Administrative Manual
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Foreword
The Administrative Manual is intended to provide working guidelines and descriptions of Marist policies and benefits as they relate to members of the administration. It is not intended and cannot be construed as a contract or guarantee of employment. These policies assure that daily decisions affecting employees are made uniformly throughout the College. They apply to administrative staff members and, only where noted, to faculty and/or other members of the Marist community.

It is the responsibility of:

- Each supervisor to administer these policies in a consistent and impartial manner, and
- Human Resources staff to monitor the uniform administration of these policies throughout Marist.

All questions regarding the interpretation or application of the provisions of these policies should be referred to the Office of Human Resources.

This manual only highlights the terms of the College's employee benefit plans. The actual terms of the various employee benefit plans are stated in and governed by the formal plan documents. A participant and/or beneficiary, including retirees, shall not have any right to benefits under the plan that in any way interferes with Marist's right to terminate or amend any plan. Marist makes no promise to continue plan benefits in the future and rights to future benefits are not vested except to the extent as may be provided in a Marist retirement plan.

This Administrative Manual supersedes any previous handbook, policies, or practices.

WHILE MARIST COLLEGE ENDEAVORS TO LET EMPLOYEES KNOW OF ANY POLICY CHANGE IN A TIMELY MANNER, MARIST COLLEGE RESERVES THE RIGHT TO MODIFY ANY POLICY WITHOUT PRIOR NOTIFICATION.

October 1, 2001
Subject: Administrative Appointments

Appointment to an administrative position, whether the opening is due to an existing vacancy, promotion, new position, or transfer, is made by the President of the College upon the recommendation of the appropriate senior executive officer. A new employee may not work without first having signed a letter of appointment.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER
The Staff Grievance Procedure is designed to provide a fair and equitable resolution for concerns related to terms or conditions of employment. Retaliation against a staff member for utilizing this Grievance Procedure violates College policy and will result in appropriate disciplinary action, up to and including termination. Any staff member who believes that s/he has been retaliated against or treated unfairly for utilizing the grievance procedure or for cooperating in an investigation, or otherwise participating in any proceeding under this procedure, should contact the Office of Human Resources.

DEFINITION

A grievance is defined as an unresolved issue concerning the application of College policy, practice, or procedure. Complaints regarding performance appraisals, reductions in the size of the workforce and/or the designation of individuals for redeployment or separation from a department due to downsizing are not matters subject to a grievance under this policy.

ELIGIBILITY

All regular administrative staff members who have completed their probationary period and who believe they have been done an injustice through the action of another employee, a supervisor, or other person acting officially for Marist College may file a grievance under this procedure.

INTERPRETATION OF COVERAGE

Where a dispute exists as to whether a particular matter is subject to coverage by this policy, Marist College reserves the right to make the final judgment on that question. This decision will be made by the Assistant Vice President for Human Resources. In making that judgment, the Assistant Vice President for Human Resources will interpret the coverage of this procedure liberally. He or she will deny application of the procedure only where the matter in question clearly concerns issues of broad policy in which the grievant has no direct interest, where the Assistant Vice President for Human Resources has good reason to believe that a grievance has been brought in bad faith for political or similarly inappropriate reasons, or in other circumstances in which use of these procedures would clearly endanger their effectiveness as an instrument for the redress of grievances. Such a decision will be rendered in writing to the employee and will be final.

INFORMAL STAGE

1. The employee should first meet with his/her supervisor to discuss his/her grievance. This meeting should take place within five (5) working days from the time the employee first had knowledge of the adverse action. Failure of the employee to meet with the supervisor within five (5) working days shall preclude further processing of the grievance. If there are extenuating circumstances that prevent meeting this time limit, an extension may be approved by the Assistant Vice President for Human Resources.

2. If the grievance remains unresolved, the employee may discuss it with his/her next-in-line supervisor.

   Wherever possible, the supervisor and/or the next-in-line supervisor should make every effort to resolve the grievance at the informal stage.

3. If circumstances of the grievance prevent using step 1 and/or 2, or if the next-in-line supervisor does not resolve the grievance within seven (7) working days, the employee may discuss the grievance with the Director of Human Resources.
4. If the grievance involves a question of judgment or opinion not covered directly by a policy or employment law, the Director of Human Resources, or if necessary, the Assistant Vice President for Human Resources, shall counsel with the employee, the supervisor and the next-in-line supervisor to resolve the grievance, if possible.

FORMAL GRIEVANCE

- If the grievance has not been resolved by informal appeal, the aggrieved employee may submit a request in writing to the Assistant Vice President for Human Resources to have the grievance considered by a formal grievance committee. The request must be submitted within five (5) working days after the last stage of the informal process. Failure to request a formal grievance within five (5) working days shall preclude further processing of the grievance.

Procedure

- A request by the grievant for a formal grievance hearing must include the nomination of one regular full-time employee who is willing and available to serve as a member of the grievance committee.

- The Assistant Vice President for Human Resources has the discretion to either approve or disapprove the request based on the circumstances of the grievance and the possible conflict of interest of the nominee. If the request is disapproved, the Assistant Vice President for Human Resources shall state the reason therefore in writing. If approved, he/she will appoint a grievance committee to meet within fifteen (15) working days or as soon thereafter as possible. In any case, the nominee has the right to refuse the nomination. The grievance committee will include:

  1. The employee named in the original request or a substitute satisfactory to the grievant and the Assistant Vice President for Human Resources.
  2. An employee nominated by the Assistant Vice President for Human Resources.
  3. A chairperson selected by mutual agreement of the other two members. The chairperson can be any regular full-time employee who is willing and available to serve in this capacity. If the two members cannot agree upon a chairperson, the chairperson will be appointed by the Assistant Vice President for Human Resources.
  4. The Director of Human Resources shall serve as technical advisor and secretary to the grievance committee. The Director has no vote on the committee, but may pose questions to the grievant, respondent and witnesses and take part in all deliberations regarding the recommendations and findings of the committee.

- The grievance committee shall hear the grievance together with such witnesses as it deems germane to the grievance. Proceedings are closed to any individual/party not involved with the grievance. Since these proceedings are internal procedures, participation is limited to regular employees only. The grievance committee may authorize testimony from external constituents if, in its judgment, the testimony is needed to fairly process the grievance.

- The grievance committee shall make every effort to forward its findings and recommendations in writing to the Assistant Vice President for Human Resources within 15 working days of the conclusion of the formal hearing. The grievance committee has the authority reconvene the proceedings and/or to request any additional information/witnesses/pertinent materials it deems necessary in order to make recommendations. The Assistant Vice President for Human Resources, at his or her discretion, shall, upon request, make copies of the findings and recommendations available to the grievant and the individual against whom the grievance is filed.

Authority of the Grievance Committee

- The findings and recommendations of the grievance committee shall be limited to the resolution of the specific dispute presented. Personal preferences and judgments unrelated to the grievance shall not be included in the committee’s findings and recommendations. In reaching their decision, the grievance committee shall exclusively rely on the testimonial and documentary evidence presented at the grievance hearing. In fashioning a remedy, the grievance committee shall limit itself to a remedy which is specific and appropriate to the violation(s)
found. In carrying out their function, the grievance committee shall not have the power to add to, subtract from, or modify the terms of the Administrative Manual.

Authority of the Associate Vice President for Human Resources

- The Assistant Vice President for Human Resources shall notify the parties in writing of the findings and recommendations of the grievance committee. Before so doing, the Assistant Vice President for Human Resources has the sole right to remand for reconsideration the findings and/or recommendations of the committee if, in his/her judgment, they are beyond the scope of the grievance committee’s authority or otherwise arbitrary and capricious. In such a case, the Assistant Vice President for Human Resources may remand the grievance to the same committee or may cause a new committee to be formed.

Appeal

- The findings and recommendations may be appealed in writing to the Executive Vice President by either party within ten (10) working days of the receipt of the written decision. The decision of the Executive Vice President will be final.

- In cases where a conflict of interest arises with any of the officials named above, the President will appoint another employee on an ad hoc basis to serve in the designated capacity. Written statements alleging such conflict of interest may be submitted to the President by the grievant, the individual against whom the grievance is filed, or any of the officials named above. The decision that a conflict of interest exists is reserved to the President alone.
Subject: BEREAVEMENT LEAVE

Bereavement leave is authorized for all members of the administrative staff. Bereavement leave of up to five (5) work days shall be granted immediately following the death of a member of an employee’s immediate family – mother, father, spouse, child, sibling, in-law. Bereavement leave for extended family members and close relationships will be authorized in consultation with the employee’s immediate supervisor. When more than one day of bereavement leave is requested for an extended family member or close relationship, the Director of Human Resources should be consulted.

Bereavement leave is to be noted on the employee’s work log.
Subject: **COBRA**

On April 7, 1986, Public Law 99-272, Title X, was enacted under the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA requires most employers who sponsor group health plans to offer current and former employees and their dependents the opportunity for a temporary extension of health coverage, called “continuation coverage”, at group rates, in certain instances where coverage under the plan would otherwise end.

An employee who has health insurance under a College-sponsored plan and who loses the insurance because of a reduction in hours of work or the termination/separation of employment, is entitled to continue coverage for self and/or dependents for up to 18 months. In addition, the spouse and dependents of an employee have the additional right to continue coverage for up to 36 months for any of the following reasons:

1. The employee’s death;
2. Divorce or legal separation;
3. Change in dependent status (e.g. child reaches limiting age or is no longer a full-time student); or
4. The employee becomes eligible for Medicare.

If an individual becomes disabled, as determined under the Social Security Act, during the first 60 days of COBRA continuation coverage, COBRA may be extended for 29 months for both the disabled and non-disabled family members.

A child who is born to a covered employee or placed for adoption with a covered employee during the period of COBRA continuation coverage is a qualified dependent for coverage.

Under COBRA, an employee or family member is responsible for informing the College’s Health Benefits Representative of a divorce, legal separation, or a child’s loss of dependent status. When the College is notified that one of these events has occurred, the employee will be notified of the right to choose continuation coverage. The decision to continue coverage must be made within 60 days of the date the employee or dependent(s) would lose coverage because of one of the events described above. If continuation coverage is not chosen, coverage will end.

When COBRA continuation coverage is elected, the College is required to provide identical coverage to that which is provided to similarly situated employees or family members.

COBRA eligibility may cease before the expiration of coverage for any of the following reasons:

1. The College no longer provides group coverage to any of its employees;
2. The individual fails to remit premiums for continuation coverage;
3. The individual becomes covered under another group plan
4. The individual becomes eligible for Medicare; or
5. The individual who divorced from a current employee and subsequently remarries and is covered under the new spouses group plan.

At the end of the COBRA eligibility period, enrollees are entitled to convert to coverage directly with the plan they were enrolled in under COBRA. The College does not participate in the conversion process. The College’s Health Benefits Representative administers COBRA. Questions about COBRA and/or notification of a COBRA-entitling event should be addressed to the Office of Human Resources.
Subject: COPYRIGHT POLICY

Preamble
The copyright policy of Marist College seeks to protect and promote the traditional academic freedom of the College's faculty, staff and students in matters of publication; seeks to balance fairly and reasonably the equitable rights of authors, sponsors, and the College; and attempts to ensure that any copyrightable material in which the College has an equity interest is utilized in a manner consistent with public interest.

Application
For the purposes of this policy, the term employee wherever used shall include all faculty, staff and those students employed by the College engaged in the production of copyrightable works at Marist College.

Definition of Terms
1. Copyrightable Works: Under federal copyright law, copyright subsists in "original works of authorship" which have been fixed in any tangible medium of expression from which they can be perceived, reproduced or otherwise communicated, either directly or with the aid of machine or device. These works include:

   Literary works such as books, journal articles, poems, manuals, memoranda, computer software, computer programs, instructional material, instructional courseware, databases and bibliographies;
   Pictorial, graphic and sculptural works including photographs, diagrams, sketches; motion pictures and other audiovisual works such as videotapes and sound recordings.

2. Scope of Copyright Protection: Copyright protection does not extend to any idea, process, concept, discovery or the like, but only to the work in which it may be embodied, illustrated, or explained. For example, a written description of the manufacturing process is copyrightable, but the copyright only prevents unauthorized copying of the description; the process itself could be freely copied unless it enjoys some other protection such as patent.

3. Works for Hire: "Work for Hire" is a legal term defined in the federal Copyright Act as "a work prepared by an employee within the scope of his or her employment." This definition includes works prepared by employees in satisfaction of sponsored agreements between the College and outside agencies. The author is defined to be the employer, not the employee producing the work and hence the employer is the owner of works for hire for copyright purposes. Ownership in a work for hire may be relinquished only by an official of the College who is authorized to do so.

Copyright Policy
Copyright is the ownership and control of the intellectual property in original works of authorship subject to federal copyright law. It is the policy of the College that all rights in copyright shall remain with the creator unless the work is for hire (and copyright vests in the College under copyright law), is supported by a significant allocation of funds through the College for the pursuit of a specific project, is commissioned by the College, or is otherwise subject to contractual obligations. Marist will construe neither the provisions of office, computer or library facilities, nor will it construe the payment of salary from instructional accounts as constituting significant allocation of College funds, except for those situations where the funds are paid specifically to support the development of such material.

In keeping with tradition, the College does not claim ownership of copyrightable works, the intended purpose of which is to disseminate the results of academic research or scholarly study. Such works include those of students created in the course of their education, such as theses, papers and articles. Similarly, the College claims no ownership of books, popular nonfiction, novels, poems, musical works. If title to copyright in works defined within this section vests in the College by law, the College will, upon request and to the extent consistent with its legal obligations, convey copyright to the creators of such works.

The College shall retain ownership of works created as institutional rather than personal efforts—that is, works created for College purposes in the course of the creator's employment. For instance, work assigned to staff programmers is "work for hire" as defined by law (regardless of whether the work is in the course of sponsored research, unsponsored research, or non-research activities), and the College owns all rights, intellectual and financial, in such works.
Administration of Copyright Policy

The administration of the College's copyright policy shall be the ultimate responsibility of the President operating under the direction and authority of the Board of Trustees. The authority to resolve questions of ownership or other matters pertaining to materials covered by this policy shall be vested in the President with the advice and consultation of the College Patent and Copyright Committee, the membership of which is specified under the College's Patent Policy. The President will delegate to the Executive Vice President the authority to implement and administer the policy.

Licensing and Income Sharing

Licensing - Computer databases, software, courseware, and other copyrightable works owned by the College will be licensed through the Office of the Executive Vice President.

Proprietary Protection - Marist College seeks the most effective means of technology transfer for public use and benefit. To that end, the President will determine, upon the recommendation of the College Patent and Copyright Committee, whether to apply for patent protection in addition to or instead of copyright with respect to particular software, courseware, or other computer-related copyrightable materials owned by or assigned to the College.

Royalty Distribution - If patent protection is being sought, distribution of royalties will be handled in accordance with the College's Patent Policy. If copyright protection is sought and secured, royalties will be allocated in a manner similar to the distribution procedure under the Patent Policy. Royalty income received by the College through the sale, licensing or use of copyrightable material in which the College has acquired a property interest will be shared with the author and the College. When questions of authorship arise, the determination shall be made by the College Patent and Copyright Committee. The author will receive 50% of the net income generated after copyrighting expenses incurred by the College are deducted from gross revenues. Where, after review, authorship cannot be determined, the percent share of royalties, intended for the author, shall be distributed by the President after receiving the recommendations from the College Patent and Copyright Committee.

The Executive Vice President shall determine how much income might have to be set aside from gross royalties prior to distribution for expenses such as litigation which may be incurred in enforcing or defending the copyright or in licensing the copyrightable material. The President reserves the right to reject the recommendation of the College Patent and Copyright Committee with respect to securing copyright of the licensing of copyrightable material if the expenses associated with copyright and/or licensing are deemed to be excessive, not supportable within the constraints of the College's annual operating budget, or are not reimbursable from royalty income in the foreseeable future. Upon such a determination, the President may

- return the application to the Committee for further consideration,
- hold in abeyance the disposition of the application until a future date, or
- may refer the work to the author to exploit it as he/she sees fit.

Copyright Agreements

The policy set forth above constitutes an understanding which is binding on College faculty, staff and students as a condition of their participating in College research programs or their use of funds, equipment, space or facilities. The College may require faculty, staff and students and other research participants to sign agreements implementing this policy as a condition of participation in a sponsored project, or as may be necessary to comply with the terms of grants and contracts.

Sponsored Agreements

Contracts and grants frequently contain complex provisions relating to copyright, rights in data, royalties, publication and various categories of material including proprietary data, computer software, licenses, etc. Under all circumstances, the provisions of the sponsored research contract are binding. Questions regarding the specific terms and conditions of individual contracts and grants, or regarding rules, regulations and statutes applicable to the various government agencies, should be addressed to the Executive Vice President of the College as the administrator of sponsored research contracts.
Subject: CREDIT UNIONS

Marist College is a participating member of the Taconic Educational and Governmental Federal Credit Union (TEG) and the Hudson Valley Federal Credit Union (HVFCU). Membership is open to all employees. Faculty and staff who wish to become members must visit one of the local TEG or HVFCU branch offices. Brochures are available from the College Payroll Office in room 214 of Donnelly Hall.
Subject: DISABILITY LEAVE/NEW YORK STATE SHORT TERM

DISABILITY LAW (including PREGNANCY-RELATED DISABILITY)

Disability benefits, under the NYS Disability Insurance Law, are temporary cash benefits payable to an eligible administrative staff or faculty member when he/she is disabled by an off-the-job injury or illness. A staff/faculty member who cannot report for work beyond 7 consecutive calendar days for reasons of sickness or bodily injury is eligible for short-term disability insurance under the law.

Staff/faculty members are compensated at their regular rate during the time of illness or disability, up to a maximum of 26 weeks. Disability checks are remitted directly to the College. All benefits paid by the College through payroll deduction are continued during the length of the disability. Employees are required to present medical certification of their fitness to return to full duty before returning to work.

Disability claim forms must be filed with the Office of Human Resources within 7 days from the first date of absence in order to insure proper protection. Forms and information are available in the Office of Human Resources, Donnelly Hall, room 120. Both the employee’s and certifying physician’s sections of the disability claim forms must be completed in order for salary to be continued. The physician’s statement must attest to the fact that the staff/faculty member is unable to perform the normal duties of his/her position. The College has the right to withhold wages from staff/faculty members who do not file a completed disability claim form. Staff/faculty members are required to notify their supervisor immediately whenever the status of their disability changes (i.e. disability will end prior to original anticipated date, disability will extend beyond previously anticipated date). An employee on disability leave may be required to provide updated medical documentation at the request of the Office of Human Resources. Failure to provide a medical update may result in a suspension of salary payments.

Premiums for Disability Insurance are paid jointly by the College and the staff/faculty member.

Pregnancy-Related Disability is covered under the NYS Disability Insurance Law and is treated as a temporary disability as defined above. Under normal circumstances, the disability insurance provides 6 weeks coverage for temporary disability related to childbirth. Complications of pregnancy are considered on an individual basis in conjunction with the attending physician.

Disability leave must be noted on administrative work logs.

For the interplay of disability and family and medical leaves, please see the Family and Medical Leave policy.

The College may fill an employee's position when he/she is unable to return to work at the end of 6 months of disability. The College may fill an employee's job when he/she is absent for more than one long-term absence in several years.
Subject: DISCIPLINE FOR POOR WORK PERFORMANCE and MISCONDUCT

The purpose of this policy is to provide a framework for correcting poor work performance or behaviors that are detrimental to the successful operation of a department and/or beyond. Supervisors are encouraged to meet regularly with their staff members to provide feedback, guidance and mentoring and to identify strengths as well as weaknesses. When a weakness begins to develop into a problem, the supervisor should take Corrective Action.

Corrective Action is intended to ensure an employee is aware of a problem and potential solution before it becomes too serious and adversely affects the individual’s status. Corrective action is developmental, not punitive, and should be taken as soon as the supervisor becomes aware of problem with an employee’s performance or behavior. Supervisors should be very clear and direct when identifying particular shortcomings or problems. Together the supervisor and staff member should explore ways to correct the situation. A summary, indicating the date and subject of the discussion, should be retained by the supervisor for future reference, if necessary.

If, after taking corrective action, an employee continues to exhibit performance or behavior problems, the supervisor should follow the steps outlined below, although the College reserves the right to reduce or eliminate any part of these steps based on the detrimental impact the poor performance or behavior may have on the operation of the institution. Consultation with Human Resources is necessary before proceeding to these steps.

Written Warning. The supervisor meets with the employee to formally discuss the problem and outline a plan for improvement including expectations, any resources that might be available to assist the employee, follow-up meeting time, and other issues related to the particular situation. A written summary of the performance expectations and related information, including the date(s) previous corrective action was taken, is signed and dated by the employee and the supervisor.

Probation. If poor performance persists, the employee may be required to serve a formal probationary period. During the probationary period the supervisor is expected to maintain regular contact with the employee and be available for general guidance and support when requested. The expectations and length of probation is included in the probationary notice.

Continuation of Employment or Termination. At the conclusion of probation, if the recommendation is for the employee to continue employment, the supervisor will give the employee written notice of this together with a statement of expectations for the future. If the performance again becomes sub-standard, the supervisor is not required to provide the employee with another probationary period unless there is a clear set of new circumstances, such as a significant change in job responsibilities.

If at the conclusion of the probationary period, the staff member's performance is still unacceptable, the supervisor, in consultation with the Line Executive and Human Resources, will determine if termination is appropriate based on a review of the facts and circumstances. If the decision is made to terminate, the supervisor should give the staff member a letter outlining the reason for the termination and the effective date of the termination.

Immediate Termination for Misconduct

Misconduct may be a very serious situation that would give the College reason to immediately discharge an employee. The following is an illustrative but not inclusive list of misconduct: theft, fighting, threats of violence, lying, destroying property, insubordination, gambling on premises, sleeping during working hours, falsification of records, selling, purchasing, using, possessing or being under the influence of any illegal drug or alcohol while conducting college business, using another person's identification card or permitting another person to use your identification card, unlawful or improper conduct on or off premises during non-work hours which affects the employee's relation to her/his job, violation of the Computer Usage Policy; possession of firearms, explosives of any type (including fireworks), chemicals or weapons, and any other conduct detrimental to the College, or its reputation, or its operations or activities. This list is not exhaustive; other egregious situations may warrant immediate dismissal from employment.
Human Resources should be immediately consulted when it is learned that an employee has committed one of these violations. In all cases, the senior executive for the area must be made aware of the situation and concur with the determination to discharge the employee.

The College retains the right to terminate the employment of any individual who fails to conform to acceptable rules of behavior or performance or has committed serious misconduct.
Subject: **DOCTORAL PROGRAM TUITION REIMBURSEMENT FOR ADMINISTRATORS**

**Purpose**
The Doctoral Tuition Reimbursement Policy was developed to support the College’s commitment to providing professional development opportunities for eligible administrative staff who wish to enhance their ability to perform effectively in their current positions and/or prepare themselves for different on-campus roles or positions that may become available at the College.

**Policy**
1. Marist College will reimburse eligible full-time permanent administrative staff members up to $3,000 per year for tuition associated with doctoral degree granting programs.

2. To be eligible for tuition reimbursement under this policy, a full-time administrative staff member must have completed at least five years of full-time service at Marist, must complete the prescribed application form and must have the proposed course of study approved, in advance, by their immediate supervisor, line executive, and the Office of Human Resources.

3. Eligible programs of study include those which: (a) are related directly to the employee’s current job assignment, (b) are related to a different job at the College to which the employee can reasonably aspire, or (c) will enhance the employee’s ability to perform in current or future roles at the College.

4. Courses/programs eligible for reimbursement must be accredited by a New York State or a regional accrediting agency, and may be taken either on-line or in a traditional classroom setting.

5. Reimbursements for tuition of up to $1500 per semester will be made upon receipt of evidence of successful completion of course work with a minimum grade of “B” or the equivalent, and submission of a receipt for payments made.

6. Employees who receive reimbursement under this policy will be required to sign an agreement that they will reimburse the College for payments made to them if they do not remain an active employee of Marist for a period of one year following the granting of a degree or after the completion of three or more semesters.

7. This policy applies only to eligible full-time permanent administrative staff members and does not apply to the employee’s spouse or dependent(s)

8. Recipients of tuition reimbursement may be liable for federal and state income taxes on all or a portion of the reimbursement they receive.
Subject: EDUCATIONAL BENEFITS

All criteria for admission as a student at Marist College must be satisfied in order to be eligible for the following benefits. Applications for admission and all required documentation must be approved through the applicable admissions process for any individual who wishes to attend Marist College. Any individual who is not accepted as a student at the College is not entitled to on-campus educational benefits.

- **Waiting Period:** Employees and their spouses are eligible for educational benefits beginning with the semester after the completion of four (4) months of employment. Dependent children are eligible for educational benefits beginning with the semester after the employee has completed two (2) years of service.

A dependent child is an unmarried child who is claimed as a dependent on a faculty/staff member’s federal income tax return during each year for which tuition benefits are requested. Faculty and staff members are required to provide a copy of their income tax return to the Office of Financial Aid along with the required financial aid applications.

- **Tuition Waiver:** Tuition for eligible credits (see below) is waived after all financial aid for which the individual is eligible is deducted from the cost of tuition at the College. Employees who work less than full-time but more than 20 hours per week are eligible for waiver of one-half of the tuition. All other fees and costs are the responsibility of the employee.

- **Eligible Credits:** Up to 16 undergraduate credits per semester are covered under this policy. Graduate credit hours per semester are limited up to eighteen (18) credit hours annually for faculty, administrators, spouses and dependent children to age 26.

- **Financial Aid:** Applications for financial aid must be submitted for undergraduate study. Employees are responsible for payment of tuition until this requirement is met. Benefit eligibility will be discontinued if financial aid applications are not filed. Details of financial aid forms and filing requirements are available in the Office of Financial Aid.

- **Fees:** All fees are the responsibility of the employee. Benefit eligibility will be discontinued if fees are not paid.

- **Taxability of graduate tuition benefits:** Employees are required to pay federal tax on the dollar amount of graduate courses for their spouses, dependents and on a portion of the dollar amount for themselves. Taxes are deducted from salary payments during the semester in which the employee or spouse is enrolled. Please contact the Office of Human Resources for more information.
- Non-credit courses: Educational benefits do not apply to non-credit courses, such as professional development workshops, seminars and classes. Non-credit remedial courses required as part of a degree program are covered.

- Life Credit Experience: There is no tuition waiver for life credit experience. The employee is responsible for all tuition and fees associated with life credits.

- 5-Year Bachelor’s/Master’s Degree: Please contact Human Resources for details.

- Marist Abroad Program: Dependent children who choose to study abroad are considered to be attending another accredited institution and are entitled to the “Benefit for Dependent Children Attending another Accredited Institution” (see below). All fees and other associated costs are the responsibility of the faculty/staff member.

- Benefit for Dependent Children Attending another Accredited Institution: The College will help defray the tuition costs for dependent children of full-time employees who are attending another accredited institution full-time. This benefit is for eight (8) semesters only and is available after all financial aid, scholarships and other aid have been awarded. The employee is responsible for the total bill until this condition has been met. There is an annual monetary allowance for this benefit which is subject to change. Effective 7/1/12, the benefit is up to $2,000 per semester. This benefit applies to full-time students only and covers tuition and on-campus room and board. All other fees are excluded. The waiting period is the same as noted above.

- Health Benefits for Full-Time Dependent Children: Regardless of dependency status, natural and adopted children up to age 26 are eligible for medical coverage under their parent’s medical insurance plan with the College. Dependent children up to age 19 are eligible for dental coverage under the parent’s dental plan with the College. After age 19, or if the dependent child’s status drops below full-time student prior to age 19, dental coverage may be continued through COBRA for up to 36 months.

There may be other terms and conditions for the tuition benefits. Please refer all questions about this benefit to the Office of Human Resources.
Educational benefits for undergraduate study at Marist are available to surviving natural or legally adopted dependent children of deceased faculty and administrative staff members who were actively employed by the College at the time of death and had served full-time for a minimum of five (5) consecutive years. Educational benefits for surviving children shall be based on the following schedule:

<table>
<thead>
<tr>
<th>Parents Completed Years of Full-time Service</th>
<th>Tuition Discount*</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 through 10</td>
<td>25%</td>
</tr>
<tr>
<td>11 through 15</td>
<td>50% More than 15</td>
</tr>
<tr>
<td></td>
<td>100%</td>
</tr>
</tbody>
</table>

*Financial aid applications must be filed with the Office of Financial Aid before the tuition discount is applied. Tuition discount is awarded on the tuition balance after all financial aid has been awarded.

Tuition discounts for surviving dependent children attending Marist College are available for full-time undergraduate study, up to sixteen (16) credit hours per semester, and for graduate study, up to eighteen (18) credit hours annually. Eligible surviving dependent children must apply and be accepted to Marist College through the regular admission process and must continue to be dependents of the surviving spouse in order to maintain eligibility for the tuition discount. Dependent status is based on IRS regulations. For the graduate benefit, dependent children must be age 26 or younger.

Dependent children who are enrolled in an undergraduate or graduate degree program at the time of death of a parent shall continue to receive the full tuition remission for the current semester. At the conclusion of the semester, the above schedule will become effective.

Spouses of deceased employees are eligible for tuition discounts for five (5) years following the employee's death or the attainment of a degree, whichever occurs earlier. Undergraduate courses and a maximum of eighteen (18) graduate credit hours annually are covered by this benefit. Financial aid applications must be filed with the Office of Financial Aid before the tuition discount is applied. Tuition discount is awarded on the tuition balance after financial aid has been awarded.

Failure to file for financial aid precludes an individual from receiving this benefit.
Subject: EMPLOYMENT OF A RELATIVE – NEPOTISM

Members of immediate families and other relatives of Marist College employees may be employed in any capacity in any department within the College. However, related persons shall not be employed in a situation where one relative exercises either direct or indirect supervision over the other, including student employment. If such a supervisory relationship is deemed a distinct advantage to the College, the employment of the relative in question must be approved by the President in consultation with the Director of Human Resources.
Subject: EMPLOYMENT OF MINORS

The employment of individuals who are under 18 years of age is regulated by federal and state laws. As a guideline, some of the provisions and rules governing the employment of minors are outlined below. The Office of Human Resources is responsible for processing the necessary forms and for maintaining the required records. The employing department should refer the individual to HR for this purpose.

Employment Certificates:

- Each minor between the ages of 14 and 18 must present a Student General Certificate (working papers), Form AT-19, before he/she can begin to work. The Certificate is available from the school district where the minor lives.
- Each minor must sign the Certificate and include his/her name, address, and date employment is to begin.
- The College must return to the issuing office the Statement of Employer which is attached to the bottom of the Student General Employment Certificate.
- The Student General Employment Certificate is kept on file in the Office of Human Resources.
- Upon termination of the minor's employment, the College enters the termination date and returns the Certificate to the minor or mails it to the issuing officer.

Permissible Hours:

<table>
<thead>
<tr>
<th>Age</th>
<th>Max. Daily Hours</th>
<th>Max. Weekly Hours</th>
<th>Permitted Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>School in Session</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 &amp; 15</td>
<td>3 hrs. Mon. – Fri. 8 hrs. Sat., Sun., &amp; Holidays</td>
<td>18 hours</td>
<td>7 a.m. – 7 p.m.</td>
</tr>
<tr>
<td></td>
<td>4 hrs. Mon. – Thu. 8 hrs. Fri., Sat., Sun., &amp; Holidays</td>
<td>28 hours</td>
<td>6 a.m. – 10 p.m.</td>
</tr>
<tr>
<td>16 &amp; 17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School not in Session</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 &amp; 15</td>
<td>8 hours per day</td>
<td>40 hours</td>
<td>7 a.m. – 9 p.m.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(June 21 to Labor Day)</td>
</tr>
<tr>
<td>16 &amp; 17</td>
<td>8 hours per day</td>
<td>48 hours</td>
<td>6 a.m. - midnight</td>
</tr>
</tbody>
</table>

- School is “Not in Session” when it is closed for at least a full week.
Restrictions of Job Duties:

There are certain restrictions on the types of employment that may be performed by minors. Most work performed on campus is not prohibited except work in Physical Plant involving the operation of power-driven woodworking, metal-forming, or metal-shearing machines. Minors age 14 or 15 may not operate power-driven mowers or cutters in the maintenance of grounds, or any winter snowblower or motorized plow.

It is advisable to review a minor's job duties with the Office of Human Resources before offering employment.

Requirement for Posting Hours:

The College is required to prepare and post conspicuously a schedule of hours (starting and ending times, including meal periods) for each day each minor is scheduled to work.
Subject: EQUAL OPPORTUNITY POLICY

Marist College subscribes to a policy of equal opportunity. The College is committed to principles of fairness and respect for all who contribute to and participate in our community. The College seeks to reach out as widely as possible in order to attract the ablest individuals as students, faculty and staff. Decisions concerning admission to academic and other programs, as well as employment decisions in all College departments are made on the basis of an individual’s qualifications to contribute to meeting the educational objectives and needs of the College. In applying this policy, the College is committed to the principle of not discriminating against individuals on the basis of race, color, religion, national origin, gender, sexual orientation, marital status, age, veteran status, or status as an individual with a disability.

In addition to the general policy above, Marist College has specific legal obligations as a recipient of federal financial assistance and as a federal contractor. These obligations include the development and implementation of a plan to undertake appropriate forms of affirmative action to employ women, people of color, people with disabilities, and Vietnam-era and disabled veterans. Marist’s affirmative action plan is available for review upon request to the Affirmative Action Officer.

The Affirmative Action Officer is responsible for monitoring College practices and procedures to ensure compliance with our policies and federal, state and local laws. The ADA Coordinator is responsible for monitoring compliance with the Americans with Disabilities Act. Inquiries regarding these matters should be directed to the Affirmative Action Officer or the ADA Coordinator located in the Office of Human Resources, Donnelly Hall, Marist College, Poughkeepsie, NY 12601 or (845) 575-3349.
Subject: **EXPENSE ACCOUNTS**

This policy is detailed in the *Business Travel and Other Reimbursement Policies Handbook* published by the Business Office. Copies of the Handbook can be obtained from the Business Office, Donnelly Hall, and Room 210.
Eligible employees may be entitled to unpaid leave under the federal Family and Medical Leave Act (FMLA) for specified family and medical reasons. FMLA applies equally to male and female employees. In addition, the College will fully comply with all State and Local leave laws. Paid leave may be substituted for unpaid leave in certain cases. The following is the College’s FMLA policy for administrative staff members.

**ELIGIBILITY**
To be eligible for FMLA benefits, an employee must have been employed by the College for at least twelve (12) months and have worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

**QUALIFIED LEAVE REASONS**
The College will grant FMLA leave to eligible employees for any of the following reasons:
- The employee’s own serious health condition;
- The birth and care of the employee’s child;
- Placement with the employee of a child for adoption or foster care; or
- Care of the employee’s spouse, domestic partner, child, or parent with a serious health condition. A serious health condition is an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

Leave for the birth and care, or placement and care of a child must conclude within 12 months of the birth or placement of the child.

**FMLA MILITARY LEAVE PURSUANT TO THE NDAA**
The National Defense Authorization Act for Fiscal Year 2008 (NDAA) has amended the FMLA to allow qualified employees with family members in the military to take FMLA leave under two circumstances:
- **Qualifying exigency** - up to 12 weeks of FMLA leave in a 12-month period because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee 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;
- **Service member caregiver** - a total of up to 26 workweeks of leave during any single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin caring for a military service member or eligible veteran recovering from an injury or illness suffered while on active duty in the armed forces.

**NOTICE REQUIREMENT**
Employees seeking FMLA leave are required to provide their supervisors and the Office of Human Resources at least 30 days prior written notice of the proposed leave. Where advance notice is not possible, such as in the event of a medical emergency, notice should be given as soon as possible. Failure to give advance notice where foreseeable may delay or postpone the commencement of the leave.

**CERTIFICATION OF SERIOUS HEALTH CONDITION**
If FMLA leave is based on a serious health condition, whether it involves the employee or a family member (parent, spouse, domestic partner or child), medical certification from a health care provider is required. Failure to provide such certification may result in a delay of the employee’s leave. Where the College requires an employee to provide a medical certification, that certification must be provided within twenty (20) calendar days of the College’s request. The College may require a second or third opinion (at the College’s expense) and/or periodic re-certification of a medical condition. Employees may also be required to report on their intent to return to work.

When returning to work from a leave taken because of the employee’s own serious health condition, the employee will be required to provide medical certification that the employee is fit to return to work. Whenever an employee learns of a change in the anticipated length of a FMLA leave, the employee must notify the College within one (1) week of learning of such a change.
LENGTH OF LEAVE
Eligible employees may be entitled to up to twelve (12) weeks of unpaid leave during any 12-month period based on the employee’s original date of hire. Each time an employee takes FMLA leave, the remaining leave entitlement equals the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

Where the College employs both spouses or domestic partners, they are each entitled to 12 weeks of FMLA leave for the birth and care of their newborn child, or for the care and placement with them of a child for adoption or foster care.

In certain circumstances, employees may take intermittent leave or leave on a reduced leave schedule. Intermittent leave or leave on a reduced schedule for the birth and care or placement and care of a child for adoption or foster care will be allowed only with the College’s prior written approval. Intermittent leave or leave on a reduced schedule may be taken, with the approval of the College, when medically necessary to care for a seriously ill family member or because of the employee’s own serious health condition.

BENEFITS DURING LEAVE
During any FMLA leave, the College will maintain the employee’s medical, dental, life and disability insurance coverage on the same conditions that coverage would have been provided if the employee had been continuously employed during the entire leave period. The College and the employee will each continue to pay their portion of the benefit costs.

The COBRA eligibility date for an employee who does not return from FMLA will be retroactive to the first date of FMLA leave.

RETURN FROM LEAVE
Employees returning from leave will be reinstated to the same or equivalent position, with equivalent pay, benefits, and other terms and conditions of employment. Exceptions may arise for certain highly compensated “key” employees under certain circumstances. Employees will be notified of their status as a key employee at the time they request FMLA leave.

Failure to return to work may result in termination of employment.

FMLA, NYS DISABILITY AND WORKERS’ COMPENSATION
FMLA benefits will run concurrently with benefits provided by New York State Disability and/or Workers’ Compensation.

Information can be obtained from the Office of Human Resources. In addition, a poster has been placed in the Office of Human Resources which includes further details regarding eligibility and other requirements of the law. Questions of interpretation under this policy will be resolved by reference to the FMLA and regulations issued by the US Department of Labor (www.dol.gov).
Subject: FLEXIBLE SPENDING ACCOUNTS (FSA)

Dependent Care Flexible Spending Account (FSA)

The dependent care FSA allows employees the opportunity to set aside money on a pre-tax basis to pay for the care of dependent children or adults so that the employee can work. The maximum amount that can be set aside each year is $5,000. Elections are made annually on the calendar year and deductions are drawn from paychecks and deposited into the FSA. Any amounts that are set aside and are left unclaimed at the end of the year will be forfeited. To be reimbursed, bills from dependent care providers with tax ID numbers are submitted to the FSA carrier. Forms for reimbursement are available on the Human Resources web site under Forms.

Healthcare Flexible Spending Account (FSA)

A healthcare (medical/dental/vision) FSA allows an employee to set aside money on a pre-tax basis to pay for out-of-pocket health, dental or vision expenses that are not covered, or are partially covered under a health insurance plan, including plan deductibles and co-payments, prescription drugs, eyeglasses and frames, orthodontia and various other uncovered expenses. The maximum amount that can be set aside each year is $2,500. A list of reimbursable expenses is available in the Office of Human Resources.

Flexible Spending Accounts are coordinated through the Office of Human Resources. Further details of the programs can be obtained in HR.
Subject: GARNISHMENTS

The College is required to comply with all court-authorized garnishments. Garnishments and federal and state tax levies are processed by the Payroll Office. A staff member whose salary is garnished or levied will be notified by the Payroll Office. While not required by law, the College will, upon the request of the employee, provide a copy of the execution notice to the employee.

The College will not act as an agent for or on behalf of any private enterprise attempting to collect a debt without a proper court order. Employees of the College are also prohibited from acting as an agent for, or on behalf of, any private enterprise in the collection of a debt from any other College employee.
Subject: **GIFTS AND GRATUITIES**

In order to avoid a conflict of interest or the appearance of a conflict of interest, at no time should an employee solicit or accept gifts from a vendor or contractor or from a potential vendor or contractor. Gifts valued at $50.00 or more cannot be accepted by College employees, and should be returned immediately to the donor. Ordinary business courtesies, such as payment for a modest lunch or dinner, are acceptable. Gifts which are promotional items without significant value, and which are distributed routinely by a vendor to clients, are also acceptable.

Gratuities or gifts of money to an employee cannot be accepted at any time and should be returned immediately to the donor.

It is the responsibility of each member of the College staff to report any gift or solicitation to the next-in-line supervisor.
Subject: HARASSMENT POLICY STATEMENT

Harassment based upon inappropriate or threatening sexual conduct, race, color, gender, religion, national origin, age, disability or sexual orientation is a form of discrimination prohibited by Title VII of the Civil Rights Act of 1964 and applicable New York State Laws. It is also inconsistent with the values of Marist College and the policies of our institution.

SEXUAL HARASSMENT

Marist College is committed to providing an educational and working environment that is free of sexual harassment. Sexual harassment is not only offensive, it is against the law, and it will not be tolerated by the College.

Under applicable federal and state laws and regulations, sexual harassment is defined as unwelcome sexual advances, requests for favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is or becomes a term or condition of an individual's employment or academic success, or is used as a basis for employment or academic decisions relating in any way to that individual;
- such conduct substantially interferes with an individual's work or academic performance; or
- such conduct creates an intimidating, hostile or offensive working or academic environment.

Any member of the Marist Community whose conduct constitutes harassment, or who condones such actions on the part of subordinates, will be subject to appropriate disciplinary action up to and including immediate termination of employment or immediate dismissal from the College. Such offenders may also be subject to personal liability and civil penalties.

Marist College has developed formal procedures to investigate and respond quickly to allegations of sexual harassment. Any member of the college community who experiences job, academic or campus life related harassment, or who has any related complaint, or is aware of any circumstances of harassment on campus, should promptly report the matter.

College Employees Should Contact the Office of Human Resources
Deborah Raikes-Colbert, Associate Vice President/Affirmative Action Officer
(Donnelly Hall Room 120 - Extension 2349)
or
Eva J. Jackson, Director of Employee Relations
(Donnelly Hall Room 120 – Extension 2392)

Students Should Contact the Office of Student Affairs
Daniel Hoover, Director of Student Conduct
(Rotunda 389 - Extension 3515)
or
Bro. Frank Kelly, Director of Campus Ministry (Byrne Residence - Extension 2275)

HARASSMENT OTHER THAN SEXUAL HARASSMENT

Harassment based upon race, color, gender, religion, national origin, age, disability or sexual orientation are also forms of discrimination under Title VII of the Civil Rights Act, and the laws of New York State. Such harassing activities are likewise offensive, illegal and will not be tolerated by the College.

Under applicable federal and state laws and regulations, this type of harassment is defined as verbal or physical conduct of
any kind, which is based upon an individual’s race, color, gender (other than sexual harassment) religion, national origin, age, disability or sexual orientation, when:

1. Such conduct substantially interferes with an individual’s work or academic performance or;
2. Such conduct creates an intimidating, hostile or offensive working or academic environment.
3. If you believe that you are a victim of such harassment or know of such harassment on campus, you are urged to follow the steps for reporting such activities as outlined above.

Consensual Relationships
The College deems unwise and inappropriate, and therefore strongly discourages, consensual sexual relationships between supervisors and employees. A supervisory relationship is one in which one person is in a position to exercise influence or control over the other in work-related matters or in any terms or conditions of employment.

The College expressly forbids consensual sexual relationships between a member of the faculty or staff and a student. Such relationships are viewed as unwise and unprofessional. All members of the college community should be aware that involvement in any relationship as described above may expose them to eventual charges of sexual harassment. Such charges could result in College disciplinary action, up to and including termination, as well as personal liability and civil penalties.
SUBJECT: Inclement Weather Policy for Administrative and Union-exempt Hourly Employees

Official notifications of a full-day closing, delayed opening or early closing are made through the campus e-mail system, the Marist website (www.marist.edu) and the Weather Delay/Cancellation Telephone line (845-575-5500).

The following policy and guidelines on the closing of administrative offices due to inclement weather or other emergencies will be in effect for the 2013 - 2014 winter season.

Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by the Executive Vice President or his designee; however, administrators and staff must use their best judgment to determine whether conditions are safe for their travel to and from the campus. When administrative offices have not officially closed, an employee who does not report to work or requests to arrive at work late or leave work early must notify the appropriate supervisor. Such absences will be charged to the employee’s leave accruals; if the employee has no leave accruals, the absence will be treated as leave without pay.

There may be times when inclement weather, power failure, or another similar emergency require administrative offices to open late, close early, or close for an entire workday. In such an event, the Executive Vice President may authorize the closing of administrative offices and excuse certain employees from work.

Delayed Opening: In the event that the start of classes is delayed, Administrative employees and non-union hourly paid employees are to report to work one hour prior to the announced opening time. For example, if the announcement states that classes will start at 11:30 a.m. or that the College opens at 11:30 a.m., employees are to report at 10:30 a.m. Employees will be paid for that part of the employee’s regularly scheduled workday without charge to the employee’s leave accruals.

Offices Closed for Entire Day: In the event that administrative offices are officially closed for the entire workday, Administrative employees and non-union hourly paid employees who are scheduled to work need not report to work and will be paid for the employee’s regularly scheduled workday without charge to the employee’s leave accruals.

Cancellation of Evening Classes: In the event that all evening classes are canceled, an announcement will be made as close to 3:00 p.m. as possible. Administrative employees and non-union hourly paid employees who are scheduled to work in the evening need not report to work and will be paid for that part of the employee’s regularly scheduled workday without charge to the employee’s leave accruals.

Offices Closed After Start of Workday: The cancellation of classes after employees report to work is not to be considered a suspension of College operations, and employees are expected to remain at work unless officially notified otherwise. If so notified, Administrative employees and non-union hourly paid employees will be paid for the remainder of the employee’s regularly scheduled workday without charge to the employee’s leave accruals.

Employees on Scheduled Leave: An employee who is on paid leave when administrative offices have been officially closed will be charged such leave as previously scheduled.

State of Emergency: Situations that arise where a “State of Emergency” is declared by the government and travel on roads is prohibited will be dealt with on a case-by-case basis.

Note: Security staff and employees who are members of a collective bargaining unit (CWA and SEIU) should refer to their respective agreements as it pertains to release time and compensation during inclement weather.
Notification of Delayed Opening or Cancellation of Classes: The following radio stations announce the official cancellation of classes no later than 7:00 a.m.

<table>
<thead>
<tr>
<th>AM</th>
<th>FM</th>
<th>TV</th>
<th>TV</th>
</tr>
</thead>
<tbody>
<tr>
<td>WCBS</td>
<td>880</td>
<td>WRNQ</td>
<td>92.1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>WTSX/WDLC</td>
<td>96.7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>WCTW</td>
<td>98.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>WKZE</td>
<td>98.1</td>
</tr>
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<tr>
<td>WGHQ</td>
<td>920</td>
<td>WRRV</td>
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<td></td>
<td></td>
<td>WCZX</td>
<td>97.3</td>
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<tr>
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<td>WZAD</td>
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<tr>
<td>WHVW</td>
<td>950</td>
<td>WBWZ</td>
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<td></td>
<td></td>
<td>WPDH</td>
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<td>WKZE</td>
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<td></td>
<td></td>
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<tr>
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<td>WBNR</td>
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<td>WSUL</td>
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<td>98.3</td>
</tr>
</tbody>
</table>

Should you have any questions concerning these guidelines, or if you require further clarification, please contact the Office of Human Resources, ext. 3349.
Subject: INSPECTION OF MARIST-OWNED PROPERTY

Marist-owned property, including but not limited to offices, lockers, desks, computer discs, and computers is subject to inspection at any time.
JURY DUTY:
Employees are encouraged to serve on jury duty and fulfill their court-related, civic obligations. The College provides the staff member paid time off to serve on jury duty. Individuals summoned for jury duty are expected to work during normal working hours whenever court is not in session or when their presence in court is not required. If an employee does not report to court or to the workplace for any reason, then the supervisor must be informed by the employee, and the time is charged with supervisory approval, to vacation. There is no salary offset for money earned by an employee for jury services.

SUBPOENAS AND COURT APPEARANCES:
A staff member who is requested by College attorneys to appear in court as a witness to testify on behalf of the College will be paid his/her regular rate of pay. Expenses for out-of-town travel will be paid in accordance with the Business Travel and Other Expenses Reimbursement Policies Handbook.

Individuals appearing in court on their own behalf or in a private matter may use personal time. Any personal court proceedings requiring more than one consecutive personal day requires prior written approval of the supervisor and the Office of Human Resources.
Subject: LEAVE OF ABSENCE

All administrative staff members with a minimum of two (2) continuous years of service are eligible to apply for a leave of absence. No more than two (2) uncompensated leaves of absence shall be granted during an individual's employment at the College. A leave of absence cannot be requested during the 12-month period following any other leave.

A leave of absence for up to one (1) year may be permitted depending on the reasons and circumstances that prompt such a request, and on institutional need. Requests for uncompensated leaves of absence must be made in writing to the supervisor, line executive and Director of Human Resources as far in advance as possible. Approval is at the discretion of the line executive.

Employees on a leave of absence are eligible to maintain health and life insurance with the College. During the first sixteen (16) weeks of the leave, the employee is responsible for payment of the employee portion of the premiums. Employees must make arrangements to pay their portion of the premiums prior to the beginning of the leave and must sign a disclaimer indicating that they will reimburse the College for the College portion of the premium should they not return at the end of the leave. After 16 weeks, the employee is responsible for payment of 100% of the premiums on a monthly basis.

Employees on a leave of absence are not entitled to any other College benefits during the leave.

Time on leave is not counted as service.
Subject: LIFE INSURANCE

Full-time members of the faculty and administrative staff are eligible for group life insurance. Enrollment is required within the first 30 days of employment or during the annual open enrollment period. The benefit is equivalent to base salary or the next highest multiple of $1,000. Contributions are divided equally between the College and the employee.

Details of the group life insurance plan may be obtained from the Office of Human Resources.
Subject: MCCANN RECREATION CENTER

Membership at the McCann Recreation Center is available to all full-time and part-time (more than 20 hours/week) faculty and staff and their families. Family includes spouse and dependent children of the employee. If the employee is single and living in the same residence with his/her parents, brothers and sisters, they would constitute the employee’s family. Part-time faculty and staff who work less than 20 hours/week may purchase memberships from the McCann Center.

Family members may use all McCann Center facilities with the exception of the Fitness Center. The Fitness Center facilities are open for faculty and staff only from 9 a.m. to 2 p.m. Monday through Friday and on Saturday from 12 noon to 4 pm. The Director of Athletics reserves the right to adjust these hours.

A valid Marist identification card or McCann Center membership card is required for access to the facilities.
Subject: MEDICAL AND DENTAL PLANS

Administrative staff members who work 30 or more hours a week and faculty members who work the equivalent of 30 hours per week are eligible to enroll in a medical and/or dental plan. Enrollment must take place within the first 30 days of employment or during the annual open enrollment period. The plans are described in the College’s Summary of Benefits brochures which are available from the Health Benefits Representative, Office of Human Resources.

Staff and faculty are required to contribute a portion of the premium through salary reduction. Details of the monthly costs are available in the Office of Human Resources.

In certain circumstances employees and family members who lose their coverage may be entitled to continue in the medical and/or dental plans. Please refer to the COBRA policy for details.
MEDICAL DISABILITY RETIREMENT

When a member of the administration or faculty is deemed totally disabled as per the Long-Term Disability Plan, that employee is entitled to continuation of Marist College benefits in accordance with the Post-Retirement Benefits policy. The length of service for benefits eligibility is calculated from the original date of hire in a full-time position to the last actual day of work. Post-retirement benefits eligibility ceases when long-term disability benefits end due to an employee’s return to work at Marist or with another employer.

Security employees, non-union exempt employees and employees represented by collective bargaining agreements should refer to the terms in their respective handbooks or collective bargaining agreements to determine eligibility for this benefit.

All questions regarding this benefit, including eligibility or application procedures, should be directed to the Office of Human Resources.
Subject: MILITARY LEAVE

All faculty and regular staff who are members of the National Guard or a reserve component of the United States Armed Forces will be granted time off for annual military duty provided the duty is obligatory to maintain military status. The maximum paid time* allowed for annual duty is ten (10) workdays per fiscal year (July 1 to June 30). Any period of time spent on military duty in excess of the maximum time allowed may be taken as leave without pay.

A request for time off for military duty should be made to the staff member’s immediate supervisor or department head at least two (2) weeks in advance of the duty. The request should include the dates of departure and return, and must be accompanied by a copy of the official orders.

*If military salary is less than College salary, the College will compensate the individual for the difference. To receive compensation from the College, the faculty or staff member must furnish a certified statement of the military pay to the Office of Human Resources. The difference in salary will be paid to the individual in the payroll following receipt of the certified statement.

A leave of absence of up to five (5) years (unless an additional period of service is needed at the request of the Federal government) will be granted for full-time military service to staff members called or volunteering for such duty in accordance with the Federal guidelines. The individual on military leave must apply for return to active status at the College within 90 days following discharge from active military duty.

The College is committed to return a staff member to active status in the same or comparable position at the end of the leave. In order to be eligible for reemployment the staff member must:

- Have been employed in a regular staff position, and would not have been subject to position discontinuation if employment had not been interrupted by military service;
- Present a certificate of discharge or release from active duty under honorable conditions;
- Apply for reemployment within 90 days of discharge from active duty, or within one year if hospitalized after discharged.

A department may hire a replacement while a staff member is on military leave. The replacement is a term appointment which will be clearly stated in the employment agreement. The employment agreement must clearly state the terms and conditions of employment and that the position will end upon the return of the staff member on leave. Upon return of the staff member from military leave, the replacement worker’s employment with the College will cease.

During a military leave without pay, there is no accrual of paid time off days. Time while on leave is counted as service credit in determining eligibility for those benefits that are dependent upon length of service. A staff member must contact the Office of Human Resources to arrange for payment of benefits if he/she wishes to continue participation in the College medical/dental and life benefits while on a leave without pay. The individual is responsible for payment of 100% of the premiums. Any staff member who goes on leave without making arrangements for continuation of benefits will be terminated from his/her health, dental and life insurance plans. Tuition Benefits for staff members’ and/or eligible dependents will be continued during the military leave. Staff members participating in the pre-tax accounts may continue to submit claims against balances accumulated in their accounts through the duration of the plan year and relevant filing period.
Subject: MOVING EXPENSES

It is College policy to reimburse eligible newly hired faculty and administrative staff members for reasonable relocation expenses. To be eligible for reimbursement, new employees must move a minimum of 50 miles from their present home, must move within the first year of hire and must have a reasonable expectation of remaining in their position for at least one calendar year.

Generally, the College will pay one half of the moving expenses up to $2,500.00, whichever is less. Three bids from certified movers must be submitted to the Chief Financial Officer prior to the move. The CFO will make a determination as to which mover the employee will use.

An eligible staff member may choose to move him/herself using a rented truck, trailer, etc. One estimate of the related expenses must be obtained and submitted to the Chief Financial Officer for approval prior to the move. The CFO will determine a fixed amount to be reimbursed.

Eligible expenses:

- Transportation charges for one continuous move of household items and personal effects from the current residence to the Poughkeepsie area.
- Container costs for household items.
- Packing charges for breakable items such as dishes, glassware, lamps, mirrors, etc.
- Moving truck/trailer rental fees and associated fuel fees.
- Tolls relating to a self-move.

Expenses not eligible:

- Charges relating to the move of office equipment, perishable foods, boats, domestic and non-domestic animals, and automobiles.
- Other non-domestic related expenses as determined by the Chief Financial Officer.

Questions about this policy should be directed to the Chief Financial Officer.
Subject: **New York State Marriage Equality Act**

Marist College recognizes the New York State Marriage Equality Act of 2011 for the purpose of administering employee benefits. This provision replaces the “Domestic Partner Health Benefits Policy” formerly contained in the Administrative Manual.
Preamble
Marist College is a liberal arts college with a primary emphasis on teaching and community service. It also encourages research and the productive use of the results of such research. The College, operating under the authority of its Board of Trustees, realizes, however, that the research of its employees may result in inventions or discoveries which should be protected for one of the following reasons:

- To promote the development of useful products, devices, product designs or processes which, because of prohibitively high costs involved, could not be adequately developed without patent or other protection;
- To fulfill terms of a research contract with sponsoring corporate, governmental or other agencies;
- To encourage invention and insure adequate reward for the investors;
- To augment facilities and operating funds from the College's share of income derived from inventions or discoveries.

The intent of the following Patent Policy is to be consistent with this philosophy.

Application
For purposes of this policy, the term "employee" shall include all faculty, staff and those students employed by the College engaged in research which may potentially lead to patentable material.

Definition of Patentable Material
As conceived by this policy, the term "invention" shall be deemed to include all inventories, discoveries, processes, machines, methods, manufactures, compositions or matter, plans or design, whether or not patented or patentable at any time under the Federal Patent act as now existing or hereafter amended or supplemented.

Administration of Patent Policy
The administration of College patent matters shall be the ultimate responsibility of the President operating under the direction and authority of the Board of Trustees.

The authority to implement and administer this Patent Policy shall be vested in the Executive Vice President of the College, with the assistance, advice and consultation of the College Patent and Copyright Committee. This Committee shall be appointed by the President and shall be composed of one (1) faculty member from each School Affairs. The Executive Vice President will chair the Committee. The Committee will perform the following functions:

- Make recommendations to the President concerning conflicts of interests of the public, the inventor and/or the College stemming from an invention;
- Make recommendations to the President concerning questions of ownership of rights to inventions or discoveries and the apportionment of interest among or between investigators and their associates;
- Make recommendations to the President concerning the feasibility of entering into a contract with recognized patent-management agencies for the purpose of patent management for any invention or discovery that is determined to have interest to the College;
- Make recommendations to the President concerning ownership of inventions or distribution of royalty income apart from the specific requirements concerning ownership and royalty distribution stipulated in this policy;
- Determine the need to modify the College's patent policy or procedures for implementing that policy.

Principles of Ownership
1. When an invention with patent potential results from individual effort not involving any significant use of College funds, equipment, facilities, assigned time, or materials and not resulting from any research program involving College funds, the invention with patent potential shall be the sole property of the inventor. In such cases, the name of the College may not be used in connection with the invention or its marketing.
2. Inventions arising from sponsored research often are subject to restrictions whereby the sponsor reserves the right to determine disposition of such inventions and the terms and conditions for licensing, distribution of royalty
income, etc. These restrictions will be accepted by the College if:

- refusal would result in the withholding of support by the sponsor;
- acceptance would serve the interests of the public, the College and the investigators.

Personnel employed on such research projects will be subject to the sponsor's restriction.

3. Except as otherwise provided by Board-approved policies or legal instruments, any invention which results from research carried on, by, or under the direction of any employee of the College, and having the cost thereof paid from College funds or from funds under the control of, or administered by the College, or which comes as a direct result of the employee's duties with the College, or which has been developed with a significant utilization of the College resources, equipment or facilities, shall belong to the College and shall be used and controlled in such a manner as to produce the greatest benefit to the College and the public. Marist will construe neither the provisions of office, computer or library facilities, nor will it construe the payment of salary from instructional accounts as constituting significant allocation of College funds, except for those situations where the funds are paid specifically to support the development of such material.

Patents, which arise from research projects financed wholly by College-administered funds, shall be the complete property of the College and subject to such negotiation or transfer of ownership as the College desires. In the case of sponsored research, the ownership of patents shall be governed by provisions in the contract with the sponsoring agency.

Royalty Distribution
Where the College has full ownership rights or where the College receives income from inventions made by employees, the inventor will receive 50% of the net income generated after patenting expenses incurred by the College are deducted.

Notification of Possible Patents
It shall be the responsibility of the investigator or investigators to alert the Chairperson of the College Patent and Copyright Committee, in writing, of any invention the investigator or investigators deemed to be potentially patentable and the conditions under which these inventions were made. Failure to report an invention of patentable or potentially patentable value may result in forfeiture of all or part of the defaulting investigator's equity in the invention.

Once the interest of the College in the invention has been established, the Committee may recommend any one of the following:

- If the patent rights of the invention are subject to the terms of the sponsor's contract or grant, the Committee will inform the inventor to comply with the terms of the contract.

- Operating under the principles of ownership in this policy, the Committee may decide, in cooperation with the inventor, to recommend protection of the invention through a patent. The Committee will then recommend to the President that the invention be turned over to a non-profit patent administration organization for patenting. The President reserves the right to reject the Committee's recommendation to proceed with patent application if he/she deems patent application expenses to be excessive, not supportable within the constraints of the College's annual operating budget, or not reimbursable from royalty income in the foreseeable future.

Upon such a determination, the President may:

- return the application to the Committee for further consideration,
- hold in abeyance the disposition of the application until a future date, or
- refer the invention to the inventor to exploit as he/she sees fit.

- The committee may decide to recommend exploitation of the invention as a commercial item. Any invention placed in commercial use but not patented by the College shall be subject to the same terms, conditions and restrictions as any invention for which a patent has been obtained. The Principles of Ownership and Royalty Distribution will apply.

- The Committee may, after careful review of application of the Principles of Ownership, find no further interest in the invention and may recommend to the President that the invention be referred to the inventor to exploit as he/she sees fit.
Patent Administration Costs

Patenting expenses for each patent will be recovered from its royalty earnings and distributions will be made from the net royalties remaining.

Net royalties refers to that portion of gross royalties returned to the College which remain after costs involved in processing the patent have been deducted. Processing costs include legal expenses and all other costs charged by the non-profit patent management agency selected by the College to secure patent protection and provide patent management.
Subject: PERSONAL LEAVE

Administrative staff members may request personal leave for occasional one-day or partial-day absences for business, personal or religious reasons. Personal leave requests must be authorized in advance by the supervisor who has the authority to determine the appropriateness of the request. Supervisors shall make every attempt to accommodate reasonable and infrequent requests. At the discretion of the supervisor, a request for personal leave may be denied. It is the obligation of supervisors to be cognizant of this policy and to ensure that personal leave is not excessive.

Personal leave should be requested three (3) days in advance, preferably in writing. Personal leave may not be taken in more than one-day blocks nor can it be combined with vacation or sick leave.

Any exception to this policy must have the approval of both the senior executive and the Director of Human Resources.

Personal leave is to be noted on work logs.
Subject: **PROBATIONARY PERIOD: ADMINISTRATIVE STAFF**

All new administrative staff members and active administrators who transfer to a new position are on probation for the first six (6) months of employment. This 6-month period is used to determine if performance is satisfactory and if employment should be continued. During the probationary period, supervisors are encouraged to meet regularly with the employee to:

- Make clear the job responsibilities, performance standards and workplace practices;
- Set performance expectations with the employee and indicate what steps must be taken for satisfactory performance;
- Assess employee performance and indicate areas that need improvement;
- Discuss the need for improved work performance as soon as there is evidence that performance does not meet expectations.
- Determine if the employee should be continued in the position.

Supervisors should consult with Human Resources on the status of the probationary employee, particularly if there are problems relating to the employee’s performance.

Supervisors are required to conduct a formal performance appraisal with a new employee toward the end of the probationary period. The appraisal should indicate one of the following:

- Move to permanent status.
- Extend probation. In this case, Human Resources should be consulted about the need for an extension of the probationary period which can be for no more than six (6) months.
- Dismissal. In this case, the Senior Executive and the Director of Human Resources must concur before the termination occurs.

An employee who is dismissed during the probationary period will be subject to the separation policies of the College as per Section of this manual. Active employees who transfer to a new position and do not satisfactorily complete the probationary period do not have retreat rights to their former job and may be dismissed from their new position.

Fringe benefits accrue during the probationary period.

Temporary and acting appointments are not credited toward the probationary period.
Subject: PURCHASING AND CONTRACTS

To avoid a conflict of interest or the appearance of a conflict of interest, administrative and support staff should not execute purchasing agreements or other types of contracts from which they may personally benefit. Executing agreements which benefit members of an employee's family or household or others with whom there is a personal relationship are also precluded. It is expected that employees who stand to gain, either personally or indirectly, from a particular contract or agreement will identify their circumstances to their supervisor so that alternate arrangements can be made for the management of the contract.

Violation of this policy is considered a serious matter and may result in disciplinary action, up to and including termination of employment.
Policy: REDUCTION IN WORKFORCE

Marist highly values the contributions of employees and attempts to provide regular employment. However, in the event it becomes necessary for the College to reduce the work force because of economic conditions, programmatic considerations, or other circumstances, this policy establishes procedures to ensure fair and equitable treatment.

It is the policy of Marist College, whenever feasible, to use attrition when it is necessary to reduce staff levels. In the event that attrition is not feasible or sufficient, the appropriate senior executive in conjunction with supervisors will determine the most effective mix of jobs necessary for continued operations in her/his area. Thereafter, any reductions in force that are necessary will be include consideration for documented performance, critical skill level of the affected employee(s), and length of service.

Before terminating an employee pursuant to a reduction in force, an attempt will be made to place the affected employee(s) in a vacant position for which he/she is qualified. However, the College cannot guarantee placement of any employee in another position.

Termination due to a reduction in force will be considered a final separation from that position at Marist. An employee who loses his/her position during a reduction in force will have no recall rights to the same or similar position. An employee terminated due to a reduction in force will be considered as an internal applicant for rehire for the 12-month period following separation. If rehired, the new rate of pay will be based on the salary of the new job classification. All benefits service with Marist prior to the reduction in force shall be restored if the person is rehired within 12 months.

The fulfillment of Affirmative Action/Equal Employment Opportunity objectives will be monitored. Marist must ensure that there is full compliance with Affirmative Action/Equal Employment Opportunity commitments, laws, and College policy when implementing a reduction in force. Race, color, gender, sexual orientation, age, religion, creed, national origin, marital status, Vietnam Era veteran status, disabled veteran status, or disability are never to be a consideration in identifying an employee for reduction in force. This policy is not to be used in the case where the employee is subject to termination for unacceptable conduct or performance problems.

An employee terminated because of a reduction in force will be provided a lump sum severance payment as follows:

- Less than one year of service - one weeks of pay.
- More than one year of service - one week of pay for each completed year of service to a maximum of 10 weeks of pay.

An employee terminated because of a reduction in force will receive payment for accrued vacation in accordance with policy. Health insurance coverage may be provided by Marist for up to six (6) months beyond termination at the current employee rate and coverage level. After six (6) months the continuation of coverage will be offered at a cost of 102% of the premium. See the COBRA policy for more details. A Marist employee who is receiving tuition benefits for the him/herself, spouse or children prior to the day of separation will continue to receive the benefit through the end of the semester in which the separation occurs.
Subject: RELEASE OF INFORMATION TO THE MEDIA

The Office of College Relations is the official liaison between the College and the communications media. Any member of the faculty or staff should inform the Office of College Relations of any contact with media representatives if it relates to the College itself or to work performed by a faculty or staff member. Generally, no information about the College or a staff/faculty member should be communicated to media representatives without the approval of the Office of College Relations.

All telephone inquiries from the media should be referred to the Office of College Relations. When authorized, staff or faculty members who are interviewed by telephone should be cautious in making statements which can be interpreted as College policy. In all public statements, College policy or laws relating to confidential information about students or employees should be carefully followed.

To assure accuracy and to avoid duplication, individual staff or faculty members should not issue press releases related to College activities or their work. Official press releases and feature stories should be released by the Office of College Relations. If features are initiated by the media, College Relations should be informed about the contact and nature of the story before any interview is undertaken.

Major news stories or important public statements should be released from the Office of College Relations in coordination with the Office of the President.

The Sports Information Office may send Athletic Department press releases directly to the news media. Major announcements or press conferences related to the College's athletic policies or programs should be coordinated in advance with the Office of College Relations.

The College reserves the right to take appropriate action against any member of the faculty or staff who makes an unauthorized statement or press release related to official College business or confidential information.
Subject: SALARY POLICY FOR ACADEMIC ADMINISTRATORS WHO HAVE THE RIGHT TO RETURN TO THE FACULTY

New Academic Administrators:

New academic administrators are appointed at Marist College at competitive salaries driven by market rates.

Administrators with Tenure and the Right to Return to the Marist Faculty:

When administrators return to the faculty, their salary is adjusted to equal the salaries of faculty in their discipline and rank who have similar teaching experience, years of service, and publication records.
Subject: SCHEDULE OF SALARY PAYMENTS

All faculty and administrative staff members are compensated on a semi-monthly basis. Salary checks are normally issued on the 15th and the last calendar day of the month. When either of these days falls on a weekend, the checks are available on the preceding Friday.

All faculty and staff are eligible for direct deposit to qualified banking institutions. Details of the direct deposit program can be obtained from the Payroll Office in room 214 of Donnelly Hall. Information is available on the Payroll Office web site.
Subject: SEPARATION AND EXIT INTERVIEW POLICY

It is the responsibility of an employee who intends to resign to:

- Notify his/her immediate supervisor in writing and send a copy to the Office of Human Resources. Employees are encouraged to give as much advance notice as possible with a preferred minimum notice of two weeks;
- Satisfy any outstanding work assignment obligations with the College; and ensure that all work logs have been received in the Office of Human Resources.

The Office of Human Resources will contact a departing employee to schedule an exit interview. Exit interviews are conducted for the following reasons:

- To offer the employee the opportunity to complete a Separation Questionnaire
- To advise the employee with respect to group insurance options and other pertinent employee benefit matters;
- To notify the employee of any final payment reductions such as required legal deductions, Foxnet payments, PC affiliate payments, and outstanding advance payments of wages;
- To reclaim identification cards, keys, and other College property; and
- To receive suggestions from separating employees on improving/changing employment conditions.

Final salary payments are made in the payroll following the last day of employment.
SUBJECT: SICK LEAVE

Sick leave is authorized for all members of the administrative staff and is to be used only when an employee is unable to work because of illness. Sick leave is neither accrued nor subject to carryover. Employees who are unable to work due to illness must notify their immediate supervisor at the beginning of each workday.

A supervisor has the right to question sick leave and/or request a doctor's note from a staff member when the supervisor is concerned about excessive use or a pattern of sick leave.

Employees who are sick for more than five (5) consecutive workdays are required to file and application for Disability Leave benefits. Payment for the five (5) consecutive workdays may be withheld if application for Disability Leave is not filed in a timely manner.

Sick leave is to be noted on monthly work logs. The Office of Human Resources may question a supervisor if an excessive use or a pattern of sick time is observed.
Subject: **SOCIAL SECURITY AND MEDICARE**

All faculty and staff are covered by Social Security and Medicare under the Federal Insurance Contributions Act (FICA). Employee contributions are established by law and deducted from the paycheck. The College contributes an amount established by law on behalf of the employee for these benefits.

Medicare benefits extend to those over 65 years of age who are eligible to receive Social Security payments. Medicare also provides medical benefits to disabled individuals and dependent widows/widowers between the ages of 50 and 65 as well as disabled children age 18 and over who become disabled before age 22.

For further information, please refer to the Social Security Administration web site at www.ssa.gov.
Administrative Manual  
Marist College  
Date: October 15, 2001

Subject: **TEACHING POLICY: ADMINISTRATIVE STAFF**

A full-time administrative position requires an equivalent professional commitment. This commitment is generally carried out within the parameters of the normal workday and workweek. Thus, it is preferable for administrators who teach to do so in the evening or on the weekend.

The following guidelines have been established and must be adhered to by all administrators who wish to teach at Marist College.

1. Administrators who wish to teach a course for Marist must submit a Request to Teach Form, available at [www.my.marist.edu/](http://www.my.marist.edu/). The request must be signed by the supervisor and senior executive and forwarded to the Academic Vice President before a contract can be initiated. A supervisor has the discretion to approve or deny a request based on departmental needs and/or personnel concerns.

2. A Request to Teach Form must be submitted every semester that an administrator wishes to teach.

3. An administrator may not teach more than three (3) credits between the hours of 8 a.m. and 5 p.m.

4. It is advised that administrators teach no more than three (3) credits during any semester. Only in special circumstances, and in accordance with numbers 1 and 2 above, can an administrator teach more than three (3) credits during any semester.

5. Administrators who teach as a requirement of their administrative duties and/or job description are not subject to this policy.
Subject: **TIAA/CREF RETIREMENT PLAN**

All full and part-time members of the faculty and administration whose employment status includes fringe benefits and who work an average of twenty (20) or more hours/week over 52 consecutive weeks must participate in the College retirement plan with Teachers Insurance Annuity Association/College Retirement Equities Fund (TIAA/CREF). Enrollment begins the first of the month following the completion of one (1) full year of service.

During the first five (5) years in the plan employees contribute 4% of their base salary and the College contributes 7.5%. Beginning with the seventh year of employment or with the granting of tenure employees contribute 1% and the College contributes 10.5%. After fifteen (15) years of employment the College’s contribution increases to 12%. Employees are immediately vested in the plan.

The Office of Human Resources has responsibility for ensuring enrollment in the TIAA/CREF Retirement Plan. Questions about the plan may be addressed to Human Resources on ext. 2349. Information about TIAA/CREF can be obtained by visiting their web site at tiaa-cref.org.

Faculty and staff may also open a Supplemental Retirement Account (SRA) to which they contribute through salary reduction. This is a voluntary plan to which the College does not contribute. There is no waiting period for enrollment in an SRA. Applications are available in the Human Resources and Payroll Offices.
Subject: TOTAL DISABILITY INSURANCE

Administrators and faculty members are covered under total disability insurance after one year of full-time employment. The College pays the entire premium for this benefit.

Total disability under the program is described as “the inability of the employee, by reason of sickness or bodily injury, to engage in any occupation for which the employee is reasonably fitted by education, training, or experience.” Eligibility begins on the first of the month following six (6) consecutive months (26) weeks of New York State disability, and continues for the duration of the illness or until age 65 or death.

Benefits of the plan provide for taxable income equal to 60% of base salary or $5,000, whichever is the lesser amount minus any income benefits from Social Security. Employees who make application for total disability insurance are also required to make application for Social Security benefits. The total disability carrier pays a waiver benefit to the TIAA/CREF retirement fund in an amount equal to the College’s contribution not to exceed 10%. Disability payments and TIAA/CREF contributions are based on the base salary in effect on the employee's last day of work.

Applications for total disability claims are coordinated by the Office of Human Resources. Questions about this insurance coverage should be addressed to Human Resources, ext. 3349.

Faculty and staff who are approved for total disability insurance are eligible to participate in the Marist benefit plan(s) as per the Employee Post-Retirement Benefits policy. Years of service are calculated up to the employee's last day of work.

Faculty and administrative staff members retain no right to return to their former position if and when they are deemed medically fit to return to work and total disability benefits are terminated. At that time, eligibility for COBRA benefits begins and all other Marist benefits cease.
Subject: TRAVEL TIME AND EXPENSES

This policy is detailed in the Business Travel and Other Reimbursement Policies Handbook published by the Business Office. Copies of the Handbook can be obtained from the Business Office, Donnelly Hall Room 210.
Subject: UNEMPLOYMENT INSURANCE

Unemployment Compensation is an insurance benefit, administered by the State of New York, paid to workers who meet all the requirements of the New York Unemployment Compensation Law. It is designed to provide monetary benefits to individuals who lose employment through no fault of their own. The program is financed by a payroll tax paid by employers and employees.

Eligibility for unemployment compensation benefits is determined by the State Unemployment Insurance Claims Office after an individual applies for benefits. Monetary benefits normally extend for a maximum period of 26 weeks. The maximum weekly benefit amount is determined each year by New York State.
Subject: USE OF COLLEGE RESOURCES

It is expected that College services and property, including the College name, are to be used by employees of the College for the conduct of College business only. There may be occasions when, for the convenience of the employer, limited use can be permitted where prior approval and appropriate reimbursement procedures have been established. Supervisors are responsible for ensuring that employees appropriately use College property and resources. The following list of College resources, which is not exhaustive, is provided as guidance for supervisors and employees:

- Staff and staff time
- Telephones and facsimile machines
- Duplicating services
- Campus mail
- Computing equipment and time
- Office space
- Supplies
- Vehicles
- Postage
- Dumpsters
- Other equipment

The College name is to be used only for official College business and for identification purposes. No employee may use the name of Marist College or a name which implies Marist College or the name of a Marist College organization unless that employee has been officially granted the authority for its use. The use of the seal on publications and the like is prohibited except when specifically authorized.

An employee who becomes aware that another employee has violated this policy is obligated to immediately notify the violator's supervisor. Appropriate disciplinary action will be taken against any member of the Marist community who is found to be in violation of this policy.
Subject: VACATION

The number of weeks of vacation earned per fiscal year by full-time administrative staff is as follows:

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<thead>
<tr>
<th>Vacation Year*</th>
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<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>Senior Executive</td>
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<td>4</td>
<td>4</td>
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<tr>
<td>Executive</td>
<td>3</td>
<td>4</td>
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<td>4</td>
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<tr>
<td>Administrative &amp; Technical</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

*For new employees hired after January 1, the following July 1 begins the first vacation year. For new employees hired before January 1, the following July 1 begins the second vacation year. Vacation days for new employees are earned on a pro-rated basis for that period of time worked prior to July; pro-ration is based upon the year one (1) vacation schedule.

At the beginning of each fiscal year, all employees are advanced their vacation allotment for the upcoming year. Any vacation days used but not earned as of the date of separation from the College will be deducted from the employee’s final pay.

Employees on a part-time or ten-month contract earn vacation based on a pro-ration of the full-time schedule.

Employees must take a minimum of ten (10) vacation days a year.

Employees may carry over unused vacation time from one fiscal year to the next to a maximum of 30 days. Any vacation days in excess of 30 will be deducted at the end of each fiscal year. Under no circumstances will more than a total of 30 days be carried over from one fiscal year into the next.

Employees who are promoted from a different job group into an administrative position will be eligible for vacation based on their original date of hire provided there is no break in service.

Vacation days are to be noted on monthly work logs.

Vacation requests should be made in writing to the immediate supervisor as early as possible. Whenever possible, vacation time should be mutually agreed upon. However, if mutual agreement is not possible, the supervisor’s decision is pre-eminent.

Employees will receive a lump sum payment for no more than fifteen (15) days of accrued vacation upon separation from employment.
Subject: WORK LOGS

All members of the administration are required to document their time off from work by completing monthly work logs which are distributed by the Payroll Office on a bi-monthly basis. Work logs are the only mechanism used by the College to track time off – personal, sick, vacation – for administrative staff. A sample work log is included as page 2 of this policy.

At the beginning of each month, administrators complete their work logs for the previous month and submit them to their immediate supervisor who signs the work logs and forwards them to Payroll. Work logs must be received in the Payroll Office by the tenth of the following month.

Work logs for the previous month are scanned into the payroll system during the last payroll of the following month. For instance, the work log for July is due in Payroll by August 10. The July work log is scanned into the August 30 payroll and all time off used during July is noted on the August 30 pay stub.

On a monthly basis, the senior executive for each area receives a list of administrators who have not submitted work logs. Vacation time may be reduced for any administrator who does not comply with this requirement.
### Administrative Work Log

#### Time Categories
- **S**: Sick
- **V**: Vacation
- **J**: Jury Duty
- **C**: Conference
- **W**: Worked Weekend
- **E**: Worked Evening
- **N**: NYS DBL/UW COMP
- **H**: Holiday
- **U**: Unpaid Leave

#### Instructions
1. **Employee**: Sign your name and date where indicated at the left.
2. **Supervisor**: Sign your name and date where indicated to the right.
3. **Employee**: Send this work log to your immediate supervisor by the first week day of the following month.

#### Table
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<th>Date</th>
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#### Notes
- Please mark the appropriate boxes with the following LETTER CODES. Please a diagonal in the box to represent a 1/2 day. Do not write in this area.
- At the end of the month, total the number of days in each shaded TIME CATEGORY and enter the TOTAL DAYS to the right in the shaded area below.
- Use No. 2 pencil in shaded area only.
Subject: WORKING HOURS

Full-time administrators are expected to work a minimum of 37.5 hours per week. In some instances, depending on the nature of the work, additional hours may be required. The hours of most administrative offices are 8:30 a.m. to 5:00 p.m. but may vary based on the needs of the department or program.