



Le Moyne College

Employee Handbook

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For information regarding employee benefits please see the [Benefit webpage](#).

Mission Statement & Vision, Introduction

Mission Statement

Le Moyne College is a diverse learning community that strives for academic excellence in the Catholic and Jesuit tradition through its comprehensive programs rooted in the liberal arts and sciences. Its emphasis is on education of the whole person and on the search for meaning and value as integral parts of the intellectual life. Le Moyne College seeks to prepare its members for leadership and service in their personal and professional lives to promote a more just society.

Le Moyne Vision

To be a premier Jesuit College where diverse talents meet to foster academic excellence, integrity, and a commitment to justice.

Introduction

In order to fulfill its mission, Le Moyne College seeks to employ highly qualified individuals who reflect the values of the institution and exhibit those qualities that further its commitment to fostering academic excellence and preparing students for a life of leadership and service.

This document sets forth the major policies affecting the status of the College's full-time exempt and non-exempt staff not covered by collective bargaining agreements.

This handbook is not a contract of employment and shall not under any circumstances be so construed. This handbook does set forth for informational purposes certain terms and conditions of employment. The President, acting directly or through a designee, reserves the right to change the policies, terms, and conditions of employment at his sole discretion.

Le Moyne College is an affirmative action/equal opportunity employer. All personnel actions such as compensation, benefits, promotions, and tuition assistance will be administered without regard to race, age, creed, color, religion, sex, marital status, sexual orientation, disability, or national origin. **(cf: Le Moyne College Equal Employment Opportunity and Affirmative Action Policies)**

Changing Policies

In order for recommended policy changes to be made in an accurate and timely manner, and to notify all affected personnel, the following procedures have been established.

- Employees may suggest changes, additions, or deletions to the Employee Handbook.
- Comments on policies contained in the Employee Handbook or suggestions regarding additional subjects should be directed in writing to the Office of Human Resources.
- Feasibility of the suggestion will be determined by the Director of Human Resources.
- The Director of Human Resources is responsible for preparing a preliminary draft of the policy for review by the originator and submission to the President for approval.
- Upon approval by the President, policies will be distributed to all holders of an Employee Handbook.
- Policies become effective on the date of approval or at such other date as may be stated therein.

This handbook pertains to all full-time and academic full-time employees. These policies represent the intentions of Le Moyne College in the administration of its programs. These policies may be modified or terminated at the discretion of the College for any reason.

Administrative Policies

i. Change of Address and Personal Information

Changes of name, address, new dependents, or status (ex: marital, citizenship, work authorization) should be kept up to date with the Office of Human Resources. Inaccurate information could lead to confusion or delay in cases of emergency or errors in the processing of benefits information.

Please change the following information through [PIVOT](#) ("Personal Information Verification On Time"):

- Address and/or telephone number
- Emergency Contact
- Office number

Change in name and/or marital status must be done in the Office of Human Resources

ii. Confidential Records

Maintaining confidentiality of employee and student records is imperative for the College to continue as a viable community operation. All employees are expected to maintain the security of confidential information due to the exposure of content such as personal data and employment information. The Office of Human Resources classifies personal data as confidential and will release it only with the written permission of the employee, a lawfully issued subpoena or by court order. The Office of Human Resources maintains records for administrators and staff.

- When the Office of Human Resources receives a request for employment information from agencies, stores, banks, or other institutions, only confirmation of employment, job title and dates of employment will be released. Other information related to employment (e.g. pay rate, past earnings, home address or phone number) will not be released unless authorized in writing by the employee, a lawfully issued subpoena or by court order.
- Employees may review the contents of their personnel file by submitting a written request to the Office of Human Resources. Information open for inspection will be strictly controlled by the Director of Human Resources.
- Employees are responsible for advising the Office of Human Resources of errors in their records; the Director of Human Resources will make the proper adjustments as appropriate.
- Security records, insurance records, medical information, and conviction records will be maintained by the Director of Human Resources and used only when specifically required.

Student Records:

- Student records are not to be discussed with persons who do not have specific authority, and violation will be grounds for immediate dismissal.

iii. Emergency Information

In the event that there is an emergency on campus, Le Moyne's [Heights Alert](#) emergency notification system will send a voice mail with information and instructions to every land-line telephone in the College's residence halls. Employees are encouraged to have the emergency alerts sent to their cell phone via text message and to an e-mail address.

In case of an emergency the following procedures should be followed in each situation. If an immediate response is required contact the [Security office](#) at x4444.

Automobile Accident

If an accident occurs on college property, a report is to be made as soon as possible to the Security Office at x4444.

If you are involved in an accident while traveling for work purposes (ex. Coaches traveling with teams for games), first contact the local emergency services in that area and then as soon as possible contact Nicole Brown at x5497 to report the accident.

If you are involved in an accident with a college owned vehicle please contact Nicole Brown at x5497. For more clarification on these policies please feel free to contact the Office of Human Resources at x4155.

Facilities Problems

If problems arise in regards to heat, air conditioning, power, lighting or maintenance of restrooms, etc., please contact the Office of Facilities Management and Planning at x4500 to report the nature of the problem or issue so that appropriate repairs or measures can be made.

- **Chemical Spills** – Please follow the procedures in the Emergency Response Plan Manual
- **Fire Emergency** – In the event of a fire in a building please follow these steps:
 - Exit the building in a calm manner; please note that elevators will not work during a fire emergency
 - If you cannot exit the building due to the fire, please follow standard fire safety procedures (ex. Touch door knob before opening any door, get as low as possible if smoke occurs, etc.).
 - Stay a safe distance away from the building, (designated spots are assigned for all departments to meet up with their supervisors for head counts) to allow emergency personnel and vehicles access to the buildings.
 - Remain outside the building, even if the alarm is silenced, until a security officer indicates that it is safe to re-enter the building. No other personnel have the authority to allow access back into the building.
- **Medical Emergencies** – In the event of an injury or other medical related emergency please follow these steps:
 - Call the Security office (using a campus phone) at **x4444** or go to one of the five emergency “blue light” locations and push button for two-way contact with the security office.
 - Please give the Security Office the following information: Location (building name, office or room number, floor location), describe the situation (what has happened, type (s) of injury), give your name and contact number.
- **Natural Disasters** – Please follow the procedures in the Emergency Response Plan Manual
- **Weather Closing** – In the event that it is necessary for the college to close due to weather conditions the following radio and television stations will be contacted:
 - Radio: 57 WSYR AM, 62 WHEN AM, Y94 FM
 - Television: WSTM – TV3, WTVH – TV 5, WIXT –TV9
- **Weather Emergencies** - In the event of a weather related emergency please follow guidelines listed in the Emergency Response Plan Manual located at <http://lemoyne.edu/HumanResources/CurrentPolicies/tabid/641/Default.aspx>

iv. Emergency Closing

It is Le Moyne College policy to keep the College operating on a regular basis, as established by our normal workweek. In the event of severe inclement weather, or other emergency conditions, it may become necessary to postpone the opening of offices or not open them at all that day. In such a case the following procedures will be observed.

- An announcement will be made on local radio (WSYR-570, WHEN-62, Y94FM) and television stations (WSTM-TV3, WTVH-TV5, WIXT-TV9). Employees may also contact the College switchboard for information.
- If the College offices are open, those employees who are unable to report may charge the absence to earned vacation or personal leave.
- Employees reporting late due to adverse road conditions will not be docked for time lost, if approved by supervisors.

General Office Policies

i. Closing of Offices

It is Le Moyne College policy to keep the College operating on a regular basis, as established by our normal workweek. It may be necessary to close an office/department at times other than those already scheduled. In such cases, the following procedures will be followed:

- Notification should be sent to appropriate individuals including the area Vice President, Office of Human Resources, Security Office and Information Technology.

ii. Meal Period and Rest Breaks

The College provides a staff lounge, the LaCasse Dining Center, the Dolphin Den, the Café Nuvo, the C-Store, and the Plaza for the convenience of employees during their meal periods and rest breaks. “Munch money” can be added to employee ID cards for use at dining options listed above. Meal plans are also available to purchase through the Residence Life Office, x4520. It is the intention of the College to provide two (2) rest breaks in addition to the meal period.

- Meal breaks are one (1) hour long while the College is on regular hours. During authorized summer hours, meal periods are one half hour long.
- Rest breaks are ten (10) minutes for each four (4) hour period.
- Meal periods may be staggered to avoid shorting departments and to provide all personnel with meal periods.

iii. Dress Code Policy

Purpose: Le Moyne College seeks to establish a work environment that helps to attract, reward, develop and retain top talent. This environment must support a high-performing organization with mission-aligned, sustainable and transparent operational practices that will enable us to achieve operational excellence. In support of this strategic initiative, the following Dress Code policy is maintained.

It is important that all Le Moyne College employees project a professional image to the people with whom they interact internally and externally. Employees are expected to dress in a manner appropriate to their working environment and to the type of work performed. The exercise of good judgment in attire and presentation of self is encouraged. Supervisors may express particular preferences in their areas. The College may declare certain days or periods as casual dress or dress down days. The following guidelines have been established for casual dress days.

The Casual Dress policy is intended to give employees the opportunity to wear business casual attire, as their personal schedule allows, during the period between the Spring and Fall semesters, specifically beginning the week following commencement in May and ending the week prior to the start of classes in August.

Each department may determine if it will utilize the Casual Dress Policy. The extent to which a department applies this policy should be based on its interaction with students, prospective students and family members, outside constituencies and/or participation in important College events.

Definition: A casual yet professional appearance must be maintained with the casual dress policy.

Departments may develop their own definition of what is appropriate based on their level of customer contact for specific days/events working within the guidelines below:

- Women: any combination of skirt, capris, long shorts or slacks with an appropriate top is acceptable. Appropriate casual footwear is acceptable. Other shorts and denim jeans and flip flops are not acceptable.
- Men: any combination of open collared shirt, golf shirt and slacks and appropriate casual footwear is acceptable. Ties are optional and shorts, denim jeans and flip flops are not acceptable.

iv. Personal Mail

The College postage meter is provided for the use of College mail only.

- The use of the College postage meter for personal mail is not permitted. Outgoing mail with stamps will be accepted.
- Employees' personal mail should be addressed to their home address.

v. Professional Business Conduct

Le Moyne College expects its employees to maintain a professional and collegial manner during work hours. Employees are expected to work with other staff, faculty and student members in a fair and respectable manner to ensure a positive work and learning environment. Employees must conduct themselves in a professional manner while representing Le Moyne College at any off campus function. Any unprofessional activities such as but not limited to harassment, hostile behavior, inappropriate language, inappropriate gestures or material are strictly prohibited at work or work related functions. Failure to adhere to generally accepted standards of professional conduct may result in disciplinary action up to and including terminations.

vi. [Title IX – Sexual Assault & Misconduct](#)

vii. [Employees with Disabilities – ADA Policy](#)

viii. Employee Training

Recognizing the mutual benefits derived from personal growth and increased work competence, it is the policy of the College to assist employees in furthering their job knowledge. This assistance is provided under provisions of the [Tuition Remission Policies](#) as well as [training seminars](#).

- Area seminar listings are distributed to supervisors quarterly.
- Individuals interested in attending area seminars must submit a written request to their immediate supervisor.
- Several in-house seminars are sponsored by the Office of Human Resources and Employee forum annually. Topics are derived from information submitted by staff and supervisors on areas of interest.
- On-going computer training and assistance is provided by [Information Technology](#).

ix. Use of Telephone

The College provides telephones at various locations for conducting College business. The use of Le Moyne College telephones for personal matters should not interrupt the normal transaction of the College's business.

- The College will allow employees to make local personal calls and to accept incoming personal calls, as long as such activity does not interfere with the normal operation of the College. Employees, therefore, are expected to use their break times, if at all possible, to make any personal calls.
- Emergency calls may be made or accepted at any time.
- Personal Cell Phones:
 - While at work employees are expected to use the same discretion in using personal cell phones as is expected for the use of college phones. Excessive personal calls and texting during the day can be intrusive, distracting, and can interfere with productivity. The College encourages employees to use good judgment and discretion when making and receiving these calls and/or text messages and try to limit them to lunch hours and break periods.

x. Solicitation

To ensure the security and efficient functioning of operations, Le Moyne College has established rules applicable to all employees which govern solicitation, distribution of literature, and entry into premises and work areas.

- No employee shall solicit or promote support for any cause or organization (e.g. fundraisers) during his or her working time or during the working time of the employee or employees at whom such activity is directed without authorization from the appropriate Vice President. ("working time" does not include meal periods, authorized rest breaks, etc.)
- No employee shall distribute or circulate any printed or written non-College, non-work material in work areas at any time during his or her working time and/or during the working time of the employee or employees at whom such activity is directed.
- All solicitations or distributions of literature on the premises by persons who are not employees of Le Moyne College are prohibited at any time.

RESPONSIBILITY: It is the responsibility of the employee initially to distinguish the appropriateness of activities related to solicitation and distribution consistent with this policy, and subject to the College's review. All individuals must comply with the terms of this policy.

EXCEPTION: Contributions or payroll deductions for the United Way may be solicited under the direction of the Director of Human Resources.

RESOURCE: Contact the Office of Human Resources if you have questions or would like more information regarding this policy.

Facilities & Services

i. College Bookstore

The [college bookstore](#), which is owned by Barnes & Noble, offers discounts to employee's on various items.

- A 10 % discount is on merchandise sold in the bookstore, except for textbook rentals, sale merchandise, computer hardware & software, class rings, periodicals, health & beauty aids, food, and beverages.
- A 20% discount will apply to all department purchases with the same restrictions as above.

ii. Library Services

More than 161,000 books and bound periodicals are available for employee use in the [College Library](#). Library hours are available on the Library website

- A valid Le Moyne College ID is equivalent to a library card. With this employees can check out books, DVDs, and VHSs. iPads and laptops are also available to loan out and can be requested through the [Service Desk Portal](#).
- Other services the Library has to offer are:
 - Photocopy Machine (there is a charge per copy).
 - Computerized Literature Searches (no charge for this if the library does not own the printed index).
 - Interlibrary Loan Service (no charge).

iii. Bulletin Boards

The College maintains a variety of bulletin boards to facilitate communication. Non-work related materials and notices must be approved in advance. Several bulletin boards have been designated for official postings of union information only.

- Approved bulletin board materials and notices of general nature must be approved with a stamp from the department including the date for removal.
- Updating and maintenance of bulletin boards will be the responsibility of that department.
- Advance approval is not required for departmental notices, schedules of committee meetings, and other College activities stemming from day to day operation, provided they are approved by a manager or supervisor.

iv. Identification Card

The College provides employees with photo-identification cards for the use of campus recreational facilities, the library, building access, and to receive discounts at local stores.

- Employees can go the Office of Student Development Monday through Friday between the hours of 8:30 a.m. and 4:00 p.m. to get their photo taken for their identification card.

v. Parking

For the convenience of its employees, the College provides on-campus parking in a designated parking lot issued by the Security Office.

Vehicle Registration

- Employees must obtain a parking permit online at: lemoyne.thepermitstore.com
- First parking permit is free. Additional permits cost \$10.
- In the event an employee uses a vehicle that is not properly registered, the employee must stop into the Security Office and receive a temporary sticker before parking the vehicle.
- Some lots do NOT allow for overnight parking. If you need to leave a car in a parking lot overnight, please notify the Security Office, x4444; otherwise it may be towed.

For more information on where to park and on parking violations go to the [Parking webpage](#).

vi. Lost & Found

An article that is lost or found on the premises should be taken to the Security Office, in the basement of Nelligan Hall.

- An article found on College grounds will be reported and given to the Security Office.
- Attempts will be made to locate the owner, and until such time the article will remain in the Security Office.
- Lost articles should be reported to the Security Office immediately (x4444).
- The Security Office will monitor and report findings to the owner if the lost article is found.

vii. United Way Campaign

As the United Way Campaign represents a way of contributing to the many needs of the community, the College is responsive to those needs. Employees will be contacted once a year and asked to contribute to the United Way drive. *Campaigns take place in the fall with payroll deduction taking effect the following January.*

Employees may give cash contributions or sign a United Way authorization form for the amount of the contribution. The individual employee contribution to the campaign is a personal decision of each employee. The Payroll Office will maintain payroll deduction records on file.

viii. Dolphins Live Well – Recreation Center & Wellness Opportunities

The [Recreation Center](#) is open to all employees free of charge. It includes a weight room, pool, indoor track, racquetball courts, and basketball courts. Fitness classes and the tae kwon do club are open to employees during the Spring and Fall semesters.

The Office of Human Resources offers monthly lunch and learn wellness sessions focusing on different aspects of wellness; physical, emotional, financial, and spiritual. An annual Benefits & Wellness Fair is held in the Fall semester. Visit the [Dolphins Live Well](#) portal page for more information, resources, and to register for sessions.

ix. Performing Arts Center

The [Performing Arts Center](#) offers discounted tickets to employee's for a number of concerts and events, including student plays, concerts, performances from guest artists and musicians.

Employment Practices & Policies

i. Promotion/Position Postings

Le Moyne College provides equal opportunity for all employees to receive consideration for advancement. We will consider promoting qualified candidates from within before hiring from outside sources.

- Open positions are established by submission of an approved Staff or Administrative Request form to the Office of Human Resources by the department head/supervisor.
- Open positions will be posted on the bulletin board outside the Office of Human Resources as well as on the [Human Resources Employment webpage](#). *Positions will remain posted until the Intent to Hire form is received from the search chair with the appropriate signatures and the applicant(s) has accepted the position.*
- To be considered for a posted position, an employee must:
 - Notify the Office of Human Resources, by means of the search requirements.
 - Have completed six months' satisfactory service on the current job. (Exceptions: openings with the current department head/supervisor in the same job family.)
 - Have a good work record appraised at least as "satisfactory".
 - Meet posted minimum position requirements.
- Qualified employees will be interviewed by the department head/supervisor for the posted position. Evaluation will be based on qualifications and past work record.
- The Office of Human Resources will confer with the department head/supervisor on selection of the best candidate. Offers for the position will be extended by the Office of Human Resources.
- On filling the position, the Office of Human Resources will:
 - Inform the rejected candidates via phone call, email or letter.
 - Record appropriate information in the employee's file.
 - Notify the Payroll Office of any changes if necessary.
- Where two or more employees are considered equally qualified and competent, seniority will be considered in the process of selection.
- An employee selected for transfer will have an initial review period of three (3) months.

ii. Orientation of New Employees

An orientation program will be provided for all new employees to acquaint them with the policies of Le Moyne College.

The Office of Human Resources:

- Within the first week of employment, a benefit orientation session will be scheduled to explain benefits as well as organization practices.
 - New employees will meet their mentor(s)
 - Employees will be given a tour of campus
 - shown location of facilities, work station or desk, and introduced to other employees
- Within the first month of employment, an OSHA (Occupational Safety and Health Association) training sessions will be scheduled; all new employees are *required* to complete their OSHA training.
- Within the first semester of employment, new employees will be scheduled to attend the Mission and Identity Orientation with a group of other new employees.

- The Office of Human Resources will initiate all necessary documents for a new employee for the payroll process.

Supervisor:

- On the day before the new employee arrives, the department head/supervisor will:
 - Prepare immediate associates.
 - Ensure the desk/work station is clear and supplied.
 - Ensure instructional materials are ready.
- On reporting day, the department head/supervisor will briefly review the job duties, tracing the work flow through the department, and begin job training.
- Advise the employee of specific department rules and procedures.
- On the job training and work progress should be followed carefully and frequently enough to ensure that the employee understands the job and how it relates to the College as a whole. A copy of the employee's job description should be furnished, and reviewed with the employee during the first week.
- During the employee's first few days and weeks, they will introduce the employee to offices that the department has immediate contact with and show them around the campus as needed.

iii. Initial Review Period

Recognizing the difficulties in predicting performance, an initial review period has been established to allow employees, under the most favorable conditions, to demonstrate their ability to perform their assigned duties. It is expected that each employee of the College will do all that is reasonably possible for any new members of the staff during adjustment periods. It is the responsibility of the department head/supervisor to provide support and guidance to assist new employees in adjusting to their work environment. Upon the completion of three (3) months of employment, the department head/supervisor will be asked by the Office of Human Resources to complete an Initial Review form.

- Following three (3) months of employment, each new employee will meet with their department head/supervisor to discuss their initial performance review. If necessary a supervisor may extend the initial review period beyond the three (3) months period and should discuss these matters with the Director of Human Resources.
- Should an employee be experiencing difficulties, the department head/supervisor should discuss any issues with the employee, and set goals and timetables for rectifying specific problems. Supervisor should have frequent follow up with the employee during this time. If it is determined before the conclusion of the initial review period that the employee is not performing satisfactory, the employment may be terminated at any time.
- Completion of the initial review period does not guarantee permanent employment with the College. Either party may terminate the employment relationship at will, with or without providing reasons for separation.
- Upon completion of the initial review period, the employee becomes eligible for benefits described in this policy handbook, except where specifically stated otherwise in college policies.

iv. Performance Assessments

The performance of employees will be assessed at periodic intervals:

1. Initial review period: three (3) months after joining the College.
2. Job Change: three (3) months after changing jobs.
3. Annual

The performance assessments listed above are required; however certain situations may indicate the need for additional and more frequent reviews. The Performance Assessment Forms will be used to measure the performance of the responsibilities of the written job description and serve as a development program for future job performance.

- The forms are available on the Human Resources webpage and HR will communicate the performance assessment timeline annually. The employee completes the employee portion of the performance assessment form, turns in to the supervisor, and the supervisor completes the supervisor portion.
- The supervisor assessing performance will discuss the assessment with the employee and over-all job performance. Both the employee and the supervisor sign the performance assessment and the employee receives a copy. The employee's signature does not mean agreement, but that it has been seen.
- Employees who feel they were rated unfairly should express their objection in writing. This will become an addition to the performance assessment. The employee's supervisor will have the right to read such an objection and to respond to it in writing; the supervisor's reply will become part of the assessment.
- Completed assessments are kept in the employee's personnel file and may serve as the basis for promotion, transfers, discipline up to dismissal, or other administrative actions.

v. Progressive Discipline and Termination of Employment

Dismissal for cause

The College reserves the right to dismiss employees at any time during the Academic Year for cause. Separation for cause may result when the behavior or performance of an individual falls below the expectations of his/her supervisor; when an individual has violated multiple work rules; when an individual has repeatedly violated one or more work rules; or when an individual has committed a particularly egregious act of misconduct. The Office of Human Resources must be consulted prior to taking any corrective action.

Misconduct may include, but is not limited to: inappropriate conduct toward students, co-workers or other individuals they have come in contact with on campus; impaired performance due to use of alcohol or drugs, theft or misuse of college funds or property (including computer data and software), unauthorized attempts to access or copy computerized data or software, unlawful photocopying of copyrighted materials, breach of software confidentiality and ownership agreements, falsification of college forms or documents, gambling, and engaging in conduct which threatens the safety of others.

The College also reserves the right to dismiss employees during the Academic Year because of poor job performance. Such situations may result from skill deficiencies, inappropriate behavioral styles and or other failures to meet performance expectation. Under ordinary circumstances, such terminations will be preceded by discussion and performance evaluation.

The procedures below are intended to outline progressive steps that may be taken to assist an individual to understand and correct his/her behavior. Except in the most egregious cases, a combination of these steps will be taken prior to making a decision to terminate employment for cause. The College reserves the right to determine the appropriate corrective action in any instance and to modify or waive any and all of the procedures (including the steps described below) outlined in these policies.

Corrective Counseling/ Verbal Warning

- In the event an employee violates a work rule, policy or performance expectation of his/her position, the supervisor should promptly investigate the instance and, if confirmed, should take prompt action.
- In most cases the first time such a violation occurs, or when the violation is of a minor nature, the supervisor should counsel the employee on the violation and the expectation for future performance on that issue.
- If the behavior is repeated, the supervisor should review the issue with the employee again and advise the employee that a verbal warning is being issued. When a verbal warning is issued, the employee should be advised on what the performance expectations are in the future and of the potential consequences of repeated behavior, specifically that additional corrective action may be taken if another violation occurs.
- The supervisor should document that a verbal warning has been issued and should confirm with the employee that the warning has been issued. An e-mail summarizing the conversation and confirming the action is recommended.

Written Warning

- In the event an employee has a more serious violation or repeated violations of work rules, policies or performance expectations, the supervisor will conduct a thorough investigation of the incident or event giving rise to this action. If confirmed, a written warning may be issued by the supervisor.
- Prior to issuing a written warning, the supervisor must consult with a representative from the Office of Human Resources to review the violation, the corrective steps taken to date (if any) and to discuss the appropriate corrective action.
- When a written warning is determined to be appropriate, the supervisor will work with a representative from the Office of Human Resources to ensure the written warning is accurate and appropriate.
- The supervisor will review the warning with the employee involved and counsel the employee on the expectation for future performance on the issue in question. The supervisor will also advise the employee that repeated violations of this nature will result in additional corrective action.
- The supervisor will provide the employee with a copy of the written warning and will ask the employee to sign that he/she has received the warning.
- The supervisor will document the meeting, clearly noting the issue that has been addressed, the action taken and expectations for future performance. The supervisor will submit a copy of the signed warning to his/her division Vice President to be placed in the employee's confidential personnel file maintained in Human Resources.
- An employee may submit a written response to any disciplinary action covered by this policy. The response will be placed in the employee's confidential personnel file maintained in Human Resources.

Suspension Pending Investigation

Under certain circumstances the College may determine that the conduct of an individual warrants immediate removal from the workplace so that a complete review of the facts and information related to the issue giving rise to this corrective step can be completed. This suspension may be meted with or without pay. Suspension with or without pay will occur in the following manner, after consultation with the Office of Human Resources:

- The Division Vice President will notify the individual that he/she is suspended with or without pay, is potentially subject to disciplinary action, and will be notified of the decision after an investigation has been completed.
- Following the completion of the investigation, the employee will be asked to meet with the supervisor and Division Vice President to discuss the findings.
- The decision reached by the Division Vice President, in consultation with the supervisor, will be conveyed to the employee within ten working days after the meeting described above and will include any additional corrective steps to be taken.
- If the results of the investigation absolve the employee and he/she has been suspended without pay, he/she will be paid for wages lost during the period of suspension.

Other Corrective Actions

In some instances of serious or repeated violations of work rules, policies or performance expectations additional corrective action may be applied, prior to discharging an employee. Such actions may include but are not limited to; a performance improvement plan; a last chance agreement; and/or a suspension, with or without pay. The application of such corrective steps may be applied at the discretion of the Division Vice President after consultation with the Office of Human Resources.

Discharge

If, after the application of an appropriate combination of the progressive steps detailed in the preceding sections, the behavior/performance of the individual continues to fall short of expectations a decision to terminate employment may be in order. The Division Vice President is authorized to make such a decision after consultation with the supervisor and the Office of Human Resources. All decisions to discharge an employee must be approved by the President.

A document signed by the supervisor and division Vice President will be forwarded to the President, including all supporting data concerning the matter and the decision reached.

- A notification of termination of employment ("Notice of Termination") will be prepared by the division Vice President and delivered to the employee.
- An employee may exercise his/her right under the appeal process.
- A discharge need not be preceded by any other disciplinary action or a suspension unless such progressive discipline is deemed in the best interest of the institution.

Appeals Process

An appeal of a decision to terminate an employee will adhere to the following procedure:

- A written appeal must be directed to the President with copies to the supervisor and division Vice President.
- The appeal must be initiated within ten working days of date of receipt of the notice of termination.
- The President's decision will be final and conveyed to the employee in writing.

vi. Employment of Relatives

Relatives of current employees may be considered for positions with Le Moyne College.

- Relatives of current College employees may be hired. Employees normally will not be assigned to the same department as the relative. *Relatives are not placed in a situation where influence could be exerted, directly or indirectly, on future decisions concerning the status of employment, promotion or compensation.*
- Relatives must meet all qualifications, and will be given no preference during the hiring procedure.

vii. The Role of the Department Head/Supervisor

Department heads/supervisors are the key to all employee relations, and are responsible for the successful administration of the personnel programs in their area. Department heads/supervisors will equitably resolve people situations with respect for the dignity and individuality of the employee, and within the framework of the policies and procedures of Le Moyne College.

- Department heads/supervisors are the primary advocate for the College's mission, vision and core values.
- Department heads/supervisors will communicate to employees the objectives and policies of Le Moyne College.

- Department heads/supervisors are responsible for adherence to policies, procedures, rules, and regulations affecting the College.
- Department heads/supervisors will provide ongoing guidance and support to the employee as they complete their action plans.
- Department heads/supervisors will ensure that all employees are aware of their job responsibilities and performance is reviewed at least annually according to established procedures.
- Department heads/supervisors are responsible for resolving employee problems as far as possible, within the policies of the College and state and federal legislation.
- Department heads/supervisors will identify staffing requirements and train, develop, direct, and evaluate the activities of employees to achieve department objectives and to promote individual growth and development.
- Department heads/supervisors will maintain established standards of performance and conduct.
- The Office of Human Resources will assist department heads/supervisors, at any time, in interpretation and implementation of personnel policies and practices.

viii. Conflict of Interest

All employees of the College should act in good faith and reasonable ness when conducting their personal and business matters so as to avoid actual, potential or apparent conflict between self-interests and the College's interests, current and prospective.

- **Position:** An employee's position may not be used for personal gain, favors or benefits for self, family members, relatives, or friends.
- **College Assets:** Employees may not use College funds, materials, supplies, proprietary or College information to advance their personal outside interests or discredit the College name or jeopardize its competitive position.
- **Specific Prohibitions:** The following situations will amplify this policy. They do not exhaust the possibilities.
 - **Outside Activities:** The College does not prohibit employees from secondary employment, profitable hobbies, or engaging in a personal business endeavor as long as it is legal. However, such employment activity or private business may not interfere with the employees' primary job responsibility to the College.
 - **Gifts/Entertainment:** An employee may not accept gifts or favors of more than nominal value from current or prospective vendors or suppliers.
 - **Reporting:** In questionable cases, employees are to seek the counsel of their superiors by fully disclosing all the facts in the situation and to obtain prior approval before entering into such situations.
- **Confidential Information:** Active and terminated employees may not disclose College confidential or proprietary information regarding the institution, current and prospective students, or accounts of the College.
- **Responsibility/Annual Review:** Employees in a position of authority are responsible for communicating this policy to their employees and for reporting any existing or potential violation to the Office of Human Resources.
- **Authority:** The President of the College retains the right of interpretation of this policy and the rights of final approval.

ix. Employment Verification

It is the policy of Le Moyne College to provide only dates of employment and job classification when references are requested on employees and former employees.

- All requests for references are to be referred to the Office of Human Resources.
- The Office of Human Resources will only confirm dates of employment and job classification when telephoned concerning an employee or former employee.
- Upon receipt of written authorization, the Office of Human Resources will provide salary verification.

x. Staff Reductions and Layoff

Employment at Will

Employment with Le Moyne College is voluntarily entered into, and employees are free to resign from the College at will, at any time, with or without cause. Similarly, the College may terminate the employment relationship at will at any time, with or without notice or cause, provided there is no violation of applicable federal or state law. It is the intent of the College to follow these guidelines when appropriate in instances where a separation of employment is necessary.

Staff Reductions/Layoffs

Termination by layoff or reduction in force within appointment periods may occur when the President determines the College is in a condition of financial need or has determined that staffing requirements have changed.

In such circumstances the College will provide employees at least ninety days of notice. The College may reduce this notice period providing pay in lieu of notice for each day the notice period is reduced.

The College reserves the right to reclassify and/or reassign positions, responsibilities and personnel as the President deems in the best interest of the College.

In the event layoffs become necessary, layoffs will be based on ability, training, and performance as well as length of service.

- Layoffs will normally be made in the following order consistent with the College's needs:
 - Temporary employees
 - Part time employees
 - Full time employees
- Full time employees will be reduced giving consideration to the following items:
 - Employees whose performance has been marginal as documented in performance reviews and department head/supervisor's contact reports.
 - Transfer employees to other areas to preserve critical skills (replacing those with lesser skill)
 - Reduced workweek or consideration to change to academic full time or part time status
- Employees to be laid off will be given at least one (1) week notice.

xi. Business and Travel Expense

Le Moyne College will reimburse employees who incur approved business and travel expenses due to work related duties.

- Employees must have prior approval of their immediate supervisor before travel and business expenses are incurred.
- Employees must submit a Travel Expense Report including itemized receipts to their department head/supervisor for approval.
- Employees may receive advance payment against conference seminars. A request must be submitted to the department head/supervisor for forwarding to the Office of Human Resources. Requests will be processed on an individual basis.
- Reimbursable travel expenses are:
 - Automobile travel at the rate (deemed by the college) per mile when used at the request of the College. Current rates are available on the [Accounts Payable](#) Portal page.
 - Lodging and meals when business requires the employee to be away from home overnight.
 - Lunch when the employee is away from the office for a substantial part of their meal period.
 - Meals for clients (the client's name and the reason must be stated, all original receipts must be submitted along with the reimbursement form).
 - Tolls and parking fees, Cab fare, Car rental.
 - Other situations where the employee is expected to accomplish business objectives, with management approval.

Compensation

i. Compensation Philosophy

Le Moyne College is committed to a compensation philosophy which:

- Is consistent with its Jesuit Identity;
- Supports the College's mission by rewarding employees who are committed to the mission; and
- Supports the College's Strategic Plan.

Le Moyne's compensation objective for base salary of a fully competent employee is to be at the **50th percentile (median)** for positions of similar scope and duties of comparable institutions/colleges. The 50th percentile is commonly referred to as **the market reference point (MRP)** or benchmark of the position. The **MRP** is comparable to the median pay of similar positions.

It is expected that the salary/wage for any given employee will vary around the **MRP** for a number of reasons: major shifts in the market data, newly promoted or those who have been in the role for many years but continue to be high performers. For these reasons an acceptable comparative ratio (compa ratio) for an employee's position can range from **80% to 120% of the MRP**. In other words some employees will be paid below the MRP at 80% because they are new in the role. Or some employees may be paid more than the MRP i.e. 120% because they are a high performing employee and have been in the role for a number of years.

The compa-ratio is determined by dividing the employee's current salary by the **MRP** of the employee's position.

Example of Compa Ratio Calculation:

MRP (market reference point) for a financial analyst: \$50,000

Actual salary of the employee who holds this position: \$45,000

The compa ratio for this employee is 90% which is derived by **divided \$45,000 by \$50,000 (times (x) 100%)**.

The acceptable compa ratio range for any position in accordance to Le Moyne's Compensation Philosophy is **80% to 120% of the MRP** which results in a salary range for this financial analyst position of **\$40,000 (.8 x \$50,000) to \$60,000 (1.2x \$50,000)**. **If the employee's pay was \$50,000, then the compa ratio would be 100%. In this example the employee's salary of \$45,000 falls with the reasonable/equitable range of pay.**

Not all positions will have a market reference point so equivalent positions with market reference points will be used to determine the appropriate benchmark and salary for the employee.

Salary/wage market data is tracked to ensure that our level of compensation remains competitive.

Position Evaluation: If an employee assumes significant additional responsibilities on an ongoing basis that are expected to become a permanent part of the employee's responsibilities, the supervisor may request a re-evaluation of the position. This action requires an updated position description and position evaluation to be submitted by the divisional Vice President to the Director of Human Resources. If a reclassification of the job is determined to be appropriate, the Office of Human Resources will notify the applicable Vice President.

Please note that part of the employee's normal growth in a position is assuming additional responsibilities which may not require a reclassification of the position.

ii. Job Description & Evaluations

It is the intent of Le Moyne College to provide competitive pay to all employees. Each department head/supervisor will ensure that all employees have an accurate and current description of their duties. Each position at Le Moyne College is assigned to an appropriate classification consistent with the job responsibilities and in equitable relationship to other positions.

- The salary program will be reviewed and updated as needed on an annual basis.
- The Human Resource Office will maintain a current job description for all employees which accurately state's the employee's responsibilities.
- When requesting staffing for a newly approved position, or when a significant change occurs in an existing position, the department head/supervisor will prepare an accurate job description with the assistance of the Office of Human Resources.
- The Office of Human Resources will review the job responsibilities and specifications with the department head/supervisor, evaluate the position, and assign a proper salary level.

iii. Work Schedule/Overtime/Pay Practices

The College will endeavor to maintain standard work schedules consistent with College requirements, employment practices, and good business management. Le Moyne College will compensate non-exempt employees for time worked in excess of forty (40) hours at 1.5 times their normal hourly rate, in compliance with the Fair Labor Standards Act.

Work Schedule:

- The normal work week for full-time employees consists of 35 hours in five (5) working days. *However, some positions may require up to 40 hours a week.* For Payroll purposes, the work week begins Monday at 12:01 a.m. and ends at midnight on Sunday.
- The normal workday consists of seven (7) hours. Normal office hours are from 8:30 a.m. to 4:30 p.m., which allows one hour for lunch.
- It may be necessary for supervisors to change an employee's work hours to accommodate the specific needs of the department. Any deviations from normal office hours should be reported to the Office of Human Resources.
- Flexible work schedule must be requested and approved by the department head/supervisor or divisional Vice President in coordination with the Director of Human Resources.
- Non-exempt employees are entitled to a 10 minute break or rest period for each half day worked. These breaks must not be used for late arrival or early departure and must be scheduled by the supervisor.

Summer hours:

- Summer hours must be authorized by the college president; otherwise normal work hours are to be followed.
- The Office of Human Resources will announce a schedule of summer hours annually.

Overtime:

- All overtime must have the prior approval of the immediate supervisor unless included in the regular schedule.
- For employees who are employed/classified in a forty (40) hour per week, non-exempt position, any hours worked in excess of 40 hours in given week must be compensated at 1.5 times their regular hourly rate.
- There is *no compensatory time off* in lieu of pay for hours worked in excess of 40 hours in one week.

- For employees who are employed/classified in a thirty five (35) hour per week, non-exempt position, any hours worked in excess of 35 hours but less than 40 hours in a work week may be granted compensatory time off in lieu of pay.
- Compensatory time must be scheduled and approved by the employee's immediate supervisor prior to time worked.
- All compensatory time must be documented on the employee's time sheet and recorded in the Payroll Office.
- All compensatory time must be used within the same pay period in which it was earned.
- All compensatory time that cannot be taken within the same pay period should be approved for payment by the V.P., prior to the time worked.
- If a 35 hour per week employee works beyond 40 hours in a given week then all hours worked over 35 hours must be paid, with any hours over 40 paid at 1.5 times the regular hourly rate.

Pay Practices:

- The normal pay period for non-exempt employees is bi-weekly. The normal pay period for exempt employees is semi-monthly
- Time worked will be recorded by non-exempt employees via [WebAdvisor](#), with the exception of physical plant and security employees who will submit paper time sheets. Department heads/supervisors will ensure employees record their time accurately.
- Time paid for sick leave, bereavement leave, holidays, or vacation will not be calculated in determining eligibility for overtime pay.
- The payroll department is responsible for processing and distributing all paychecks. Questions concerning paychecks or any payroll deductions should be directed to the Payroll Office at x4360.
- New employees must fill out all necessary paperwork upon hire, including the I-9 form. Paychecks cannot be processed until all the necessary forms have been completed with the Office of Human Resources.

iv. Payroll Deductions

No money will be deducted from an employee's pay without prior written agreement from the employee, unless required by law or court order.

- All payroll deductions except for federal, state, FICA taxes and wage assignments must be authorized by the employee.
- All forms for payroll deduction authorizations will be provided by the Office of Human Resources or the Payroll Office.

v. Direct Deposit

For the convenience of its employees, the College provides direct deposit of paychecks to any bank in the United States which is a member of the National Automatic Clearing House Association (NACHA).

- The employee must complete a Direct Deposit of Paycheck form and submit it to the Payroll Office.
- Check stubs are available to view and print in [ECHO](#).
- For those not choosing Direct Deposit paychecks will be available in the Payroll Office for pick-up on pay-day; if checks are not picked up within 5 business days it will be mailed to the address on file.

Time Away From Work

i. Attendance and Absence

Employees are expected to provide regular and predictable attendance throughout their employment. The following procedures have been established to facilitate orderly adjustment in workloads and to promote favorable attendance records.

- Employees have the responsibility to report an absence and the reason and expected duration of the absence to their department heads/supervisors.
- If the department head/supervisor cannot be reached, the Office of Human Resources will record information and relay a message to the department head/supervisor.
- Employees calling in ill or absent must do so prior to or within the first hour of their work shift.
- For a planned absence, each employee is expected to notify their supervisor as soon as possible, preferably 2 weeks in advance of the absence.
- Department heads/supervisors are responsible for maintaining absence and tardiness records.

ii. Unexcused and Excessive Absence; Excessive Tardiness

Unexcused or excessive absenteeism and tardiness disrupts normal office functioning and places extra burden on fellow employees. Abuses, therefore, will be subject to corrective action at the discretion of the supervisor.

Unexcused absences are, for example:

1. Absence not approved by department head/supervisor.
2. Absence exceeding approval.
3. Additional absence after doctor's approval to return to work.
4. Failure to return to work on the expected date after a leave of absence.
5. Employment at another place of work during approved absence without prior supervisory approval.
6. Employees who do not report to work or call in for three (3) consecutive scheduled days will be considered to have terminated their employment.
7. Leaving early from work without approval.

Excessive absence is:

1. When there is three (3) or more unexcused day's absence within a twelve (12) month period.
2. When there is a developing pattern of excused absences, i.e. one day per month; or a pattern of absence before or after a scheduled day off.

Excessive tardiness is:

1. When there is excessive or a repeated pattern of tardiness over a six (6) month period.
 - a. Late for work, over-extending breaks

iii. Excused Absence/Tardiness

Recognizing the necessity for employee absence from work, the College has established allowable absences for both planned and unexpected circumstances. Excused absences are established in order to provide for employee needs while maintaining effective operations of the College.

- Every absence and the reason for the absence must be reported to the department head/supervisor in a timely manner.
- The department head/supervisor may authorize pay in the event of an excused absence for eligible employees in accordance with the appropriate policy.
- Excused absences and the related policies are: Sick Leave, Leave of Absence, Military Leave, Bereavement Leave, Jury Duty, and Vacations.

iv. Holidays

Le Moyne College recognizes certain days during the year as paid holidays in order that employees may maintain a proper balance between work, family, community, and recreation.

The College Offices will observe and be closed on the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- ½ Day Holy Thursday
- Good Friday
- Memorial Day
- Independence Day (4th of July)
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Additional time off between the Christmas and New Year's Day holiday may be provided with authorization by the College President.

Generally, if the holiday falls on Sunday, the following Monday will be recognized as the holiday. If the holiday falls on Saturday, the preceding Friday will be recognized as the holiday. Religious holidays will be granted according to Presidential approval. *Requests for time taken off for religious holidays, not recognized by the College, need prior supervisory approval and may be unpaid.*

Eligibility Requirements:

- Employees must be full time, regular part time, or academic full time classification to receive holiday benefits.
- As a condition to employees being paid for a holiday, it is necessary that they work their scheduled day prior to and also their scheduled day following the holiday.
- Part time employees will be paid only for those holidays which fall on their regularly scheduled workdays.
- Employees whose schedules are governed by the academic year will be paid only for those holidays that fall within their normal work schedule.

v. Personal Days (non-exempt/hourly employees)

The College recognizes the need for personal time off for employees to schedule appointments and conduct personal business. Regular full time employees are eligible for paid personal days based on the following schedule:

Length of Service (as of July 1)	Personal Days
Less than 1 year	1
Over 1 year	2

- Employees who have less than 1 year of service and have completed their initial review period will be credited with one personal day for the remainder of the benefit year.
- Personal days should be scheduled at least two (2) weeks in advance with the supervisor's approval.
- Unused personal days may not be carried over to the next fiscal year.
- Personal days not taken will *not* be compensated in lieu of time off.
- Regular part time employees are *not* eligible for personal days.
- Academic full time employees are eligible for 1 personal day after completing their initial review period.
- Personal time pay will not be calculated in determining eligibility for overtime pay.
- Employees are encouraged to take personal time in half days. One (1) hour is the minimum allowed.
- When summer hours are in effect, Friday will count as a full day for personal time purposes.
- Personal time may not be used to extend employment upon termination, nor is a terminating employee reimbursed for unused time.

vi. Vacations (exempt employees)

The supervisor is responsible for approving vacation requests with respect to ensuring appropriate staffing. Employees are expected to maintain accurate records on vacation usage, in accordance with the policy below.

Exempt employees with less than one year of full employment, prior to June 30th of the first Benefit Year, will be entitled to take 1.25 days of vacation for every month of full employment up to a total of fifteen days. These vacation days must be used prior to **June 30th** of their first Benefit Year.

Full-time, 12 month exempt employees will be entitled to take vacation as follows:

Completed Years of Service	Vacation Days
One to five years	15 days
Six to ten years	20 days
More than 10 years	25 days

Full-time, academic exempt employees will be entitled to take vacation as follows:

Completed Years of Service (as of June 30th)	Vacation Days
One to five years	1.25 days for every full employment month
Six to ten years	1.66 days for every full employment month
More than 10 years	2.08 days for every full employment month

- If the effective date of the original employment is prior to October 1st, the individual shall be considered to have completed a full employment year on the following June 30th. If the effective date of original employment is October 1st, or later, the individual's first full employment year shall be considered to begin on the following July 1st.

- Vacation time cannot be carried from one year to the next. Exceptions may be made in case of unusual circumstances, but approval for such exceptions can be given by the division Vice President, only if requested in advance and supported by proper justification.
- When a Le Moyne College employee not covered by this policy moves to a position covered by this policy, vacation eligibility will be determined by total years of full-time employment at the College. An individual who is re-employed by the College in any full-time capacity will be credited with prior full-time service in determining vacation allowance.
- Requests for vacation must be submitted to the supervisor at least two weeks in advance. Once approved, these dates are sent to the office for approval by the division Vice President. Office staffing needs must be considered in the scheduling of vacation time.
- Exempt employees whose employment terminates during a Benefit Year will be paid for accrued but unused vacation time on a prorated basis according to the terms stipulated above.

vii. Vacation (non-exempt employees)

The vacation policy is intended to provide eligible non-exempt employees with an annual period for rest and relaxation in recognition of services performed.

- All regular full time and academic year full-time non-exempt employees are eligible for vacation as of each July 1st. Regular part time non-exempt employees are not eligible for vacation benefits.
- If the hire date is on or after July 1st and prior to October 1st, the individual shall be considered to have completed a full employment year on the following June 30th.
- During the first year of employment, an employee who has completed the initial review period will accrue pro-rated vacation based on the number of months employed from date of hire to July 1st. An employee will be eligible to use accrued vacation after July 1st, when it has been earned.
- The number of days is based on the number of years of full-time service completed by each June 30th, as follows:

1 – 5 Years	10 days
6 – 10 Years	15 days
More than 10 Years	20 days

- Vacations will normally be taken during the summer months or at a time that is consistent with the work schedule of the office; a “black-out” period may be determined by departments. In all cases, requests for vacation time must be approved by the department head/supervisor.
- Vacations must be used during each fiscal year and may not be carried over to the following year. Non-exempt employees may not request pay in lieu of vacation, and time not used will be forfeited.
- Academic full-time non-exempt employee’s vacation is determined on a prorated basis.
- Non-exempt employees are encouraged to take vacation time in full days. Half days are the minimum allowed.
- A non-exempt employee’s length of service will be considered in establishing vacation preference.
- Non-exempt employees on unpaid leaves of absence or those on unpaid sick leave status (after exhausting all College sick leave) will not earn vacation days during their period of unpaid absence.

Vacation Pay

- Non-exempt staff may request that vacation pay be paid on the last scheduled working day prior to the vacation period provided a full week is taken. This must be a written request, signed by the employee, and approved by the department head/supervisor. The approved request must be presented to the Payroll Office no later than five (5) business days preceding the payroll that is scheduled for payment prior to the vacation period. Vacation pay is included with regular pay for vacations of partial weeks.
- Vacation pay is based on the employee's regularly scheduled workweek.

Termination Benefits

- A non-exempt staff member who has completed one year or more of continuous service shall be entitled to unused and accrued vacation pay upon termination of employment. If the employee is discharged for cause, accrued vacation will be forfeited.

viii. Bereavement Leave

When a death occurs in an employee's family, the College will grant the employee time off to fulfill personal responsibilities.

- Employees must notify their department head/supervisor immediately so that necessary work arrangements can be made for their absence.
- Immediate family includes spouse/partner, child, parent, brother, sister, grandparent, daughter in law, son in law, spouse's parent, and grandchildren.
- Regular full time and academic full time employees will be compensated for the scheduled time not worked, from the day of the death in their immediate family through the day of the funeral, up to a maximum of three (3) days. *Under special circumstances, paid leave may be extended with approval of the supervisor.*
- Employees may be compensated for the scheduled time not worked up to one (1) day for the death of a close relative or friend at the discretion of the College.
- Bereavement pay will be computed at the regularly scheduled hours per day, not to exceed eight (8) hours per day at the employee's regular rate.
- Time paid for bereavement leave will not be counted as hours worked in computing overtime.

ix. Family Medical Leave of Absence

The College understands the importance of family issues in today's workforce and recognizes that its employees often face conflicting demands of family obligations and work requirements. Because employees may find it necessary to take leave from their jobs for a temporary period to address certain family responsibilities or serious health conditions, and in order to comply with the Family Medical Leave Act of 1993 (FMLA), and the law National Defense Authorization Act 2008, the College has established the following policy governing parental, family and medical leaves.

The College may grant a paid or unpaid medical leave of absence for an employee's temporary disability upon application by an (the) individual or the individual's physician. A physician's certificate citing the need for and expected duration of such leave must accompany the leave request. The College reserves the right to require an examination and/or consultation with its physician and the cost of such examination and/or consultation shall be paid by the College. The determination of the College's physician shall be final and binding for purposes of any request for a Family Medical Leave. Requests for unpaid leave under the FMLA may require medical certification supporting the request for a leave.

Eligibility for Family Medical Leave

Under the Family and Medical Leave Act of 1993 (FMLA) an employee is eligible if he/she has been employed by the College for at least 12 months and has worked at least 1,250 hours during a twelve-month period prior to the time the leave would begin. Hours are calculated based on actual hours worked. Eligible employees are entitled to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specific family and medical reasons. A 12-month period is defined as the 12-month period prior to or after the commencement of a

leave for computing eligible leave time. The Office of Human Resources will advise employees when requesting a leave of the amount of FMLA leave available to them.

An employee may request a leave of absence under the Family Medical Leave Policy for the following reasons:

- For the birth and care of the newborn child of the employee; for placement with the employee of a son or daughter for adoption or foster care.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition
- An employee's own serious health condition that renders the employee unable to perform his or her job functions.

Intermittent Leave may be requested by the employee to care for a serious ill child, spouse or parent or for their own illness or the employee may work a reduced time schedule to an equivalent of 12 work weeks. Reduced work schedule must be requested through the Office of Human Resources and approved by the appropriate divisional Vice President. During an intermittent leave, accrual of benefits will be pro-rated based upon time worked.

Health benefits will be continued for the 12 week period of a Family Medical Leave at the same cost as if the employee were continuously employed. While on an unpaid leave, employees will not accrue any vacation, sick pay, personal days, nor will the employee be paid holiday time.

Upon the birth of a child, the mother is entitled to a leave for the period of disability. The first six weeks (for vaginal) and 8 weeks (for C-section) will be considered as paid medical leave related to childbirth without medical certification. The paid leave will not apply to periods when the employee would otherwise not be working. For example, in the case of an academic year position where the period extends into the summer, the paid period is not extended by the occurrence of any holidays that fall within the period of medical leave. Leave beyond the period of disability, up to a total of 12 weeks, may be taken without pay, unless the employee has accrued vacation time, in which case the vacation time must be applied toward the leave.

If a husband and wife both work for Le Moyne College and are eligible for leave, they are only entitled to a combined 12 work weeks of leave taken for birth, adoption, foster care, and/or to care for a parent. However, if the leave is requested to care for a seriously ill child, each parent is entitled to the full 12 week leave.

Definitions:

Family Member: "Family Member" is defined as the employee's spouse, son, daughter or parent (but not parent "in-law"). A "son" or "daughter" is any child under 18 who is the biological child of the employee, who is adopted by the employee, or whom the employee supervises on a day to day basis and for whom the employee is financially responsible. A "son" or "daughter" is also a child over 18 who is incapable of self-care because of a mental or physical disability. A "parent" is any individual who assumes day to day and financial responsibility for the employee when the employee was a child.

Serious Health Condition: "Serious health condition" is defined as an illness, injury, impairment or physical/mental condition that involves a period of incapacity or treatment following in-patient care in a hospital, hospice, or residential medical care facility; a period of incapacity requiring more than **three days** absence of work and continuing treatment by a health care provider; or continuing treatment by or under the supervision of a health care provider for a chronic or long-term health condition that is so serious that, if not treated, would likely result in incapacity of more than three days; or continuing treatment by or under the supervision of a health care provider for a chronic or long-term condition or disability that is incurable; or pre-natal care.

Procedures for Requesting a Leave: All employees must give Le Moyne College a 30 day notice when requesting a Family Medical Leave that is foreseeable. When the leave is not foreseeable, notice should be given as soon as possible. In the case of a medical emergency, the employee or family member should contact the department supervisor by telephone as soon as possible. All requests must be submitted in writing to the employee's supervisor and forwarded to the Office of Human Resources. Certification by a medical doctor must accompany any requests for leave on a health basis. Verifications for requests for adoption or child placement is also required. After receiving the request, the Office of Human Resources will contact the employee and will provide notice detailing specific expectations and obligations of the employee, as well as any additional information that may be required.

Returning to Work: Prior to returning to work, an employee must notify the Office of Human Resources of their return date and provide certification from a physician stating their release back to work. The Office of Human Resources will notify the employee's supervisor of when the employee will be returning. An employee's position may need to be filled in their absence and upon returning from Family Medical Leave will be entitled to be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment, unless the employee would have been terminated in the absence of any leave (i.e. layoff, downsizing, or termination of a temporary job).

Employees who fail to return to work after a Family Medical Leave period shall be treated as having voluntarily terminated their employment.

x. Jury Duty*

The College will grant employees, who have been summoned or subpoenaed to appear in court, a temporary leave of absence. *(This time will not be considered in determining excessive absenteeism.)*

- Employees must submit a copy of the jury duty summons to their department head/supervisor, the Office of Human Resources and the Payroll Office.
- Employees shall receive their regular rate of pay.
- Employees may present a copy of Le Moyne College's policy to the Commissioners of Jurors, if so requested.
- The College reserves the right to seek a postponement and rescheduling for employees called to jury duty.
- If employees are relieved from jury duty at a time when there are more than two (2) hours remaining in their workday, employees shall call their department head/supervisor for the purpose of determining whether the College desires the employee to return to work.

** This policy does not apply when an individual appears in court on his or her own behalf.*

xi. Military Leave

The College conforms to the letter and spirit of all government statutes pertaining to military service. The Office of Human Resources will maintain open lines of communication with employees in military service and will provide employment opportunities for those returning from duty.

- Military service of six (6) months or more
 - A leave of absence is granted to all persons who are drafted, or are called to active duty in the armed forces, provided they are not temporary employees at the time of induction.
 - Employees are separated from payroll only after passing the pre induction physical examination and receiving written orders to report for active duty.
 - Upon expiration of such leave of absence, employees will be returned to their former or comparable position with no loss of seniority.
- Short-term active training
 - Employees with less than three (3) months of service with the College will be granted a military leave of absence without pay.
 - Employees who have been with the College for more than three (3) months will be granted a leave and will be paid the difference between their regular pay and their base service pay not to exceed training periods of two (2) weeks. Employees will also be paid the difference for any period (up to 30 days) during which they are activated due to a domestic emergency.
 - Vacation for which an employee was eligible will not be reduced prior to the leave.
 - Participation in, and eligibility for, the College's benefit plan will not be affected by the military leave of absence.

New Qualifying Reason for military leave: Eligible employees are entitled to up to 12 weeks of leave because of ["any qualifying exigency"](#) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining "any qualifying exigency." In the interim, employers are encouraged to provide this type of leave to qualifying employees.

New Leave Entitlement: An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This provision became effective immediately upon enactment. This military care giver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

xii. Personal Leave of Absence

A personal leave of absence from active employment at the College may be granted to employees for certain justifiable reasons. Approval must be obtained prior to the leave and will be dependent on the reason for the absence and the effect on the departmental work schedule.

- The term "leave of absence" means an approved absence from work, without pay, for a period of time in excess of five (5) working days up to a maximum of three (3) months. A leave extension beyond this maximum will be considered only in special cases at the discretion of the Director of Human Resources.
- Employees are eligible for unpaid leaves of absence upon completion of one (1) year of employment.
- A Request for Leave Of Absence form must be submitted to the immediate supervisor, stating the reason for the leave and the length desired. *Requests should be made at least 30 days prior to start of the leave.*
- Approval of the leave will be made by the department head/supervisor and the Vice President in coordination with the Office of Human Resources. The decision will be based on the employee's workload, and an agreement with the employee to return to work at the end of the leave.
- The employee's service with the College will be maintained. The employee will retain whatever seniority and benefits that were earned prior to the "leave of absence." Additional seniority and/or benefits will not accrue during a "leave of absence."

- By making prior arrangements with the Office of Human Resources, employees on leave may continue participation in the Group Health Insurance and Group Dental Insurance Plans by paying the employee portion of the plan premium. Other benefits will be suspended until employee's return to work.
- Employees are not permitted to engage in gainful employment during their "leave of absence" without prior approval.
- On expiration of leave, an employee shall be returned to the same or a comparable position to the one held upon leaving, provided such a position is available.
- Failure to return to work at the end of an approved personal leave of absence will be considered a resignation.

xiii. Sick Leave (non-exempt employees)

Le Moyne College recognizes that illness or injury may cause an employee to be absent from work. To provide for this need, the following procedures have been established.

Short Term Illness:

- All regular full time non-exempt employees who have completed the three (3) month initial review period shall be eligible to accumulate sick leave credit of 3.23 hours per pay period as of date of hire.
- All academic year full-time non-exempt employees who have completed the three (3) month initial review period will accumulate sick leave on a pro-rated basis.
- Regular part time non-exempt employees are not eligible for sick leave.
- Sick leave shall be compensated at the employee's regular hourly rate at the time such leave is taken.
- Sick leave shall be cumulative for use in case of extended illness or injury to a maximum of 490 hours (70 days).
- Sick pay will not be calculated in determining eligibility for overtime pay.
- When summer hours are in effect, Friday will count as a full day when calculating sick leave.

Pay out

- Non-exempt employees who resign or who have been terminated will not be entitled to reimbursement of sick leave.
- Non-exempt employees retiring from the College with fifteen (15) or more years of service will receive reimbursement of one-half pay for each accumulated sick day. Pay out maximum would be 245 hours. Employees who retire with 55 years of age or older and at least 10 years of service may receive a pro-rated reimbursement of one-half pay for each accumulated sick day.

Notification

- Employees who are absent in excess of seven (7) days, including 5 consecutive work days, due to illness or injury should review the [short-term disability policy](#) and follow the instructions to apply for short-term disability. They must notify their immediate supervisor and the Office of Human Resources of absence, reason for absence, and estimated time of recovery.

Leaving Le Moyne College

i. Retirement

- **Eligibility & Benefits** for full-time employees

- Must be at least 55 years old with at least 10 years of service. *Please note: There is **no** College subsidy for healthcare plan benefits.*
- **Benefits include**, access to the pre-65 group health insurance, access to the post-65 group health insurance, access to group dental insurance, tuition remission, vacation payout and sick time payout (non-exempt employees), participation in College programs, library services, access to the Recreation Center, computer facilities, and as resources allow, office space.

Employees who are eligible for retirement benefits under the College's retirement plan should notify the Office of Human Resources *at least three (3) months prior* to the planned retirement date to ensure a timely computation of benefits.

- **Payout**

- **Vacation Payout:** A retiree will receive payment for unused and accrued vacation pay upon retirement.
- **Sick time Payout:** Non-exempt employees who have been employed full-time for at least 15 years will receive payment for half their banked sick time up to a maximum of 245 hours. Non-exempt employees with at less than 15 years of service, but at least 10 years will receive a pro-rated reimbursement of half their sick time.

The College retains the right to modify or terminate these provisions, including the conditions of eligibility, in whole or in part, as experience, costs to the institution, or changes in public policy make it necessary.

ii. Termination

The College is not in a position to guarantee employment for any specific period of time and it may be in the best interests of the College to terminate employees for a variety of reasons. The College reserves the right to make such decisions at its sole discretion. Staff members must realize that their employment may be terminated at any time, for any reason or for no reason, at the discretion of the College.

The following guidelines have been established to process terminations in a fair and equitable manner.

Voluntary Separation

- It is expected that employees who voluntarily resign their positions will give notice to the department head/supervisor.
 - **Non-exempt:** at least 2 weeks notice
 - **Exempt:** at least 30 days notice
- Employees, who overextend any leave of absence without proper notice to their department head/supervisor, will be considered to have resigned without notice.
- The department head/supervisor will advise the Office of Human Resources of an employee's resignation.
- The Office of Human Resources will contact the employee for an exit interview relative to the employee's benefit status.
- The employee will receive final pay, including any vacation pay due, on the normal payday.
- The Supervisor will be sent a link to the online "Supervisor Termination Form" to complete for the employee leaving.

Involuntary Separation

- In the event of a termination, the department head/supervisor will discuss the situation with the Office of Human Resources to determine the most appropriate course of action.

- Normally, the termination of an employee will be effective immediately. In the event of critical situations, the department head/supervisor may immediately suspend the employee, with or without pay as may be appropriate, for the remainder of the day and contact the Office of Human Resources to review the facts and determine a course of action.
- The Supervisor will be sent a link to the online “Supervisor Termination Form” to complete for the employee leaving.

Definitions

1. Voluntary Separation
 - a. **Resignation:** a situation where an employee initiates the process for leaving the College.
 - b. **Retirement**
2. Involuntary Separation:
 - a. **Termination:** a situation where the College initiates action against an employee which will cease the employee's employment with the College.
 - b. **Discharge:** a situation where the College initiates action against an employee, for cause, which will remove that employee from employment with the College immediately.

The more time at the college the more notice you get. An employee who leaves with good standing and wishes to return are eligible for consideration for rehire provided an appropriate position is available.