student or guest in or about the University's facilities or elsewhere at any time. The University also will not condone any acts or threats of violence against the University's employees, students, or visitors on the University's premises at any time or while they are engaged in business with or on behalf of the University, on or off the University's premises.

In keeping with the spirit and intent of this policy, and to ensure the University's objectives in this regard are attained, the University is committed to the following:

- To provide a safe and healthful work environment, in accordance with the University's Safety and Health policy.
- To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
- To take appropriate action when dealing with students, former employees, or visitors to the University's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- To prohibit employees, former employees, students, and visitors from bringing unauthorized firearms or other weapons onto the University's premises.
- To establish viable security measures to ensure that the University's facilities are safe and secure to the maximum extent possible and to properly handle access to University facilities by the public, off-duty employees, and former employees.

In furtherance of this policy, employees have a "duty to warn" their managers, security personnel, or human resource representatives of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, students, or visitors. This includes, for example, threats or acts of violence, aggressive behavior,

offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The University will not condone any form of retaliation against any employee for making a report under this policy.

Fire Alarms/Emergency Evacuations

When a fire alarm sounds every person—including all employees—must immediately vacate the building in a quiet and orderly manner and follow the directions of the Fire Marshall or Fire Department personnel. Before leaving an office, attempt to lock or secure any valuables or confidential information. Under no circumstances; however, should an employee ignore the alarm, encourage others to ignore the alarm, re-enter the building without authorization or place him/herself in danger of being harmed. Failure to comply with this policy may result in disciplinary action.

Employees should acquaint themselves with the buildings' stairwells and exits nearest to their office, and be ready to vacate the building during periodic fire drills according to the following procedure:

Before opening a closed door, touch it lightly with the palm of your hand. If it is hot, do not open it as this indicates a serious condition outside. Stay in the room. If the door seems cool, but there is heavy smoke in the hall when you open the door, close it and stay inside.

If you must stay in the room or office, seal the bottom of the door with a coat or other such item. Open windows from the top and bottom. Do not break them. Stay near the window and signal your presence by waving a bright object out the window. (Shouting may not be heard.) If you have access to a phone, call security, the fire department or a nearby campus number. Tell them you are trapped and give them the location. Remember, when you call security first, they can initiate several processes at once. Also, they will be much more familiar with the campus, your location and possible methods of assistance.

If it is safe to leave the room, leave immediately with all of the items you will need in case re-entry to the building is not immediately possible. Take your coat, books, pocketbooks, etc. Close the windows and turn off the lights. Close doors, proceed quickly and calmly to the nearest exit. Don't run and never try to use the elevator.

If you encounter smoke, stay as low to the ground as possible. (Since smoke and most toxic gases rise, the air nearest the floor will be purest.) Cover your mouth and nose with a coat or other appropriate material.

Move as far away from the building as possible, especially the Administration Building. All roads should be clear to allow for fire apparatus to move between the building and those who have just evacuated it.

Do not re-enter the building until told to do so by a University or fire department official.

Every office should have a copy of the Emergency Evacuation Procedures (available in the Office of Safety and Security) posted. Always use caution when fighting a fire. Try to fight small, contained fires only.