

**CLARK
UNIVERSITY**



**CHALLENGE CONVENTION.
CHANGE OUR WORLD.**

Employment Policies and Benefit Guidelines For Facilities Management

Updated October 2017

It is the policy of Clark University that each individual, regardless of race, sex, color, sexual orientation, religion, national origin, age as defined by law, or veteran or disability status, shall have equal opportunity in education, employment, or services of Clark University. Clark welcomes diversity and strongly encourages applicants from all underrepresented groups.

Facilities Management Handbook

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INTRODUCTION

This manual for Facilities Management non-exempt staff is designed to help you become familiar with the policies, practices and benefits at Clark University.

The content of this publication is presented for informational purposes only and does not alter your status as an at-will employee. ***This is not a contract.*** Although the University endorses the policies and procedures contained in this manual, the University reserves the right to modify or revoke the policies and procedures at any time, with or without notice. The University may apply, withdraw or modify the policies of this manual at any time, or when circumstances warrant individual consideration.

Clark University values its employees. Your efforts are very important to the University and you play an important role in maintaining Clark's reputation as an outstanding educational institution. The success of this institution is a shared responsibility of us all.

If you have any questions or concerns regarding the work you are assigned, we encourage you to discuss these with your supervisor, department head, or a member of the Office of Human Resources. Any questions regarding the contents of this manual should be directed to a member of the Office of Human Resources ext. 7294.

Whether you are a new or continuing member of the Clark community I hope your association with us will be an enriching experience, and that you will find Clark a welcoming and rewarding place as we work together to serve and improve our campus and community.

Office of Human Resources

HISTORY OF CLARK UNIVERSITY

Clark University is a teaching and research institution founded in 1887. Clark is the oldest graduate institution in New England and the second oldest in the nation.

Clark's first president was G. Stanley Hall, founder of the American Psychological Association, who earned the first Ph.D. in psychology in this country at Harvard. Clark has played a prominent role in the development of psychology as a distinguished discipline in the United States. Clark was the location for Sigmund Freud's famous "Clark Lectures" in 1909, introducing psychoanalysis to this country.

Clark also has played an important role in the development of geography as a discipline. Clark has granted more Ph.D.s in this environmentally related area than any other school in the nation. The George Perkins Marsh Institute was the first research center created to study the human dimensions of global environmental change.

Researchers who have held Clark appointments include A. A. Michelson, the first U.S. Nobel Prize winner in the sciences; and Robert Goddard, the father of the space age and the inventor of rocket technology. Other researchers at Clark, for instance, measured the wind-chill factor, defined chemical double bonding, developed research leading to the birth control pill, and made the first breakthrough in understanding how brain tissue regenerates itself.

You may find it interesting to take a cyber tour at <http://www.clarku.edu/aboutclark/timeline/> which is a historical timeline tour by each decade at Clark.

Clark University is accredited by the New England Association of Schools and Colleges, Inc. through the Commission on Institutions of Higher Education.

SECTION I

EMPLOYMENT POLICIES

Employment at Clark

The nature of your position's responsibilities may change during the course of your employment at Clark. Flexibility is important in order to be responsive to changes within the University, the external work environment, and economic conditions. In addition to changes within individual positions, department and functions may also change. We encourage you to discuss with your supervisor your suggestions on how to effectively and efficiently provide the best possible service to our various constituents.

Immigration Reform and Control Act of 1986

Employment at Clark is contingent upon proof of identity and authorization to work in the United States.

You will be required to comply by presenting documents and completing a form I-9. The types of document(s) that will satisfy the requirements are:

- A United States Passport
- A driver's license and Social Security card
- A driver's license and a United States birth certificate
- A certificate of United States Citizenship or Naturalization
- A United States Resident Alien Registration Card (Green Card)
- A current foreign passport (visa) with a stamp showing authorization to work
- An EAD Card issued by the INS (I-688B)

Employment at Will

In accordance with Massachusetts law, your employment at Clark is "at will" in nature. This means that you or the University may terminate your employment at any time for any reason.

Drug-Free Workplace Policy

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1986, Clark University prohibits the unlawful manufacture, dispensing, distribution, possession, use, or sale of illicit drugs and alcohol in the workplace. As a condition of employment, each employee must abide by this policy. Violation of this policy may result in a variety of sanctions up to and including discharge from the University. The University provides a drug and alcohol counseling and rehabilitation program through its Employee Assistance Program (e4health 800-828-6025). This program is available to all employees and their families. If an employee is convicted of any illicit drug or alcohol related crime which took place at Clark University or as any part of Clark's activities, he/she must report this conviction to the Office of Human Resources within five (5) days following conviction.

Whistleblower Policy Relative to Financial Assets

Summary of Policy

This policy governs the reporting and investigation of allegations of suspected illegal or improper activities concerning the financial assets of the University, and the protection of whistleblowers from retaliation. It describes the procedures for investigating known or suspected illegal or improper activities and addressing complaints of retaliation for raising such issues.

Policy

Clark University has a responsibility for the stewardship of University resources and the private support that enables it to achieve its mission. The University's internal controls and operating procedures are intended to detect and to prevent illegal or improper activities relative to its financial assets. However, intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute illegal or improper activities. The University has a responsibility to investigate and report to appropriate parties allegations of suspected illegal or improper activities, and to protect those employees who, in good faith, report these activities to the appropriate authority.

A Clark employee may not: (1) retaliate against an employee who has made a protected disclosure or who has refused to obey an illegal or improper order, nor (2) directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with the right of an employee to make a protected disclosure to the University. It is the intention of the University to take whatever action may be needed to prevent and correct activities that violate this policy.

Procedure

A. Filing a Report of Suspected Illegal or Improper Activities Relative to Financial Assets

1. Any person may report allegations of suspected illegal or improper activities. Knowledge or suspicion of illegal or improper activities may originate from academic personnel, staff or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, and customers, vendors, students or other third parties.
2. Allegations of suspected illegal or improper activities should be made in writing so as to assure a clear understanding of the issues raised. Such reports should be factual and contain as much specific information as possible.
3. Normally, a report by a Clark employee of allegations of a possible illegal or improper activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the department. However, when the whistleblower believes there is a potential conflict of interest, such reports may be made to another University official who has responsibility over the department in question or the authority to review the alleged illegal or improper activity on behalf of the University. Should the alleged illegal or improper activities involve the President, Executive Vice President, or another Vice President, such reports may be made to the Chair of the Audit Committee of the Board of Trustees (c/o Trustee Office, Clark University).
4. When a person reports allegations of suspected illegal or improper activities to an appropriate authority, the report is known as a *protected disclosure*. University employees and applicants for employment who make a protected disclosure are protected from retaliation.
5. The Audit Committee may enlist outside legal, accounting or other advisors, as appropriate, to conduct any investigation of complaints regarding financial statement disclosures, disclosure concerns or violations, accounting, internal accounting controls, auditing matters or violations of the University's policies.

B. Protection from Retaliation

Any employee who believes he or she has been subjected to or affected by a retaliatory conduct for (1) reporting suspected illegal or improper activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise the Director for the Office of Human Resources of any such report or knowledge of retaliatory conduct. If the employee believes that reporting such conduct to the appropriate supervisor is for any reason inappropriate, unacceptable or will be ineffectual, or if the report to the supervisor has been made and the retaliatory conduct has not ended, the employee should report the incident directly to an Executive Vice President, the President, or the Chair of the Audit Committee of the Board of Trustees.

The University will use its best efforts to protect whistleblowers against any form of retaliation. It cannot guarantee confidentiality, however, and there is no such thing as “unofficial” or “off the record” reporting. The University will keep the whistleblower’s identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow the University or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of illegal or improper activities is entitled to the information as a matter of legal right in disciplinary proceedings.

- C. Any reports or other correspondence should be sent to the intended person noted in the appropriate section, at Clark University, 950 Main Street, Worcester, MA 01610.

Smoking Policy:

Clark University is a smoke-free workplace.

Effective June 1, 1992, Clark University became a smoke-free workplace. No smoking of any type is permitted inside any nonresidential campus building—even within offices. Facilities Management employees assigned to work in residential areas are not permitted to smoke during working hours.

Smoking outdoors is permitted only if done at least 20 feet from an entrance or exit. Smokers are expected to use proper receptacles in disposing of their smoking materials and not to litter campus grounds.

It is expected that Facilities Management personnel smoke only during scheduled breaks. It is inappropriate for staff to leave their work site for smoke breaks; and offenses will be subject to disciplinary action.

Employment Status

Full-time regular appointments: If you are scheduled to work 35 hours or more per week on a regular basis, you are considered a full-time employee and are eligible for benefits. (This does not include temporary positions).

Part-Time Regular: If you work less than 35 hours per week, you are considered a part-time employee. A part-time employee with an appointment of at least one-year is eligible for vacation, sick, and holiday benefits only—based on the number of hours regularly worked. After two years of employment, you may be able to participate in the TIAA Retirement Plan if you work a minimum of 1,000 hours per year.

Full-Time and Part-Time Temporary: If you are hired for less than one year and the position is expected to terminate within that time, you are a temporary employee. You are not eligible for any benefits. If as a temporary, you apply and are hired for a regular position—you will be eligible for benefits at that time.

Three-Month Evaluation Period

This initial three-month evaluation period provides for job adjustment and an opportunity for you and your supervisor to determine whether or not to continue the employment relationship. This evaluation period may be extended if your supervisor and the Director for the Office of Human Resources feel more time is needed to evaluate your performance.

On or about the conclusion of this three-month period, your supervisor will meet with you and complete a Three-Month Performance Evaluation Report, for inclusion in your personnel file.

Hours of Work

The workweek is the seven-day period beginning on Monday morning. Work shift starting and ending times may vary due to your job assignment. Most Facilities Management employees are assigned to work 40 hours per week.

There is a fifteen-minute rest break in the morning from 9:00 to 9:15 a.m. and a half-hour unpaid lunch period, generally from 12:00 to 12:30 p.m. In addition, you will be allowed an additional 15 minutes on Thursdays only, to cash your paycheck—from 11:45-12 Noon. Any deviation from your regular work schedule (i.e., time off for personal business, earned day, vacation, etc.) must be authorized in advance by your supervisor.

Overtime Pay

Payment of time and one half will apply after you have worked more than eight (8) hours in one day or more than forty (40) hours in a week.

Double time will be paid for hours worked in excess of sixty (60) in a week. (Also, See “Emergency Call-In Pay” below).

Holidays, vacation and earned time will be considered time worked when computing eligibility for overtime.

You must be paid for all hours worked during a given week. You may not accumulate time worked (unpaid) and set it aside for future use.

For Boiler Room personnel, holidays will not be considered time worked, unless actually worked.

Differential

If you are asked to perform a job above your current job classification, you will receive 10% more per hour. For example, if you are a custodian and you do a painter’s job you will receive 10% more per hour than your regular rate of pay.

Any time spent on a job outside of your classification will be documented by the Facilities Management Department. These records will be used if you apply for other jobs on campus.

Emergency Call-In Pay

If (a) you are required to return to the University after you have left campus at the end of your regular shift for an emergency call, or
(b) You are called in on a holiday, weekend or other non-working day,
Then...you will be paid a minimum of three (3) hours at your time and one-half rate.

If you are called into work on July 4th, Thanksgiving Day, Christmas Day or New Year's Day, you will be paid the rate of double time for the actual hours worked.

Payday

You will generally be paid bi-weekly on each Friday. Paychecks will be distributed on Fridays in the Facilities Management Office from 11:45 a.m. to 12 Noon.

Payroll Deductions

Deductions from your wages may be legally required by Federal or State law, or voluntary.

Some examples of mandatory deductions are (a) Federal and State income tax withholding, (b) Social Security contributions (matched by employers) and (c) court ordered deductions for dependent support or default of a loan.

Deductions for payroll savings, health insurance, dental insurance, and auto/homeowner insurance, etc. are voluntary. (See Benefits Section of this Manual).

Attendance/Tardiness

Punctuality and regular attendance are important for the proper operation of each department in the University. If you are unable to come to work or if you are going to be late, please notify your supervisor before your scheduled starting time (508-793-7566). You must give the reason for your lost time and anticipated duration of your absence. If you are unable to reach your supervisor, contacting the Office of Human Resources (508-793-7294) will fulfill the obligation to report. Unreported absences are considered lost time without pay, and are subject to disciplinary actions.

If you are absent for two consecutive work days without notification, you are subject to separation from employment without notice or benefits.

Equal Employment Opportunity/Affirmative Action

Clark University reaffirms its commitment to a more diverse faculty and staff and to a policy of affirmative action directed at increasing the presence of minority group members in the belief that a diverse Clark community is essential to our educational goals.

It is the policy of Clark University that each qualified individual, regardless of race, color, sex, sexual orientation, religion, marital status, national origin, age as defined by law, disability or veteran status, shall have equal opportunity in the education, employment or services of Clark University. The University encourages minorities, women, veterans, handicapped persons and persons over 40 to apply.

This policy applies to the entire Clark community and is designed to comply with both the spirit and letter of governing state and federal laws. It is expected that all members of the Clark University community act on behalf of Clark University will effectuate this policy.

Rules, Regulations and Discipline

You are expected to adhere to the specific standards of conduct during your employment at the University. Violations of rules and regulations may result in disciplinary action, at the discretion of the University. The action may vary due to extenuating circumstances or prior violations.

Examples of disciplinary action include: verbal warnings; written warnings; suspension without pay; and discharge.

Some examples of offenses which may result in the disciplinary actions up to and including discharge:

1. Tardiness or absenteeism
2. Failure to notify supervisor on each day of unscheduled absence
3. Violation of safety rules and practices
4. Leaving the work location during work shift without authorization
5. Idling, loafing or inattention during work hours
6. Misusing, damaging or destroying University property
7. Falsifying time card or work record
8. Insubordination
9. Reporting to work under the influence of alcohol or illegal drugs
10. Sleeping on the job
11. Unexcused absence
12. Drinking alcoholic beverages or using illegal drugs on the job
13. Immoral conduct or indecency
14. Smoking in the workplace or within 20 feet from any exit or entrance
15. Theft of employee or University property
16. Unauthorized possession of weapons or explosives on University property
17. Falsification of employment application
18. Violation of anti-harassment and discrimination policy
19. Any other behavior deemed inappropriate by University standards and culture

Employee problems or concerns regarding the University rules, regulations, working conditions, or their application should be taken up by following the grievance procedure as outlined in this manual.

Discrimination and Harassment Prevention Policy

It is the policy of Clark University that all our employees should be able to enjoy a work environment free of discrimination, harassment or violence, and shall have equal opportunity in the education, employment, and services of the University.

This policy refers to, but is not limited to, harassment and/or discrimination in the following areas: (1) age, (2) race, (3) color, (4) national origin, (5) religion, (6) sex, (7) sexual orientation, (8) marital status, (9) disability, and (10) veteran status. Harassment can include display or circulation of written materials or pictures degrading to either gender or to racial, ethnic, or religious groups; and verbal abuse or insults directed at or made in the presence of members of a racial, ethnic, or minority group.

Harassment may also include behavior, which is personally offensive, impairs morale, and interferes with the work effectiveness of employees. Any harassment, discrimination or acts of violence directed at an employee by other employees will not be permitted, and shall be grounds for disciplinary action.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexual assault, and other offensive verbal or physical conduct that is sexual in nature. Sexual harassment undermines the employment relationship by creating an intimidating, hostile or offensive work environment and will not be tolerated. Individuals who believe they have been subjected to discriminatory practices or harassment should make it clear to the offender that such behavior is offensive to them and should immediately bring the matter to the attention of the appropriate manager and/or the Director for the Office of Human Resources. All allegations of illegal harassment or discrimination will be investigated. It is unlawful to retaliate against the person who has reported harassing incidents, or who has cooperated in such investigations. It is important for employees who feel that they have been harassed or discriminated against to report incidents to the Director for the Office of Human Resources.

Anyone found to have engaged in illegal harassment discrimination will be subject to discipline, up to and including discharge. The University's Policy on Harassment and Discrimination Prevention, as well as Procedures for filing complaints may be obtained from the Office of Human Resources or on the HR website. www.clarku.edu/hr

In fulfilling their obligation to maintain a positive and productive work environment, all managers and supervisors are expected to immediately halt any harassment or discrimination of which they become aware by emphasizing the University Policy and, when necessary, by more direct disciplinary action.

Complaint Procedures

Individuals who believe they have been subjected to harassment from either a co-worker or a supervisor should make it clear to the offender that such behavior is offensive to them and should immediately bring the matter to the attention of the Director for the Office of Human Resources. All allegations of harassment will be immediately investigated. It is important for employees who feel that they have been harassed to report to management.

Anyone found to have engaged in any type of harassment shall be subject to discipline, up to and including discharge.

Grievance Procedure

The University recognizes that you may, on occasion, experience a job-related problem (with an employment condition or University policy).

It is important to you and the University that a satisfactory solution is worked out.

The University encourages you to try to solve problems, via informal discussion, at the supervisory level (immediate supervisor or department head). If your supervisor can not resolve the problem—or if it is a problem you cannot discuss with your supervisor, you may elect to talk to the Director for the Office of Human Resources or the Director of Facilities Management.

If the discussion at this level is unproductive, the Director for the Office of Human Resources may consult with the Vice President for Administration and Finance.

You are encouraged to adhere to these guidelines so that a prompt satisfactory solution can be reached.

Performance Appraisal

The annual performance appraisal, which usually takes place in early spring, provides a structure for communication between you and your supervisor. The evaluation can clarify what is expected of you, assist the University in overall human resource planning and help document the basis on which personnel decisions are made. This annual report becomes part of your personnel file.

The University is interested in your performance, ambitions, development and feedback. You are encouraged to talk openly during this review process.

Promotion/Transfer

It is University policy and an integral part of the Affirmative Action Program to promote from within whenever possible.

If you are capable of performing higher levels of work and assuming greater responsibility, you may apply for, and be considered for, a promotion to a position of greater opportunity, challenge and pay.

A request for a lateral transfer (same grade) is only considered when the transfer is in the best interest of the employee and the University.

The following factors are among those considered for a promotion:

- Your ability to accept increased, more complex levels of responsibility
- Your job knowledge, training and experience
- Demonstrated initiative and efficiency
- Attendance
- Length of service
- Your overall attitude toward the job and the University

Generally, a request for a promotion or transfer will not be considered until you have completed at least one year in your present position. When a promotion/transfer is approved, a minimum two-week notice must be given so your replacement can be found. In some instances, a longer notice may be required depending on the needs of the department. The new department is responsible for any vacation time, sick time, etc. you have earned, but not used.

Job opportunities will be posted within the Clark community, on our web site, www.clarku.edu/hr The job listing will include a notation if an internal candidate is knowingly being considered for the position prior to the posting.

Nepotism

Individuals will not normally be employed by the University or transferred to a department where they will be subject to close supervision by another employee with whom they have a close personal relationship, or by a member of their family or household. Employees are expected to inform the Director for the Office of Human Resources of these relationships.

All cases involving the potential hiring or transfer of partners or relatives must be reviewed and approved by the Director for the Office of Human Resources.

Conflict of Interest

Clark University attempts to conduct its affairs with high standards of integrity and expects its employees to do the same in the conduct of their employment. Employees are expected to avoid situations that might permit private interests to influence job performance. If a conflict of interest may arguably exist, it is expected that the concerned employee will discuss the nature of the conflict with his/her supervisor, and the appropriate Vice President/Provost.

Examples of situations where a conflict of interest might occasionally arise include (but are not limited to):

- When an employee accepts employment or special assignments in addition to their regular employment at Clark;
- When an employee's financial interests may be advanced (other than through pay and benefits) by department or University actions;
- When an employee becomes personally involved with someone within the University community over whom he/she has power of authority, such as a supervisor romantically involved with a subordinate.

Consenting Relationships

Consensual romantic and sexual relationships between staff and students or between supervisors and staff members are strongly discouraged, and cause special concerns with respect to the existence or appearance of exploitation, abuse of position, or favoritism. All employees should understand that there are substantial risks in even an apparently consenting relationship where a power/authority difference exists. These relationships can and often do lead to charges of sexual harassment, or violation of our nepotism policy. Administrators and supervisors, who by virtue of their level of responsibility and authority, bear a special burden of accountability. The University reserves the right to make employment changes if romantic relationships develop between employees and/or students that appear problematic.

Visitors to Campus, including animals

Because of the potential disruption of visitors (both children and adults) who do not have University related business, we request that employees do not have extended visits with their children, family members or other acquaintances while on the job. In addition, for health and safety reasons, animals cannot be accommodated

on campus, with the exception for service animals in the case of a disability. Employees requiring the use of service animals should register them with the Office of Human Resources.

Solicitation

Solicitation and/or distribution of materials regarding non-University sponsored programs or activities is prohibited if the solicitation results in disruption of, or interference with, the University's educational or administrative activities. Employees may not use their positions, or the University's facilities, letterhead, campus mail, e-mail, or other resources for political or other purposes that are not a part of the University's programs or functions.

Personal Telephone Messages

Except in cases of emergencies, the Facilities Management dispatcher will not accept personal phone messages for relay to staff members.

Jury Duty Leave

Clark University will pay your regular wages for the first three (3) days of jury duty. For service required beyond three (3) days, the University will pay the difference between your jury duty pay and regular earnings. A voucher from the state, showing date and time served, must be submitted.

If jury duty does not occupy the entire workday, you are expected to report to work.

Court Service (Not Jury Duty)

If you are summoned to court to testify, stand trial, serve as a witness, etc., you will not be paid by the University. Lost time may be charged to personal or vacation time, if available, and advance notice is given to your supervisor.

Inclement Weather

All Facilities Management employees are expected to work during inclement weather. If the University's regular business operations are closed because of inclement weather, you are considered "essential personnel" and are expected to work. You will be paid twice your regular rate of pay for actual hours worked during the closing.

Safety and Workers Compensation

Your safety and health is of utmost concern to the University, and YOU can help. We believe that injuries can be prevented if everyone accepts his/her safety responsibility. The responsibility for preventing accidents is a shared responsibility between the University and the employee. Human errors are responsible for approximately 90% of all accidents. You have control over your own actions and can make a major contribution toward accident prevention.

Report immediately to your supervisor, the Office of Human Resources, Facilities Management, etc., of any hazardous conditions, unsafe practices, or improperly functioning equipment. The Office of Human

Resources, your supervisor, Facilities Management, the Safety Committee, University police, and any other appropriate departments will work together to correct a problem or take action to prevent accidents.

Report on-the job injuries immediately to the Office of Human Resources (508-793-7397).

The Office of Human Resources will ask you to complete an accident report and subsequently file the appropriate forms with the insurance company and the Department of Industrial Accidents.

Medical expenses for injuries occurring on the job are paid by the Worker's Compensation insurance company. Wages for lost time are paid by either the University or the Worker's Compensation insurance company depending on the duration of your time out of work. You will be eligible for Worker's Compensation from the insurance company if your injury requires an absence of five calendar days or longer (including weekends). The compensation rate is approximately 50% of your gross pay, and is not subject to withholding taxes.

If your injury prevents you from returning to work after 21 days of absence, the Worker's Compensation Insurance Company will retroactively pay you for those first five days of your injury. You are expected to reimburse the University when this payment is made, and you should contact the Office of Human Resources so that the necessary adjustments may be made.

In the event your injury results in an extended absence from work, your benefits will continue (with the University contributing) for six months from the date of your injury. When your benefits cease, you are given the opportunity to continue your health and dental insurance under COBRA, and you may convert your life insurance to a direct pay, bill-at-home plan, if desired.

Personnel Data and Privacy Issues

Please report all changes in name, address, telephone or marital status to the Office of Human Resources as soon as possible. In addition, you should periodically review those persons you have listed as contacts in case of an emergency; and persons you have designated as beneficiaries to your life and/or retirement policies, and report any changes to the Office of Human Resources immediately.

The University is sensitive to the personal data (unlisted phone numbers, dates of birth, etc.) that it maintains in its personnel files and databases. We will not disclose personal information, except by written request or signed permission of the employee (for example, the Campus Directory), or unless there is a legitimate business "need-to-know" such as in the life insurance policies; or if compelled by law.

Every effort is made to limit the access to private information to those employees on campus with a legitimate "need-to-know." Staff who have approved access to the administrative information databases understand that they are restricted in using the information obtained only in the conduct of their official duties. The inappropriate use of privileges to access and/or use administrative data may result in disciplinary action up to, and including, dismissal from the University.

The University's official personnel files for all employees are retained in the Office of Human Resources. You have the right to review the materials contained in your personnel file during regular business hours, upon a written request, at least 3 business days in advance, to the Office of Human Resources.

SECTION II

BENEFITS

Eligibility for Benefits

The benefits outlined in this section apply to regular full-time employees only, unless indicated otherwise.

Health Insurance

The University currently offers employees a choice of health care plans. Coverage is effective on the first of the month following your date of hire, or on the actual date of hire if that date is the first of the month. Changes of health-care providers are restricted to an annual open-enrollment date, which is currently July 1st. Employees have the option of having their monthly health care premiums treated as either a reduction (before-tax) to their salary, or as a deduction (after-tax) from their salary. The before-tax option allows health insurance premiums paid by employees to reduce their salary base for purposes of computing federal, state and Social Security taxes, whereas the deduction of premiums does not. Please contact the Office of Human Resources for a list of health care plans.

COBRA (Health Insurance Continuation)

The Consolidated Omnibus Reconciliation Act was signed into law on April 7, 1986. COBRA contains provisions, which require the University to offer health insurance coverage to employees leaving the group. The University must also provide former employees, spouses and dependents the option of remaining in the group health plan for a limited time.

Also under COBRA, age limits have been removed so that any worker or spouse age 65 or older must be included in the University's group health plan unless he/she has specifically elected Medicare as primary coverage.

Eligibility for continued coverage is triggered by any of the following:

- Termination of employment
- Reduction of employee hours
- Death of employee
- Divorce or legal separation
- Dependent child ineligible due to age or loss of full-time student status

The length of continued coverage (18 or 36 months) is determined by the qualifying event.

Dental Insurance

The University offers employees the option of joining a dental plan. The current provider is Blue Cross Blue Shield Dental. Coverage is effective on the first of the month following your date of hire, or on the actual date of hire if that date is the first of the month. You assume the full cost of this plan, and may choose to pay premiums as either a deduction (after-tax) or reduction (before-tax) to your salary. The monthly rates, subject to change each July 1st, are available in the Office of Human Resources.

- You may cancel at any time (however, you must wait at least a year before re-enrolling, and re-enrollment must be during the open enrollment period).

Brochures and plan details are available in the Office of Human Resources.

Tuition Program

The Tuition Forms can be found on the Human Resources Forms & Documents website at: <http://www.clarku.edu/offices/hr/documentsandforms.cfm> under the section titled Tuition Forms.

1. Full-time employees hired prior to June 1, 1996:

Employee benefit:

Tuition waived each semester for two Summer and Evening Division undergraduate courses*, or two GSOM graduate courses, or one School of Professional Studies graduate course.

Family benefit:

- Either a child or spouse may enroll in two Summer and Evening Division undergraduate*, or one School of Professional Studies graduate course per semester with a \$500 tuition waiver per course, balance to be paid by employee or family member; or one semester long GSOM graduate course with a \$1,000 tuition waiver per course, balance to be paid by employee or family member. [Note: 7-week module courses in GSOM are eligible for \$500 tuition waiver]
- After three years of full-time employment, dependent children of the employee may attend Summer and Evening Division undergraduate programs (no age limit); or, if under the age of 24, may attend the Day College undergraduate programs (pending acceptance through the admissions process). Tuition will be waived for up to 36 courses, or the completion of a bachelor's degree, whichever comes first.

* School of Professional Studies non-credit workshops, Saturday seminars and special programs when approved will count toward one undergraduate course.

- After five years of full-time employment, dependent children under the age of 24 are eligible for an off-campus tuition benefit for undergraduate degree programs at another accredited institution of higher education. The benefit is available for up to a maximum of four years or the completion of a bachelor's degree, whichever comes first. The amount of the benefit per family is 60% of the tuition at the other institution, not to exceed 60% of Clark's current tuition and less any scholarships. The effective tuition is defined as the actual tuition less any scholarship assistance calculated to be for tuition. This calculation is defined as:

$$\frac{\text{_____ Tuition _____}}{\text{Tuition+Room+Board}} \times \$ \text{ amount of scholarship} = \text{scholarship assistance calculated for tuition}$$

You must submit each semester a special Off-Campus Tuition form (available in the Office of Human Resources) along with a detailed copy of the other institution's total

invoice for that semester. This invoice must include a specific charge for tuition, room and board, and any scholarship funds awarded.

Please note: this benefit is defined as a "family" benefit, and if both spouses are employed full time at Clark University, they may not both request this benefit for the same child and receive "double" benefits. The benefit will be limited as defined above (60% of the other institution's tuition, up to 60% of Clark's tuition).

* School of Professional Studies non-credit workshops, Saturday seminars and special programs when approved will count toward one undergraduate course

2. Full-time employees hired on or after June 1, 1996:

Employee Benefit:

Eligible the semester following date of hire, tuition is waived each semester for two Summer and Evening Division undergraduate courses*; or two GSOM graduate courses; or one School of Professional Studies graduate course.

Family Benefits:

- a) After one year of full-time employment, either a child or spouse may enroll in two Summer and Evening Division undergraduate courses*, or one School of Professional Studies graduate course per semester with a \$500 tuition waiver per course, balance to be paid by employee or family member; or one semester long GSOM graduate course with a \$1,000 tuition waiver per course, balance to be paid by employee or family member. [Note: 7-week module courses in GSOM are eligible for a \$500 tuition waiver.]
- b) After three years of full-time employment, dependent children of the employee may attend Summer and Evening Division undergraduate programs (no age limit); or if under the age of 24, may attend the Day College undergraduate programs (pending acceptance through the admissions process). Tuition will be waived for up to 36 courses, or the completion of a bachelor's degree, whichever comes first.

*School of Professional Studies non-credit workshops, Saturday seminars and special programs when approved will count toward 1 undergraduate course.

Tuition Exchange Scholarship Opportunity:

Clark University is a member of the Tuition Exchange (TE) Program, which provides the opportunity for dependent children of eligible Clark faculty and staff to receive undergraduate scholarships at other participating TE member institutions. A list of 600+ colleges and universities that participate in the TE program can be viewed at www.tuitionexchange.org

The TE program is a scholarship opportunity and not a fringe benefit provided by Clark University. Only full time faculty and staff who have completed five (5) years of full time employment at Clark are eligible to apply on behalf of their dependent children. ***Application for the TE program does not guarantee acceptance at a TE member institution, nor does it insure a TE scholarship.*** It is highly likely that not all

of the eligible faculty and staff who seek a TE scholarship will be certified by Clark. This is because TE is a reciprocal program, and we are required to balance the number of individuals we send out on the exchange (exports) by an equal number of admits (imports) over the most current five-year period.

Clark will use a seniority lottery system based on your years of service at Clark and your eligibility for Clark's off-campus tuition benefits. Faculty and staff with 5-9 years of service will receive one chance in the lottery; those with 10+ years of service will receive two chances unless that faculty or staff member is also eligible for the University's Off Campus Tuition benefit, in which case they will only receive one chance.

Due to the TE application process as well as the timing of admissions decisions, TE scholarships applications are due in the Office of Human Resources no later than October 30 each year for the following academic year. The Application Form can be found on the Human Resources Forms & Documents website at: <http://www.clarku.edu/offices/hr/documentsandforms.cfm> under the section titled Tuition Forms.

Vacation

If you are a Facilities Management employee with a regular appointment of at least one-year, you are eligible for vacation time.

Vacation time is computed each June 1st and must be taken during the next thirteen months (before June 30th of the following year) or it will be forfeited.

- Supervisor approval must be granted before taking vacation.
- Due to the demands placed upon the Facilities Management Department, in general, no vacation time will be allowed during Commencement week in May, and for the 3 week period (2 weeks before, and 1 week after) students arrive on campus in August.
- The University reserves the right to expect you to use vacation time during class breaks or when there is little University activity.
- You are not entitled to pay in lieu of vacation time.

If you have been at Clark less than ten months, you accumulate one day per month.

If you have been at Clark for ten months but less than five years, you receive ten days vacation.

If you have been at Clark more than five years but less than ten years, you receive fifteen days vacation.

If you have been at Clark more than ten years but less than twenty years, you receive twenty days vacation.

If you have been at Clark for twenty years or more, you receive twenty-five days vacation.

Holidays

If you are a regular full or part-time employee, with an appointment of at least one-year, you are eligible for 10 paid holidays a year. Unless you are a part-time employee, most full time Facilities Management employees will receive 8 hours of Holiday Pay for each of the following days:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. The Day after Thanksgiving

7. Christmas
8. Two Floating Holidays**

**You may take the floating holidays with the approval of your supervisor, after successful completion of your 3-month evaluation period.

An employee required to work on a University paid holiday, will be paid time and one-half, plus your regular holiday pay.

If you are “called in” to work on the following University paid holidays, July 4th, Thanksgiving, Christmas, or New Year’s Day, you will be paid double time, plus your regular holiday pay. If these four days fall on a weekend and are not regular University holidays, you will be paid double time for all hours actually worked.

The floating holidays must be taken during the fiscal year (June 1 - May 31) or they will be forfeited.

Religious Holidays

If you request time off to celebrate other religious holidays, you may utilize your personal days, vacation time, or unpaid time off.

Sick Time

If hired before June 1, 1996:

Sick leave is to be used by an employee only in case of absence due to illness, medical appointments or disability of you or family members. Sick leave may not be used to supplement vacations or holidays. Misuse of sick leave is considered fiscal misconduct and is a violation of University sick leave policy. You are expected to schedule appointments for times that are least disruptive to your office. If you need to be absent for more than 5 consecutive work days, please notify the Office of Human Resources (ext. 7294) so that you can be informed for your FMLA (Family Medical Leave) options. Time off for medical or dental appointments may be charged to sick leave, provided you request the time in advance.

Medical evidence (physician’s statement) may be required for any sick leave absences.

Upon approval of your department head and the Director for the Office of Human Resources, you may utilize up to 10 earned sick days per fiscal year for the care of a sick immediate family member—provided you are the primary caregiver for that person and no alternative care provider arrangements are feasible. The use of sick leave for this purpose will be counted toward the 12 weeks of Family Medical Leave you are allowed within a 12-month period. Please see FMLA below for more detailed information.

You may accumulate sick leave at **the rate of 1¼ day per full calendar month worked to a maximum of 15 days per year.**

You can receive 75% of your sick time accumulated beyond 65 days. This check is distributed on or about the 2nd payday in November.

If you have been employed at Clark for at least three years and you leave in good standing (subject to the approval of the Director of Facilities Management) you will receive 75% of your accumulated sick leave (maximum - 75% of 65 days). This is calculated at your rate of pay at termination. Upon retirement, employees will be paid 75% of all accumulated sick time.

In the event of your death while employment at Clark, 100% of unused sick leave will be paid to your beneficiary.

If hired on or after June 1, 1996:

Sick leave is to be used by an employee only in case of absence due to illness, medical appointments or disability of you or family members. Sick leave may not be used to supplement vacations or holidays. Misuse of sick leave is considered fiscal misconduct and is a violation of University sick leave policy. You are expected to schedule appointments for times that are least disruptive to your office. If you need to be absent for more than 5 consecutive work days, please notify the Office of Human Resources (ext. 7294) so that you can be informed for your FMLA (Family Medical Leave) options. Time off for medical or dental appointments may be charged to sick leave, provided you request the time in advance.

Medical evidence (physician's statement) may be required for any sick leave absences.

Upon approval of your department head and the Director for the Office of Human Resources, you may utilize up to 10 earned sick days per fiscal year for the care of a sick immediate family member—provided you are the primary caregiver for that person and no alternative care provider arrangements are feasible. The use of sick leave for this purpose will be counted toward the 12 weeks of Family Medical Leave you are allowed within a 12-month period. Please see FMLA below for more detailed information.

Sick days will be earned at the rate of **one day per full calendar month worked to a maximum of twelve per year.**

You can receive 50% of your sick time accumulated beyond 65 days. This check is distributed on or about the 2nd payday in November.

If you have been employed at Clark for at least three years and you leave in good standing (subject to the approval of the Director of Facilities Management) you will receive 50% of your accumulated sick leave (maximum - 50% of 65 days). This is calculated at your rate of pay at termination. Upon retirement, employees will be paid 50% of all accumulated sick time.

Sick Leave Donation Policy

This policy is intended to be sensitive to the fact that employees may have extended conditions or re-occurring serious illnesses that may leave them without adequate sick leave. Employees may be allowed to donate a portion of their sick time to a fellow worker using the following guidelines:

- The recipient of donated sick leave may receive a maximum total of 20 days per fiscal year from fellow employees, and must meet the following eligibility requirements:

The recipient must—

- a) have worked a minimum of one year at Clark University;

- b) have used up all of his/her own available earned sick leave;
 - c) have an extended illness or condition, which requires an absence of more than five workdays.
- The donor of sick leave may donate a maximum of five days per individual recipient, per year, providing that the donor has a minimum of 20 days of earned sick leave remaining for his/her own use after the donation to the fellow employee(s).
 - All requests for sick leave donations must be sent in writing to the Director for the Office of Human Resources for approval.

Earned Days

If hired before June 1, 1996, you will be given a day off with pay if you work 60 consecutive regular work days without being late or absent (exclusive of holidays and/or vacation time). No more than four days may be accumulated and you must take the earned day(s) within a year.

At least three days notice must be given when you wish to use an earned day and supervisor approval must be granted. You may use the earned day at the beginning or end of a vacation, with supervisor approval.

The accumulation of earned days will not be affected by bereavement leave or an on the job injury.

If hired after June 1, 1996, you will be given a day off with pay if you work 120 consecutive regular work days without being late or absent (exclusive of holidays and/or vacation time). No more than four days may be accumulated and you must take the earned day(s) within a year.

At least three days notice must be given when you wish to use an earned day and supervisor approval must be granted. You may use the earned day at the beginning or end of a vacation, with supervisor approval.

The accumulation of earned days will not be affected by bereavement leave or an on the job injury.

Personal Time

You may use two sick leave days per calendar year for personal business that cannot be conducted during non-work hours. This time should be indicated on your time reports as “Personal” and not sick leave. Prior approval must be granted by your supervisor.

Bereavement (Funeral Leave)

You will be granted up to three days with regular pay in the event of the death in your (or your spouse/domestic partner's) immediate family. Immediate family shall include spouse/domestic partner, father, mother, brother, sister, child, grandparent or grandchild.

Leave of Absence

If you have been employed at the University for at least one year, you may apply for a leave of absence without pay. This is done through the Office of Human Resources. Personal leaves of absence require the approval of your department head as well as the Director for the Office of Human Resources. You are requested to give at least three weeks notice to your supervisor and the Office of Human Resources of your anticipated date of departure and intention to return.

<u>Type of Leave</u>	<u>Duration</u>	<u>Comments</u>
Military	17 Days	Military Reserve Unit time off granted to fulfill military training requirements
Personal	Up to 8 weeks	Eligible after completion of one year employment
Medical	Up to 12 weeks	See the FMLA below

If you are approved for any unpaid leave of absence, all benefits generally cease. If you wish, you may continue some specific benefits, but you will be responsible for the entire cost.

Sick leave and vacation leave do not accrue while you are on an unpaid leave. You will not be eligible to receive holiday pay (if applicable) during the leave.

Every attempt will be made to reinstate you to the same or similar position upon your return.

Failure to return to work at the end of the leave of absence (without an approved extension) shall be considered a resignation.

Family Medical Leave Act (FMLA)

In accordance with the Federal Family and Medical Leave Act (FMLA) of 1993 (revised January, 2009), Clark University has established a policy to allow employees to take a period of leave (generally not to exceed 12 weeks) for the care of their own serious health condition or that of specific family members as defined under FMLA. Employees are eligible if they have worked at Clark University for at least one year, and/or a minimum of 1,250 hours during the previous 12-month period. The University requires that the employee use any earned sick or personal leave, as indicated allowable below [see sections a) through d)], before taking leave as unpaid. The employee may elect to use earned vacation time if they wish to do so.

Requests for Family Medical Leave must be in writing by completing a Request for Leave Form, and submitted to the Office of Human Resources as soon as feasible. Employees are asked to provide a minimum of 30 days advance notice when the leave is "foreseeable" such as a pregnancy, planned surgery, etc. You may be required to submit a medical certification of either your own or family member's illness. You may also be required to present a fitness-for-duty certificate before we restore you to employment if you took leave for your own serious health condition.

FMLA leave may be granted for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or child birth;
2. To care for the employee's child after birth, or placement for adoption or foster care
3. To care for the employee's spouse, child or parent who has a serious health condition
4. For a serious health condition that makes the employee unable to perform his/her job
5. Military family leave entitlements (see details below)

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the

employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Please refer to the U.S. Department of Labor, Wage & Hour Division Publication 1420 (revised January 2009) for more details on employee rights and responsibilities under this law. This notice is posted at the Office of Human Resources.

FMLA leaves may be approved for a maximum of 12 weeks in a 12-month period (see exception for military service members below). For purposes of this policy, a "rolling" 12-month period will be used, measured backwards from the date an employee uses any family care leave. Spouses who are both employed by the University are allowed *a combined* total of 12 weeks of family care leave within a 12-month period for the care of a newborn or adopted child. If leave is requested due to the illness of a child, a spouse, or a parent, then each spouse will be allowed 12 weeks of leave.

a) Employee or Family member illnesses:

For the care of a sick family member, employees may utilize up to 10 days of paid sick time; the remainder of the 12 weeks leave would be unpaid. For the employee's own illness, he/she would be required to utilize all earned sick time available before going on a unpaid leave.

b) Pregnancy or Parental Leave, including adoption:

Employees on pregnancy or parental leave are entitled to up to 12 weeks of leave. Employees may use up to 8 weeks of available sick time, and utilize paid vacation leave during the last 4 weeks. However, employees recovering from birth may utilize sick time during the last 4 weeks of leave if advised by a physician to remain out of work; and a physician's statement is presented to the Office of Human Resources. During any portion of the leave that is unpaid, employees will be responsible for the cost of their benefits. FMLA leave will run concurrently with leave taken pursuant to the Massachusetts Maternity Leave Act.

c) Military Family Exigency:

Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation are eligible for 12 weeks of leave. Employees may use up to 8 weeks of earned sick time during this 12 week period, as well as any earned vacation time, or take leave without pay. During any portion of the leave that is unpaid, employees will be responsible for the cost of their benefits. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, etc.

e) Military Service Member Illness or Injury:

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. Employees may use up to 8 weeks of earned sick time, and 4 weeks of vacation time during the first 12 weeks of this leave; the remainder of the leave is unpaid. During any portion of the leave that is unpaid, employees will be responsible for the cost of their benefits. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who had a serious injury or illness incurred in the line of duty while on active duty that

may render the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperative, or therapy; or is in outpatient status, or is on the military's temporary disability retired list.

Since FMLA requires the continuation of your current health/dental benefits during leave, you need to continue paying your normal premium contribution to avoid a lapse in coverage. If you are not receiving a salary via earned sick or vacation leave, your payments are due at the same time they normally would be made by payroll deduction. If your payment is more than 30 days late, your group health insurance may be cancelled, provided you receive 15 days written notice that coverage will lapse. If you decide not to return to work at the end of your 12-week leave, you will be required to reimburse the University for its share of group health insurance premiums during the leave.

Employees, who are on leave without pay for longer than one pay period (two weeks), will be responsible for payment to the University for their continued life, health and disability insurance; and may receive a prorated amount of normally earned vacation and sick time.

At least one week prior to their date of return, employees are expected to notify their supervisor and the Office of Human Resources. It is expected that the employee will provide the Office of Human Resources with a medical "return-to-work" release on/before the date of their return. At the completion of the approved FMLA leave period, an employee will be reinstated to his/her former position or a position of equivalent classification and pay within the University. If the position has been eliminated (due to a reduction in the work force or other operational change, under circumstances applying equally to other similar positions in the department), efforts will be made to find other suitable employment at the University.

It is not permissible to be gainfully employed elsewhere while out on FMLA leave. Any employee doing so will be considered to have voluntarily quit without notice and to not be in good standing at the time of leave.

Questions relating to the provisions and eligibility requirements for family care leave should be directed to the Assistant Director for the Office of Human Resources.

Flexible Spending Accounts (FSA)

The University provides at no cost to you the opportunity for you to set aside a portion of your salary on a pre-tax basis to be used to pay for qualified health care and/or dependent care expenses. A debit card with the annual amount you elect will be provided. You may currently set aside \$100 to \$5000 for each of the health and/or dependent care accounts thus lowering your taxable income. These limits may change based on changes in IRS regulations. See the Office of Human Resources for a complete plan description and enrollment forms. New employees have until the first of the month following their date of hire to elect this benefit or may wait until the annual open enrollment period.

Retirement Plans (TIAA or FIDELITY) 403(b) Defined Contribution Plan

If you are a regular continuing University employee, you may be eligible to participate in either of the University's Retirement Plans, TIAA (Teachers' Insurance and Annuity Association) or Fidelity retirement plan. This is a voluntary, tax-deferred retirement plan. You are eligible to participate if your position is approved for 1,000 or more hours/year and you actually work at least 1,000 hours/year. You may join the first of any month and must contribute 5% of your salary. There is normally a 2-year wait before you are eligible to receive the University's 10% contribution; however, if you have previously worked in a regular position [not as a student, or research assistant, or temporary workers] at another higher education institution,

the time you worked at this predecessor employee may be counted toward Clark's 2-year wait. Documentation on the dates of employment from the previous employee may be required. After two years of continuous service (at least 1,000 hours per year exclusive of overtime, the University will contribute 10% of your base salary, provided you contribute a minimum of 5% of your base salary.

If you wish to contribute more than 5% of your salary, you may enroll in Clark's Supplemental Tax Deferred Retirement Plan (SRA), to which the University does not contribute. Detailed information is available in the Office of Human Resources.

GSRA (Group Supplemental Retirement Annuity—TIAA)

The GSRA is an alternative tax-sheltered annuity for employees who want to set aside funds in addition to (or instead of) the amounts being accumulated under the University's regular retirement plan. For details, contact the Office of Human Resources.

Life Insurance

You are eligible for life insurance on the first of the month following your date of employment. The value of the life insurance is two times your annual base salary, rounded to the next \$1,000.00, if not already a multiple thereof. The University assumes the entire cost of this benefit.

At age 70, the life insurance benefit is reduced 65% and to 50% at age 75 (if you continue to work). Upon termination, you are given the opportunity to convert to a non-group plan.

If you continue to work full-time at age 70, the life insurance coverage is reduced by 35% and at age 75 it is reduced to 50% (i.e. one times your annual base salary). Upon termination, you are given the opportunity to convert to a non-group plan.

The Federal tax laws mandate that any employer-paid premiums on life insurance valued in excess of \$50,000 be treated as a form of compensation and are subject to both Federal and Social Security taxes. The amount of taxable income assessed to a person depends on both your age and your tax bracket, and is usually an insignificant amount. This "extra income" is reported on your W-2 form at the end of the year. If your life insurance coverage exceeds \$50,000 and you wish to limit your life insurance coverage to prevent any additional taxable income, please put your request in writing to the Office of Human Resources.

Social Security (FICA)

The earnings of full and part-time employees are subject to Social Security taxes. Your Social Security contributions are matched by the University and are deposited with the Social Security Administration for your retirement benefits.

Long-Term Disability

You are eligible for disability insurance coverage on the first of the month following your date of hire. The University assumes the entire cost of this benefit. This benefit provides 60% income replacement of your base salary, and requires total disability for 180 days before coverage begins.

Upon submission of Disability Forms (available in the Office of Human Resources), and a physician's statement certifying your long-term disability, you may receive your regular wages by using your earned sick and vacation time during the first three months of your disability (or longer—until both your sick and vacation time is used up).

If you do not have sufficient sick and/or vacation time, from the first day of the fourth month following your date of full disability, to the first day of the seventh month, the University may provide a benefit of 60% of your bi-weekly salary. To be eligible for these payments, you must have submitted in a timely fashion all necessary disability forms and statements requested to support your disability claim, and the insurance carrier must not have denied your claim.

The long-term disability benefit provided by the insurer, begins on the first of the seventh month (if claim is approved), and provides 60% of your monthly salary to a limit of \$10,000 per month, less any amount from Social Security or other compensation.

It is your responsibility to apply for Social Security disability as soon as possible. This is a prerequisite for determining eligibility for disability benefits.

The University will continue contributions to benefits up to the first day of the seventh month. At this time, if you have been determined disabled (for Social Security purposes), you may continue your health insurance via COBRA, and the University will continue its regular contributions to your health plan. This COBRA continuation period is for a maximum of twenty-nine (29) months and you are responsible for payment of your monthly contribution toward health insurance.

If an employee is has been, or is expected to be out of work for at least 6 months, and /or has been approved for long term disability; the University will consider his/her employment to have ended unless it is determined that the employee will be able to return to work within a reasonable time period.

Employee Assistance Program

Clark University is committed to promoting and retaining a capable and healthy work force. The Clark University Employee Assistance Program was created to provide Clark employees and their families with an opportunity to identify potential problems and prevent them from becoming major obstacles in their work and personal lives.

The program also helps employees and their families resolve personal problems that may already be affecting their performance both on and off the job.

The EAP enables Clark employees and their families to obtain at no cost to the employee, confidential assessment and referral services for problems such as alcoholism, drug abuse, legal and financial difficulties, family/marital problems, emotional stress and any other job-related or personal problems.

Clark University has contracted with e4health to provide these services. Consultation/assessment is at no cost to you or your family members. Call e4health directly at 1-800-828-6025.

For additional information or literature, contact the Office of Human Resources or visit the e4health website at www.HelloE4.com, Company User Name = Clark University, Password = guest.

Confidentiality is a critical important feature of the Clark University Employee Assistance Program. An employee is assured that no one at the work place will be informed of the phone call, visit, or any follow-up service of e4health unless you consent in writing to do so.

Employee Recognition

The University offers various programs of recognition, enrichment, and reward for employees. These currently include the annual *Employee Recognition Reception* for employees with ten or more years of service to the University. In addition, most employees will be allowed paid release time to attend on campus self-improvement and enrichment programs; and training programs focusing on health, family issues and skills and professional development.

Please contact the Office of Human Resources if you have some suggestions for future training programs, which you believe, would benefit our staff and the University.

Uniforms and Equipment

Facilities Management utility employees are encouraged to wear steel toe safety shoes. The University will reimburse you up to \$50.00 (one pair per fiscal year) when you submit a receipt. You are expected to wear your safety shoes on the job.

After completion of the probationary period Facilities Management, employees are required to wear a uniform shirt with the Clark University logo and name patch. You are authorized six units of uniform apparel (assortment of your choice). Authorization and requisition must be signed by the Assistant Director of Facilities Management.

Weather gear will be provided when required. The Assistant Director of Facilities Management must confirm the requirement.

SECTION III

TERMINATION OF EMPLOYMENT

Resignation

You are expected to give a minimum of two weeks notice of your intention to resign. You should submit, in writing, your reason for resignation and the effective date. This should be given to your supervisor, with a copy forwarded to the Office of Human Resources.

The Office of Human Resources will arrange for an exit interview, at which time disposition of benefits will be discussed.

Discharge

If employment is terminated for cause (dishonesty, insubordination, job abandonment, etc.) you are subject to immediate discharge, without notice or payment beyond last day worked. Cause may include, but is not limited to:

- Unsatisfactory job performance
- Failure to comply with the University's rules and regulations
- Misconduct (whenever an employee's conduct is such as to discredit the University or in any way jeopardize its position in the community, termination of employment may result)

Reduction in Work Force

From time to time, a reduction in the work force may be necessary. The reductions can result from a change in the nature of University programs and activities, or from budgetary restrictions or from expiration of a grant or contract.

In cases of reduction of the work force, an employee may be offered a vacant position of similar responsibility provided that, in the judgment of the supervisor and the Director for the Office of Human Resources, the employee has the ability to perform the work on the basis of qualifications and previous performance evaluations.

If the University recalls an employee who has been terminated due to reorganization or reduction in work force within one year from the date of termination, that employee's seniority—in terms of eligibility for benefits—will be reinstated to the level it was at the date of termination.

Retirement

Clark University complies with state and federal laws, which prohibit discrimination on the basis of age. Massachusetts law eliminated the mandatory retirement age for most employees. An employee may retire voluntarily at any time.

The Office of Human Resources provides pre-retirement information and guidance. You are encouraged to request information and literature regarding the University's retirement plan, Social Security, medical insurance and other benefits effective during retirement.

Exit Interview

When your employment with Clark University ends, you will be asked to talk to a representative in the Office of Human Resources. The purpose of this "exit interview" is to discuss your benefit status and to discuss any concerns you may have upon leaving the University.

Benefits upon Termination

a. Vacation Time and Floating Holidays

If you have been employed by the University for at least one year; you give a minimum two weeks notice; and you are leaving in good standing, you will be paid unused vacation time and floating holiday earned prior to June 1st and vacation time accrued for the current year. Vacation time and floating holidays may not be used to extend your date of resignation.

If you have not been employed for at least one year, or if you are discharged, you will receive payment for unused vacation time and floating holiday earned prior to June 1st, but you will not receive payment for your accrued vacation time.

b. Earned Days

If you leave the University in good standing (subject to the approval of the Director of Facilities Management), you will be paid for earned days.

c. Health and Dental Insurance

You will be given the opportunity to continue health and dental insurance with the Clark University group (COBRA Health Insurance Act of 1986), if you are currently enrolled at the time of termination. You will be responsible for the entire monthly premium plus a 2% administrative cost.

COBRA (Health Insurance Continuation)

The Consolidated Omnibus Reconciliation Act was signed into law on April 7, 1986. COBRA contains provisions, which require the University to offer health insurance coverage to employees leaving the group. The University must provide former employees, spouses and dependents the option of remaining in the group health plan.

Eligibility for continued coverage is triggered by several qualifying events, including termination of employment. Upon termination of employment the employee is given the opportunity to continue on the University's group plan for up to 18 months. The employee or beneficiary must assume the entire cost, which will be 102% of the total premium.

Failure to pay your monthly premium in a timely manner will result in termination of coverage.

d. Life and Disability Insurance

Coverage under life and disability insurance will cease upon termination. You will be given the opportunity to convert life insurance to a non-group direct pay plan.

e. Sick

If hired before June 1, 1996 and you have been employed for at least three years and leave in good standing, you will be paid 75% of your accumulated sick time (65 day maximum). This is subject

of the approval of the Director of Facilities Management. Upon retirement, employees will be paid 75% of all accumulated sick leave.

If hired on or after June 1, 1996, you will receive 50% of accumulated sick leave.

f. TIAA

Your options may vary, depending on length of time in TIAA. (See the Office of Human Resources for details.)

g. Tuition Benefit

If you terminate employment and you and/or a family member are enrolled at Clark tuition will be payable, pro-rated for the remainder of the semester, and will generally be deducted from your last paycheck to the greatest extent possible.

h. University Loans

If you have entered into an agreement with the University for repayment of a loan, all balances are due upon date of resignation, and will be deducted from your final paycheck, unless other arrangements are approved in advance.

i. University Property

All University property—keys, tools, equipment, books, I.D., etc. must be turned in to your department head or to the Office of Human Resources prior to receiving your final paycheck.

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