

Bethany



OGLEBAY GATES
Bethany, West Virginia

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Policy Manual Volume III General Institutional Employment Policies



Bethany

POLICY MANUAL

VOLUME III

General Institutional Employment Policies

*Approved by the Bethany College Board of Trustees
May 13, 2016*

Policy dictates that the Officers of Bethany College are:

**President of the College
Chief Academic Officer
Chief Financial Officer
Chief Advancement Officer**

Specific titles for the latter three may vary according to organizational structure. For the purpose of Bethany College policy documents for the 2016-17 academic year, the Chief Academic Officer is the Vice President for Academic Affairs and Dean of the Faculty; the Chief Financial Officer is the Vice President for Finance; and, the Chief Advancement Officer is the Senior Vice President. Titles for these three positions may change at the discretion of the President of the College.

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Volume III

General Institutional Employment Policies

3.0 Introduction

Volume III of the Policy Manual has been prepared by Bethany College to provide information to all College employees regarding general College employment policies and procedures. It is applicable to all full-time, part-time, exempt, and non-exempt College employees. Additional policies that pertain only to members of the faculty are provided in Volume IV (Faculty Personnel Policies), and policies that pertain only to staff employees are provided in Volume V (Personnel Policies for Staff and Administrators). Policies (such as health and safety policies) that affect all members of the College community (including students) are set forth in Volume II (Campus Community Policies).

The purpose of this volume is:

1. To provide management with the information necessary to fulfill its responsibilities to its employees; and
2. To provide for fairness and equity in the treatment of employees.

It is expected that administrators become familiar with the contents of this volume so they are better able to answer employee questions as they arise and are able to apply the appropriate policies and procedures as the occasion requires. Administrators are also responsible for ensuring that employees, who work for them, are informed of these policies and procedures, understand them, and abide by them.

The College has made this edition of Volume III of the Policy Manual as comprehensive as possible; however, it is not possible to foresee every situation that may occur. Circumstances not specifically addressed in the Policy Manual will be handled on a case by case basis, in accordance with established practice. Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to the Director of Human Resources.

THE INFORMATION PROVIDED IN THIS VOLUME III IS NOT INTENDED TO CREATE A CONTRACT OF EMPLOYMENT NOR SHOULD IT BE CONSTRUED AS TERMS AND CONDITIONS OF A CONTRACT OF EMPLOYMENT WITH THE ORGANIZATION.

Bethany College retains the right to improve, modify, revoke, suspend, terminate, or change any or all policies, procedures, rules, or benefit in whole or part in this Volume III of the Policy Manual, without notice, and to implement such changes prior to the publication of a new Policy Manual. Whenever possible, the College will make an effort to inform members of the campus community of changes to the policies and procedures contained in this volume of the Policy Manual prior to implementation of the changes.

3.1 General Employment Policies

3.1.1 Employee Orientation

Responsibility for orientation of a new employee lies with the new employee's immediate supervisor. The orientation focuses on the history and mission of the College and provides an opportunity for touring the campus, meeting appropriate administrators, faculty, and staff, and being introduced to procedures and policies of the College. Department supervisors are encouraged to schedule tours soon after the employee is hired.

In addition, meetings are scheduled with new employees by the Office of Human Resources, for discussion of personnel policies, benefits, etc.

Newly hired employees at the College receive and/or provide the following information before they begin work as part of the orientation process:

1. When applicable, the appointment letter from the President of the College contains important information and instructions, together with a signed copy of the employee's employment letter.
2. I-9 Employment Eligibility Verification Form.
3. W-4 tax Form.
4. Emergency notification information.
5. Employee personal background information.
6. The College may request pre-employment medical testing where necessary or required by law (e.g. tuberculosis test).

On or prior to the first day of work, the employee will first meet with the Director of Human Resources to complete the employment paperwork and to review eligibility for benefits.

The employee will then go to Information Technology Help Desk to receive a photo College ID card. Employees are directed to the Director of Safety and Security to obtain parking decals. Parking decals are provided at Human Resources at that time as well.

3.1.2 Americans with Disabilities Act

See Volume II, paragraph 2.1.5.1.

3.1.3 Ogden Dining Room, Boomers and The Beanery

The College dining facilities are open to Bethany College employees for a fee during their normal business hours. Meals conducted for business purposes shall be charged against the proper department at the time the charge is made.

Food service catering facilities are available to all employees. Arrangements are to be made through the Food Services Office.

3.1.4 Confidential and Proprietary Information

Employees of Bethany College will receive and have access to information of the College that is confidential in nature, regarding the College, its faculty, students, and vendors. The protection of confidential information and trade secrets is vital to the interests and the success of the College. Such confidential information includes, but is not limited to, the following examples:

1. Student information;
2. Compensation data;
3. Customer lists;
4. Financial information; and
5. Business strategies.

Employees are not to disclose any such confidential and proprietary information to:

1. Any other person in the organization unless there is a legitimate business reason for doing so; or
2. Any person outside the organization unless management has expressly stated that the information can be disclosed to that person. This obligation exists even after the employee leaves the organization.

The organization protects confidential and proprietary information by restricting employees and visitors' access to certain designated areas and access to documents to only those who have legitimate reasons to view them.

Employees who improperly use or disclose trade secrets or confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information.

3.1.5 Criminal History Background Checks

The College seeks to provide a safe and professional environment for students, faculty, staff, and visitors. To accomplish this, the College conducts criminal history background checks for all prospective new hires to identify individuals who may have committed serious crimes that would disqualify them from employment by law or because their presence in the workplace would create an unacceptable risk. Credit checks will be run on all prospective employees that would work in the financial-related offices of Business and Finance, Financial Aid, and Institutional Advancement. Background information that is falsely reported by an applicant may be cause for termination of employment.

If a criminal history or negative credit information has been reported by the applicant and/or the criminal history background or credit check process uncovers potential problems, the Office of Human Resources will consult with the Vice President for Finance to determine the next course of action. With regard to faculty appointments, the Vice President for Academic Affairs and Dean of the Faculty will also be consulted with the Vice President for Finance. Each case will be reviewed and factors will be considered such as, but not limited to, the nature and age of the

crime reported, the position sought and duties, rehabilitation, the candidate's employment history and references.

Background check reports will be maintained in a secured file in the Office of Human Resources. A candidate who is judged not to qualify for a position or is not hired because of the criminal history background check may request in writing a copy of the report from the Office of Human Resources.

3.1.6 Designated Areas and Email

The College uses designated areas and e-mail to communicate important business information such as safety rules, job postings, statutory and legal notices, other employment related notices, and management memos. Each employee has the responsibility to read the posted information. Supervisors can provide employees with the location of the nearest designated area.

No one is permitted to remove, alter, deface, or destroy material posted by the College.

3.1.7 Employee ID Cards

All employees are required to have a College ID card available for presentation at any time.

3.1.8 Employee Alcohol and Drug Policies

See Volume II, paragraph 2.2.2.4.

3.1.9 Employment of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

The College, therefore, prohibits the employment of spouses or other relatives in the same department. Employment may exist elsewhere at the College, however, provided that neither spouse nor other relative participate in a decision-making process affecting the appointment, retention, tenure, work assignments, promotion, demotion, or salary of the other spouse or relative.

This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. College employees cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, management will decide. However, if the employment relationship was established prior to the effective date of this policy, transfer or termination will not apply. However, employment decisions affecting the subordinate employee will be reviewed by a Cabinet officer.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

3.1.10 Ethics and Conflicts of Interest

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization. Bethany College requires that the transactions in which employees participate are ethical and within the law, both in letter and in spirit. To this end, the College has adopted the following Code of Conduct:

3.1.10.1 Code of ethics

Preamble

All institutions today face ethical concerns. Exemplary institutions adopt a policy to address many of those concerns. The Administration and Trustees of Bethany College have adopted this Code of Ethics to guide operations of the College. The Code of Ethics reaffirms the College's basic policies of ethical conduct for all faculty, staff, and other employees of the College ("members of the College Community"). The foundation of our Code consists of basic standards of conduct: (a) openness and integrity in our activities, including observance of the spirit, as well as the letter, of the law; (b) avoidance of conflicts or the appearance of conflicts between personal interests and the interests of the College; (c) maintenance of the College's reputation and avoidance of activities which might reflect adversely on the College; and (d) integrity in dealing with the assets of the College.

I. OPENNESS AND INTEGRITY AND OBSERVANCE OF LAWS

A. PERSONAL BENEFITS

It is important that the College enter into contractual relationships based solely, upon quality, service and price, and not open the basis of friendship or obligation. No member of the College Community may accept personal gifts (other than nominal, non-cash gifts) or receive lavish entertainment from persons desiring to do business with the College. A member of the College Community receiving any personal benefit shall immediately report it to the employee's Vice President, and, upon instructions from the Vice President, shall either return or dispose of the personal benefit accordingly. For purposes of this paragraph, the term "member of the College Community" shall include any of the following: members of the College faculty, staff, or other employees of the College and any of the following members of their family: spouse, minor children, other dependents, and parents, or any person or organization acting as agent or as a fiduciary for any of

those named, through which an employee or any one of those named may receive a personal benefit. "Personal benefit" shall mean any type of gift, gratuity, favor, service, loan, benefit, legacy, including cash, fee or compensation from any person or organization, (including but not limited to a customer or supplier), seeking or appearing to seek, to influence the employee in the performance of duties to the College. "Personal benefit" shall not include an occasional business meal or invitation to attend a social or sporting event, or a nominal gift.

B. PERSONAL FEES AND COMMISSIONS

No member of the College Community may accept personal fees or commissions in connection with any transactions on behalf of the College.

C. CANDOR AMONG EMPLOYEES AND IN DEALING WITH AUDITORS AND COUNSEL

The President of the College must be informed at all times of matters which might adversely affect the reputation of the College. Concealment of information may be considered a signal that the College's policies and rules can be ignored, and such conduct cannot be tolerated. Accordingly, there shall be full communication with the President. Moreover, complete candor is essential in dealing with the College's independent auditors and attorneys.

D. COMPLIANCE WITH LAWS AND REGULATIONS

The College strives to be in strict compliance with all laws and regulations that are applicable to it. Although laws and regulations may sometimes be ambiguous and difficult to interpret, as a good citizen, the College emphasizes good faith efforts to follow the spirit and intent of the law. If there is any question about any law or regulation, employees should seek advice from the College's General Counsel.

II. CONFIDENTIALITY AND THE REPUTATION OF THE COLLEGE

A. CONFIDENTIALITY

Each employee is required to maintain the confidentiality of the proprietary information of the College, both during employment by the College and after the termination of the employment relationship.

B. COLLEGE HOSPITALITY TO PUBLIC OFFICIALS

Occasionally public officials visit our campus. Such individuals are severely restricted by law with regard to the acceptance of even minor gratuities. Acts of hospitality toward public officials should never be on such a scale or of such a nature as might tend to compromise or give the impression of compromising the integrity or the reputation of either the public official or the College. When such hospitality is

extended, it should be with the expectation that it will become a matter of public knowledge.

III. DEALING WITH THE ASSETS OF THE COLLEGE

A. BRIBES AND PREFERENTIAL TREATMENT

No bribes, kickbacks or other similar remuneration or consideration shall be given to or accepted by any person or organization in order to attract business or for any other reason whatsoever.

B. POLITICAL AND CHARITABLE CONTRIBUTIONS

While the College recognizes its obligations with regard to charities, no contributions of funds or properties of the College can be made unless they have been approved by the President. Contributions include charitable and political contributions of any kind made by the College or by its employees either on behalf of the College or for the benefit of the College. Funds of the College include petty cash, funds derived from reimbursement of travel or other expenses or any other sources of funds of the College.

Employees of the College, as individuals not representing the College, are free to make charitable or political contributions with their own funds, which may, of course, include funds paid to them by the College.

C. GIFTS

No cash gifts of College monies can be given to any person or organization. Non-cash gifts shall not exceed one hundred dollars (\$100.00) in cost without approval of the President.

D. PROPER ACCOUNTING

The College has established internal accounting controls and recordkeeping policies in order to meet both the requirements of law and the business requirements of the College. Employees are expected to maintain and adhere to these controls and policies. The accounting records of the College must be complete, accurate, and in reasonable detail. Such records include books of original entry and other financial information used for internal management decision-making and external reporting. The underlying transactions must be properly authorized and recorded on a timely basis in order to (1) permit preparation of financial statements in accordance with generally accepted accounting principles and; (2) maintain accountability of assets. All funds and assets must be fully and properly recorded on the books of the College. In addition, it is unlawful to falsify any book, record or account which reflects transactions of the College or dispositions of the College's assets. Members of the College Community should be certain that all transactions with other persons are properly documented and recorded to avoid any possible allegation that the College

was assisting such persons in improperly recording or detailing the nature of the transactions involved.

E. DISCOVERY OF VIOLATIONS OF THE CODE OF ETHICS

Discovery of events of a questionable, fraudulent or illegal nature or which are in violation of this Code of Ethics should be reported to the President of the College or to the President's designee. In the alternative, such matters may be reported to the Chair of the Finance Committee of the Board of Trustees or the Chair of the Board of Trustees.

F. REPORTING COMPLIANCE WITH THE CODE OF ETHICS

Annually staff members will acknowledge compliance with the Code of Ethics and shall report any transactions, events, or relationships where it might appear to be a conflict of interest or exception to the policy.

IV. VIOLATIONS

Members of the College Community are expected to act fairly and honestly in all transactions with the College and with others in order to maintain the high ethical standards of the College in accordance with this Code of Ethics. Violations of these rules of conduct constitute grounds for discipline, up to and including, dismissal.

3.1.10.2 Conflict of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the College wishes to operate. The purpose of these guidelines is to provide general direction so employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Director of Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the College's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the College as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the College does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the College.

3.1.11 Harassment Statement

See Volume II, Subsection 2.1.2, et seq.

3.1.12 Whistleblowing

This policy governs the reporting and investigation of allegations of suspected unlawful and/or unethical activities, the protection of whistleblowers from retaliation, and the protection of the accused. It describes the procedures for investigating known or suspected improper activities and addressing complaints of retaliation for raising such issues.

Bethany College has a responsibility for the stewardship of College resources and the sources of support that enable it to pursue its mission. The College's internal controls and operating procedures are intended to detect and to prevent or deter improper activities. However, intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute unlawful activities. The College has a responsibility to investigate and report to appropriate parties allegations of suspected improper activities, and to protect those employees who, in good faith, report these activities to the appropriate authority.

When a person reports allegations of suspected improper activities to an appropriate authority the report is known as a *protected disclosure*. College employees and applicants for employment who make a protected disclosure are protected from retaliation.

All internal complaints will be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

Any employee who believes he or she has been subjected to or affected by a retaliatory act for (1) reporting suspected unlawful activity or (2) refusing to engage in activity that would result in a violation of law, should report such conduct to the Director of Human Resources. Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise the Vice President for Finance, of any such report or knowledge of retaliatory conduct.

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

3.1.12.1 Procedures - Filing a Report of Suspected Improper Activities

1. Any person may report allegations of suspected illegal and unethical activities. Knowledge or suspicion of improper College activities may originate from academic

personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, and customers, vendors, students or other third parties. Allegations of suspected improper activities may be reported anonymously.

2. Allegations of suspected improper activities should be made to the Director of Human Resources either via telephone or the internet. Such reports should be factual and contain as much specific information as possible.
3. The Director of Human Resources will forward a report on each allegation of suspected improper action to the President of the College. If the suspected improper action involves the Director of Human Resources, it will be forwarded to the President of Bethany College.
4. Prior to the appointment of the committee to investigate the claim, the Director of Human Resources will present the claim to the President of the College. If the President of the College feels the claim is unfounded the President has the authority to dismiss the claim. The Director of Human Resources will be charged with documenting the decision not to investigate. If the claim is not so dismissed, the Director of Human Resources will form a committee comprised of one Vice President, one tenured faculty member (drawn at random) and one staff member (drawn at random). If one of these members is accused or a member of their supervisory area is involved, that member will be excused from the committee for this incident(s). If the suspected improper action involves the Director of Human Resources, the President of the College will form the committee as indicated above.
5. It is the responsibility of the Director of Human Resources to keep the President of the College aware of all reported allegations and the progress of the investigating committee, unless the allegation is directed at the President of the College at which time the Director of Human Resources will involve the Chair of the Board of Trustees, if in his or her judgment, such is necessary.
6. This policy will not cover all situations and claims of discriminatory treatment (e.g. Title VII matters) will be investigated in accordance with procedures set forth in policies relating to such situations, nor does this policy restrict Bethany College or the committee in taking appropriate steps to investigate claims.

3.1.12.2 Committee Procedure

1. Review by the President of the College will occur within ten business days of the receipt of a claim by the Director of Human Resources. Any appointed committee will convene within ten business days of the review of a claim by the President of the College.
2. The committee will review all relevant materials.

3. All materials and notes will remain locked in a file in the Office of Human Resources, including individual committee members notes.
4. The committee's discovery and recommendation will be sent to the President of the College for his review.
5. Anonymous reports will be handled in the same manner.

3.1.13 Immigration Law Compliance

The College is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Any employee who is returning to the College after a break in service of one year or more must also renew their paperwork in the Office of Human Resources before they begin work. Employees without the necessary paperwork will not be allowed to continue work.

It is essential that all international students, scholars and staff ensure that current INS paperwork is on file in the Office of Human Resources or the Office of Student Life and/or Registrar as appropriate. If an employee renews a Visa, I-20, I-90, or any other such paperwork, the employee must also renew their records of that paperwork in the Office of Human Resources.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Office of Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

3.1.14 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the College. All employees will be judged by the same performance standards and will be subject to the College's scheduling demands, regardless of any existing outside work requirements.

If the College determines that an employee's outside work interferes with performance or the ability to meet the requirements of the College as they are modified from time to time, the employee may be asked to terminate the outside employment if the employee wishes to remain with the College.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the College for materials produced or services rendered while performing their College jobs or while using College owned equipment or facilities.

Full-time employees who are employed, or plan to be employed, elsewhere in a manner that conflicts with their College duties in any way must obtain approval in writing from the Director of Human Resources.

3.1.15 Physical Examinations

To ensure the health of employees, Bethany College reserves the right to require a physical examination and/or statement from the employee's personal physician at the time of employment and/or upon an employee's return from a sick leave of three days or more.

Incumbent employees selected for new positions with significantly different demands may also be required to have a physical examination based on the new position's requirements.

Arrangements will be made by the Office of Human Resources for a physical examination to be conducted at a medical facility designated by the College. The medical examination will be provided at no cost to the candidate, and may include examination, testing and/or immunizations deemed by the College to be appropriate for the particular employment position. At the discretion of the College, additional periodic exams or testing may be requested, especially on the occasion of an employee injury in the workplace.

3.1.16 Professional Attire

The College's public image is of significant importance to the current and future achievements of the College. With these considerations in mind, employees are expected to use good judgment in grooming, appearance, and personal habits so that at all times a professional and positive image is conveyed within the community and to the public.

3.1.17 Security Inspections

The College wishes to maintain a work environment that is free of illegal drugs, misuse of alcohol, firearms, explosives, or other improper materials and the misuse of alcohol. To this end, the College prohibits the possession, transfer, sale, or use of such materials on its premises. The College requires the cooperation of all employees in administering this policy.

Desks, lockers, bookshelves, file cabinets, and other storage devices may be provided for the convenience of employees, but remain the sole property of the College. Accordingly, with reasonable cause, any authorized agent or representative of the College can inspect them, as well as any articles found within them, at any time, either with or without prior notice. (See Volume II, Alcohol and Drug Policies and other policies related to Health and Safety).

3.1.18 Telephone Courtesy

The telephone is often the first contact the public has with the College. Impressions and opinions about the College are formed by this initial contact. Each employee is requested to follow these recommended techniques of telephone courtesy with both internal and external calls:

1. Answer the telephone promptly. Give the department name, followed by the employee's name. For example: "Center for Enrollment, Miss Jones speaking."
2. Speak pleasantly, and be polite.
3. Give careful and accurate answers.
4. If information is requested and is not readily available, ask to call the person back.
5. Transfer calls courteously.

3.1.19 Return-To-Work Policy

This policy applies to all Bethany College employees who suffer a work-related injury or develop an occupational disease.

3.1.19.1 Policy Statement

Bethany College recognizes the need to support the recovery of employees should they suffer a work-related injury or develop an occupational disease. When an employee is temporarily unable to perform some or all of the duties of their regular job because of such an injury or disease, it is well established that recovery is accelerated when the employee continues to work. Based on this principle, Bethany College strongly supports early return-to-work and requires each location to explore all early return-to-work options for an employee eligible for such assistance.

3.1.19.2 Specifics of a Modified-Duty Assignment

- A modified-duty assignment cannot last longer than ninety (90) calendar days, in most cases.
- A modified-duty assignment must be substantially similar to the employee's regular job in regard to business location and the hours (shift) worked.
- While working in a modified-duty assignment, the employee receives the same base rate of pay received while working in his/her regular position.
- A modified-duty assignment in another department does not constitute a transfer to that position.
- The employee's original appointing authority is responsible for an employee's salary and benefits while the employee is working in a modified-duty assignment with another department.
- If a modified-duty assignment is provided in another department, that department shall report the hours worked to the employee's original employing department.
- If a modified-duty assignment is provided in another department, the employee's original employing department remains responsible for personnel issues.

3.1.19.3 Conditions for Offering an Assignment:

- The employee is released to work, but the treating physician certifies that the employee is temporarily unable to perform some or all of his/her regular job duties.
- An appropriate modified-duty assignment is available.
- The appointing authority would otherwise employ the employee had they not incurred the work-related injury or disease.
- The employee must have submitted an injury report form to their department within 24 hours from the date of injury or development of an occupational disease, unless a legitimate excuse exists for not submitting the form within the time frame.

3.1.19.4 Conditions for Terminating an Assignment:

- Ninety calendar days elapse from the day the employee begins the modified-duty assignment. (Under certain conditions, one ninety-day extension may be authorized.)
- The employee's treating physician releases him/her to return to his/her regular position.
- The employee is given permanent restrictions that prevent a return to the regular position. (A modified-duty assignment must be terminated within thirty days after the employee is given permanent restrictions.)
- The modified-duty assignment is no longer available, or other conditions require the department to terminate the assignment.
- The employee's claim for workers' compensation is denied.
- The employee terminates his/her employment or retires.

3.1.19.5 Conditions for Extending an Assignment for an Additional Ninety-Day Period:

- The employee remains unable to perform the duties of his/her regular position after the completion of a ninety-day modified-duty assignment.
- After working in a modified-duty assignment, the employee returns to work at his/her regular position, but again becomes temporarily unable to perform the duties of the position.
- The workers' compensation insurer recommends the extension.

3.1.19.6 Procedure for Employees with Permanent Restrictions

Contact the Office of Human Resources for assistance.

3.1.20 Tobacco Use

See Volume II, Subsection 2.2.8.

3.1.21 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the College, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects

confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on College premises, employees should immediately notify their supervisor or security. Any suspicious behavior shall be reported immediately to the Department of Safety and Security.

3.1.22 Violence in the Workplace

The safety and security of all employees is of primary importance at Bethany College. Threats, threatening and abusive behavior, or acts of violence against employees, visitors, students, or other individuals by anyone on College property will not be tolerated. Violations of this policy will lead to corrective action up to, and including, termination and/or referral to appropriate law enforcement agencies for arrest and prosecution. Bethany College reserves the right to take any necessary legal action to protect its students and employees.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on campus shall be removed from the premises as quickly as safety permits and shall remain off campus pending the outcome of an investigation. Following the investigation, the College will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on campus or is connected to Bethany College employment or business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. The organization understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee.

[Note: The College cannot guarantee absolute confidentiality because it may have to report this to a law enforcement agency, other governmental agency, etc. However, the College will try to maintain the anonymity of the reporting employee when at all possible.]

3.1.23 Weather Policy

In an effort to provide a fair and equitable policy for all personnel, Bethany College has enacted the following in the event of inclement weather or other emergency conditions:

All Bethany College personnel are expected to make a reasonable effort to get to work unless otherwise specified through the local news media and the College website. Those who are unable to get to work are required to use vacation or personal time, unless extreme conditions such as driving bans exist.

Contact a supervisor if unsure of the declared status.

3.2 Personnel Records

3.2.1 Employment Records

New employees must complete an application and all pertinent payroll information before pay can be processed. Each employee must have completed and filed a US Treasury Department Form W-4 and a US Department of Justice (Immigration and Naturalization) Form I-9 (see Subsection 3.1.13 above). Eligible employees shall also complete benefit forms at the time of hire (orientation packages are provided to new employees by the Office of Human Resources).

Bethany College is required to keep accurate, up-to-date employment records on all employees to ensure compliance with state and federal regulations, to keep benefit information up-to-date, and to make certain that important mailings reach all employees. The organization considers the information in personnel files to be confidential.

Employees must inform Bethany College of any necessary updates to their personnel file such as a change in address, telephone numbers, emergency contact, marital status, number of dependents, or military status. Employees shall also inform their supervisor and the Office of Human Resources of any outside training, professional certifications, education, or any other change in status. In addition to a general personnel file, Bethany College maintains a separate medical file for each employee. Access to an employee's medical file is extremely limited and based on a need-to-know-only basis.

Bethany College will only verify dates of employment and job titles to outside agencies or prospective employers inquiring by telephone. No other information is given out about an employee or former employee without written authorization from the employee, except what is required to comply with the law.

All current employees are permitted to review their personnel files at times with reasonable notice.

3.2.2 Personnel Data Accuracy Statement

The College relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

3.3 Employee Holidays, Leave, and Benefit Policies

3.3.1 Holidays

Bethany College recognizes the following Holidays:

1. New Year's Day;
2. Easter (the Monday after);
3. Memorial Day;
4. Independence Day;*
5. Thanksgiving Day;
6. Friday after Thanksgiving;
7. Christmas Eve; and
8. Christmas Day.

All full-time hourly and salary non-exempt employees are eligible for holiday pay beginning with their thirty-first (31st) day of employment. To be paid for a holiday, employees must work their last scheduled workday before and first scheduled day after the holiday (a medical statement from a healthcare provider is necessary in the event of illness). If a holiday falls on a non-scheduled workday, the workday preceding or following the holiday is normally observed.

The Office of Human Resources will issue a memo stating when the holiday is to be observed. Except in unusual circumstances, when a holiday falls on Saturday, it is observed on Friday; when a holiday falls on Sunday, it is observed on Monday.

Full-time hourly and non-exempt salaried employees who work on recognized holidays are paid double-time for all hours worked.

*When Independence Day falls on Tuesday or Thursday, employees would also have Monday or Friday off respectively.

3.3.2 Leave Policies

3.3.2.1 Military/Reserve Leave

Bethany College abides by all the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave may be granted to full-time and part-time employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.

As with any leave of absence, employees must provide advance notice to their supervisor of their intent to take military leave and must provide appropriate documentation.

An employee's salary will not continue during military leave unless required by law. However, employees may request to use any vacation or personal leave time accrued during military leave.

Benefit coverage will continue for 31 days as long as the employee pays the normal portion of the cost of benefits. For leaves lasting longer than 31 days, the employee will be eligible to continue health benefits under COBRA and will be required to pay 102% of the total cost of their health benefits if they wish to continue benefits.

Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

If employees were participants in the Bethany College 403(b) plan at the time they left for military duty, they will also be permitted to make additional contributions to the plan. Employees may initiate these additional payments as of their re-employment date and continue them for the period of time permitted by law.

If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off is not to be considered vacation time. However, employees may elect to have their reserve duty period be considered as vacation time to the extent they have such time available.

3.3.2.2 Bereavement Leave

Bethany College recognizes the need for time away from work in instances of personal loss. Should a death occur in the immediate family of any full-time employee, the employee will be granted three (3) days off with pay. If employees need time in excess of three days, they may request a leave of absence or use accrued vacation or personal leave time with the approval of their supervisor and the Director of Human Resources.

Immediate family shall be defined as spouse, child, stepchild, father, mother, stepparent, brother, sister, stepbrother, stepsister, grandmother, grandfather, grandchild, father-in-law and mother-in-law.

One (1) day of leave with pay (on scheduled workdays) is provided for the purpose of attending the funeral for an aunt, uncle, niece, nephew, sister-in-law, brother-in-law, and grandparent-in-law of the employee or employee's spouse.

Payment for bereavement leave is at the employee's straight time rate of pay. Time off without pay, vacation day(s), or personal day(s) may be granted to attend the funerals of other close relatives or friends upon approval of the employee's supervisor.

To be eligible for the excused absence and pay provisions of this policy, employees are to request bereavement leave through their supervisor no later than the first scheduled work day following the death of an immediate family member.

Bethany College reserves the right to request all pertinent information including deceased relative's name, the name and address of the funeral home, the date of the funeral and/or copy of the death notice.

3.3.2.3 Jury Duty/Witness Leave

Full-time, part-time, or temporary employees called to serve on a jury or to testify as a voluntary witness at the request of Bethany College (by subpoena or otherwise) will be paid for the day or days on which the court requires attendance. If employees are subpoenaed to appear in court as witnesses, but not at the request of Bethany College, they will be excused from work in order to comply with the subpoena but will not be paid for the time.

Employees must present any summons to their supervisor on the first working day after receiving the notice. If an employee is not required to serve on a day the employee is normally scheduled to work or if the employee is excused before serving three hours of jury duty, the employee is expected to report to work.

Compensation for jury duty or witness service on behalf of Bethany College will be the difference between the employee's straight time base rate of pay and any compensation received for jury duty or witness service. Compensation for witness service will only be paid if the employee is summoned for witness service by Bethany College.

Copies of the vouchers received from the court showing compensation (excluding mileage) and dates served shall be submitted to the employee's supervisor. The supervisor will forward these copies to the Office of Human Resources.

3.3.2.4 Vacation, Sick Leave and Personal Leaves of Absence

3.3.2.4.1 Staff Employees

See Volume V, Subsection 5.3

3.3.3 Employee Benefit Policies

3.3.3.1 Eligibility for Benefits

Full-time regular hourly and non-exempt salary employees are eligible for employee benefits on the first of the month following the month in which they attain thirty (30) days of employment. Except as may otherwise be provided by the terms of a plan or herein, exempt employees are eligible for employee benefits on the date of hire.

Bethany College pays a significant portion of the costs of these benefits for employees. Employee contributions for medical benefits are deducted from paychecks on a pre-tax basis.

3.3.3.2 Health and Welfare Benefits

Once employees have met the appropriate eligibility requirements, they may be eligible to participate in the plans described below. This is merely a summary. More detailed information about each plan can be found in the plan documents maintained in the Office of Human Resources and the Summary Plan Descriptions (SPDs). SPDs are the documents which describe employee benefit plans and, together with the Plan Documents, supersede all references to employee benefits in this volume.

The College reserves the right to change the health and welfare benefits and policies described below from time to time. The administration of the plans and benefits is subject to the actual terms and provisions of the plans set forth in the formal plan documents, and applicable SPDs.

3.3.3.2.1 Health/Prescription Insurance

Full-time employees who have met the eligibility requirements may participate voluntarily in a group health insurance program. Employees who elect not to join a health insurance program within thirty (30) days of hire are required to wait until the open enrollment period held once each year. The Office of Human Resources provides advance notification to employees regarding dates of the open enrollment period each year. Employees who waive coverage will be provided a financial incentive for doing so when proof of coverage elsewhere is provided.

Vision and dental insurance is provided on an optional basis at the full cost of the employee.

Retired Medicare employees and their dependents are reimbursed (upon receipt of their cancelled checks or proof of automatic debit, see 5.8.2) at the rate of \$28.35 per month for Medicare supplemental premiums. 403(b) Retirement Savings Plan

Bethany College provides eligible employees the opportunity to participate in a 403(b) Retirement plan administered by registered third party administrators. The 403(b) Retirement Savings Plan allows employees to make contributions to their own retirement account. Employee contributions are not subject to federal and state (except Pennsylvania) taxes and may grow tax deferred until paid out. Upon payout, they are taxable as ordinary income. All employee contributions are one hundred (100) percent vested.

Regular full-time employees may voluntarily participate in one (or more) of the Retirement Plan's investment options at any time after the employee's employment date. After two years of service, if the employee contributes 2.5% (6.5% for the Church plan) of their regular salary the College will contribute 7.5% of the employee's regular salary as a match. Employees who belong to comparable plans (as determined by the Office of Human Resources) are eligible for the College contribution upon employment. Upon retirement, all College contributions to retirement plans cease.

Detailed information concerning the Retirement Plan is available from the Office of Human Resources. Bethany College provides periodic briefings with representatives of the third-party administrators.

3.3.3.2.2 Life Insurance

Regular full-time active employees have life insurance equal to two (2) times their regular annual salary rounded up to the next higher thousand (\$1,000) dollars, and Accidental Death and Dismemberment (AD&D). The full cost of life insurance and Accidental Death and Dismemberment is paid by the College. Employees are eligible for this insurance on the 1st of the month following thirty (30) calendar days of employment. Life insurance drops to one half of the regular annual salary (not to drop below the minimum of \$10,000) at retirement or age seventy (70), whichever occurs first. It drops to \$10,000 for everyone, age 75 or older.

The College provides active employees with accidental death and dismemberment (AD&D) insurance with benefits for accidental death at the same level as the employee's regular college provided life insurance. Benefits for accidental dismemberment are as per a schedule and in general are a fraction (full, $\frac{3}{4}$, $\frac{1}{2}$, or $\frac{1}{4}$) of the amount of the employee's regular college provided life insurance.

3.3.3.2.3 Long-Term Disability

Regular full-time employees are eligible for long-term disability insurance on the first of the month following attaining one hundred eighty (180) days of employment at Bethany College. Employees, who are injured or suffer a major illness, may apply for long-term disability. Benefits are available six (6) months after the date of the injury/illness. Employees receive sixty percent (60%) of their income to a maximum of \$5,000 per month while on long term disability.

3.3.3.2.4 Educational Benefits

Tuition Waiver (also called Tuition Remission) is a tuition-only grant available to employees and their eligible family members who apply and are admitted for enrollment in an academic program at Bethany College. The dependent and the employee, through whom they receive this grant benefit, shall be responsible for the payment of all non-tuition fees and charges owed to the College.

Dependent children of full-time regular employees who satisfy admission requirements and are under the age of twenty-four (24), may attend Bethany College without payment of tuition during the two regular semesters of the year. Graduate, summer, international, online classes, January Term (beyond the required first year) and special external contracted agreements (e.g. Art Institute of Pittsburgh, Washington Center, etc.) are excluded from this policy. Eligible dependent children of full-time employees, who have not previously been awarded an undergraduate degree, may receive Tuition Remission for undergraduate study.

Spouses of full-time employees are eligible for Tuition Remission. Spouses may take undergraduate courses tuition free as though they were dependent children during the two regular semesters of the year.

The amount of the Tuition Remission shall be the difference between tuition costs and any federal or state financial aid for which the dependent qualifies (excludes loans). Prior to receiving Tuition Remission, the dependent must be accepted as a student through the normal admissions procedure and file the federal financial aid application so as to be received by the processor by June 1st.

If a full-time regular Bethany College employee becomes disabled (as determined by the College's disability insurance carrier) or dies, any child of the employee may attend Bethany College as an undergraduate without payment of tuition provided that the child enrolls as a full-time student before reaching the age of twenty-four (24).

Bethany College also participates in the Council of Independent Colleges (CIC) and Tuition Exchange (TE) programs for dependent children. Details are available in the Office of Human Resources.

Full-time employees may take one academic course during the two regular semesters, provided the following conditions have been met:

1. Permission of the immediate supervisor;
2. Space must be available in the class without displacing paying students; and
3. Time in class must be made up at a time acceptable to your supervisor (in the same work week).

3.3.4 Legislated Benefits

3.3.4.1 Family and Medical Leave

The organization's family and medical leave policy is available to employees with at least 12 months of service and who have worked at least 1,250 hours within the preceding 12-month period. If eligible, an employee may be able to take up to 12 weeks of unpaid leave per year (based on a 12-month rolling calendar) for the following reasons:

A)

1. The birth of a child or to care for a child within the first 12 months after birth;
2. The placement of a child with the employee for adoption or foster care within the first 12 months of placement;
3. To care for an immediate family member who has a serious health condition; or
4. For a serious health condition that makes the employee unable to perform the functions of the employee's position.

B) A qualifying exigency arising out of the fact that the employee's family member is on covered active duty (or has been notified of an impending call or order to covered active duty) in the regular Armed Forces Reserves or National Guard and/or if the employee is an eligible family member or next of kin of a covered service member, the employee can have up to 26 workweeks of "Service Member Family Leave" during a single 12-month period to care for a covered service member who is:

1. Undergoing medical treatment, recuperation, or therapy,
2. Otherwise in outpatient status, or
3. On the temporary disability retired list for a serious injury or illness or
4. To care for veteran who is undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.

If FMLA covered leave is taken under A and B above, the combination of leave taken may not exceed 26 workweeks in a single 12-month period. The amount of leave taken under A may never exceed 12 weeks during the single 12-month period, even if the

employee takes fewer than 14 weeks of FMLA leave under B. Where medically necessary, leave may be taken on an intermittent basis or as a reduced work schedule

When requesting leave, the employee must provide the organization with at least 30 days of advance notice whenever possible. Medical certification is required if the leave request is for the employee's own serious health condition or to care for a family member's serious health condition. Failure to provide the requested medical certification in a timely manner may result in denial of the leave until it is provided. Because the organization wishes to ensure the well-being of all employees, any employees returning from FMLA for the employee's own serious health condition must provide a Fitness for Duty statement signed by a treating physician. An employee who fails to provide a Fitness for Duty statement is not permitted to resume work until it is provided.

The organization, at its expense, may require an examination by a second health care provider designated by Bethany College if the organization has a reasonable question regarding the medical certification provided by the employee.

Bethany College will maintain health care benefits for the employee while on FMLA leave, but the employee is responsible for paying their share of the contribution. If the employee elects not to return to work at the end of the leave period, the employee is required to reimburse the organization for the cost of premiums paid for maintaining coverage during the leave period.

Employees, before going on FMLA, are required to exhaust any paid sick, vacation or personal time (unless such leave is covered under Workers' Compensation, in which case the employee may only use leave time for the purpose of satisfying any waiting period). Absences in excess of these accumulated days will be treated as leave without pay. Upon return from leave, the employee will be restored to the original or an equivalent position. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned the employee's position with the organization.

If the employee and the employee's spouse both work for the organization, they are both eligible for leave. In cases other than the employee's own serious health condition, the total leave period for the employee and the employee spouse may be limited to 12 weeks total (combined).

It may be medically necessary for some employees to use intermittent FMLA leave. The organization will work with employees to arrange reduced work schedules or leaves of absence in order to care for a family member's serious medical condition or their own serious medical condition. Leave because of the birth or adoption of a child must be completed within the 12-month period beginning on the date of birth or placement of the child. It may not be taken intermittently without special permission from the Office of Human Resources.

If an employee requests an extension of leave beyond the 12-week period because of the employee's own serious medical condition, the employee must submit medical certification of a continued serious health condition in advance of the request. The organization will review such requests on a case-by-case basis in order to determine whether it can reasonably accommodate such a request. Reinstatement is not guaranteed when granted extended leave and will depend

upon the business needs of the organization. When state and local laws offer more protection or benefits, the protection or benefits provided by those laws will apply.

3.3.4.2 Health Benefit Continuation

The College complies with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Health Insurance Portability and Accountability Act (HIPAA). These laws insure that employees are given an opportunity to continue medical and dental insurance coverage under group plans when certain qualifying events occur. The employee (or eligible dependent) is responsible for the entire premium cost, plus a 2% administrative fee. The qualifying events are termination of employment for any reason except gross misconduct; loss of eligibility due to reduction in work hours; death of employee; divorce or legal separation; or dependent child ceasing to be dependent because of age or loss of full-time student status.

Employees should consult with the Office of Human Resources for further details regarding their rights and obligations.

3.3.4.3 Social Security

Bethany College participates in the Federal Insurance Contribution Act (Social Security), including Medicare. A percentage of income, as established by the Federal Government, is withheld from employees' paychecks. An equal amount is contributed by the College.

Information about Social Security in general, including retirement benefits and Medicare, is available at Social Security's website, www.ssa.gov or by calling 1-800-772-1213.

3.3.4.4 Unemployment Compensation

Employees of Bethany College are eligible for benefits under the West Virginia Unemployment Compensation Law. The program provides qualifying employees with financial security while temporarily unemployed. Decisions regarding eligibility and amount of benefits are made by the State of West Virginia. Details can be obtained at the West Virginia Department of Employment Security. There is no employee contribution towards this program.

3.3.4.5 Workers' Compensation

Employees of the College are covered by Workers' Compensation. Injuries sustained in the course of employment at Bethany College must be reported immediately to the supervisor and subsequently to the Office of Human Resources. The supervisor is responsible for reporting the accident to the Office of Human Resources within forty-eight hours of the incident.

3.3.5 Additional College Benefits

3.3.5.1 Athletic Events

Employees are invited to attend Bethany College athletic events. A pass is available from the Athletic Department. There is no admission charge to any intercollegiate contest for employees

or their immediate families. Special tournament and NCAA championship events are excluded from this benefit. Admission charges may apply.

3.3.5.2 Bookstore Discount

The bookstore offers books, periodicals, souvenirs, soft goods, and convenience items, in addition to text books. Employees are given a discount on all items except magazines, , special orders, and cap and gown rental and purchases.

3.3.5.3 Health Services

The College Health Service is a student health service which is open during the academic year, and not during vacation periods. Its hours are: 8:00 a.m. To 4:30 p.m., and it is staffed during those hours by Registered Nurses. Physicians are present on Mondays and Wednesdays from 8:00 – 9:00 a.m. and Thursdays from 10:00 – 11:30 a.m. If an employee needs emergency assistance, the nursing staff will attempt to help. College Health Services is not a free clinic, so please do not abuse this service. The nurses shall never be asked to diagnose or treat a medical problem. (They are legally forbidden to so do, and it is not fair to ask them for such service.)

3.3.5.4 Housing

The College owns and maintains several residential properties in the Town of Bethany which are available for purchase or for rental to members of the faculty and staff.

Information on properties available for purchase after appraisal and approval by the Board of Trustees is available in the Office of Business Affairs. This office also has information on rental properties.

3.3.5.5 Library Service

Employees are invited and encouraged to make use of the services of the T. W. Phillips Memorial Library and the Grace Ryland and William Henry Robinson Children’s Library.

3.3.5.6 Recreational Facilities

The College encourages employees to make use if it’s recreational facilities. When doing so, employees are expected to abide by rules and regulations governing these facilities. Some of the opportunities include tennis courts, swimming pool, basketball courts, handball and racquetball courts, and weight lifting equipment.

3.4 Wage and Payroll Policies

3.4.1 Deductions/Reductions

Bethany College is required by law to make the following deductions from employee paychecks: Federal Income Tax (table driven percentage), Social Security Tax (6.2 percent), Medicare Tax

(1.45 percent), West Virginia, Ohio or Pennsylvania State Tax (according to individual state tax table) and, in some cases, Spousal/Child Support and Wage Garnishments. Employees are responsible for advising the Payroll Department of a change in federal/state status and for completing new deduction authorizations.

All miscellaneous deductions/reductions must be authorized in writing.

3.4.1.1 Wage Assignments (Garnishments)

The College encourages employees to manage their financial affairs so that the College will not be obligated to execute any court-ordered wage assignment or garnishment against an employee's wages. However, whenever court-ordered deductions are to be taken from an employee's paycheck, the employee will be notified.

3.4.2 Direct Deposit of Paycheck

Employees are encouraged to have their paychecks transmitted to their bank account(s) via direct deposit. See the Director of Payroll for information.

3.4.3 Pay Periods

Employees are paid bi-weekly, every other Friday.