Five Colleges, Incorporated

Personnel Manual

Approved by the Board of Directors: January 30, 2001
I. Purpose ................................................................................................................. 1
II. Overall Responsibility for Policy ........................................................................ 1
III. Authority ............................................................................................................ 1
IV. Equal Opportunity ............................................................................................. 1
V. Sexual Harassment Policy .................................................................................... 1
   1. Definition ......................................................................................................... 2
   2. Internal Procedures .......................................................................................... 2
   3. External Procedures ......................................................................................... 2
VI. New Employees .................................................................................................... 3
VII. Working Hours .................................................................................................... 3
VIII. Employment Categories ................................................................................... 4
IX. Salary Administration .......................................................................................... 5
X. Benefits .................................................................................................................. 5
   A. Workers' Compensation Insurance .................................................................. 6
   B. Life Insurance .................................................................................................. 6
   C. Disability Insurance ......................................................................................... 6
   D. Individual Health Insurance ............................................................................ 6
   E. Tax Deferred Annuity ....................................................................................... 6
   F. Family and Medical Leave .............................................................................. 6
   G. Vacation ............................................................................................................ 11
   H. Holidays ........................................................................................................... 12
   I. Sick Leave ........................................................................................................ 12
   J. Personal Leave .................................................................................................. 12
   K. Bereavement Leave ........................................................................................ 13
   L. Leave Without Pay .......................................................................................... 13
   M. Jury Duty Leave ............................................................................................. 13
   N. Tuition Policy .................................................................................................. 13
      1. Courses for Employees ................................................................................ 13
      2. Grant-in-Aid ................................................................................................. 13
   O. Mortgage Assistance ....................................................................................... 14
   P. Flexible Benefits ............................................................................................... 14
   Q. Microcomputer Purchase Plan ......................................................................... 14
   R. Credit Union .................................................................................................... 15
XI. Staff Development ............................................................................................... 15
XII. Employee Conduct .............................................................................................. 15
   Political Activities ............................................................................................... 15
   Gifts and Gratuities ............................................................................................. 15
   Electronic Communications .................................................................................. 15
XIII. Performance Evaluations ................................................................................ 17
XIV. Personnel Records ............................................................................................ 17
XV. Grievance ............................................................................................................ 18
XVI. Resignation and Dismissal ............................................................................... 19
I. Purpose:

Five Colleges, Incorporated utilizes these polices as guides relating to personnel administration. The contents of this handbook are presented as a matter of information only and as guidance to our policies and are not to be understood or construed as a promise or contract between Five Colleges, Incorporated and its employees. Employment can be terminated, with or without cause, and with or without notice, at any time, at the option of Five Colleges, Incorporated or the employee. The policies and benefits contained in this manual are subject to review by the Board of Directors and may be modified at any time without notice. Five Colleges, Incorporated reserves the right to vary from these guidelines where it decides it is appropriate to do so. This handbook does not apply to Five College Faculty.

II. Overall Responsibility for Policy:

Responsibility for setting personnel objectives and issuing policy statements rests with the Board of Directors of Five Colleges, Incorporated. The Executive Director is responsible for the implementation of these policies and for the development of detailed procedures consistent with their intent.

III. Authority:

The Executive Director shall be appointed by the Board of Directors. All other personnel shall be appointed and supervised by the Executive Director or his/her designated representatives.

IV. Equal Opportunity:

It shall be the policy of Five Colleges, Incorporated that recruiting, hiring, promotion and other employment practices for all persons shall be without regard to race, sex, sexual orientation, age, color, religious creed, national origin, handicap, veteran status, National Guard/reserve unit obligations, ancestry, and any other category protected by Federal, state, local or municipal law.

V. Sexual Harassment Policy:

A. Introduction

It is the goal of Five Colleges, Incorporated to promote a workplace which is professional and which treats all those who work at Five Colleges, Incorporated with dignity and respect. Sexual harassment is unlawful* and will not be tolerated by Five Colleges, Incorporated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against an individual for cooperating with an investigation of a sexual harassment complaint is also unlawful and will also not be tolerated.

Because Five Colleges, Incorporated takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is

* Massachusetts General Laws, Chapter 151B and 1996 Acts and Resolves, Chapter 278.
demonstrated to our satisfaction that such harassment occurred, we will act promptly to eliminate the harassment and impose such corrective action as is necessary, including disciplinary action where appropriate.

1. **Definition**

   Sexual harassment is generally defined as follows: sexual advances, requests for sexual favors, and verbal, nonverbal or physical conduct of a sexual nature when either (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Sexual harassment is sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers. The following are some examples of behavior that is prohibited and may be considered sexual harassment: (i) unwelcome sexual advances, whether they involve physical touching or not, (ii) unwelcome touching, (iii) requests for sexual favors in exchange for actual or promised job benefits, (iv) assault or coerced sexual acts, or (v) sexual remarks, display of sexual material and sexual gestures.

2. **Internal Procedures**

   Employees who feel that they have been subjected to sexual harassment may file a complaint with the Treasurer, Five Colleges, Incorporated, 97 Spring Street, Amherst, MA 01002, (413) 253-8316. This may be done in writing or orally. All complaints will be investigated in a fair and expeditious manner. The investigation would include a private interview with the person filing the complaint. We may also interview the person alleged to have committed sexual harassment as well as any witnesses.

   If our investigation reveals that behavior prohibited by this policy did occur, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action. Such actions may include counseling, informal or formal reprimands, and/or written sanctions, including termination from employment. When we have completed our investigation, we will inform the person filing the complaint of the completion of the matter.

3. **External Procedures**

   In addition to the above, employees who believe that they have been subjected to sexual harassment may file a formal complaint with the United States Equal Employment Opportunity Commission and the Massachusetts counterpart, whose addresses are set forth below. These agencies will prepare and investigate complaints of sexual harassment and may take appropriate action.
a. The United States Equal Employment Opportunity Commission ("EEOC")
   1 Congress Street–10th Floor
   Boston, MA 02114
   (617) 565-3200

b. The Massachusetts Commission against Discrimination ("MCAD")
   Boston Office:
   One Ashburton Place – Rm 601
   Boston, MA 02108
   (617) 727-3990

   Springfield Office:
   424 Dwight Street, Rm 220
   Springfield, MA 01103
   (413) 739-2145

VI. New Employees:
   When a full time employee is hired s/he will receive a letter stating the terms of
   employment, title of position, starting date, salary rate, benefits for which eligible, name
   of supervisor, and a job description.

   All new employees will be reviewed at the end of two (2) months. This period
   provides a time of adjustment and evaluation for both the employee and the employer.
   The employee accrues no benefits during this two (2) month period, with the exception of
   holidays, workers' compensation and health insurance. After initial review and
   confirmation of continued employment by the Executive Director, sick leave and annual
   leave will accrue and become retroactive to the date of employment.

VII. Working Hours:
   While employees are not guaranteed a particular work schedule or a specific
   number of hours or workdays, Five Colleges, Incorporated has a five (5) day, minimum
   35-hour workweek, Monday through Friday. Five Colleges, Incorporated reserves the
   right to change work schedules, work days, workweeks, or employment status. Flextime
   arrangements are possible with the approval of the Executive Director.

   • Overtime:
   Clerical and support staff will be paid for hours worked beyond 35 hours in a workweek
   but less than 40 hours during such week at the employee's regular hourly rate. Hours
   worked beyond 40 hours in a workweek will be paid at time and a half an employee's
   regular hourly rate and such hours must be approved in advance by the employee's
   supervisor. Under exceptional circumstances, the supervisor may authorize compensation
   time off. Such compensation time must be taken within the same workweek in which the
overtime occurred in accordance with applicable Federal and state law.

Five Colleges, Incorporated recognizes that work in excess of the regular 35 hour week is implicit for exempt (salaried) staff, to whom the above overtime provision does not apply.

- **Office Closings Due to Stormy Weather:**
The decision to close or delay the opening of the Five College office due to inclement weather will be made by the Executive Director. Every attempt will be made to notify personnel by 7:30 a.m. Employees choosing to stay home on stormy days when the Five Colleges, Incorporated office is open must use a personal or vacation day.

VIII. Employment Categories:

There are four (4) categories of employment at Five Colleges, Incorporated, and these categories determine which benefits are available to the employee. The categories are:

A. **Regular Full-time:**
   Those working a regularly scheduled workweek of 35 hours throughout the year.

B. **Regular Part-time:**
   Those working a regularly scheduled workweek of 20 or more hours for at least 10 months of the year.

C. **Part-time**
   Those working fewer than 20 hours a week.

D. **Temporary:**
   Personnel hired for a limited time for a specific task who work a regularly scheduled workweek of hours per week, but only for a limited duration. This category may include grant-funded positions.

E. **Student Employment:**
   Student status applies to persons currently enrolled for credit at a member institution of the consortium. Students are considered temporary and are not eligible for benefits.
Summary of Benefits

<table>
<thead>
<tr>
<th>Employee Category</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annuity Plan</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Bereavement Leave</td>
<td>Yes*</td>
<td>Yes*</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Holidays</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Life &amp; Disability Insurance</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Medical Insurance</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Personal Leave</td>
<td>Yes*</td>
<td>Yes*</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Sick Leave</td>
<td>Yes*</td>
<td>Yes*</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Tuition Benefits</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Vacation</td>
<td>Yes*</td>
<td>Yes*</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

* Retroactive after initial review.

IX. Salary Administration:

- When the scheduled payday falls on a holiday, payroll disbursement will occur on the preceding business day.

- All staff paid hourly, or those that are grant funded, must maintain a record of hours worked and have it approved by their supervisor. Exempt staff must file monthly time reports.

<table>
<thead>
<tr>
<th>Mandatory Deductions:</th>
<th>Optional Deductions for Eligible employees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Withholding Tax</td>
<td>Annuity</td>
</tr>
<tr>
<td>FICA</td>
<td>Credit Union</td>
</tr>
<tr>
<td>Massachusetts Withholding Tax</td>
<td>Health Insurance</td>
</tr>
<tr>
<td>Massachusetts Medical</td>
<td>Life and Disability Insurance</td>
</tr>
<tr>
<td>Massachusetts Unemployment</td>
<td></td>
</tr>
</tbody>
</table>

X. Benefits:

A description of the Five Colleges, Incorporated benefits follow. Five Colleges, Incorporated reserves the maximum discretion permitted by law to administer, interpret, enhance, modify, discontinue or otherwise change any benefit plan, practice or procedure. While you may receive feedback from individuals responding to a question you have about the benefit plans we offer, none of those responses can modify the terms of the official plan documents and, consequently, do not represent a promise or guarantee of benefits.
A. Workers' Compensation Insurance

All employees are covered by Workers' Compensation Insurance. All on the job injuries must be reported immediately to the Treasurer, in order to comply with provisions of the law. A written copy of that report will be placed in the employee's personnel file. An official Workers' Compensation poster is on display in the building.

B. Life Insurance

May be available to all-regular full time and part-time employees at no cost to the employee. The life insurance plan provides coverage equivalent to a multiple of the employee's annual salary, computed upon the age of the employee as follows:

<table>
<thead>
<tr>
<th>Age</th>
<th>Amount of Insurance</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 45</td>
<td>3.0 times annual salary</td>
</tr>
<tr>
<td>45 but less than 50</td>
<td>2.5 times annual salary</td>
</tr>
<tr>
<td>50 but less than 55</td>
<td>2.0 times annual salary</td>
</tr>
<tr>
<td>55 but less than 60</td>
<td>1.5 times annual salary</td>
</tr>
<tr>
<td>60 but less than 65</td>
<td>1.0 times annual salary</td>
</tr>
<tr>
<td>age 65 and over</td>
<td>.67 times annual salary</td>
</tr>
</tbody>
</table>

The maximum amount of life insurance coverage on the basic policy is $100,000.

C. Disability Insurance:

May be available to all regular full-time and part-time employees at no cost. A copy of the summary plan description for this policy is available in the Business Office.

D. Individual Health Insurance:

All regular employees are eligible to choose one of two health care programs offered by Five Colleges, Incorporated: Blue Cross Choice and HMO Blue. Employees may select individual or family coverage. Specific plan details, current rate information and enrollment forms are available in the Business Office.

Five Colleges, Incorporated contribution to a full-time employee's premium is 90% for a single coverage and 70% for family coverage. Premium payments by Five Colleges, Incorporated are prorated for regular part-time employees as follows:

- 20 hours/week, employee pays 30%
- 21-25 hours/week, employee pays 25%
- 26-30 hours/week, employee pays 20%

E. Tax Deferred Annuity:

A tax deferred annuity plan may be available to all regular full-time and part-time employees after one (1) year of employment. Details of the plan are on file in the Business Office.

F. Family and Medical Leave

In order to qualify for leave under the Family and Medical Leave Act (FMLA), you must meet both of the following conditions:
1. You must have worked for Five Colleges, Incorporated at least 12 months during the 52 weeks prior to beginning FMLA leave. For eligibility purposes, you will be considered to have been employed for an entire week even if you were on the payroll for only part of a week or if you were on leave during the week.

2. You must have worked at least 1,250 hours during such 12-month period.

You may take up to 12 weeks of FMLA leave during any 12-month period. Five Colleges, Incorporated, will measure the 12-month period as a rolling 12-month period measured back from the first day you use any leave under this policy.

Reasons for Leave

In order to qualify for FMLA leave under this policy, you must be taking the leave for one of the following reasons:

- the birth of a child and to care for that child (must be taken within 12 months after the birth of the child)
- the placement in your home of a child for adoption or foster care and to care for the newly placed child (must be taken within 12 months after the placement of the child).
- the care of a spouse, same-sex domestic partner for whom the Business Office is in receipt of an affidavit, child, legal ward, or parent with a serious health condition; or
- your own serious health condition (described below)

FMLA Leave Entitlement

Family/medical leave is unpaid leave.

You may take up to 12 weeks of FMLA leave during any 12-month period. Five Colleges, Incorporated, will measure the 12-month period as a rolling 12-month period measured back from the first day you use any leave under this policy.

The following leaves will be substituted for your FMLA entitlement:

- Sick Leave
- Jury Leave
- Short-term Absence Without Pay
- Leave Without Pay
- Long-term Disability Leave
- Workers' Compensation Leave

The substitution of paid time for unpaid family/medical leave does not extend the length of the leave provided by the law. If you and your spouse both work for Five Colleges, Incorporated, and each of you wishes to take leave for the birth of a child, or due to the placement in your home of a child for adoption or foster care, the two (2) of you together may take a total of 12 weeks of FMLA leave. However, if both spouses are employed by Five Colleges, Incorporated, each spouse is entitled to the full leave if the leave is to care
for a child or spouse with a serious health condition, or for their own serious health condition.

Substitution of Paid and Unpaid Leave

If you have accrued paid leave, you must use paid leave first and take the remainder of the 12 weeks as unpaid leave. For example:

- If you are taking FMLA leave because of your own serious health condition you must use all paid sick leave and paid vacation or personal time before you become eligible for FMLA leave for the remainder of the 12 weeks.

- If you are taking leave for the birth of a child you must substitute sick leave for the physical recovery following childbirth. You must then substitute all paid vacation and personal leave for FMLA leave for the remainder of the 12 weeks.

- If you are taking leave due to the placement in your home of a child for adoption or foster care, you must use all paid vacation, personal time or paid leave before you become eligible for FMLA leave for the remainder of the 12 weeks.

- Workers' compensation leave will also count as FMLA leave under this policy.

Five Colleges, Incorporated, reserves the right to substitute paid vacation leave for unpaid FMLA leave.

Intermittent Leave or a Reduced Work Schedule
For the birth, adoption or foster care of a child, FMLA leave must be taken over 12 consecutive weeks and must be taken within one (1) year of the birth or placement of the child. However, if you are taking leave for your own serious health condition or because of the serious health condition of another covered individual, you may take FMLA leave in 12 consecutive weeks, take use the intermittently (for example, take a day periodically when needed over the year), or, use the leave to reduce the workweek or work day which would result in a reduced-hour work schedule if such reduction is deemed medically necessary. Five Colleges, Incorporated, may require certification of the medical necessity as discussed below. In all cases, the total FMLA leave may not exceed 12 weeks over a 12-month period.

You and Five Colleges, Incorporated, must mutually agree to an intermittent leave or reduced-hour schedule. If an agreement is not possible, you must prove that the use of the leave is medically necessary. Five Colleges, Incorporated, may require certification of the medical necessity as discussed below.

Five Colleges, Incorporated, may temporarily transfer you to an available alternative position with equivalent pay and benefits if such alternative position would better accommodate an intermittent or reduced schedule.
Reporting while on Leave
If you take leave because of your own serious health condition or to care for another covered individual, you must contact Five Colleges, Incorporated periodically regarding the status of your condition and your intent to return to work. In addition, you must give notice as soon as practicable (within two business days if feasible) if there is a change in your FMLA schedule.

Special Note for Leaves Relating to Pregnancy
From time to time, special rules apply to leaves relating to pregnancy. If you are requesting FMLA leave for this purpose, please contact the Business Office.

Massachusetts maternity law allows eligible employees up to 8 weeks of maternity leave for giving birth or adopting a child under the age of 18. To be eligible, women must have completed the probationary period of their job, if applicable, and give two weeks notice of expected departure date and intention to return. The leave is without pay. Upon return, the woman must be restored to her previous position or a similar one. This leave generally runs concurrently with FMLA leave except in certain circumstances where an employee could be entitled to both, i.e. if a woman gave birth and then developed a serious health condition.

Effect of FMLA Leave on Paid Time and Benefits
For the hours that you are on FMLA leave, you continue to earn personal time. You do not accrue sick leave or vacation, and you are not entitled to holiday pay, funeral leave, jury duty leave, or any other paid leave. If you are on intermittent FMLA leave, you will continue to accrue these benefits for the hours you are not on such FMLA leave. Upon your return to work, vacation and sick leave accruals will resume at the rates in effect at the time the FMLA leave began.

While on FMLA leave you may continue membership in the Five Colleges, Incorporated health care program. Five Colleges, Incorporated, will continue its contribution during the FMLA leave period at the same level and under the same conditions as if you had continued to work. If you receive a paycheck during your leave, Five Colleges, Incorporated will deduct, as was done prior to such FMLA leave, any applicable portion of the health plan premium as a regular payroll deduction. Your health care coverage may cease if your premium payment is more than 30 days late. If you elect not to return to work for reasons other than a continued serious health condition, you must reimburse Five Colleges, Incorporated the amount it contributed for your health insurance premiums during the FMLA leave period.

You may also retain membership in Five Colleges, Incorporated life, and long-term disability insurance plans during any FMLA leave. Five Colleges, Incorporated will continue its contributions to these plans during the FMLA leave period at the same level and under the same conditions as if you had continued to work. Retirement contributions are not made during unpaid FMLA leave and tuition benefits are normally not available.

Serious Health Condition
You may take FMLA leave because of a serious health condition that makes you unable to
perform the functions of your position. A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, which would result in recurring or lengthy absences. Generally, a chronic or long-term health condition which, if left untreated, would result in a period of incapacity of more than three (3) days, would be considered a serious health condition. If you have questions about what illnesses are covered under this FMLA policy or under the Five Colleges, Incorporated sick leave policy, you are encouraged to consult the Business Office. Five Colleges, Incorporated may require you to provide a doctor's certification of such serious health condition. The certification process is outlined later in this policy.

If you take paid sick leave for a condition that progresses into a serious health condition and you then request unpaid FMLA leave, Five Colleges, Incorporated, will designate all or some portion of the sick leave as FMLA leave to the extent that the earlier paid leave meets the necessary qualifications.

**Medical Certification of a Serious Health Condition**

If you request FMLA leave for your own or another covered individual's serious health condition Five Colleges, Incorporated may ask for medical certification of the condition. You should try to respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Five Colleges Incorporated may also require subsequent recertification during any approved FMLA leave. Failure to provide certification within 15 days if such is practicable, may result in a denial of continuation of FMLA leave.

Certification of a serious health condition includes the date when the condition began, its expected duration, the diagnosis, and a brief statement of treatment. For medical leave for your own medical condition, the certification must also include a statement that you are unable to perform work of any kind, or a statement that you are unable to perform the essential functions of your position. For a seriously ill family member or other covered individual, the certification must include a statement that the patient requires assistance and that your presence would be beneficial or desirable.

If you plan to take intermittent FMLA leave or work a reduced schedule, the certification must also include a statement of medical necessity for taking intermittent leave or working a reduced schedule.

Five Colleges, Incorporated, reserves the right to request a second medical opinion if it has reason to doubt the completeness or veracity of the certification. Five Colleges, Incorporated will pay for such second opinion by a physician selected by Five Colleges, Incorporated. If necessary to resolve a conflict between the original certification and the second opinion, Five Colleges, Incorporated may require the opinion of a third physician. Five Colleges, Incorporated and you will jointly select the third physician, and Five Colleges, Incorporated will pay for such third opinion. This third opinion will be considered final and binding.
Return to Work Certification
At the end of your FMLA leave, you will be returned to work to your former position or one with similar pay and status in accordance with Federal and State law. Five Colleges, Incorporated cannot guarantee reinstatement to your original position. If your leave is because of your own serious health condition, in order to return to work (whether full or part-time), you must provide your supervisor with the Physician's Approval to Return to Work form (available in the Business Office) completed by your doctor. An employee who fails to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided. If, at the end of your leave, you do not return to work, for whatever reason, your employment may be terminated.

If your leave extends beyond this number of weeks (12 per year), you may be returned to your former or a like position if one exists, and Five Colleges, Incorporated cannot guarantee reinstatement.

Procedures for Requesting Leave
When you plan to take FMLA leave, you must, to the extent reasonably possible, give Five Colleges, Incorporated at least 30 days of notice of the need for the leave. If it is not possible to give 30 days of notice, you must give as much notice as is practicable, certainly within two business days, after learning of your need for leave, except in extraordinary circumstances. If you are undergoing planned medical treatment, you are required to make a reasonable effort to schedule the treatment to minimize disruptions to the operation of Five Colleges, Incorporated. If you fail to provide 30 days of notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date Five Colleges, Incorporated received notice.

Under this policy you must, except where FMLA leave is not foreseeable, submit your request in writing to the Treasurer in the Business Office.

While on FMLA leave, you are requested to report periodically to Five Colleges, Incorporated regarding the status of the medical condition and your intent to return to work.

Questions, regarding the interpretation of FMLA should be directed to the Business Manager.

G. Vacation
Vacation time begins accruing at the employee's date of employment, however, it cannot be taken until after the first two (2) months of employment. It may not be taken before it is accumulated; it accrues at the rate of one (1) and two-thirds 2/3 days per month for full-time staff. Part-time employees accrue vacation time at their regular work schedule rate, i.e., someone who works 60 percent time earns 60 percent of one (1) and two-thirds 2/3 days per month. Employees whose date of employment occurred before the 15th of the month will be given accrual credit for the entire month. Vacation may be accrued to a maximum of 25 days, after which an employee will accrue no further vacation until he or she has utilized a portion of the 25 days.
All vacation schedules must normally be approved three (3) weeks in advance by an immediate supervisor and submitted in writing to the Business Office. It is expected that, with the exception of Business Office staff, vacations will be taken during the summer months. Holidays, which occur during an employee’s vacation, shall not be charged to vacation time. Illness while on vacation is not deductible as sick leave unless proof of illness is provided from a physician, hospital or insurance company.

H. Holidays
Five Colleges, Incorporated, observes the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

In addition to these Five Colleges, Incorporated normally grants several floating holidays to be determined individually by the employee. Part-time, student, and temporary employees are eligible only for those holidays that fall on days they are regularly scheduled to work.

I. Sick Leave
This leave accrues at the rate of one (1) day per month for regular full-time employees and 1/2 day per month for regular part-time employees. It is granted only for illness or injury to the employee. An employee may be asked to submit a physician’s statement after three (3) days of absence. Leave beyond accrued days should be coordinated with the Executive Director. An employee may utilize any accrued vacation time to extend sick leave. Not more than 90 days of unused sick leave may be accumulated. Sick leave may not be converted into wages or vacation time.

J. Personal Leave
Full-time employees are permitted a maximum of three (3) days of absence with pay for personal reasons each calendar year. Regular part-time employees are permitted a maximum of one (1) day of absence with pay for personal reasons each calendar year. Personal leave does not accrue from year to year, nor shall compensation for unused personal leave be granted to anyone terminating employment. Personal leave may be taken for emergencies only.

K. Bereavement Leave
In the case of death in the immediate family, an employee may be granted a leave of absence up to three (3) working days with pay when the deceased is a parent, spouse, child, partner, sister, brother, grandchild, grandparent, parent-in-law. Leave for other relatives may be granted by the Executive Director. When a death covered by the provisions above
takes place during an employee’s scheduled vacation, the employee may take bereavement leave of absence and reschedule vacation time.

L. Leave Without Pay
Non-FMLA leaves of absence without pay for personal or medical reasons are permitted with the approval of the Executive Director.

If a pregnant employee becomes medically disabled as a result of her pregnancy and wishes to take a reasonable leave of absence for the duration of her disability, she must provide Five Colleges, incorporated, with a physician’s note stating that she is disabled due to her pregnancy. During this reasonable leave of absence, the disabled pregnant employee will maintain her position and rate of pay and will maintain insurance benefits for a period of up to six (6) months.

M. Jury Duty Leave
An employee will be paid if required to go to court, or any administrative proceeding, as a witness or if serving as a juror. During this period of jury duty leave, an employee shall receive the difference between compensation for such duty and his/her regular hourly salary.

N. Tuition Policy
Five Colleges, Incorporated recognizes the desirability of helping its employees further their education and is willing to provide tuition assistance according to the following guidelines:

1.) Courses for Employees
This benefit is not available to employees until they have been an employee for at least six (6) consecutive months, but the waiting period can be waived by the Executive Director at her or her sole discretion. Regular part-time employees receive this benefit on a pro-rated basis.

The employee must receive approval, in advance, from his/her supervisor, if courses are taken during the work day. Courses taken should normally be job-related or required for a degree; courses not in these two (2) categories must be approved as exceptions by the Executive Director.

Employees may apply to the Executive Director for a tuition waiver for courses at the University if the courses are related to completion of a degree. If the course is offered only during normal working hours, the individual may be given time off to take the course, but must make up the time through arrangements with his/her supervisor. Regular part-time employees cannot take courses during their regular workday.

2.) Grant-in Aid
Eligible employees must have been employed for two (2) consecutive years to qualify for this benefit. If an employee is regular part-time, then that employee would qualify for this benefit on a pro-rated basis. This waiting period may be waived by the Executive Director at his/her sole discretion.
Five Colleges, Incorporated, will grant a maximum of $1,800 per year, per child or the cost of tuition, whichever is lower, and the grant is limited to four (4) academic years per child. The grant is limited to the cost of tuition and tuition-type mandatory fees and will not cover other costs, such as room and board, health center fees, student activity fees, and computing fees.

The child (children) must be enrolled as a full-time undergraduate in an accredited four-year college or university or an accredited two-year college. Also, the child (children) must be a legally dependent child of the eligible parent, as defined by the Internal Revenue Service.

Children of eligible employees (if such employee should retire or die) will continue to receive this benefit if the dependent is enrolled in an accredited institution at the time of the employee's death or retirement. Employees who otherwise leave the employment of Five Colleges, Incorporated, are no longer entitled to this benefit.

O. Mortgage Assistance
This one-time relocation benefit is available to the senior exempt staff of Five Colleges, Incorporated provided their full salary is provided for by Institutional Assessment.

On June 4, 1985, the Directors of Five Colleges, Incorporated, approved a proposal that Five Colleges, Incorporated, follow the mortgage assistance program in use at Smith College as amended from time to time. A copy of this plan is available in the Business Office.

P. Flexible Benefits
This benefit permits employees to set aside a portion of their salary to be used for specified expenses including dental care, eye care, health insurance, group life insurance, child care, and medical care. The sum that is set aside is done so on a salary reduction basis and is intended to allow the employee to pay for those expenses on a pre-tax basis. Expenses must be incurred during the period of plan coverage in order to be eligible. Employees should consult a tax specialist or accountant in order to determine the tax implications of this benefit. There are certain regulations that cover the operation of the program:

An employee chooses the categories and the amount of money to be set aside for each category before each January 1. Once the choice is made and the calendar year begins, the choices are irrevocable, except for certain changes in family status. At the end of the calendar year, any unused money will be forfeited and may not be cashed out or carried over to a subsequent year.

Q. Microcomputer Purchase Plan
Five Colleges, Incorporated, recognizes the importance of assisting its employees in purchasing personal computers and, therefore, has instituted a computer purchase plan.
After a regular, full-time employee purchases a computer, he/she should bring the sales slip and proof of purchase to the Business Office. The Business Office will lend the employee 2/3 of the total purchase price up to a maximum of $3,000, minus taxes, provided that the employee signs a loan agreement which outlines the terms of repayment. There will be no interest or service charge for this loan.

The loan will be in effect no longer than 24 months but may be prepaid in part, or in full, at any time. If employment of the borrower terminates, any unpaid balance will become due and payable on the individual's last day of employment. Employees may have only one (1) loan outstanding at any single time.

R. Credit Union

The UMass/Five College Federal Credit Union is a separate entity which provides a full service credit union that offers an array of financial services. Details are available in the Business Office.

XI. Staff Development:

Five Colleges, Incorporated encourages staff development and will seek to provide opportunities through in-service training, staff meetings, attendance at special training programs, conferences, academic courses and workshops. Participation in such activities may be approved contingent on the availability of funds, work schedules, and at the sole discretion of the Executive Director.

XII. Employee Conduct:

Employee conduct is expected to be appropriate to the programs and goals of Five Colleges, Incorporated, at all times. An employee should avoid any kind of action or statement which would reflect adversely upon Five Colleges, Incorporated. Each employee is required to use discretion in the discussion of any/all official business and records.

Any information which has been received by an employee on a confidential basis must be maintained as confidential. Any abrogation of this rule is cause for dismissal.

Political Activities:
Staff members are required to confine their political activities to non-working hours and shall be expected to comply with any legal restrictions imposed as a condition of Five College's tax exempt status under Section 501 (C) (3) of the Internal Revenue code.

Gifts and Gratuities:
Employees of Five Colleges, Incorporated, are prohibited from accepting gifts, money and gratuities from persons receiving benefits or services from Five Colleges, Incorporated.

Electronic Communications:

Access to the Internet, and use of internal or external e-mail, have been provided to employees for the benefit of Five Colleges, Incorporated. It allows employees to connect to information resources around the world. Every employee has a responsibility to
maintain and enhance Five Colleges, Incorporated's public image, and to use the Internet and e-mail in a productive manner. To ensure that everyone is a responsible, productive Internet and e-mail user and is projecting Five Colleges, Incorporated's public image, the following guidelines have been established for using the Internet and e-mail.

Acceptable Uses of the Internet and e-mail

Employees accessing the Internet and using e-mail should do so for Five Colleges, Incorporated business. They are representing Five Colleges, Incorporated when using e-mail and the Internet. Everyone is responsible for seeing that the Internet and e-mail are used in an effective, ethical and lawful manner. Databases may be accessed for information as needed. E-mail may be used for business contacts. Employees should disclose information or messages from the e-mail network only to authorized employees.

Unacceptable Use of the Internet and e-mail.

The Internet and e-mail should not be used for private matter, personal business, or advancement of individual views. Solicitation of non-Five College business, or for any use of the Internet or e-mail for personal gain is strictly prohibited. Use of the Internet or e-mail must not disrupt the operation of the Five Colleges, Incorporated network or the networks of other users.

Communications

Each employee is responsible for the content of all text, audio or images that they place or send over the Internet and through e-mail. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet or e-mail should have the employee's name attached. No abusive, profane or offensive language may be transmitted through the system.

Software

To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software. All software downloading will be done as permitted by the Executive Director.

Copyright Issues

Copyrighted materials belonging to entities other than Five Colleges, Incorporated may not be transmitted by employees on the Internet. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner.

Security

All messages created, sent or retrieved over the Internet or through e-mail (external or internal) are the property of Five Colleges, Incorporated. Employees have no personal
right of privacy in such messages. Five Colleges, Incorporated reserves the right to access and monitor all messages and files on the computer system without notice, as deemed necessary and appropriate.

Harassment

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual or group’s race, religion, national origin, physical attributes, sexual preference, or other protected basis may be transmitted.

Violations
Violations of any guidelines listed above may result in disciplinary action up to and including termination.

XIII. Performance Evaluations:
Each non-exempt employee is evaluated at the end of his or her first two (2) months of employment and thereafter annually by his/her supervisor. A standard evaluation form shall be used to record evaluations. Exempt employees will be reviewed at least every five (5) years by the Executive Director or his/her designee. The evaluation will be reviewed with the employee and placed in his/her personnel file. Should the employee care to comment on any part of the performance evaluation, he/she may write a statement for inclusion in such personnel file.

The performance evaluation is designed to improve the employee’s understanding of the job, the standards of work and to encourage employee and staff development. Either directly or by delegation, the Executive Director is responsible for continually appraising the performance and merit of all employees.

If an employee feels his/her job situation has changed significantly, he/she may request an evaluation and assessment of the job description.

XIV. Personnel Records:
A confidential file shall be maintained on each employee and will include, but not be limited to, the following:

- Employment application or resume
- Letters of reference
- Correspondence or agreements regarding the terms of employment
- Copies of performance evaluations
- Records of attendance, vacations, sick leave, authorized absences, etc.
- Authorization for pay increases or decreases
- Copies of all correspondence or other records relating to an employee’s qualification for employment, promotion, dismissals, transfer, resignation, additional compensation, or disciplinary action.
Personnel files are accessible only to the employee, Treasurer, Executive Director and designated Business Office staff. Employees can submit a written statement if they disagree with anything in their personnel file. Employees are entitled to review their files during normal business hours, and upon written request to obtain a copy of the record.

XV. Grievance:

Five Colleges, Incorporated, grievance policy is intended to address staff complaints not related to sexual harassment. The grievance procedure is available to all regular full-time and regular part-time employees who have completed at least six (6) months of work at Five Colleges, Incorporated. A staff member's complaint or problem is addressed using a step-by-step process in order to resolve the matter in an orderly and effective manner. Outside third parties including, but not limited to, legal representatives are not allowed to participate in the grievance procedure.

Step 1
The employee is expected to bring problems to the attention of his/her supervisor, prior to initiating a formal grievance procedure and attempt to resolve the problem at that level.

Step 2
If the oral exchange does not resolve the matter, the staff member may submit a written grievance to his/her supervisor who will respond within three (3) working days.

Step 3
If the response is unsatisfactory, the employee may notify the Executive Director within seven (7) days. The Executive Director will make a written or oral decision, in the Executive Director's sole discretion, upon notification of the grievance statement within five (5) working days.

Step 4
If the decision of the Executive Director remains unsatisfactory, the matter may be referred to the Grievance Committee within ten (10) working days, where it will be reviewed, and a written decision will be given within thirty working days. This decision will be final and binding.

The Grievance Committee will consist of two (2) Board Members appointed by the President, one (1) outside person appointed by the Executive Director and one (1) person selected by the employee filing the grievance. The Board President will name the Grievance Committee Chair. Five Colleges, Incorporated reserves the discretion to modify or change any of the above timelines in its sole discretion.

XVI. Resignation and Dismissal:

Employees electing to leave the employ of Five Colleges, Incorporated are strongly encouraged to give, at a minimum, a one (1) month written notice. Exempt staff are strongly encouraged to give a minimum of six (6) months notice. A written resignation addressed to the Executive Director is required. Employees who have resigned should visit the Business Office for an exit interview and to discuss benefit
changes. Grounds for dismissal include, but are not limited to: failure to perform prescribed duties, incompetence, habitual tardiness or absence, insubordination, and misuse or theft of Five College property or equipment.