

# **Manual for Hourly Wage Employees**

REVISED JUNE 2023



**COTTEY**  
COLLEGE

# INTRODUCTION

It is the purpose of this manual to establish and maintain a uniform system for managing personnel matters; to comply with applicable employment laws; and to provide for the standards, terms, and conditions of employment with Cottey College in a clear and comprehensive fashion. It is further intended, by adoption and periodic amendment of these policies and procedures that they serve as a guide for employees of Cottey College in their routine work activities and relationships to the extent that the objectives of both Cottey College and individual employees can be achieved. Cottey College believes that its success is largely due to the quality of its employees. The College also recognizes that conditions may arise that are insufficiently addressed in these policies and procedures. In such cases, the College will endeavor to make fair and equitable personnel decisions, while assuring that the best interests of the College are served.

Employees should be informed of their duties and responsibilities; provided with adequate administrative and supervisory direction; and informed of their performance levels. Therefore, the policies and procedures set forth in this manual prescribe the terms, conditions, and standards of personnel operations for Cottey College, the content of which is neither contractually binding upon the College nor restrictive in terms of amendment or interpretation by the College. Employees are expected to acquaint themselves fully with the content of this manual in order to establish an employment relationship based on a complete understanding of Cottey College personnel requirements, expectations, benefits, and methods of conducting personnel matters. Violations of the policies set forth in this handbook may result in disciplinary action up to and including unpaid suspension or termination.

Since it is the policy of Cottey College to encourage employee participation in matters that affect their work, employees are encouraged to offer suggestions for improvement to these policies, employment practices, benefits, or working conditions.

Unless otherwise specifically noted, the term “employee”, as used in this manual, shall mean an employee compensated by an hourly wage determined by the College for the actual hours worked for payment in full of services rendered inclusive of required or voluntary hours.

The College adheres to the principles of at-will employment whereby the College and employees alike can terminate the employment arrangement at any time and for any reason. Nothing in this employee manual shall create a contract of employment or in any way limit the right to terminate employment at-will by the College or employee.

When conditions warrant, the College will provide an employee with two weeks’ notice of its intention to terminate employment with the College prior to the effective date of termination. The College will not provide two-week notification in cases of employee gross misconduct as discussed in “Disciplinary Procedure” Section 4.3. An employee wishing to leave the College in good standing shall provide the College with at least a two-week termination notice. Failure of the employee to give two-week termination notice prior to the last day actively at work may result in forfeiture of earned unused vacation pay as discussed in “Vacation” Section 3.16. Additionally, failure of the employee to give such notice will be noted on employee’s service record in their personnel file and may result in denial of future employment by the College.

All personnel policies and practices of the College will be administered without regard to any individual’s race, religion, color, national origin, citizenship, age, disability, veteran status, sexual orientation, spirituality, sex, gender presentation, or any other status protected by law. Violations of

the policies set forth in this handbook may result in disciplinary action up to and including unpaid suspension or termination.

This employee manual contains information about Cottey College's employment policies and procedures and an overview of the College's benefits. For specific information about employee benefits, the employee should refer to the plan documents, which are controlling. The policies and procedures in this manual are guidelines only. The College reserves the right to interpret and administer the provisions of this manual as needed. Except for the policy of at-will employment, which can only be changed in writing, the College has the maximum discretion permitted by law to change, modify or delete any provision in this manual at any time. Oral statements or representations cannot supplement, change, or modify the provisions of this manual. This manual supersedes all prior versions of this manual published or distributed by the College and all inconsistent oral or written statements.

## MISSION

Cottey College, an independent liberal arts and sciences college, educates women to be contributing members of a global society through a challenging curriculum and a dynamic campus experience. In our diverse and supportive environment, women develop their potential for personal and professional lives of intellectual engagement and thoughtful action as learners, leaders, and citizens.

## VISION

Cottey College will be a higher education institution of choice for women of diverse backgrounds who seek access to exceptional educational programs and will focus on three guiding threads: leadership, social responsibility, and global awareness. With care and respect for each student, we will empower women to enrich their lives, realize their full potential, and make valuable contributions to society. Cottey College will be a growing, vibrant, distinctive, and selective college for women, well known and respected for programs delivered in multiple and accessible formats, up-to-date facilities, and academic excellence.

## CORE VALUES

Cottey College's core values are grounded in tradition and history as set forth by founder Virginia Alice Cottey and supported by the ownership of the P.E.O. Sisterhood. These seven values clarify our identity, past, present, and future.

1. **Educate Women** to be knowledgeable and thinking members of a global society.
2. **Promote Intellectual Growth** through the study of science, culture, and society and the development of strong practical skills, including communication, analysis, and problem-solving.
3. **Cultivate Responsibility** to encourage positive contributions from women through their personal and professional lives.
4. **Respect Difference** by creating a climate of openness and appreciation of a diversity of ideas, perspectives, cultures, experiences, and contributions that comprise a multicultural society.
5. **Broaden Global Perspectives** by immersing students in new cultures and experiences and enhancing their understanding of the interconnectedness of our global economy and cultural practices.
6. **Pursue Thoughtful Action** by cultivating an atmosphere of inquiry, integrity, honesty, and mutual respect.
7. **Develop Women's Leadership** by providing opportunities to grow intellectually, socially, aesthetically, spiritually, and physically in order to realize individual potential.

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## 1.0 HIRING

The purpose of this section: to identify the procedures used to select the appropriate applicant to fill a job vacancy.

### 1.1 EQUAL OPPORTUNITY EMPLOYER

Cottery College is committed to providing equal opportunity to its students and employees in all aspects of campus life. The College does not unlawfully discriminate in educational programs, recruitment and admission of applicants, school-administrated activities or programs, or employment opportunities, policies, or practices on the basis of race, religion, color, national origin, citizenship, age, disability, veteran status, sexual orientation, spirituality, sex\*, gender presentation, or any other status protected by law.

The coordinator for equal opportunity is the director of human resources, Main Hall, Cottery College, Nevada, MO, 64772; telephone (417) 667-8181, ext. 2103.

In addition, and in accordance with Title IX of the Educational Amendments of 1972, Cottery College does not unlawfully discriminate on the basis of sex in its educational programs, school-administrated activities or programs, or employment opportunities, policies, or practices.

Cottery College has designated Title IX coordinators to handle all inquiries regarding its efforts to comply with and carry out its responsibilities under Title IX of the Educational Amendments of 1972. As such, the coordinators are the best contact for employees and students who believe they have suffered discrimination or harassment on any protected basis, including sexual harassment and sexual violence.

The Title IX coordinators may be contacted as follows:

#### **Title IX Coordinator Contact:**

McGee Stoller, Director of Human Resources and Title IX Coordinator 1000 W. Austin Blvd. Nevada, MO 64772 | (417) 667-8181, ext. 2103, email: [titleix@cottery.edu](mailto:titleix@cottery.edu)

Inquiries concerning the application of Title IX may also be directed to: The Assistant Secretary U.S. Department of Education Office for Civil Rights Lyndon Baines Johnson Department of Education Building 400 Maryland Avenue, SW, Washington, D.C. 20202-1100

Cottery College seeks to provide an environment where every student and employee will have an equal opportunity to reach her/his full potential and contribute to the College's success. To that end, Cottery College will not tolerate any form of unlawful discrimination, harassment, or retaliation. It is incumbent upon all students and employees to report any discrimination, harassment, or retaliation that exists so that it can be addressed. These reports can be made directly to the supervisor or the director of human resources (Title IX coordinator for employees). Any alleged violation of this policy will be investigated, and disciplinary action will follow as appropriate.

For more information regarding Cottery College's commitment to an environment free of discrimination and harassment and a full explanation of its grievance procedures for students, visit the Cottery College intranet.

\*As a women's institution, Cottery College considers for admission those applicants who indicate a legally- assigned sex of female on their applications.

## **1.2 CONSUMER REPORTS/BACKGROUND CHECKS**

Cottey College's interest in maintaining an orderly, safe, and productive workplace and student environment is the sole basis for developing and maintaining this policy. To determine suitability for employment, the College will conduct background checks (consumer reports) pertaining to criminal conviction, sexual offender records, and credit checks, as appropriate. When conducting background checks, the College will comply with applicable federal and state laws, including the Fair Credit Reporting Act, and will provide applicants with any required disclosures, notices, and other information. Once the hiring manager has identified the primary candidate, a contingent offer of employment will be extended, subject to successful completion of the background check. All job candidates will receive a disclosure that a consumer report may be procured for employment purposes as part of the background check process and will be asked to complete an authorization for that process. Any candidate who refuses to authorize the procurement of consumer reports as part of the background check process will be excluded from consideration for employment. All offers of employment at Cottey College are contingent upon clear results of a thorough background check of all final non-student candidates for employment at the institution. Supervisors may require a background check for any part-time position a Cottey student fills, regardless of employment type.

## **1.3 DISABILITY ACCOMMODATION**

Cottey College is committed to complying fully with the Americans with Disabilities Act (ADA) and applicable state and local laws prohibiting discrimination against individuals with disabilities. The College will make reasonable accommodations, whenever necessary, for all employees and applicants with disabilities, provided that the person is otherwise qualified to perform the essential functions of the job without constituting a direct threat to the health or safety of the individual, others, or property and provided that the accommodation does not impose an undue hardship on Cottey College. The coordinator for disability services and for equal opportunity is the director of human resources, Cottey College, Main Hall, Nevada, MO 64772, telephone (417) 667-8181, ext. 2103.

For more information on the accommodation process or to request a reasonable accommodation, please contact the director of human resources.

## **1.4 ANTI-NEPOTISM**

The College does not have a rule forbidding more than one family member working for the College. However, to promote a productive environment free from conflicts of interest as well as favoritism and unfair advantage, whether perceived or real, no immediate family member (employee's spouse, parent, parent-in-law, brother, brother-in-law, sister, sister-in-law, child, grandchild, and grandparent) of an employee will be hired or allowed to work in the same department other than on a temporary basis as approved by the respective supervisors and the director of human resources, nor will an employee have any determining word in the status, well-being, or rate of pay of their relative who is an employee of the College. Exceptions may be made for faculty teaching in the same department.

## **1.5 NEW EMPLOYEE ORIENTATION**

During the first week of employment, the designated supervisor of a new employee will conduct an orientation of the employee on such matters as the College and the department's organization and function; the employee's role in helping to achieve the objectives of the College and their department; the employee's job content, performance and evaluation standards; job safety; and other departmental guidelines.

On the employee's first day of employment, the director of human resources will provide an additional orientation consisting of the completion of employment forms and records, an explanation of the College's compensation and benefit programs, personnel policies, and any other information as determined appropriate.

## 1.6 NOTICE OF EMPLOYMENT

The College adheres to the principles of at-will employment whereby the College and employees (except faculty) alike can terminate the employment arrangement at any time and for any reason.

# 2.0 EMPLOYMENT

## 2.1 HOURLY WAGE EMPLOYEES

Hourly wage employees include all employees of the College whose pay is based on hours worked at an hourly wage rate determined by the College. Unless otherwise specifically noted, the term "employee," as used in this handbook, shall mean an hourly wage employee.

## 2.2 EMPLOYEE CLASSIFICATIONS

Although an employee is not guaranteed employment for any specified time period or number of hours, they may be hired to fill a position providing opportunity for work on a twelve (12) month basis or to fill a position providing opportunity for work on an approximate nine (9) month basis. For purposes of simplicity and convenience, employees are classified as twelve (12) month or nine (9) month employees based upon the opportunity for work in the position they are hired to fill. Either a twelve (12) month or a nine (9) month employee may be sub-classified into any one of the following employee classifications:

1. **Full-time:** employees scheduled to work forty hours per week or more.
2. **.75 Full-time equivalent (FTE):** employees scheduled to work a minimum of 30 hours per week but fewer than forty hours per week. FTE employees are entitled to benefits and receive holidays, vacation (accrual rate based on hours worked), and paid days off (accrual rate based on hours worked).
3. **Half-time:** employees scheduled to work a maximum of 20 hours per week. Half-time employees are not entitled to benefits, and are paid only for hours work. Half-time employees receive no holidays, vacation, or paid days off.
4. **Part-time:** employees scheduled to work on an "as needed" basis. Part-time employees are not entitled to benefits and are paid only for hours worked. Part-time employees receive no holidays, vacation, or paid days off.
5. **Temporary:** employees hired full-time or part-time for short periods of time, usually six months or less. Temporary employees who work fewer than 30 hours per week are not entitled to benefits and are paid only for hours worked. Temporary employees earn no holidays, vacation, or paid days off.

## 2.3 PERIODS OF EMPLOYMENT

Twelve month and .75 FTE employees are provided opportunity for work throughout the fiscal year, July 1 through June 30.

Nine and ten month employees are provided opportunity for work in accordance with the needs of the College as generally determined by the academic calendar and/or special activities or events sponsored by the College. Opportunity for work for nine and ten month employees commences

sometime in August and terminates sometime in May. There are intervals within this employment period when the services of nine and ten month employees will not be needed, and opportunity for work will not be provided by the College.

Health insurance and life insurance benefits will be provided to full-time, nine and ten month employees throughout the calendar year whether or not the opportunity for work is provided by the College. During the summer months when the College is not in academic session, the College will continue to provide the payment of health insurance and life insurance premiums, contingent upon the employee's return to work on a specified date in August. If the employee does not return to Cottey for employment when the fall academic session begins following the summer months, the employee will reimburse the College for the amount of premiums the College paid for health and life insurance coverage for that employee for the months the College was not in academic session.

Temporary employees are provided opportunity for work in accordance with the needs of the College.

## **2.4 PAY PERIODS**

The College's payroll periods for faculty and staff (all employees) is every two weeks for total of 26 pay periods per year. Paychecks will normally be in the form of direct deposits. Exceptions to direct deposit will be made when an employee has no checking and/or savings account.

## **2.5 HOURS OF WORK**

The work week for employees shall generally consist of five, eight hour work days within a seven day work week, commencing at 12:01 a.m. Sunday and ending at midnight Saturday night, unless specified otherwise by the College.

The director of dining services, in accordance with established work shifts, shall determine the commencement and ending times of the workweek for full-time dining service employees.

### **SUMMER WORK HOURS**

With supervisor approval, personnel in administrative offices will have the option of a flexible work schedule in June and July.

Flex hours are to be used by an employee on the same day each week during June and July. Employees should not take a Monday and a Friday every other week in order to take a four day weekend. A four-day weekend is not the intent of flex hours, and will not be approved.

Offices responsible for visitors and prospective students will remain open and staffed from 8 a.m. to 5 p.m., five days each week. The Main Hall reception area also will be staffed five days a week. Administrators are responsible for scheduling of personnel for their respective areas. The following two options are available to staff members:

- Work the regular 8 a.m. to 5 p.m. with an hour for lunch Monday thru Friday; or
- Work 7 a.m. to 5:30 p.m. with thirty minutes for lunch four days per week and not work Friday or Monday.

Employees should work with their supervisor to make arrangements to work on a flexible summer schedule by May 15th.

Questions should be directed to Human Resources at ext. 2103.

## **2.6 FLEXIBLE WORK TIME POLICY**

Upon starting employment, each employee will be given a standard working schedule in order to complete their required number of working hours in a week. All employees are expected to be at work during these hours unless approval is granted for a flexible work time (flextime).

Flextime at Cottey College is an infrequent work schedule with time of arrival and departure that differs from the standard operating hours by not more than two hours, but that still equates to the same total number of hours expected upon hire. This policy does not apply to reasonable requests for accommodation. Employees requesting to work flextime as a reasonable accommodation should follow Cottey's procedures for accommodations as detailed in Section 1.3.

Supervisors will approve flextime on a case-by-case basis. Full-time employees who have worked at Cottey continuously for at least 90 days with satisfactory performance may be eligible for flextime. The employee must first discuss possible flextime arrangements with their supervisor and then submit a written request using the Flextime Request Form. The supervisor will approve or deny the flextime request based on staffing needs, the employee's job duties, the operational needs of the College, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed. Flextime adjustments must be made during the same pay period.

A flextime arrangement may be suspended or cancelled at any time. Exempt employees must depart from any flextime schedule to perform their job duties. Any request by an employee to change their Flextime arrangement must be approved in advance by the employee's supervisor. Cottey reserves the right at any time to return an employee to his or her standard schedule if the employee's flextime schedule affects a department's effective operation or a change in circumstances or an employee's performance necessitate a return to a standard schedule. Non-exempt employees may be asked to work overtime regardless of a flextime schedule.

Unless otherwise specified by a supervisor, an employee's job duties and responsibilities do not change under a Flextime schedule. Employees must continue to perform all job duties and responsibilities at a satisfactory level.

Employees who are permitted to work Flextime continue to accrue vacation, sick time, or other paid time off in the same manner as they did when working standard work hours according to Cottey policy.

Offices responsible for visitors and prospective students will remain open and staffed from 8 a.m. to 5 p.m., five days each week. The Main Hall reception area also will be staffed five days a week. Administrators are responsible for scheduling of personnel for their respective areas.

## **2.7 OVERTIME PAY**

The College adheres strictly to the statutory provisions of the Fair Labor Standards Act governing pay for overtime hours worked, although there are statutory exceptions.

The College will pay an employee at a rate equal to one and a half times their regular rate for all hours worked in excess of forty hours during the established workweek. Generally, sick leave and vacation do not count as hours worked in determining overtime pay. An exception to the sick leave and vacation exclusion is as follows: if an individual is requested to respond to an emergency that is after normal work hours for a specific job position and has not been notified in advance of the possibility of their work assignment, sick leave and vacation time will be included in the determination of hours worked for determining overtime pay for that week.

The employee's supervisor and the vice president for finance and administration must approve all overtime work in advance. If overtime is worked without authorization, the result could lead to disciplinary action.

## **2.8 PAY FOR DESIGNATED HOLIDAYS WORKED**

When in the best interest of the College, a full-time (12-month, 9-month, or 10-month) employee may be required to work on Christmas Day, Martin Luther King Day, New Year's Day, Thanksgiving Day, Memorial Day, Juneteenth, Independence Day, or Labor Day. The employee shall be paid straight time for all hours worked on the designated holiday in addition to the eight hours pay that they would otherwise receive as a result of that day having been designated as a paid holiday. If the employee chooses not to receive the additional eight hours pay on the holiday worked, the employee may choose to take the holiday at a later date. This option must be approved by the supervisor and is required to be used before end date on the employee's Notice of Employment.

## **2.9 ANNUAL EMPLOYEE PERFORMANCE REVIEW**

Annual review of each employee's performance during the preceding year is to be completed by supervisors and discussed with the department head prior to presentation to the employee. The reviewing supervisor will provide the employee with a copy of the performance review at the time of discussion with the employee. A completed, signed, and dated copy will then be submitted to the director of human resources for placement in the employee's personnel file.

## **2.10 WORK BREAKS**

Employees may have two fifteen minute breaks (rest periods) during each eight hour work period when the work schedule permits the time away from responsibilities. The employee's supervisor shall determine when and where the work break is to be taken by each employee or group of employees.

## **2.11 LUNCH BREAK**

With the exception of Summer Hours (described above in Section 2.5), the time and length of the established daily lunch break of individual employees will be recommended by the respective supervisors to their administrative head for approval, taking into consideration the nature of the work or services to be performed under their supervision.

## **2.12 OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST**

An employee may work outside the College providing such employment does not affect their work performance with the College. The employee must discuss any contemplated outside employment with their supervisor in an effort to avoid any problems that might jeopardize the employee's continued employment with the College.

Cottey employees shall faithfully discharge their duties and shall refrain from knowingly engaging in any outside matter of financial interest incompatible with the impartial, objective, and effective performance of their duties. They shall not realize personal gain in any form that would influence improperly the conduct of their College duties. They shall not knowingly use College property, funds, position, or power for personal or political gain. They shall inform their supervisors and the director of human resources in writing of reasonable foreseen potential conflicts.

Confidential Information: Employees shall not use confidential information about the College obtained by reason of their employment with intent to cause financial gain to themselves or unfair advantage for another person.

When it is proposed that the College enter into contracts for the sale or purchase of goods or services or any other contracts with private firms or corporations in which a College employee knows they have a direct or indirect financial interest, the employee must make full disclosure of this financial interest in writing to the vice president for finance and administration. Before the contract or purchase order is issued, the vice president for finance and administration will present their findings to the President for final determination.

College Logo: It is a violation of College policy to employ the name of the College or any of its graphic identification symbols in printed materials intended to endorse or promote individual enterprises or to otherwise enhance private gain without the written permission of the President.

### **2.13 RECORD OF TIME WORKED**

Each employee is required to maintain an accurate daily record of all time worked for the College and to record all hours worked. The College prohibits employees from working “off the clock.” An employee may obtain time sheets from their supervisor. The supervisor will explain how to fill out the time sheet and will advise the employee when the time sheet is to be signed by the employee and given to the supervisor for determining the periodic pay due the employee. All hours worked must be entered on an employee’s time sheet. Falsifying time entries, including by working “off the clock,” is strictly prohibited. Falsification of time entries or working off the clock is subject to discipline, up to and including termination.

### **2.14 HEALTH AND SAFETY**

It is the policy of the College to provide for the continuous development, implementation, and maintenance of an ongoing program that assures a healthy and safe work environment for all employees. Employees will be held responsible at all times to observe and practice the highest possible standards of health and safety in carrying out assigned duties.

It is the responsibility of every employee to work safely, follow safety and health procedures applicable to their respective jobs, report potential safety and health hazards, work-related injuries, and illnesses as soon as possible. Cottey prohibits taking negative action or retaliation of any kind against any employee for reporting a possible deviation from this Policy or for cooperating in an investigation.

### **2.15 WORK ATTIRE**

The image of Cottey College in the Nevada community and the academic community is determined in part by establishing and maintaining a proper business atmosphere. Employees are therefore expected to dress in a manner consistent with the nature of work performed. If there are questions as to what constitutes proper attire, employees should consult with supervisory personnel. Employees who are inappropriately dressed, in the opinion of supervisory personnel, may be sent home and required to return to work in acceptable attire. Under this circumstance, employees will not be paid for the time away from work. When the College observes Cottey Spirit Day, employees are welcome to dress casually and wear spirit gear.

### **2.16 INSPECTION**

Employees do not have a right to privacy in their workspaces, any Cottey College property, or any personal property they bring to the workplace. The College reserves the right to search College property or premises at any time, without warning, to ensure compliance with its policies and rules, including, but not limited to, those that concern employee, student, and campus safety; harassment;

theft; drug and alcohol abuse; or possession of prohibited items. The College may also search personal property brought onto College property, including vehicles, toolboxes, briefcases, backpacks, purses, and bags. The College may also ask an employee to submit to an inspection of their clothing/pockets. Failure to cooperate with such a request may result in discipline, up to and including termination.

## **2.17 COMPUTER SERVICES**

Academic Computing and Administrative Computing Services manage the College's computing resources and data to further the purposes of the College. As property of the College, computing resources exist for and are intended to support administrative, instructional, research, and communication activities all directly affiliated with the College. Use of any of the College's computing resources may be monitored. Employees are expressly advised that the College reserves the right to monitor, intercept, and review, without further notice, every employee's activities using the College's IT resources and communication systems. Computing resources include, but are not restricted to, the following:

Campus Computing Network  
Wireless Network  
Fiber-optic and Cable Networks  
Internet Servers  
Lab Facilities Data Phones

Electronic Mail  
Internet Services  
College Workstations and Software  
Institutional Data and Software  
Laptop Computers

Unless otherwise specified, this policy applies to all faculty, staff, and emeriti (hereinafter referred to as employees), students, and guest users of Cottey College computer networks, equipment, and connecting resources. Administrative departments, academic divisions, and academic departments may develop

further computing resource policies congruent with the principles in this policy.

The full Technology Policy can be found on the Cottey College intranet portal and supplements these provision.

## **2.18 ANTI-VIOLENCE**

Cottey College strives to provide employees and students a safe environment in which to work or study. Therefore, the College will not tolerate acts of violence or threats of violence in the workplace (as defined below). The possession of weapons on campus is strictly prohibited. The following definitions apply to this policy.

- Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of another individual in the workplace.
- A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as an intent to cause physical harm to another individual.
- The "workplace" includes all College facilities and off-campus locations where faculty, staff, or students are engaged in College business.

These definitions are illustrative and not exhaustive.

If an employee witnesses or is subjected to any conduct they believe violates this policy, they must contact their direct supervisor, or where the conduct involves their direct supervisor, other supervisory personnel as soon as possible. The complaint should be as detailed as possible. The College will

directly and thoroughly investigate all complaints of workplace violence and take prompt corrective action, including discipline, if appropriate. The College reserves the right to contact law enforcement, where appropriate.

## **2.19 BULLETIN BOARDS**

The College controls displays and notices on employee bulletin boards. Space may be provided on an “as available basis” to employees so long as the item(s) are not offensive, derogatory, or controversial. Items may be removed by supervisory personnel at their discretion and may not be returned.

## **2.20 DRUGS AND ALCOHOL**

The unlawful possession, use or distribution of illicit drugs and alcohol by employees is prohibited on College property and in conjunction with College activities, whether on or off campus. Penalties for violation of local, state, federal, drug, and alcohol laws may include fines and imprisonment. Violators are also subject to disciplinary action, up to and including unpaid suspension and termination from employment. Violations will generally be reported to the appropriate law enforcement officials.

Pursuant to the Drug-Free Workplace Act of 1988, employees must notify the director of human resources in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Except as provided herein, the serving of alcoholic beverages on College property with students present is strictly prohibited. Violation of this policy may result in disciplinary action up to and including unpaid suspension or termination. A College employee who is enrolled in classes on campus is not regarded as a “student” in terms of this policy, so long as their primary relationship with the College is as an employee and they are of legal age to drink alcoholic beverages.

With the exception of BIL Hill Lodge and private residential houses owned by the College, the serving or consumption of alcoholic beverages on College-owned property is prohibited under any circumstances. With respect to BIL Hill Lodge, non-student College employees (as qualified above) may, with written permission of the administration of the College, serve wine or beer while using the facility. When wine or beer is served or consumed, the event organizer assumes the responsibility for assuring compliance with local and state laws concerning the consumption of alcoholic beverages. Under no circumstances shall any alcohol be served to or consumed by minors or others showing evidence of intoxication.

Employees coming to work apparently under the influence of alcohol or illegal drugs are subject to immediate drug and/or alcohol testing and/or dismissal.

## **2.21 WHISTLEBLOWER POLICY**

Cottey College encourages the campus community to report unethical or unlawful conduct by others, as well as violations of the College’s policies and procedures, so that such matters may be reviewed and addressed. All members of the campus community who become aware of or in good faith suspect unethical or unlawful conduct or violations of the College’s policies and procedures should report that information to their supervisor, the director of human resources, or call the anonymous toll-free number: 1-877-926- 8839 (877-9-COTTEY). The College strictly prohibits unlawful retaliation against anyone who in good faith reports violations of law, ethics, or policy or refuses to comply with directives from any supervisor or faculty member that would constitute a violation of law, ethics, or policy. The College will thoroughly and promptly investigate all reports of retaliation, and if an

investigation confirms that retaliation has occurred, the College will take prompt action in response, as is appropriate. Anyone who retaliates against a reporting member of the campus community will be subject to disciplinary action, potentially including dismissal. Complaints of retaliation will be kept as confidential as possible.

## **2.22 SOCIAL MEDIA POLICY**

Cottey understands that social media can be a rewarding way to share your life and opinions with family, friends, and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, Cottey College has established these guidelines for appropriate use of social media.

This policy provides guidance for employee personal use of social media. For purposes of this policy, social media should be broadly understood to include all means of communicating or posting information or content of any sort on the Internet, including an employee's own or someone else's blogs, wikis, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner, whether associated or not associated or affiliated with Cottey College.

### **Guidelines**

Employees need to know and adhere to Cottey policies when using social media in reference to the College. The same principles and guidelines found in Cottey's policies apply to employees' activities online. Employees are solely responsible for what they post online. Before creating online content, consider some of the risks and rewards that are involved. Employees should keep in mind that any of their conduct that adversely affects their job performance, the performance of fellow co-workers or otherwise adversely affects students, vendors, suppliers or others who work on behalf of Cottey may result in disciplinary action up to and including termination.

### **Know and Follow the Rules**

Employees should be familiar with Cottey's other policies and procedures for purposes of ensuring social media postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be Respectful and Appropriate**

Employees should be aware that the information that employees post or publish may be public information for a long time.

Employees should be aware that Cottey College may observe content and information made available by employees through social media. Employees should use their best judgment, and post honest and accurate material about Cottey, fellow co-workers, and students.

Employees should be clear in their social media activity that they are speaking on their own behalf. They should not hold themselves out as Cottey College unless required to do so for business purposes. Should employees disclose their affiliation as an employee of Cottey, it is recommended that they include a disclaimer that their views do not represent those of Cottey, such as: "The postings on this site are my own and may not represent Cottey College's positions, strategies or opinions."

Employees should always be fair and courteous to fellow employees and students. Work-related complaints are more likely resolved by speaking directly with co-workers than by posting complaints on social media outlets. Nevertheless, if an employee decides to post complaints or criticism, they should avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparages co-workers or students or that constitutes harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Cottey policy.

### **Intellectual Property and Confidential Information**

Employees are not to publish, post, or release any proprietary or confidential Cottey College or student information. Employees also must maintain Cottey and third-party trade secrets. Cottey does not prohibit employees from communicating regarding terms and conditions of employment. If there are questions about what is considered confidential, employees are encouraged to discuss with the director of human resources and/or a supervisor.

### **No Expectation of Privacy**

All contents of Cottey's IT resources and communication systems are the property of Cottey. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, documents, facsimile, telephone conversations, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or store or recorded on Cottey's electronic information and communications systems.

Employees are expressly advised that in order to prevent misuse, Cottey reserves the right to monitor, intercept, and review, without further notice, every employee's activities using the company's IT resources and communications systems, including but not limited to social media postings and activities, and employees' consent to such monitoring by acknowledgment of this policy and use of such resources and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, log-ins, recordings, and other uses of the systems, as well as keystroke capturing and other network monitoring technologies.

Cottey also may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

Employees should not use Cottey's IT resources and communications systems for any matter that they desire to be kept private or confidential from Cottey.

### **Media Contacts**

Employees should not speak to the media or on social media networks, blogs, and other types of online content on behalf of Cottey College. All media inquiries should be directed to the employee's Vice President and the Director of Marketing.

### **Social Media at Work**

Social media use should not interfere with an employee's responsibilities at Cottey College. The use of social media during nonworking time is acceptable so long as it does not involve vulgar, obscene, threatening, or harassing content or content that would otherwise violate any of Cottey's policies.

It is highly recommended that employees keep Cottey College related social media accounts separate from personal accounts, if practical.

## **Retaliation Prohibited**

Cottery prohibits taking negative action against any employee for reporting a possible deviation from this Policy or for cooperating in an investigation. Any employee who retaliates against another associate for reporting a possible deviation from this Policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

This policy is not intended to restrict communications or actions protected by state or federal law.

If an employee has any questions or need further guidance, they should contact the director for administrative computing services.

## **3.0 STAFF BENEFITS**

Purpose of this section: to set forth a general summary of prevailing staff benefits available to employees, as determined by their respective employee classifications (full-time, part-time, temporary, etc.). The director of human resources will answer inquiries concerning staff benefits from employees desiring additional information. Specific details can be found in benefit documents, and those documents are controlling.

### **3.1 SOCIAL SECURITY**

The College contributes an amount equal to the amount deducted from an employee's earnings toward the Social Security fund of the employee.

### **3.2 RETIREMENT PLAN**

The Cottery College Retirement Plan is a Defined Contribution Plan. Benefits are provided by fixed-dollar annuities issued by the Teachers Insurance and Annuity Association (TIAA) and by variable annuities offered by its companion organization, the College Retirement Equities Fund (CREF). Employee participation is mandatory.

An employee is eligible for participation provided the employee is 23 years of age and meets one of the following criteria:

1. has been employed by Cottery College for 12 consecutive calendar months commencing with the date of employment during which they have worked 1,000 hours or more. An employee's "service date" will be used for calculation of time worked.
2. has been a faculty member for Cottery College who has taught 16 credit hours or more during the preceding contract year.
3. has been employed with any institution of higher education during the 12-month period immediately preceding their date of employment with Cottery College and either worked 1,000 hours or more, or in the case of faculty, has taught 16 credit hours or more.

TIAA-CREF enrollment dates are the first day of each month. Employees will be enrolled on the first day following after meeting eligibility requirements. Each participating employee is provided a brochure summarizing the retirement plan at the time of employment. A variety of other pertinent information is provided to employees throughout the year by the director of human resources and /or TIAA-CREF.

The College will contribute an amount equal to 4.5% of the base salary earned by the employee during the fiscal year. The College's contributions toward the retirement plan of the employee are solely for the benefit of the employee. The College retains no interest in the funds it contributes to the employee's retirement plan. The participating employee is required to contribute 3.5% of their base salary toward their retirement plan.

### **3.3 TAX-DEFERRED ANNUITY**

An employee eligible to participate in the retirement plan may authorize the College to deduct a specified amount from their earnings for the purpose of establishing a tax-deferred (supplemental) annuity with TIAA-CREF. Participation in the plan is optional. Information concerning plan provisions is contained in a brochure provided to eligible employees.

### **3.4 ADDITIONAL AND SUPPLEMENTAL ANNUITIES**

All employees of the College have the opportunity to purchase an additional annuity or a supplemental annuity in amounts based on federally regulated maximums. Purchase of an additional or supplemental annuity is optional. Information concerning these options will be provided upon request from the Office of Human Resources to eligible employees.

### **3.5 GROUP CARE PLAN (HEALTH AND ANCILLARY PRODUCTS)**

Eligible full-time and .75 full-time equivalent (FTE) or greater employees may participate in a group health plan (a base, buy-up, and higher deductible PPO plans), and ancillary products offered through the College. Eligible employees' coverage becomes effective the first of the month following the hire date. The College pays a nonrefundable, defined contribution determined annually towards each eligible full time and .75 full-time equivalent (FTE) or greater employee for group health insurance and or other ancillary products offered through the College. Half-time employees may choose to participate in the group health plan at their own expense. Each eligible employee may elect to cover their spouse, children, or family at their own expense. Eligible employees are provided information pertaining to the applicable benefit plans at the time of hire. The College retains the right to change or cancel any benefit plan; however, when changes are made, employees will be informed either through a posting of notices and/or distribution of information by the College and/or the insurance carrier.

### **3.6 EARLY RETIREMENT HEALTH BENEFITS**

Full-time, .75 FTE, and half-time administrative staff employees who have attained the minimum age of 55, and who have completed a minimum of 3 years continuous employment with the College immediately prior to electing early retirement are eligible for group retiree health insurance at their own expense.

An eligible retiree may elect to continue health coverage under the Cottey College group health plan at their own expense until such time as the retiree becomes eligible for coverage through Medicare insurance or group health insurance through another employer's plan. Coverage will also end if the retiree fails to pay the required premiums for coverage in a timely manner. In addition, the retiree's spouse (and dependent children under the age of 26) may elect to participate in the Cottey College health plan if the spouse/children were participating in the Plan immediately prior to the retirement date. When the retiree is no longer a participant of the Cottey College health plan, the spouse/children may be eligible for continued benefits under a federal law commonly known as COBRA.

### **3.7 PRETAX PREMIUM PLAN**

Unless the employee does not wish to participate in the pre-tax premium plan, the College will automatically deduct family health insurance premiums on a pre-tax basis for employees who choose to participate in the group health insurance plan.

### **3.8 DISABILITY INSURANCE**

Effective the first day of the month following date of hire, all hourly employees who have at least a .75 FTE appointment (30 hours per week) are eligible for disability insurance. The College pays the cost of the coverage for the employee.

### **3.9 TERM LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE**

Full-time and .75 FTE employees eligible to participate in the College's health care plan will be provided a \$10,000 term life and accidental death and dismemberment (AD&D) insurance policy. The policy reduces to \$6,500 at age 65; at age 70 the policy reduces to \$1,000; at retirement the term life and AD&D are no longer in effect. The College reserves the right to change or cancel this policy at its discretion.

### **3.10 VOLUNTARY TERM LIFE INSURANCE**

All full-time nine-month, ten-month, and twelve-month, and .75 FTE employees may participate in the Voluntary Term Life Insurance Plan. The employee may elect coverage for self, spouse, and children as applicable. Coverage is effective the first of the month following the date of hire. The employee pays the cost of coverage. A complete plan description is provided to the new employee at the time of orientation.

### **3.11 UNEMPLOYMENT INSURANCE**

The College participates in the unemployment insurance coverage afforded employees under provisions of state and federal law.

### **3.12 WORKERS' COMPENSATION INSURANCE**

The College provides workers' insurance covering accidents and illnesses arising from employment in accordance with the laws of the state of Missouri.

An employee sustaining a work-related injury/illness is required to report the incident immediately to their supervisor (within 24 hours) for proper completion of injury report and insurance forms, diagnosis, and treatment. Written notice of an injury must be provided to Cottey College within 30 days of knowledge of the injury for appropriate processing of workers' compensation requests.

If the injury is incurred in the Nevada, Missouri, work area, the injured employee is required to report to the Nevada Medical Clinic during normal work hours for diagnosis and/or treatment. If injury is sustained after normal work hours or on weekends, the injured employee is required to report to Nevada Regional Medical Center for initial diagnosis and/or treatment. For injuries requiring emergency assistance, 911 should be called immediately.

Employees incurring an injury while on College business in other cities or states should seek immediate care from a licensed physician.

All medical expense for treatment, supplies, and medication should be charged in the name of the injured employee and sent to the Business Office of Cottey College for forwarding to the workers' compensation

insurance carrier. Treatment by unauthorized providers of medical care will not be paid.

Wage compensation will be paid directly to the employee from the workers' compensation insurance carrier. While the injured employee is on workers' compensation payroll, no employee benefits will accrue from Cottey College. Group health insurance for the employee will continue during the time an employee is off work for a work related-illness or injury.

### **3.13 FLEXIBLE SPENDING PROGRAM**

A Flexible Spending Program, which includes a Medical Flexible Spending Account (MFSA) and a Dependent Care Flexible Spending Account (DFSA), is offered to full-time and .75 FTE employees.

The Medical FSA allows employees the option of using up to the amount established by Federal Guidelines of their personal earned income on a tax-free basis for expenses incurred for medical services not covered by their health insurance.

The Dependent Care FSA allows employees the option of \$5,000 (maximum allowable amount) of their personal earned income on a tax-free basis for expenses incurred for qualified care of a legal dependent.

Under the Program, a set amount, selected by the participating employee, is deducted on a pre-tax basis from each of the employee's paychecks in the plan year and set aside for reimbursement for qualified expenses.

A more detailed description of the Flexible Spending Program may be obtained from the Human Resources Office.

### **3.14 DAYS ALLOTTED BY COLLEGE**

Full-time, twelve-month employees receive sixteen days of holiday pay. The allotted dates are approved by the College for each fiscal year, July 1 through June 30. The sixteen days will include the following:

- 1 Day: Martin Luther King, Jr. Day
- 1 Day: Memorial Day
- 1 Day: Juneteenth
- 1 Day: July 4
- 1 Day: Labor Day
- 1 Day: Coinciding with the academic fall break
- 1 Day: Wednesday before Thanksgiving
- 1 Day: Thanksgiving Day
- 1 Day: Day after Thanksgiving
- 1 Day: Christmas Day
- 1 Day: New Year's Day

The College determines the remaining five days of holiday pay per year before the beginning of each fiscal year.

In order to receive holiday pay benefits, employees must work on the scheduled workday immediately before and after the holiday, unless previously excused by their supervisor or on approved leave.

Full-time twelve-month maintenance and housekeeping employees will observe their sixteen days of holiday pay per year days as recommended by the director of physical plant and approved by the vice president for finance and administration of the College, taking into consideration the necessity of their services to the College. When possible, however, maintenance and housekeeping employees will observe the same days as other full-time twelve-month employees.

Full-time nine and ten-month employees receive ten paid holidays of holiday pay per year. They are New Year's Day, Martin Luther King, Jr., Day, Juneteenth, Labor Day, the Wednesday before Thanksgiving Day, Thanksgiving Day, Christmas Day, and three "floating" days. The "floating days" must be used before June 30 each year and must have supervisory approval.

Temporary and part-time employees do not receive holiday pay from the College.

No group of employees, or substantial number of employees within a group, may take the same day(s) off without the prior approval of the President of the College, unless the College has specifically designated that day(s) as the day(s) for the College to be closed.

### 3.15 VACATION

Full-time twelve-month employees receive vacation benefits for each pay period (30 continuous calendar days starting with the first day of the month) of service in which the employee is actively in Cottey College employment and in a paid status. Employees who are .75 full-time equivalent (FTE) will receive vacation at a .75 rate. Vacation time is calculated at the following rate per pay period.

#### **Full-Time Twelve-Month Employees:**

<u>Years of Service</u>	<u>Rate Per Pay Period</u>
0 - 5	3.08 hours per pay period
5 - 15	4.62 hours per pay period
15+	6.16 hours per pay period

#### **.75 Full-Time Equivalent Employees (FTE):**

<u>Years of Service</u>	<u>Rate Per Pay Period</u>
0 - 5	2.31 hours per pay period
5 - 15	3.46 hours per pay period
15+	4.62 hours per pay period

Nine and ten month employees do not earn vacation. Vacation credit will not be given for any pay period in which the employee is on unpaid leave of absence or suspension.

Up to the amount of vacation given in a fiscal year may be carried over to the next contract year. New employees must complete 90 days continuous service before they may apply for vacation.

Employees must provide two-week termination notice prior to their last day actively at work in order to be paid for unused vacation at termination unless the President has given special approval. If the employee fails to give proper notice, all accrued vacation is forfeited.

All unused vacation time computed, consistent with this policy, shall be paid to the employee or their estate in the event of death and at the employee's hourly rate of compensation.

### 3.16 PAID TIME OFF

Full-time employees receive paid time off for each full month worked. Unused, paid time off accumulates from year to year up to a maximum of one hundred and thirty days. Employees who are .75 FTE will receive paid time off at a prorated rate of 75% of full-time personnel.

Paid time off can be, and is encouraged to be, accumulated up to the established maximum of 130 days. Upon separation from Cottey service, paid time off will not be paid in any manner or situation and is forfeited at separation of employment.

New full-time and .75 FTE employees receive paid time off starting with the first month of employment.

Accumulated paid time off may be charged only in accordance with the provisions of Sections 3.16, 3.17, 3.19, 3.20, 3.21, and 3.22. Unjustified use or other abuse of the College's paid time off policy may result in disciplinary action. Any time off taken by an employee for reasons appropriately chargeable to accumulated paid time off that exceeds the amount of accumulated paid time off may be charged against the employee's vacation. However, this option may be exercised by the employee only with the approval of their supervisor and the director of human resources.

In no event, may an employee charge unearned paid time off where earned vacation is sufficient to cover the charged time.

Employee may request unpaid time off. The employee's supervisor has the discretion to approve or deny requests for any unpaid time off.

### **SICK LEAVE**

Sick leave may be charged against accumulated paid time off for personal illness, injury, or medical appointment of an employee and/or to care for an illness or injury or to attend to a medical appointment of an immediate family member. Immediate family members would include the employee's spouse, domestic partner, children, stepchildren, foster children, children for whom the employee is a legal guardian, parent, parent-in-law, stepparent, stepparent-in-law, and foster parent.

A statement from a physician verifying the necessity for absence(s) may be required for more than three consecutive days of absence. If medical/physical conditions persist after an employee has exhausted their paid time off entitlement, the employee may continue their necessary absence by use of vacation. No additional paid time off, holidays, or vacation will accumulate for an employee who has been on sick leave in excess of 21 consecutive working days.

### **Full-Time Twelve-Month Employees:**

Rate Per Pay Period  
3.69 hours per pay period

### **.75 Full-Time Equivalent Employees**

(FTE): Rate Per Pay Period  
2.77 hours per pay period

### **Nine and Ten month Employees:**

Rate Per Pay Period  
3.6 hours per pay period

## **3.17 PAID PARENTAL LEAVE**

This policy provides for up to six weeks of paid parental leave for eligible Cottey College employees—administrative staff, hourly staff, and faculty—experiencing a new birth or adoption. The purpose of paid parental leave is to enable an employee to care for and bond with a newborn or a newly adopted child.

This policy will run concurrently with Family and Medical Leave Act (FMLA), as applicable. This policy will be in effect for births and adoptions occurring on or after July 1, 2019.

### **Eligibility for Paid Parental Leave**

- Employed with the College for at least 12 months;
- Worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin, and;
- Have full-time or .75 FTE status in a benefits eligible position working 30 or more hours per week
- In addition, eligible employees (as defined above) must meet one of the following criteria:
- Given birth to a child;
- Be a spouse or committed partner of an employee who has given birth to a child;
- Assumed care of a child from a surrogate; or
- Adopted a child (the child must be age younger than 18). If the adoption involves a child who is incapable of self-care because of a mental or physical disability, the age limit of 18 may be waived by the College.

### **Amount, Time Frame and Duration of Paid Parental Leave**

Eligible employees will receive up to six weeks of paid parental leave following the birth of an employee's child or the placement of a child with an employee in connection with adoption. If a multiple birth or adoption occurs (e.g., the birth of twins or adoption of siblings), it does not increase the total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than six weeks or three-weeks of paid parental leave during a calendar year (as applicable), regardless of whether more than one birth or adoption occurs within that calendar year. If both parents are employees of Cottey College, each parent is entitled to take paid parental leave (though only one may be designated the primary caregiver), which may be taken concurrently, consecutively, or at different times during the 12 weeks immediately following the birth or adoption.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a per pay period basis on regularly scheduled pay dates.

Approved paid parental leave may be taken at any time during the 12 weeks immediately following the birth or adoption. Paid parental leave may not be used or extended beyond this 12-week time frame.

When the adoption is in the legal process, the paid parental leave may begin from the point the child is placed with the eligible employee (granted custody) for the purpose of adoption.

Paid parental leave may not be donated or carried over to future years.

Paid parental leave will not be counted against annual leave or sick leave, which will continue to accrue during the period of parental leave. If a College holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay.

Paid parental leave will run concurrently with FMLA leave.

Upon the end of an individual's employment at the College, he or she will not be paid for any unused paid parental leave for which he or she may have been eligible.

### **Coordination with Other Policies**

Paid parental leave will run concurrently with leave available to eligible employees under the FMLA and will be counted towards the 12 weeks of available FMLA leave per a 12-month period. In no case will the total amount of parental leave – whether paid or unpaid – exceed the FMLA entitlement of 12 weeks during a 12-month period. After the paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through the employees' accrued sick and/or vacation time, if available. Upon exhaustion of accrued sick and/or vacation time, any remaining leave time available will be unpaid leave. Please refer to the "Leave under the FMLA" policy, located in employee handbooks, for further guidance on FMLA leave.

All benefits will be maintained for employees during the paid parental leave period just as if they were taking any other form of leave such as paid vacation leave or paid sick leave. If an employee exhausts her/his leave balances, then such benefit premiums would need to be paid to the College during this time period.

An employee who takes paid parental leave and does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave just as though the employee was on FMLA-qualifying leave.

### **Process for Requesting Paid Parental Leave**

An employee will make every effort to notify their department vice president and the director of human resources of their intention to request paid parental leave at least 30 days prior to the start of leave. The employee will provide the vice president and the director of human resources with the anticipated timing and duration of the leave.

In order to receive paid parental leave, the employee must complete a Paid Parental Leave Request form along with a FMLA request form (as applicable) and submit the forms to the Office of Human Resources for review and approval at least 30 days prior to the start of the leave. It is understood that under some circumstances it may not be feasible to provide 30 days' notice. In these cases, the employee must provide notice as soon as practicable.

The employee must also note on the Paid Parental Leave Request form whether she/he intends to use paid parental leave continuously, intermittently or on reduced schedule. Any request for intermittent or reduced schedule leave requires the approval of the employee's supervisor or vice president and Human Resources.

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

All questions concerning this policy should be directed to the director of human resources.

The College reserves the right to modify this policy and will provide adequate notice of any changes made.

### **3.18 ACCOMMODATION FOR LACTATING MOTHERS**

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable paid break times to express breast milk for her baby. An employee who wishes to express milk in the workplace shall notify her supervisor or the director of human resources and discuss any relevant workload or scheduling issues. A private space that is not a bathroom will be provided with reasonable efforts made for the location to be in close proximity to the nursing mother's work area.

The location may be the place where the nursing mother normally works if there is adequate privacy with a closable and lockable door (e.g., the employee's private office or a conference room that can be secured). The location must have good lighting and an electrical outlet and be in close proximity to a bathroom for a safe water source. In addition, it will have a comfortable chair and available table space.

Accommodations will be made to ensure there is a convenient cold storage facility for keeping milk that has been expressed until the end of the workday. If using a departmental refrigerator, the employee must ensure that containers are well marked.

The required time needed for lactation breaks is impacted by individual needs and the proximity of a reasonable space for lactation. In general, approximately 30 minutes, 3 times per day, is reasonable, although longer or more frequent breaks may be reasonable. Lactation breaks should, if feasible, run concurrently with any break time already provided to the employee.

Any questions about this policy or concerns regarding treatment an employee reasonably believes violates the letter or spirit of this policy should be directed to the director of human resources. Cottey College expressly prohibits any form of discrimination, harassment, or retaliation against any employee who requests or takes breaks under this policy or raises any questions or concerns about her treatment due to conduct permitted by this policy.

### **3.19 EMERGENCY LEAVE**

With the approval of the employee's supervisor, up to forty hours emergency leave per fiscal year may be charged against the employee's paid time off. Emergency leave will generally be granted when unforeseen events or occurrences result in creating a condition or situation that demands the immediate personal attention of the employee.

### **3.20 BEREAVEMENT**

When death in the employee's immediate family necessitates the employee's absence from work, the employee may charge the time absent from work against their balance of paid time off. Immediate family members would include the employee's spouse, domestic partner, children, stepchildren, foster children, children for whom the employee is a legal guardian, parent, parent-in-law, stepparent, step-parent-in-law, foster parent, brother, brother-in-law, sister, sister-in-law, grandchild, and grandparent. Up to forty hours bereavement leave per fiscal year may be charged against the employee's accumulated paid time off.

### **3.21 EMPLOYEE ASSISTANCE PLAN (EAP)**

To help employees balance home and work, Cottey provides an Employee Assistance Program to assist with workplace conflicts, interpersonal difficulties, marriage and family concerns, stress management, financial matters, and alcohol and drug problems. Participation is optional and confidential. Under certain circumstances participation may be required as a condition of continued employment.

### **3.22 WELLNESS PROGRAM**

The purpose of the Cottey College Wellness Program is to promote a work environment that supports employee health and wellness. The program focuses on wellness goals and objectives that are designed to encourage positive lifestyle behaviors such as increasing physical activity, eating nutritionally balanced foods, reducing tobacco exposure, and managing stress. For more information, employees may contact the wellness coordinator or the director of human resources.

### 3.23 FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

**Policy Statement** (all other types of leave will run concurrently with FMLA)

Cottey College understands the struggle employees face in balancing the demands of the workplace with the needs of their families. In order to minimize that struggle, the College has established the following policy permitting employees to take reasonable leave for their own serious health condition; for the birth, foster care placement, adoption of a child; for the care of a child, stepchild, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law, who has a serious health condition; for a qualifying exigency arising out of the fact that the employee's spouse, domestic partner, parent, parent-in-law, stepparent, and stepparent-in-law is a covered military member who has been notified of an impending call or order to active duty in support of a contingency operation; or to care for a covered serviceperson with a serious injury or illness if the employee is the stepchild, foster child, child for whom the serviceperson is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law or next of kin of the serviceperson. This policy is consistent with the requirements of the Family and Medical Leave Act of 1993.

#### **Eligibility**

Employees who have been employed for at least one year and for at least 1,250 hours during the preceding 12-month period are eligible for the family and medical leave entitlements outlined within this policy. In order to calculate eligibility for hourly employees, the College will use its records of hours worked. In the case of salaried employees, the College will assume that any employee employed full-time for seven and one-half months meets the 1,250 hours requirement. Exempt employees who have 12 months prior service, but less than seven and one-half month's full-time continuous service at the time leave is requested, should include documentation of hours worked with their request.

#### **Leave Entitlements**

An eligible employee may be granted up to 12 weeks of family/medical leave within any 12-month period, consistent with this policy, for the following reasons:

1. To care for a newborn child of the employee, as long as the leave would be taken within 12 months of the child's birth.
2. To care for a newly adopted or foster care child of the employee as long as the leave would be taken within 12 months of the child's placement.
3. To care for the employee's spouse, domestic partner, children, stepchildren, foster children, children for whom the employee is a legal guardian, parent, parent-in-law, stepparent, stepparent-in-law, and foster parent who has a serious health condition.
4. Due to a serious health condition that precludes the employee from performing his or her job.
5. Due to any qualifying exigency arising out of the fact that the child, stepchild, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, step- parent, and stepparent-in-law, of the employee has been called or ordered to 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. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

An eligible employee may be granted up to 26 weeks of family/medical leave in a single 12-month period for the following reason:

1. To care for an injured serviceperson, specifically, a spouse, son, daughter, parent a child, step- child, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law, or next of kin, recovering from a serious injury or illness suffered while on active duty in the armed forces, that may render the serviceperson medically unfit to perform his or her duties; for which the serviceperson is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list. However, an employee is entitled to a total of no more than 26 weeks of leave in a single 12-month period, regardless of the reason(s) for which leave is granted.

### **Calculating Leave**

Cottey College uses the “rolling” method of calculation for determining the period in which the 12 weeks of leave may be taken. In other words, available leave will be calculated by determining the amount of leave used by an employee for the 12 months prior to each day for which leave is requested and subtracting that number from the equivalent of 12 weeks of work for the employee.

With regard to the 26-week entitlement to care for an injured serviceperson, the “single 12 month period” within which an employee can take such leave begins on the first day an employee takes such leave and ends 12 months after that date.

Spouses and/or domestic partners who are eligible for FMLA leave and who are both employed by Cottey College are limited to a combined total of 12 weeks of leave, if the leave is taken for the birth (and care thereafter) of the employee’s child, stepchild, foster child, child for whom the employee is a legal guardian, or to care for a parent, parent-in-law, stepparent, and stepparent- in-law.

Spouses and/or domestic partners who are eligible for FMLA leave and who are both employed by Cottey College are limited to a combined total of 26 weeks of leave, if the leave is taken to care for an injured serviceperson. If a combination of leave is taken to care for an injured serviceperson and for the birth (and care thereafter) of the employee’s child, for placement (and care thereafter) of a child with the employee for adoption, guardianship or foster care, or to care for a sick parent, parent-in-law, stepparent, and stepparent-in-law, the husband and wife are still limited to a combined total of 26 weeks of leave.

However, no more than 12 of those weeks may be used to care for a newborn, newly adopted or foster child.

For employees who are not eligible for family or medical leave, and who have exhausted paid sick leave and annual leave, Cottey College will consider a request for unpaid leave on a case-by-case basis.

Family or medical leave may consist of a combination of accrued paid leave and unpaid leave. If family or medical leave is requested for an employee’s own serious health condition, the employee is required to substitute all of his or her accrued paid vacation leave and paid days off for unpaid family or medical leave. If leave is requested for any of the other “reasons for leave” listed below, an employee may substitute all of his or her paid days off and/or accrued vacation leave for unpaid family or medical leave. The substitution of paid leave does not extend the 12-week leave limit. The remainder of the leave period will then consist of unpaid leave.

### **Procedure for Requesting Leave**

In all cases, an employee requesting leave must complete the “Application for Family and Medical Leave” form that can be obtained from the Office of Human Resources and returned to same. An employee intending to take family or medical leave because of an expected birth or placement of a child, or because of a planned medical treatment, must submit an application for leave at least 30 days before the leave is to begin.

If leave is to begin within 30 days, an employee must give notice to his or her supervisor and return a completed “Application for Family and Medical Leave” form to the director of human resources as soon as the necessity for the leave arises.

In emergencies, the employee or a family member should contact the director of human resources by telephone (417-667-8181, ext. 2103) or by fax (417-448-1060) requesting leave and explaining the nature of the employee’s need for leave. During non-business hours, the employee or the employee’s family member should leave a message, including a number where they can be reached. The “Application for Family and Medical Leave” form should then be submitted to the College’s director of human resources as soon as practicable. Absent good cause, the application should be submitted within three business days after the oral request for leave is made.

Failure to report to work when family or medical leave has been denied, or when family or medical leave has not been properly requested, may be treated as an unexcused absence under the College’s attendance policy.

### **Serious Health Condition**

The term “serious health condition” is defined by the Secretary of Labor at 29 C.F.R. § 825.113 and governs the leave provisions under this policy. The definition can be summarized as follows:

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment or incapacity due to pregnancy or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Medical Certification**

An application for leave based on the serious health condition of the employee or the employee’s child, stepchild, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law must also be accompanied by a “Medical Certification Statement” provided by the Office of Human Resources, and completed by a health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition, as well as a statement that the employee cannot perform the functions of his or her job.

If the employee is needed to care for a child, stepchild, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law, the certification must also state the need for the employee's assistance, along with an estimate of the amount of time the employee will be needed.

The term health care provider is defined by the Department of Labor at 29 C.F.R. § 825.118 and that definition governs the provisions of this policy wherever the term is used. The term can be summarized as a doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner, or a midwife, all performing within the scope of their practice as defined under state law.

### **Benefits Coverage During Leave**

During a period of family or medical leave, an employee will be retained on the College's health plan under the same conditions that applied prior to leave commencing. To continue health coverage, the employee must continue to make any contributions that they made to the plan before taking leave. Employee contributions are to be made to the Business Office on or before the due date for remitting premiums to the insurance carrier. If the employee is unsure of this date, they should check with the Office of Human Resources.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse Cottey College for payment of its share of the employee's health insurance premiums during the family or medical leave, unless the reason the employee fails to return is due to the presence of a serious health condition that prevents the employee from performing his or her job or to circumstances beyond the employee's control, as outlined in 29 C.F.R. § 825.213(a).

Although an employee who takes family or medical leave will not lose any employment benefits that accrued before the leave began, an employee is not entitled to the accrual of any seniority or employment benefits (other than group health insurance) that would have occurred if not for the taking of leave.

### **Intermittent or Reduced Schedule Leave**

Leave taken to care for a child, stepchild, foster child, child for whom the employee is a legal guardian, spouse, domestic partner, or parent, parent-in-law, stepparent, and stepparent-in-law with a serious health condition, or for an employee's own serious health condition can also be taken either intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single illness or injury. A "reduced leave schedule" is a change in the employee's schedule over several weeks or months, normally from full-time to part-time. Intermittent or reduced schedule leave after the birth of an employee's child or the placement of a child with the employee for adoption or foster care will be considered under the College's Parent/Child Rearing Leave Policy. Medical leave taken on an intermittent or reduced schedule may be taken only when the employee provides certification from the employee's health care provider caring for the employee and/or family member that leave must be taken in the requested manner. Intermittent or reduced schedule leave must be taken in one-hour increments.

Where an employee requests intermittent or reduced schedule leave for foreseeable planned medical treatments, the College may temporarily transfer the employee to an alternative position with no reduction in pay and benefits, if the new position would better accommodate recurring periods of leave than the employee's regular position. The employee will be returned to their prior position (or an equivalent position) when the employee no longer needs to continue taking intermittent or reduced schedule leave.

### **Returning to Work Following Leave**

An employee eligible for family and medical leave, (with the exception of those employees designated as “highly compensated employees,” as defined by the IRS) will be restored to his or her old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. Cottey College cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an “equivalent position” will be made by Cottey College.

### **3.24 MILITARY LEAVE**

An employee who enters active military duty in a branch of the U.S. Armed Forces will be granted an unpaid military leave pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. Generally the employee will be eligible for reemployment in the position the employee would have occupied had the employee kept the position continuously during military service leave, provided the employee applies to the College for reemployment into the former position within the law’s applicable time frames, and unless to do so would be unreasonable or impossible, or unless reemployment would impose an undue hardship on the College.

USERRA also provides certain protections regarding a returning employee’s seniority, status, and pay they would have received had they not entered military service. Additionally, the employee returning from honorable military service may be terminated from reemployment only for just cause during the initial period of reemployment; the initial period of reemployment varies depending on the period of leave. For more information on USERRA, please contact the director of human resources.

### **3.25 TIME OFF FOR VOTING/JURY DUTY**

A full-time employee will be paid at their regular hourly wage rate for time actually spent while serving jury duty. Should jury duty cease prior to the end of the employee’s regular working hours, the employee is expected to return to their job. Any pay received by the employee for jury duty must be turned over to the College.

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, supervisors are authorized to grant a reasonable period of time, up to three hours, during the work day to vote. This time off will be with pay. Time off for voting should be reported and coded appropriately on timekeeping records.

### **3.26 TUITION REMISSION**

A full-time and .75 FTE female employee, female spouse, or dependent female child of a full-time employee may enroll in courses offered by the College at no cost for tuition, provided all prevailing admission and academic requirements of the College are satisfied. A dependent child is defined by the guide- lines provided by the Office of Federal Student Aid for the Free Application for Federal Student Aid (FAFSA). Tuition Remission is for tuition only and does not extend to room and board. All other student fees apply when appropriate.

### **Council of Independent College (CIC) Tuition Exchange**

Cottey College is a member of the Council for Independent Colleges-Tuition Exchange Program (CIC-TEP). Member colleges and universities have agreed to accept tuition-free students from families of full-time employees of other participating institutions. Participation in the exchange program is limited to full- time employees. This benefit applies to tuition only and does not cover non-credit or audited courses, high school discount courses, fees, housing, books, supplies, or other miscellaneous expenses. Graduate study is limited to employees and spouses. A searchable list of participating institutions may be found at [cic.edu](http://cic.edu).

## **Tuition Exchange**

Cottey College participates in a Tuition Exchange Program (TE) with many colleges and universities across the country. Dependent children of current full-time employees of the College may attend one of the exchange institutions at a reduced tuition cost, provided they have met that institution's admission standards. This exchange program covers undergraduate courses only, and there are some limitations on the number of participants. The list of participating schools is available at [tuitionexchange.org](http://tuitionexchange.org). For more information contact the vice president for enrollment management at (417) 667-8181 ext. 2107.

### **3.27 TUITION REIMBURSEMENT PROGRAM**

All full-time employees of Cottey College are eligible for participation in the tuition reimbursement program. Expenses incurred by an employee for tuition, books, and fees associated with a course taken at an accredited post-secondary school are eligible for reimbursement provided the following:

1. The employee has submitted a Tuition Reimbursement Form to their supervisor prior to the start of any educational classes for which the employee wishes to be reimbursed, and the request has been approved by both the employee's supervisor and the division head and include the department or GL to debit for the reimbursement ; and
2. The course is related to the employee's current job; or
3. The course is related to a job of potential future advancement for the employee; or
4. The course is a required course for a degree program, where the degree program is related to the employee's current or potential future advancement and the employee is enrolled in the degree program.

Reimbursement will be made on the following schedule:

<u>Course Grade</u>	<u>Level of Reimbursement</u>
A/B	100% Reimbursement
C	50% Reimbursement

Pass/Fail courses will be reimbursed at 100% if passed. No reimbursement will be made for a course grade less than C. Reimbursement may not exceed \$75 per semester hour or a total of \$450 per fiscal year. The Office of Human Resources will maintain records regarding the program.

### **3.28 USE OF COLLEGE FACILITIES**

Employees, spouses, and dependents have access to the fitness center. The vice president for student life coordinates admittance to the center to assure there is not a conflict with classes. The services and products of the Library, Bookstore, Service Center, Chellie Club, and Raney Dining Room are available to employees at reasonable and/or discounted rates. BIL Hill Lodge and the Chapel may be rented for a nominal fee by employees under special circumstances.

### **3.29 CHECK CASHING**

The Business Office is available to employees for check cashing Monday through Friday from 8:00 a.m. to 9:00 a.m. and 1:00 p.m. to 4:30 p.m. Employees' personal checks up to \$125.00 (\$50.00 during summer months) may be cashed. No two-party checks will be cashed.

### **3.30 COLLEGE ACTIVITIES**

Free passes are provided to staff, spouses, and minor children for College-sponsored campus entertainment and social events. Single staff members are provided two free passes, one for the staff member and one for a guest.

### **3.31 VOLUNTARY PHASED RETIREMENT**

Full-time and .75 FTE administrative staff, hourly employees and faculty members who have attained the minimum age of 55 and who have completed a minimum of 10 years continuous employment with the College have the option to elect voluntary phased retirement.

Voluntary phased retirement is a means of transitioning retirement-eligible faculty and staff from full-time employment to retirement by permitting a reduced work schedule while preserving eligibility for many valuable college benefit programs. Requests to be placed on voluntary phased retirement must be voluntarily initiated by the staff member. Department managers and supervisors cannot impose a phased retirement agreement on a staff member. Phased retirement enables the faculty or staff member's department to retain the knowledge and skills of the faculty or staff member during a period of transition while also aiding the faculty or staff member in meeting their personal goals and obligations.

Administrative staff, hourly employees and faculty members on phased retirement can reduce their FTE to fall within the range of 0.50 to 0.75 for up to three years with an equivalent reduction in salary. The employee is agreeing to retire no later than three years after beginning phased retirement. FTE cannot be increased while on phased retirement.

While on reduced FTE, the employee is eligible to continue at the same level of benefits as prior to starting phased retirement so long as the benefit plan allows. Some benefits such as Family Medical Leave Act have hour requirements for eligibility. Please contact Human Resources for more information concerning benefit eligibility under phased retirement. Employees on phased retirements are subject to the same change in rates and plans as other employees.

Only the President can approve a request to go on phased retirement. The employee's vice president and the director of human resources will make a recommendation to the President on the request. Any reduction in FTE by an administrative staff member or hourly employee will not be replaced during phased retirement. Any reduction in FTE during phased retirement for a faculty member can be replaced by adjunct faculty only.

An administrative staff, hourly employee or faculty member on phased retirement is eligible to participate in the early retirement health benefits program at the end of phased retirement.

### **3.32 TELECOMMUTING/REMOTE WORK POLICY**

In some instances, employees may have the option to telecommute or work remotely for part or all of their workweek. These arrangements may be informal for a short term need or formalized for a longer period of time.

The College recognizes that telecommuting or remote work is not possible for all employees or positions. Each proposed telecommute/remote work arrangement must meet the needs of the College, and the arrangement does not alter the terms or conditions of employment. Employees should not consider telecommuting/remote work as a benefit available to all employees.

Employees who have worked at Cottey continuously for at least 90 days with satisfactory performance may be considered for a telecommute/remote work arrangement. When it is beneficial to the College, this 90-day requirement may be waived with the approval of the employee's supervisor and the Director of Human Resources.

An approved telecommuting/remote-work arrangement will be arranged on a trial basis for up to three months and can be discontinued at any time at the request of either Cottey or the employee. Cottey will make every effort to provide at least 30 days' notice of a change to allow an employee time to alter plans related to commute, child care, etc., that may be necessary as a result of the discontinuance of the arrangement. However, some circumstances may warrant that no notice is possible.

Either an employee or supervisor may suggest a telecommute/remote work arrangement. Suggested arrangements will be reviewed for feasibility. If after this review the supervisor and employee agree to move forward, a telecommuting/remote work agreement will be prepared, in consultation with the Director of Human Resources, and the trial period will begin; all such arrangements must be submitted to the President for review and final approval.

The agreement will typically cover following topics:

- Length and structure of the arrangement, e.g., work hours and days on or off campus
- Evaluative process for the arrangement
- Security and protection of Cottey-owned data
- Equipment supplied by Cottey, e.g., hardware, software, and other office equipment
- Required, on-campus attendance for meetings and events
- If appropriate, a procedure for keeping a record of time worked.
- To ensure all time is appropriately logged, overtime must be approved by a supervisor and working off the clock is prohibited

Telecommuting/remote employees are expected to maintain the same response times as they would on campus and make themselves available to attend scheduled work meetings as required and/or requested. Employees may be required to attend certain meetings and events in-person on the Cottey campus, based on their position and department. Prior to signing the agreement, the employee and supervisor will discuss and document all on-campus meetings and events that the employee will be required to attend. The employee understands and agrees to pay for all travel expenses incurred when traveling to campus. Cottey College is not responsible for reimbursement of travel expenses for telecommuting/remote work employees.

Upon completion of the 90-day trial period, the telecommuting/remote work arrangement will be re-evaluated by the supervisor and employee. If both agree to extend the telecommuting/remote work arrangement, the arrangement will be extended for one year and be re-evaluated and re-affirmed on an annual basis.

Informal arrangements may be used for a short-term, as-needed basis only and will not be continued once the circumstances that necessitated the arrangement have returned to normal. Informal arrangements need not have a formal agreement and can be approved for pressing circumstances such as inclement weather, pandemics, or other emergency situations. These arrangements may also be utilized for business travel and special projects.

Employees working remotely may contact their direct supervisor with any questions regarding timekeeping in a remote environment.

## **4.0 PERSONNEL**

The purpose of this section: to identify the office and procedures that address personnel matters.

### **4.1 DIRECTOR OF HUMAN RESOURCES**

The President of the College has designated the director of human resources as the College administrator of personnel matters pertaining to employees paid on an hourly wage basis.

### **4.2 PERSONNEL FILES**

A personnel file for each hourly employee is maintained in the Office of Human Resources. This file is the only hourly personnel file maintained by the College, and it is the property of the College. The personnel file of an employee is strictly confidential. Only the President and those authorized by the President have access to an employee's personnel file.

Upon receiving a written request from the employee, the director of human resources may establish an appointment with the employee for the purpose of reviewing the employee's personnel file with the employee. The employee's personnel file must be reviewed by the employee in the presence of the director of human resources.

### **4.3 DISCIPLINARY PROCEDURES**

Violations of work rules, instances of unacceptable behavior, misconduct, or poor performance may subject the employee to discipline. Some types of misconduct may result in termination at the first occurrence.

Before discipline is imposed, employees will generally be given an opportunity to relate their version of the incident or problem under discussion and provide an explanation they consider relevant to the director of human resources.

Supervisors must obtain approval of all disciplinary measures more severe than an oral reprimand from the director of human resources.

At times, it may be appropriate for an employee to be suspended with or without pay.

The determination as to what constitutes a violation of work rules, workplace misconduct, or inappropriate behavior and the appropriate disciplinary response will be determined on a case-by-case basis at the sole discretion of the College.

### **4.4 EMPLOYEE COMPLAINTS**

In the event an employee believes they have been treated unfairly relative to their employment with the College, the employee should first discuss their concern with their immediate supervisor. If the employee is not satisfied with the supervisor's response, the employee is encouraged to speak to the director of human resources.

### **4.5 PROFESSIONAL CONDUCT AND NO HARASSMENT**

Cottey College's policy is to maintain an environment for all employees and students that is free of harassment, illegal discrimination, and unprofessional conduct. In keeping with that policy, the College prohibits any form of harassment by or against any employee, applicant for employment, customer, supplier, student, or any other person whether such harassment is lawful or unlawful. It is never justifiable to harass an employee or student because of their race, religion, color, national origin, citizenship, age, disability, veteran status, sexual orientation, spirituality, sex, gender presentation, or any other status protected by law. Harassment is counterproductive and does not serve the principles

on which Cottey College operates. The College respects the dignity and worth of each employee and student and believes that each employee and student should be free to develop fully his or her potential, neither hindered by artificial barriers nor aided by factors that are not related to merit. Cottey College also prohibits unprofessional conduct and comments that may not amount to unlawful harassment. All employees are expected to use good judgment and to avoid even the appearance of impropriety in all of their dealings with other employees and with students. Supervisory employees and faculty especially must exhibit the highest degree of personal integrity at all times, refraining from any behavior that might be harmful to their subordinates, students, or to the College.

### **Harassment**

Harassment is expressly prohibited. Harassment includes any verbal, written, online, or physical act in which race, religion, color, national origin, citizenship, age, disability, veteran status, spirituality, or any other status protected by law is used or implied in a manner that would make another person uncomfortable in the work or educational environment or that would interfere with another person's ability to perform their job or to participate in an educational program or activity. (See below regarding sexual harassment). Examples of harassment include jokes that include reference to protected status; the display or use of objects or pictures that adversely reflect on a person's protected status; or use of language that is offensive due to a person's protected status.

### **Sexual Harassment**

Sexual harassment is defined as any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender) as well as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when any of the following apply:

- Submission to the conduct is made either explicitly or implicitly a condition of employment or a condition of participation in an educational program or activity; or
- Submission to or rejection of the conduct is used as the basis for an employment decision or decision regarding participation in an educational program or activity affecting the harassed employee or student; or
- Such conduct has the purpose or effect of substantially interfering with the employee or student's work or educational performance or creates an intimidating, hostile or offensive work or learning environment.

The College will not tolerate any forms of sexual harassment, regardless of whether it is verbal, physical, visual, or online. Prohibited acts of sexual harassment can take a variety of forms, ranging from off-color jokes to subtle pressure for sexual activity to physical assault. It is not possible to identify each and every act that may constitute sexual harassment. Examples of conduct that may constitute sexual harassment include, but are not restricted to the following:

- Repeated or unwelcome sexual flirtations, advances, propositions, touching, remarks, or requests for sexual favors;
- Repeated verbal abuse of a sexual nature;
- Graphic verbal comments about a person's body;
- Sexually degrading words used to describe a person;
- The display of sexually suggestive objects or pictures;
- Unwelcome questions or comments about private sexual matters;
- Slurs, "off color" jokes, or degrading comments related to gender;
- Demeaning, discourteous conduct, or negative stereotyping; or
- A sexual relationship with a subordinate or a student.

This list is not exhaustive. No form of sexual harassment will be tolerated.

## **No Retaliation**

It is strictly against College policy to retaliate against anyone who reports or assists in making a complaint of prohibited discrimination, harassment, or any other activity protected by law. Retaliation is contrary to this policy statement and may result in discipline up to and including termination. Anyone who feels that retaliatory action has been taken because of his or her report or assistance in making a complaint of prohibited harassment should immediately bring the matter to the College's attention as described below.

Cottey College strictly prohibits and does not tolerate unlawful retaliation against any employee by any employee. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in any activity protected by law.

Examples of protected activities may include, but are not limited to, good faith complaints regarding wages, hours, or working conditions, participating in human resources investigations, requests for leave or disability accommodations, and the filing of a workers' compensation claim.

The examples above are illustrative only and not exhaustive. No form of retaliation for any protected activity will be tolerated.

## **How to Report Instances of Discrimination, Harassment or Retaliation**

The College cannot resolve matters that are not brought to its attention. Any employee, regardless of position, who has a complaint of or who witnesses harassment or retaliation of any campus community member by anyone, including supervisors, managers, employees, students, faculty members or even non-employees, has a responsibility to immediately bring the matter to the College's attention. Employees should report any complaints or observations to their direct supervisor or the director of human resources, as deemed best by the employee. If the complaint or observation involves someone in the employee's direct line of command, or if the employee is uncomfortable discussing the matter with his or her direct supervisor, the employee is urged to go to another supervisor, a College council member, or to the director of human resources.

## **How the College Will Investigate Complaints**

The College will thoroughly and promptly investigate all claims of discrimination, harassment or retaliation. If an investigation confirms that discrimination, harassment or retaliation has occurred, the College will take prompt, corrective action, as is appropriate. Complaints of harassment and retaliation will be kept as confidential as possible.

## **Cottey's Commitment to an Effective Professional Conduct and No Harassment Policy**

Finally, if an employee feels that the College has not met its obligations under the policy, they should contact the vice president for finance and administration. If, after contacting the vice president for finance and administration, the employee believes that the College has not met its obligations, they may file a complaint with the Civil Rights Division of the Department of Justice. For more information, see <https://www.justice.gov/crt/how-file-complaint>.

## **4.6 REPORTING THE ABUSE OF A MINOR ON CAMPUS**

In addition to state reporting mandates, all employees and students who become aware of or suspect child abuse, sexual abuse of minors, and /or criminal acts against minors will report that information to her/his supervisor or the vice president for student life. The supervisor will immediately report said acts to the vice president for finance and administration, the director of human resources, or the vice president for student life who will contact local law enforcement and the Missouri Department of Social Services without delay.

## **4.7 FRATERNIZATION BETWEEN STUDENTS AND EMPLOYEES**

It is the policy of Cottey College that no member of the College's faculty or staff (all employees) shall engage in any type of a romantic and or sexual relationship with any student because of the potential for abuse of power, harassment, bias, and favoritism. This policy does not apply if the employee is the spouse of the student.

Any individual who believes that a violation of this policy has occurred should bring the matter to the attention of any one of the hearing officers designated as follows:

1. Vice President for Student Life,
2. Vice President for Academic Affairs and Dean of the Faculty, or the
3. Director of Human Resources

## **4.8 PROVIDING RESIDENCE FOR STUDENTS**

It is the policy of Cottey College that no member of the College's faculty or staff (all employees) shall share a residence, including sharing accommodations during travel, with any student because of the potential for abuse of power, harassment, bias and favoritism. This policy does not apply if the student is a spouse or dependent of the employee.

Any individual who believes that a violation of this policy has occurred should bring the matter to the attention of the vice president for the employee or the director of human resources.

## **4.9 OFF CAMPUS EMPLOYMENT OF STUDENTS**

Cottey College faculty and staff (all employees) may hire students for work unrelated to Cottey College provided the Cottey College employee is not currently

- Advising the student
- Teaching a class in which the student is enrolled
- Coaching the student
- Supervising the student for an employment position at Cottey College.

In addition, students on F-1 visas may not be employed under any circumstances. International students who work without authorization, even informally or for non-monetary compensation, jeopardize their student visa status.

# **5.0 TERMINATION**

The purpose of this section: to identify the types of termination and to explain termination procedures.

## **5.1 TERMINATION - VOLUNTARY**

An administrative staff employee wishing to leave employment with Cottey College in good standing is expected to file a written resignation with their department head at least two-weeks prior to the effective date, stating specific reason(s) for the resignation. The employee's resignation shall be promptly forwarded to the director of human resources with a statement by the department head as to the employee's service performance and any other information pertinent to the resignation. Failure of the employee to give such notice will be noted on the employee's service record and may result in loss of pay for earned vacation (see section 3.16) and/or denial of future employment by the College. For purposes of eligibility for benefits at termination, the last day the employee is actively at work will be considered the termination date.

## 5.2 TERMINATION - INVOLUNTARY

An employee's employment may be terminated for any reason, at the sole discretion of the College.

## 5.3 TERMINATION FOR FINANCIAL REASONS

At times, it may be necessary to terminate an employee as a result of financial exigency at the College as declared by the Board of Trustees. When possible, an employee terminated as a result of financial exigency will be given 60 days advance notice of termination.

## 5.4 TERMINATION - PROCEDURES

An employee terminated for any reason must turn in their employee identification card and all College property, cards, and keys. All personal accounts, such as Library, Bookstore, Service Center, telephone, and expense advances must be paid in full, prior to receipt of final paycheck.

## 5.5 COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires an employer to modify its health care plan to enable certain employees, spouses, and dependents to continue coverage when it would have normally ceased. The following is important information about covered employees' rights to COBRA continuation coverage, which is a temporary extension of coverage under the plan. The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to employees and to other members of their family who are covered under the plan when they would otherwise lose their group health coverage. This notice generally explains COBRA continuation coverage, when it may become available to employees and their families, and what they need to do to protect the right to receive it. This notice gives only a summary of COBRA continuation coverage rights. The Plan Administrator is the director of human resources.

### COBRA Continuation Coverage

COBRA continuation coverage is a continuation of plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are listed later in this notice. COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." A qualified beneficiary is someone who will lose coverage under the plan because of a qualifying event. Depending on the type of qualifying event, employees, spouses of employees, and dependent children of employees may be qualified beneficiaries. Under the plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

An employee will become a qualified beneficiary if they lose coverage under the plan due to either of the following qualifying events:

1. Hours of employment are reduced; or
2. Employment ends for any reason other than gross misconduct.

The spouse of an employee will become a qualified beneficiary they lose coverage under the plan due to any of the following qualifying events:

1. Spouse dies;
2. Spouse's hours of employment are reduced;
3. Spouse's employment ends for any reason other than his or her gross misconduct;
4. Spouse is enrolled in (covered by) Medicare (Part A, Part B, or both); or
5. Employee is divorced or legally separated from spouse.

Dependent children will become qualified beneficiaries if they lose coverage under the plan due to any of the following qualifying events:

1. The parent-employee dies;
2. The parent-employee's hours of employment are reduced;
3. The parent-employee's employment ends for any reason other than gross misconduct;
4. The parent-employee becomes enrolled in (covered by) Medicare (Part A, Part B, or both);
5. The parents become divorced or legally separated; or
6. The child stops being eligible for coverage under the plan as a "dependent child."

Sometimes, filing a proceeding in bankruptcy under Title 11 of the United States Code can be a qualifying event. If a proceeding in bankruptcy is filed with respect to Cottey College and that bankruptcy results in the loss of coverage of any retired employee covered under the Plan, the retired employee will become a qualified beneficiary with respect to the bankruptcy. The retired employee's spouse, surviving spouse, and dependent children will also become qualified beneficiaries if bankruptcy results in the loss of their coverage under the Plan.

### **When is COBRA Coverage Available?**

The plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, commencement of a proceeding in bankruptcy with respect to the employer, or the employee's enrollment in (covered by)

Medicare (Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event within 30 days following the date coverage ends.

### **Requirement to Give Notice of Some Qualifying Events**

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's loss of eligibility for coverage as a dependent child), the employee must notify the Plan Administrator. The plan requires the employee to notify the Plan Administrator within 60 days after the qualifying event occurs. The employee must send this notice to the Plan Administrator.

### **How is COBRA Coverage Provided?**

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date that plan coverage would otherwise have been lost.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, employee enrollment in (covered by) Medicare (Part A, Part B, or both), divorce or legal separation, or a dependent child losing eligibility as a dependent child, COBRA continuation coverage lasts for up to 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months. This 18-month period of COBRA continuation coverage can be extended in two ways.

#### **1. Disability Extension of 18-Month Period of Continuation Coverage**

If the employee or anyone in the employee's family covered under the plan is determined by the Social Security Administration to be disabled at any time before the 60th day (versus during the first 60 days) of COBRA continuation coverage and the employee notifies the Plan Administrator in a timely fashion, the employee and their entire family can receive up to an additional 11

months of COBRA continuation coverage, for a total maximum of 29 months. The employee must make sure that the Plan Administrator is notified of the Social Security Administration's determination before the 60th day (versus within 60 days) of the date of the determination and before the end of the 18-month period of COBRA continuation coverage. This notice should be sent to the Plan Administrator. A copy of the Social Security Administration's determination letter is required.

## **2. Second Qualifying Event Extension of 18-Month Period of Continuation Coverage**

If an employee's family experiences another qualifying event while receiving COBRA continuation coverage, the spouse and dependent children in the employee's family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies, enrolls in (becomes covered by) Medicare (Part A, Part B, or both), or gets divorced or legally separated, but only if the event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred. The extension is also available to a dependent child when that child stops being eligible under the Plan as a dependent child. In all of these cases, the employee must make sure that the Plan Administrator is notified of the second qualifying event within 60 days of the second qualifying event. This notice must be sent to the Plan Administrator. Coverage May be Terminated Early

In certain circumstances, coverage may be terminated prior to the end of the maximum COBRA continuation coverage period. Those circumstances include the following: (i) the failure to make timely payment of COBRA premiums; (ii) the employer ceases to provide any group health plan to any employee; (iii) the qualified beneficiary becomes covered under another group health plan (subject to a preexisting condition rule) after electing COBRA; (iv) the qualified beneficiary becomes covered under Medicare after electing COBRA; (v) a disabled qualified beneficiary whose disability extends the maximum coverage period to 29 months is determined to not be disabled before the end of the extended period; and (vi) a qualified beneficiary's COBRA coverage is terminated for cause on the same basis as would apply to a similarly situated non-COBRA beneficiary under the plan (e.g., submitting fraudulent claims).

## **Other Coverage Options**

Rather than enrolling in COBRA continuation coverage, there may be other coverage options for the employee and the employee's family through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse's plan) through what is called a "special enrollment period." Some of these options may cost less than COBRA continuation coverage. Employees can learn more about many of these options at [www.healthcare.gov](http://www.healthcare.gov).

## **If Questions about COBRA Exist**

If the employee has questions about COBRA continuation coverage, they should contact the Plan Administrator (the director of human resources) or may contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's Web site at [www.dol.gov/ebsa](http://www.dol.gov/ebsa).

## **Keep the Plan Informed of Address Changes**

In order to protect an employee's family's rights, the employee should keep the Plan Administrator informed of any changes in the addresses of family members. The employee should also keep a copy for their records of any notices sent to the Plan Administrator.

Employees are advised to share the benefit booklet(s)/certificate(s) with their family members, paying particular attention to the termination of coverage/COBRA section(s). Also, the employee should read the benefit booklet(s)/certificate(s) (and any rider/addendum) carefully. It is the employee's responsibility to follow all plan provisions.

## **5.6 HIPAA**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires that group health plans and health insurance issuers provide certificates of creditable coverage to group health insurance participants when certain events take place. HIPAA is designed primarily to make health insurance more "portable" for employees when they change jobs. HIPAA also specifies the information that must be included, as well as when the certificates must be provided. A summary of HIPAA rights may be obtained

from the Office of Human Resources.

HIPAA also requires group health plans to give special enrollment rights to certain employees, dependents, or COBRA beneficiaries in the event of the loss of other group health coverage or health insurance coverage or the acquisition of a new spouse or dependent by marriage, adoption, placement for adoption, or birth. For more information on special enrollment rights, please contact the Office of Human Resources.